



**City of Vancouver** *Zoning and Development By-law*  
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## **CD-1 (304)**

*5709 Wales Street  
2672 East 41st Avenue  
By-law No. 7173*

*(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)*

**Effective September 14, 1993**

*(Amended up to and including By-law No.8760, dated December 9, 2003)*

**1** *[Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*

**2** **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(304), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Multiple Dwelling containing family dwelling units eligible for government funding as of September 14, 1993;
- (b) Child Day Care Facility; and
- (c) Accessory Uses customarily ancillary to the above uses.

**3** **Floor Space Ratio**

**3.1** The floor space ratio shall not exceed 0.95. For the purpose 3.1 of computing floor space ratio, the site shall be all parcels covered by this By-law, and shall be deemed to be 2 197.4 m<sup>2</sup>, being the site size at time of application for rezoning, prior to any dedications.

**3.2** The following shall be included in the computation of floor space ratio:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

**3.3** The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) covered verandahs, porches or inset balconies, provided that the side facing a street or the rear property line is open and the height of the guard rails does not exceed the minimum specified in the Building By-law;
- (c) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (d) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (e) amenity areas, including recreation facilities and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (f) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey or half-storey, with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch; and
- (g) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
- (h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

**Note:** *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7173 or provides an explanatory note.*

**3.4** The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
  - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
  - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

[7512; 96 01 11]

**4 Height**

The maximum building height measured above the base surface shall be 11.3 m and the building shall not extend beyond 3 storeys.

**5 Off-street Parking**

Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 2 off-street parking spaces for every 3 employees shall be provided for the Child Day Care Facility and shall either be located on the site or on an adjacent site secured by a covenant or other instrument satisfactory to the Director-of Legal Services.

**6 Acoustics**

All development permit applications shall require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise level set opposite such portions. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

<b>Portions of Dwelling Units</b>	<b>Noise Level (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7515; 96 01 11]

**7** *[Section 7 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*

BY-LAW No. 7173 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW

