



City of Vancouver *Zoning and Development By-law*

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CD-1 (259)

1301-1325 West Pender Street

By-law No. 6730

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

Effective September 25, 1990

(Amended up to and including By-law No. 8169, dated March 14, 2000)

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 The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, which area shall be more particularly described as CD-1(259), and the only uses permitted within the said 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 Dwellings;
- (b) Commercial Uses but limited to Retail Store, Grocery Store or Drugstore, Restaurant - Class 1, Barber Shop or Beauty Salon, Laundromat or Dry Cleaning Establishment, Photo-finishing or Photography Studio, Repair Shop - Class B and Office Uses, provided that these uses shall be permitted only at grade level and that the floor area for any one of these uses does not exceed 139.4 m² (1,500 sq. ft.) and the floor area for a restaurant use does not exceed 69.7 m² (750 sq. ft.);
- (c) Recreational and Social Amenities primarily for residents, tenants and employees including health club, saunas, tennis courts, swimming pools, squash courts, gymnasiums, workout rooms, meeting rooms, games rooms and hobby rooms, and other facilities which, in the opinion of the Director of Planning, are similar to the foregoing;
- (d) Accessory uses customarily ancillary to the above uses.

3 Floor Space Ratio

3.1 The maximum floor space ratio shall be 5.10 (otherwise expressed as 6.00 on the southerly 104.4 feet of the site). [6771; 90 11 27]

3.2 The following shall be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.25 m (4.10 ft.), both above and below ground level, to be measured to the extreme outer limits of the building.

3.3 The following shall be excluded in the computation of floor area:

- (a) balconies, canopies, sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, and provided further that the total area of all exclusions does not exceed eight percent of the permitted floor area;
- (b) patios and roof gardens, provided that any sunroofs or walls forming part thereof are approved by the Director of Planning;
- (c) elevator shafts, lockers, laundry rooms, and entrance lobbies providing the areas are ancillary to residential uses and provided that the exclusion for residential storage space provided at or above the base surface shall not exceed 40 square feet per dwelling unit;
- (d) off-street parking and loading areas, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing, provided the floor area so used is at or below the base surface or below the highest point of the finished grade around the buildings;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 6730 or provides an explanatory note.*

- (e) social and recreational amenities and facilities primarily for the use of residents, tenants and employees, provided that the floor area so used does not exceed 20 percent of the maximum permitted floor area or 929.03 m² (10,000 sq. ft.), whichever is lesser, and including the following: health club, saunas, tennis courts, swimming pools, squash courts, gymnasiums, workout rooms, meeting rooms, games rooms, hobby rooms, and other similar related indoor uses of a social or recreational nature which in the opinion of the Director of Planning are of a type which contribute to social amenity. A child day care facility, not exceeding 464.5 m² (5,000 sq. ft.), will be included in the foregoing list if the Director of Planning is satisfied, on the advice of the Director of Social Planning, that there is a need for the facility in the project or immediate neighbourhood;
- (f) 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]

4 Height

The maximum building height, excluding mechanical penthouses and measured above the base surface, as determined by the City Engineer, shall be 91.44 m (300 ft.), except that the height of a tower on the east half of the site may be increased to a maximum height of 99.06 m (325 ft.) provided that the maximum height of the tower on the west half is reduced by the corresponding amount.

5 Site Coverage

5.1 The maximum site coverage for buildings shall be 25 percent of the site area and shall be based on the projected area of the outside of the outermost walls of all buildings but excludes cantilevered balconies and canopies.

5.2 A minimum of 50 percent of the site area shall be used to provide public open space accessible to the public to the satisfaction of the Director of Planning.

6 Acoustics

6.1 A development permit application shall require evidence in the form of a report and recommendations prepared by a person or persons 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 levels expressed in decibels set opposite such portions of the dwelling units:

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

[7515; 96 01 11]

6.2 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.

7 Off-Street Parking

Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, however off-street parking spaces for Multiple Dwelling use shall be provided as follows: 0.5 spaces for dwelling unit and 1 additional space for 100 m² (1,076 sq. ft.) of gross floor area, except that no more than 2.2 spaces per dwelling unit need be provided.

- 8 **Off-Street Loading**
Off-street loading spaces shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law except that a minimum of 1 off-street loading space shall be provided for every 200 dwelling units.
- 9 *[Section 9 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.]*

