



# **City of Vancouver** *Zoning and Development By-law*

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## **CD-1 (348)**

*34 West Pender Street*

*By-law No. 7556*

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

**Effective April 23, 1996**

*(Amended up to and including By-law No. 10593, dated October 30, 2012)*

**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 (348), 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) Dwelling Units;
- (b) Institutional Uses, limited to Child Day Care Facility, and Social Service Centre;
- (c) Office Uses, limited to General Office, Health Care Office, and Health Enhancement Centre;
- (d) Retail Store;
- (e) Service Uses, limited to Barber Shop or Beauty Salon, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, School - Arts or Self - Improvement, and School - Business;
- (f) Public Bike Share; and
- (g) Accessory Uses customarily ancillary to the above uses. [10593; 12 10 30]

## **3 Floor Space Ratio**

**3.1** The floor space ratio must not exceed 3.74. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 1 909.5 m<sup>2</sup>, being the site size at time of application for rezoning, prior to any dedications.

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

- (a) all floors have a minimum ceiling height of 1.2 m, 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 will be excluded in the computation of floor space ratio:

- (a) open residential balconies, sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) 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 must not exceed 7.3 m in length;
- (d) social and recreational amenities and facilities provided that the area of such excluded facilities does not exceed 20 percent of the allowable floor space or 1 000 m<sup>2</sup>, whichever is lesser; and
- (e) 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]

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7556 or provides an explanatory note.*

- (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]

**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. [7874; 98 04 21]

## **4 Height**

The maximum building height measured above the base surface is 21.4 m.

## **5 Off-Street Parking and Loading**

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except as follows:

- (a) off-street parking spaces for:
  - (i) office uses must provide a minimum of 1 space for each 93 m<sup>2</sup> of gross floor area and a maximum of 1 space for each 80 m<sup>2</sup> of gross floor area;
  - (ii) retail uses must provide a minimum of 1 space for each 50 m<sup>2</sup> of floor area; and
  - (iii) institutional uses must provide parking as determined by the Director of Planning, in consultation with the City Engineer; and
- (b) off-street loading spaces for dwelling units must provide 1 space for each 100 dwelling units.

## **6 Acoustics**

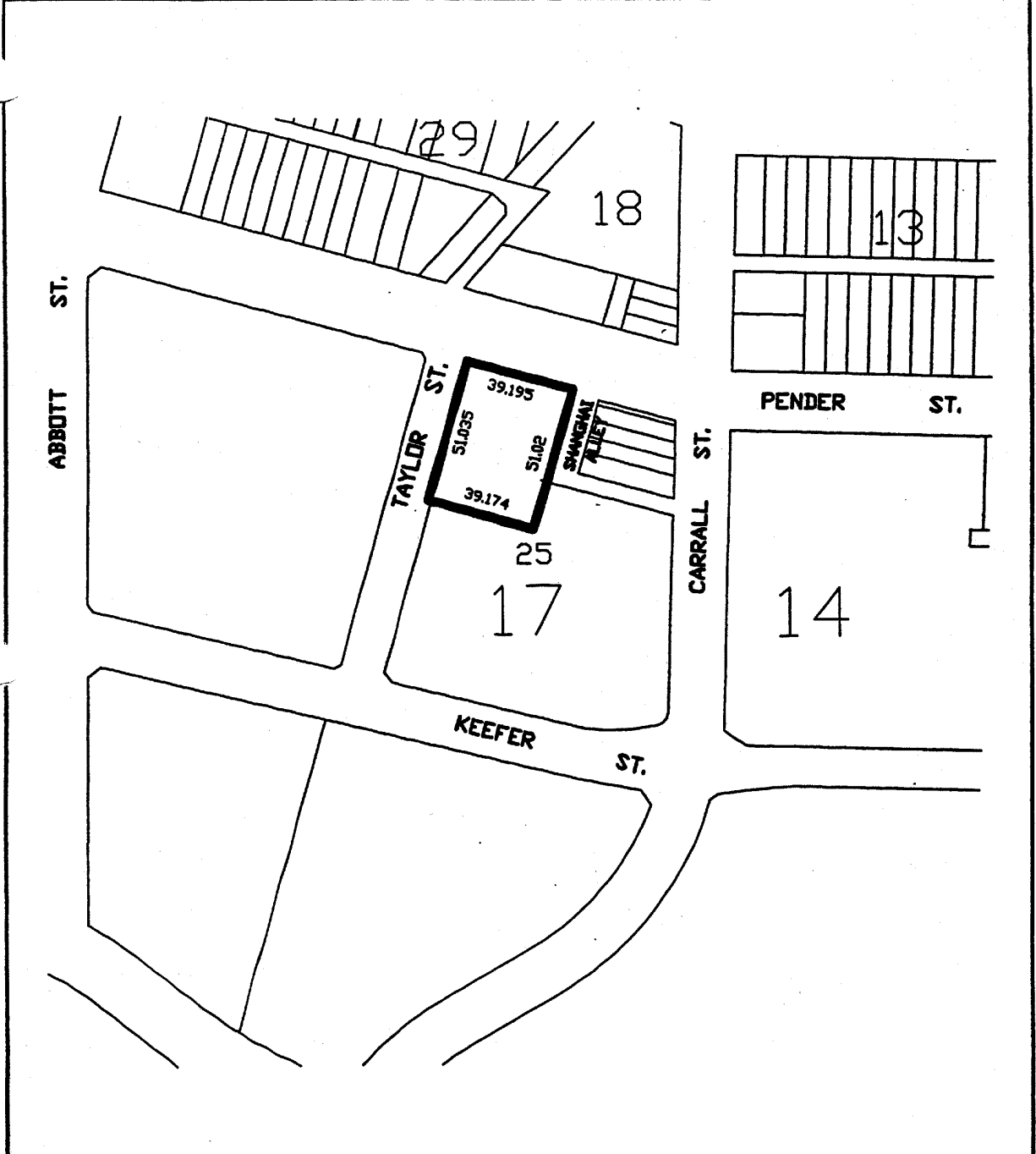
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level 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 levels (Decibels)</b> |
|-----------------------------------|--------------------------------|
| bedrooms                          | 35                             |
| living, dining, recreation rooms  | 40                             |
| kitchen, bathrooms, hallways      | 45                             |

[7874; 98 04 21]

**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. 7556 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (——) is rezoned:  
From **BCPED** To **CD-1**

**Z-440(b)**

**RZ 34 W. Pender Street**

map: 1 of 1

**City of Vancouver Planning Department**

scale: 1:2000



