



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060
planning@vancouver.ca

CD-1 (468)

1409-1477 West Pender Street

By-law No. 9665

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

Effective June 10, 2008

- 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
- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (468).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (468) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Dwelling Uses in conjunction with any use listed in this section 2.2;
 - (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Special Needs Residential Facility;
 - (c) Live-Work Use;
 - (d) Office Uses;
 - (e) Retail Uses;
 - (f) Service Uses; and
 - (g) Accessory Uses customarily ancillary to the uses listed in this section 2.2.
- 3 Conditions of use
- Any development permit issued for live-work uses must stipulate as permitted uses:
- (a) dwelling units;
 - (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
 - (c) dwelling unit combined with any uses set out in subsection (b).
- 4 Density
- 4.1 Computation of floor area must assume that the site consists of 2 228 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2 The floor space ratio for all uses, combined, must not exceed 10.66.
- 4.3 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building.
- 4.4 Computation of floor space ratio must exclude:
- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
 - (d) undeveloped floor area located above the highest 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;

- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 1 000 m²; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided; and
- (d) structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs or urban agriculture.

4.6 The use of floor space excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

5 Building height

5.1 Subject to section 5.2, the building height, measured above base surface, must not exceed 107.4 m.

5.2 Sections 10.10 and 10.11 of the Zoning and Development By-law are to apply to this By-law, except that the Director of Planning or Development Permit Board may allow:

- (a) an additional 1.37 m of height for rooftop guard rails that are architecturally integrated into the design of the building; and
- (b) mechanical appurtenances such as elevator machine rooms that, in total, exceed one-third of the width of the building and cover more than 10% of the roof area if they are appropriately integrated into the design of the building and do not exceed a height of 7.6 m above the parapet level.

6 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be at least 0.9 parking space for every dwelling unit plus one space for each additional 200 m² of gross floor area but no more than the lesser of:

- (a) 1.1 parking spaces for every dwelling unit plus one space for each 125 m² of gross floor area, and
- (b) 2.2 parking spaces for every dwelling unit.

7 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 do 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 is defined simply as noise level in decibels.

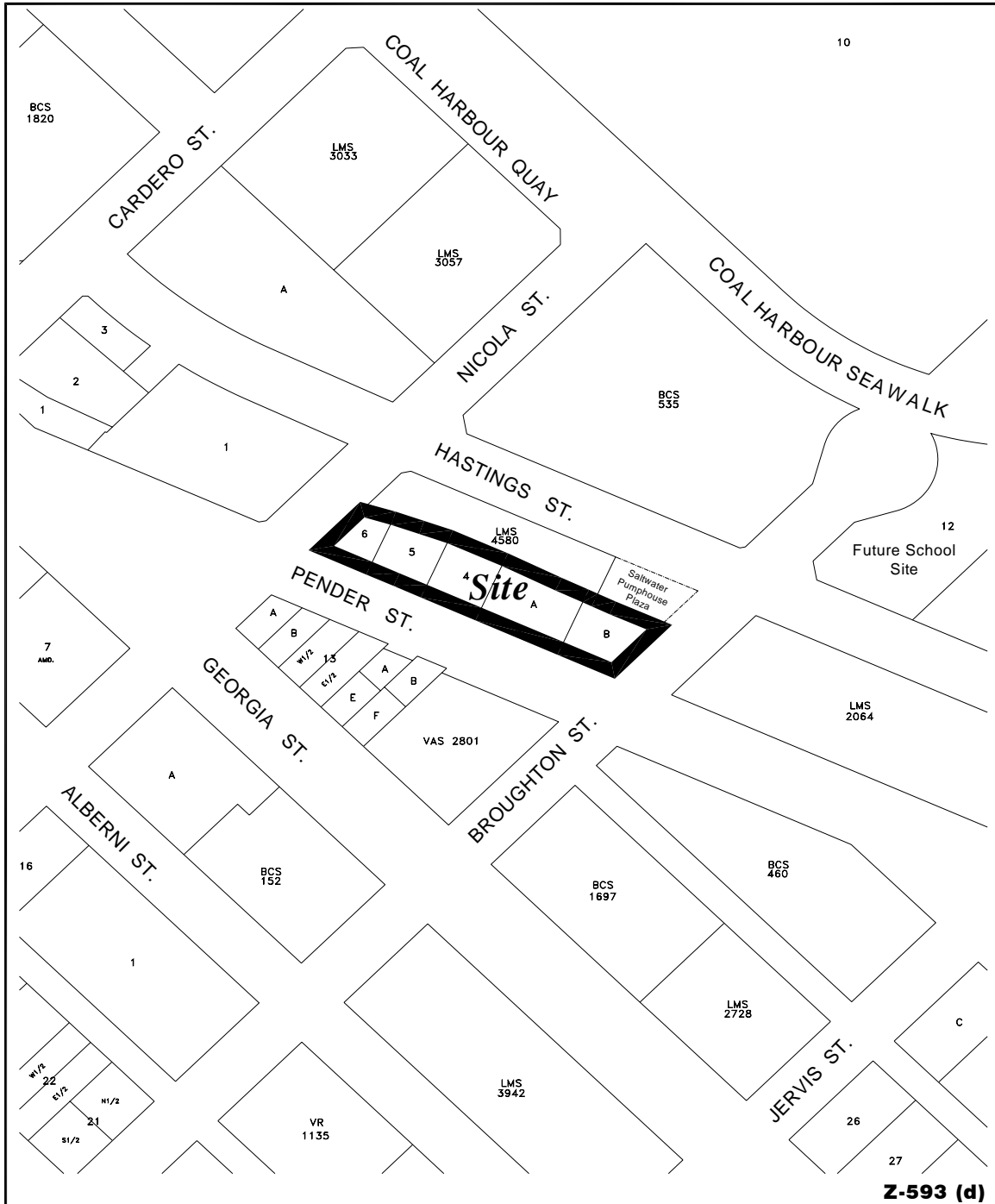
Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

8 Severability


A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

9 *[Section 9 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

Schedule A



Z-593 (d)

<p>RZ - 1409 - 1477 West Pender Street</p>	<p>map: 1 of 1</p>	
	<p>scale: NTS</p>	
<p>City of Vancouver</p>	<p>date: May 2007</p>	