



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

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060

[planning@city.vancouver.bc.ca](mailto:planning@city.vancouver.bc.ca)

## **CD-1 (172)**

*3405-3433 East 43rd Avenue*

*3486-3488 Kingsway*

*By-law No. 5927*

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

***Effective July 30, 1985***

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

BY-LAW NO. 5927

A By-law to amend By-law No. 3575, being the Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER, In opening meeting assembled, enacts as follows:

1 The “Zoning District Plan” annexed to By-Law No. 3575 as Schedule “D” is hereby amended according to the plan marginally numbered Z-306b and attached to this By-law as Schedule “A”, and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule “A” of this By-law. and Schedule “An of this By-law is hereby incorporated as an integral part of Schedule “D” of By-law No. 3575.

2 Uses

The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, 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) A maximum of 40 dwelling units comprising multiple dwellings, all of which shall be eligible for funding under Section 56.1 of the **National Housing Act** and subject to the following:
  - (i) of the total number of dwelling units, a minimum of 5 percent shall have four bedrooms, a minimum of 47 percent shall have three bedrooms, a minimum of 25 percent shall have two bedrooms, and the remainder shall have one bedroom; and
  - (ii) all two, three, and four bedroom units shall be designed for families;
- (b) Common use amenity area for residents of the development. subject to the following:
  - (i) the gross floor area shall not exceed 185.806 m<sup>2</sup> (2,000.00 sq. ft.);
- (c) Commercial uses as are listed in the C-2 District Schedule, provided that the Director of Planning is first satisfied that any such commercial uses are compatible with any residential uses proposed for the site and adjacent lands, subject to Section 3 below;
- (d) Accessory uses customarily ancillary to the above uses.

3 Floor Space Ratio

3.1 The floor space ratio shall not exceed 0.71, calculated prior to road dedication, excluding the common use amenity area. and comprising a maximum floor space ratio of 0.09 for commercial uses.

3.2 The floor space ratio for the residential uses shall be measured in accordance with the provisions of the RT-2A District Schedule.

3.3 The floor space ratio for commercial uses shall be measured in accordance with the provisions of the C-2 District Schedule.

3.4 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

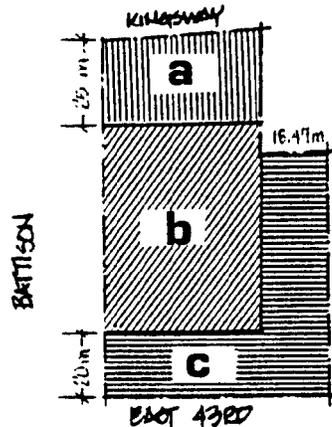
**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 5927 or provides an explanatory note.

4 Height

4.1 The maximum building height, measured above the base surface shall be as follows:

- (a) for that portion of the site within area “a” on Diagram 1 below, maximum building height shall be 7.010 m (23.00 ft.);
- (b) for that portion of the site within area “b” on Diagram 1 below, maximum building height shall be 9.601 m (31.5 ft.);
- (c) for that portion of the site within area “c” on Diagram 1 below, maximum building height shall be 7.62 m (25.00 ft.).

Diagram 1



5 Site Coverage

The maximum site coverage for all buildings and paved areas, excluding areas solely for pedestrian circulation, shall be 48 percent.

6 Off-street Parking and Loading

Off-street parking and loading spaces for all uses shall be provided, developed, and maintained in accordance with applicable provisions of Section 12 of the Zoning and Development By-law, except as follows:

- (a) parking spaces for residential uses shall be provided at a minimum ratio of 1.7 spaces for each dwelling unit;
- (b) a minimum of 16 parking spaces for commercial uses shall be provided, and (c) Section 6.1 of the Table 12-1 shall not apply.

7 This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 30th day of July , 1985.

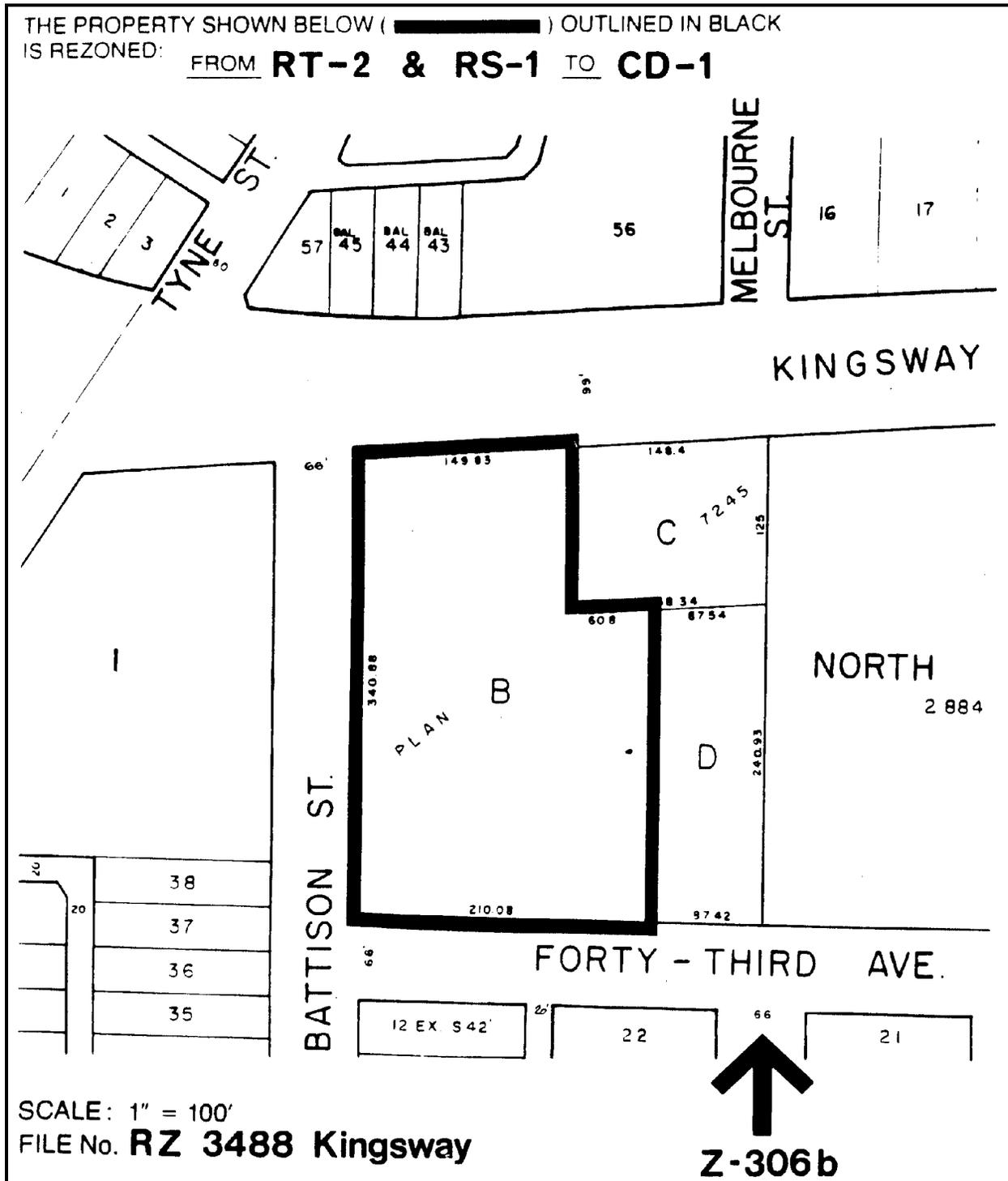
(signed) Alderman Yorke  
Deputy Mayor

(signed) R. Henry  
City Clerk

“I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 30th day of July, 1985, and numbered 5927.

CITY CLERK”

By-law No. 5927 being a By-law to amend By-law No. 3575 being the Zoning and Development By-law



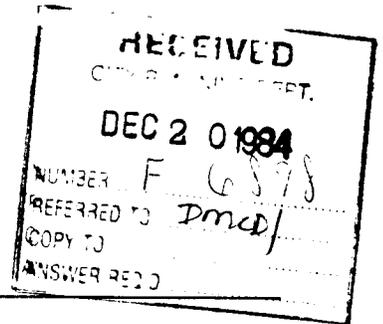
CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: December 19, 1984

To: City Manager  
Director of Planning  
Director of Legal Services  
Associate Director - Zoning  
City Engineer  
Medical Health Officer

Refer File:



Subject: Public Hearing Minutes - December 13, 1984

I wish to advise you of the attached minutes from the Special Council Meeting (Public Hearing) held on December 13, 1984.

Please note any matters contained therein for your attention.

*[Handwritten Signature]*  
CITY CLERK

Att.

JT:ss

Also Sent To: Davidson & Yuen Partners, Architects,  
509 Richards Street, V5K 4B2

Mr. Brian T. Schmidt, Director of Planning,  
Children's Hospital, 4480 Oak Street, V6H 3V4

Chairman & Members, Joyce Station Area Planning  
Committee

Mr. John Currie, Architect,  
#120 - 1152 Mainland Street,  
V6B 2T9

3. 3488 Kingsway

The Council considered an application from Mr. John Currie, Architect, as follows:

LOCATION: 3488 Kingsway (Lot "B", Block 10, D.L. 36 and 49, Plan 7245)

Present Zoning: RS-1 One-Family Dwelling District and  
RT-2 Two-Family Dwelling District

Requested Zoning: CD-1 Comprehensive Development District

- (i) The draft CD-1 By-law, if approved, would accommodate the use and development of the site generally as follows:
  - A maximum of 40 dwelling units, comprising multiple dwellings, eligible for funding under Section 56.1 of the National Housing Act;
  - A maximum of 185.806 m<sup>2</sup> (2,000.00 sq. ft.) of common use amenity area;
  - Commercial uses;
  - Accessory uses customarily ancillary to the above;
  - A maximum floor space ratio of 0.71, comprising a maximum floor space ratio of 0.09 for commercial uses;
  - Provisions regarding height, site coverage, and off-street parking.
- (ii) Any consequential amendments.

The Director of Planning recommended approval subject to the following conditions proposed for adoption by resolution of Council:

- (a) That the detailed scheme of development in a development permit application be first approved by the Director of Planning, after receiving advice from the Urban Design Panel, having particular regard to the following:
  - the overall design and its relationship to adjacent development, with particular regard to the southerly elevation and its relationship to adjacent single-family developments;
  - pedestrian and vehicular circulation within and to/from the site;
  - the provision and maintenance of landscaping and surface treatment with particular regard to buffering between private patios and the central open space and along 43rd Avenue;
  - an additional play area to serve the high percentage of family-oriented units;
  - the accessibility, safety and security of off-street parking facilities;
  - the provision, location and screening of garbage facilities; and
  - the provision of suitable outdoor lighting.
- (b) That the approved form of development be generally as presented in the drawings prepared by John Currie Architect stamped "Received, City Planning Department, September 18, 1984" and supplemented by drawings stamped "September 27, 1984".
- (c) That subdivision plans showing a dedication requirement of a portion of the northwest corner of Lot "B", Block 10, D.L. 36 and 49, Plan 7245 (sketch on file) is registered in the Land Title Office.
- (d) That the applicant enter an agreement to the satisfaction of the Director of Legal Services and City Engineer for water and hydro servicing, the costs of which are to be borne by the developer.
- (e) That this site be brought to the attention of the Planning and Development Committee of Council if the proposed development has not been started within one (1) year from the date of enactment of the proposed by-law.

*Handwritten notes:*  
 not servicing agreements  
 cleared by Martin  
 all services on  
 line of 7245

cont'd....

3488 Kingsway (cont'd)

Mrs. D. Whiting, Zoning Division, reviewed the application, detailing the unit components and height zones. Access to the commercial component would be from Kingsway. The residential units would be accessed from Battison. A new median strip recently installed on Kingsway prohibited left turns westbound between Lincoln and Tyne and there were some concerns regarding this, but the situation would be monitored.

Mr. Currie explained the relationship of the proposed development to the adjacent single family area, noting parking would be located to the north and the residential structures along 43rd Avenue were in scale to the existing residences.

The Deputy Mayor called for speakers for or against the application and representations were made by the following:

- Mr. Chris Sdrakas and Mr. Tom Karanasos, co-owners of the Lucky Strike Motel opposed the development. They advised the new commercial structure would obscure the advertising sign on the west side of their building; and the children's playground, located beside the Motel fence, overlooked guests' rooms. They submitted the roof of the commercial component should be redesigned to conform to a lower profile. They also noted the new median made turns to the Motel from Kingsway very difficult.
- Chris Taulu, for Joyce Station Committee, expressed the Committee's concerns respecting the new median treatment on Kingsway. The Kingsway Task Force report recommended School Avenue be connected to 43rd Avenue and the Committee felt if the rezoning was approved, Council should give priority to this streets project.
- Shirley Schmidt, Columbia Housing, spoke in support.

The applicant advised he was equally concerned about the Kingsway access to the commercial component and he urged the question of the median be studied again.

Mr. D. McDonald, Associate Director, Zoning Division, stated the problem would be resolved once the School/43rd Avenue connection took place.

MOVED by Ald. Davies,  
THAT

- A. The application be approved subject to the conditions proposed by the Director of Planning.
- B. The City Engineer be instructed to broaden the notification area for the Public Information Meeting re On-Street Parking Problems in the B.C. Tel/Boundary area on January 10, 1985, to include the area east of Tyne Street.
- C. The 1978 report of the Kingsway Task Force and the question of traffic problems on Kingsway be the subject of a future report by the City Engineer to the Standing Committee on Transportation.

- CARRIED UNANIMOUSLY

A By-law to amend the  
Zoning and Development By-law,  
being By-law No. 3575

THE COUNCIL OF THE CITY OF VANCOUVER, in opening meeting assembled, enacts as follows:

1. The "Zoning District Plan" annexed to By-Law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-306b and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.

2. USES

The area shown included within the heavy black outline on Schedule "A" is rezoned to CD-1, 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) A maximum of 40 dwelling units comprising multiple dwellings, all of which shall be eligible for funding under Section 56.1 of the National Housing Act and subject to the following:
  - (1) of the total number of dwelling units, a minimum of 5 percent shall have four bedrooms, a minimum of 47 percent shall have three bedrooms, a minimum of 25 percent shall have two bedrooms, and the remainder shall have one bedroom; and
  - (ii) all two, three, and four bedroom units shall be designed for families;
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  - (1) the gross floor area shall not exceed 185.806 m<sup>2</sup> (2,000.00 sq. ft.);
- (c) Commercial uses as are listed in the C-2 District Schedule, provided that the Director of Planning is first satisfied that any such commercial uses are compatible with any residential uses proposed for the site and adjacent lands, subject to Section 3 below;
- (d) Accessory uses customarily ancillary to the above uses.

3. FLOOR SPACE RATIO

- 3.1 The floor space ratio shall not exceed 0.71, calculated prior to road dedication, excluding the common use amenity area, and comprising a maximum floor space ratio of 0.09 for commercial uses.
- 3.2 The floor space ratio for the residential uses shall be measured in accordance with the provisions of the RT-2A District Schedule.
- 3.3 The floor space ratio for commercial uses shall be measured in accordance with the provisions of the C-2 District Schedule.

4. Text Amendment - Landscape Setbacks  
Pertaining to Lands in East False Creek

The Council considered the following application of the Director of Planning:

TEXT AMENDMENT: LANDSCAPE SETBACKS PERTAINING TO LANDS IN EAST FALSE CREEK

- (i) The proposed amendments, if approved, would establish new landscape setbacks on the north and south sides of Terminal Avenue and the west side of Quebec Street; and delete the existing requirement on the west side of Main Street between Terminal Avenue and the westerly extension of the northerly boundary of National Avenue.
- (ii) Any consequential amendments.

There were no speakers for or against the application.

MOVED by Ald. Rankin,  
THAT the application of the Director of Planning be approved.

- CARRIED UNANIMOUSLY

5. Text Amendment - Small-Scale Manufacturing  
in Commercial Zones

The Director of Planning made application as follows:

TEXT AMENDMENT: SMALL-SCALE MANUFACTURING IN COMMERCIAL ZONES

- (i) The proposed amendments, if approved, would:
  - Insert new definitions for retail stores;
  - Permit various manufacturing uses, to a maximum of 3,000 sq. ft., in conjunction with associated retailing in various commercial, industrial and historic area district schedules.
- (ii) Any consequential amendments.

There were no speakers for or against the application.

MOVED by Ald. Rankin,  
THAT the application of the Director of Planning be approved.

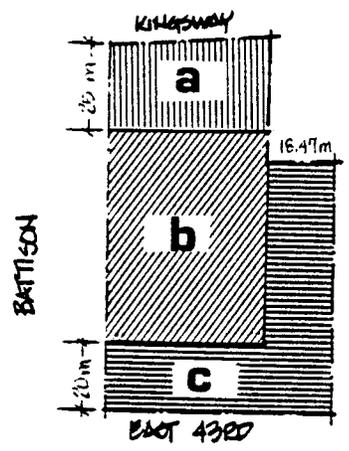
- CARRIED UNANIMOUSLY

4. HEIGHT

4.1 The maximum building height, measured above the base surface shall be as follows:

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- (b) for that portion of the site within area "b" on Diagram 1 below, maximum building height shall be 9.601 m (31.5 ft.);
- (c) for that portion of the site within area "c" on Diagram 1 below, maximum building height shall be 7.62 m (25.00 ft.).

Diagram 1



5. SITE COVERAGE

The maximum site coverage for all buildings and paved areas, excluding areas solely for pedestrian circulation, shall be 48 percent.

6. OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces for all uses shall be provided, developed, and maintained in accordance with applicable provisions of Section 12 of the Zoning and Development By-law, except as follows:

- (a) parking spaces for residential uses shall be provided at a minimum ratio of 1.7 spaces for each dwelling unit;
- (b) a minimum of 16 parking spaces for commercial uses shall be provided; and
- (c) section 6.1 of the Table 12-1 shall not apply.

7. This By-law comes into force and takes effect on the date of its passing.

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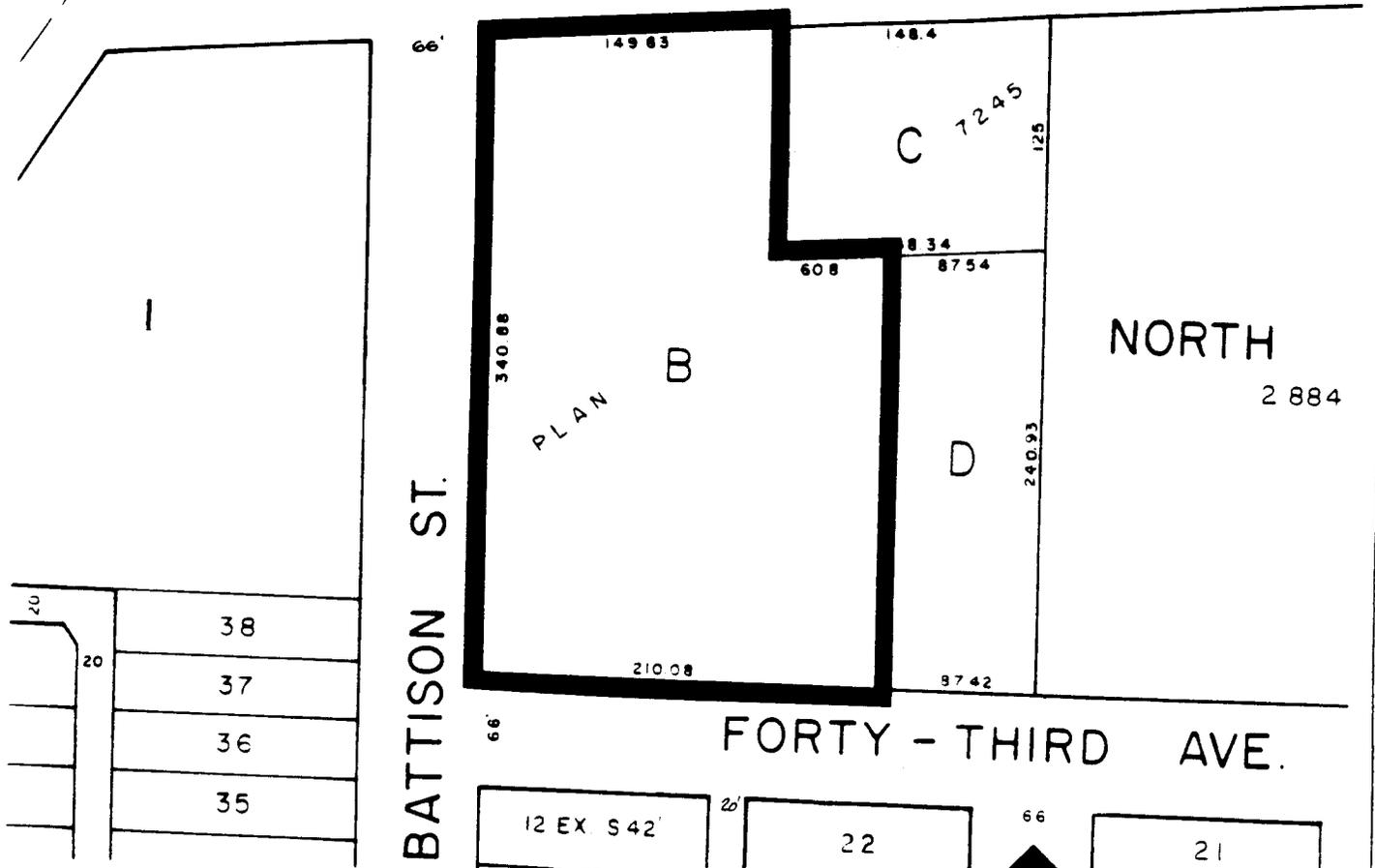
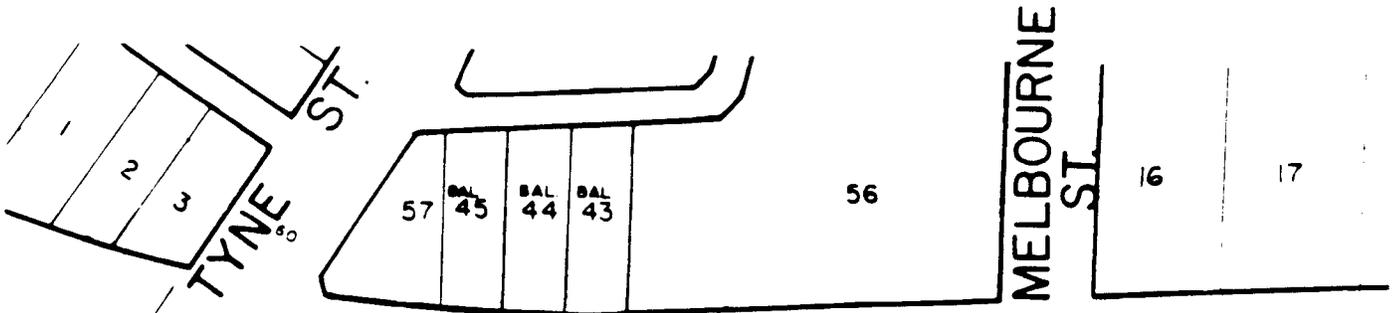
(signed) Alderman Yorke  
 Deputy Mayor  
 (signed) R. Henry  
 City Clerk

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CITY CLERK"

BY-LAW No. 5927 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW

THE PROPERTY SHOWN BELOW (  ) OUTLINED IN BLACK SCHEDULE A  
IS REZONED: FROM **RT-2 & RS-1** TO **CD-1**



SCALE: 1" = 100'  
FILE No. **RZ 3488 Kingsway**

