



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 (192)

Charles/Adanac
(3601-3699 William Street)
By-law No. 6169

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

Effective July 7, 1987

(Amended up to and including By-law No. 9414, dated December 12, 2006)

Guidelines:

Charles /Adanac

Zero Side Yard Single-Family Design Guidelines

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, 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 15 one-family dwellings or one-family dwellings with secondary suite; [9414; 06 12 12]
- (b) accessory buildings customarily ancillary to the above use provided that:
 - (i) no accessory building exceeds 3.658 m (12 ft.) in height measured to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.572 m (15 ft.) in height;
 - (ii) all accessory buildings are located in the rear yard and in no case are less than 1.524 m (5 ft.) from the flanking street, subject also to the provisions of section 11.1 of the Zoning and Development By-law;
 - (iii) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 40.876 ml (440 sq. ft.); and
 - (iv) not more than 80 percent of the width of the rear yard of any of site is occupied by accessory buildings.
- (c) accessory uses customarily ancillary to the above uses.

3 **Site Area**

The minimum site area for a one-family dwelling shall be 241.55 m² (2,600 sq. ft.).

4 **Height**

In no case shall the maximum height of a building exceed the lesser of 7.62 m (25 ft.) or two storeys.

5 **Yards**

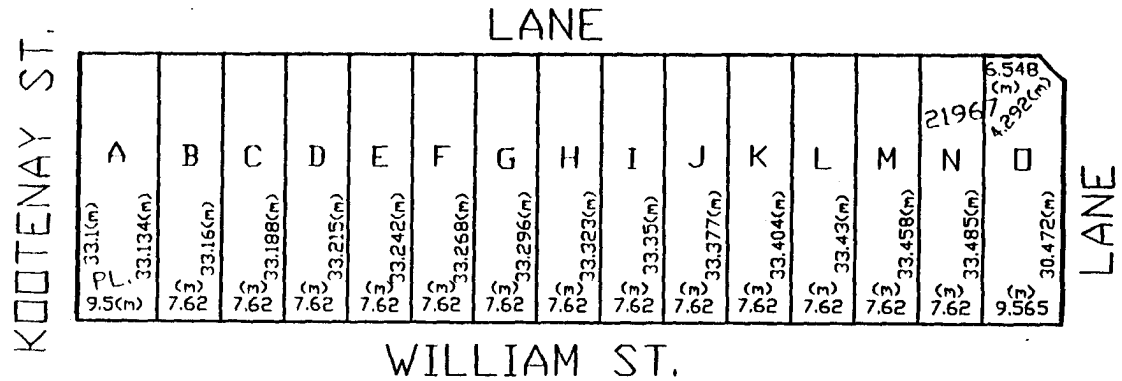
A front yard with a minimum depth of 6.096 m (20 ft.) shall be provided.

A side yard with a minimum width of 1.524 m (5 ft.) shall be required on one side of the building only, except that the following additional regulations shall apply to lots A and O on Diagram 1: [7219; 93 11 02]

- (a) for lot A, a side yard with a minimum width of 10 percent of the width of the site shall be provided on the west property line; and [7219; 93 11 02]
- (b) for lot O, a side yard with a minimum width of 10 percent of the width of the site shall be provided on the east property line. [7219; 93 11 02]

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 6169 or provides an explanatory note.*

Diagram 1



A rear yard with a minimum depth of 9.144 m (30 ft.) shall be provided.

6 Floor Space Ratio

The floor space ratio for each site shall not exceed 0.60, calculated in accordance with the RS-1 District Schedule.

- 6.1 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]

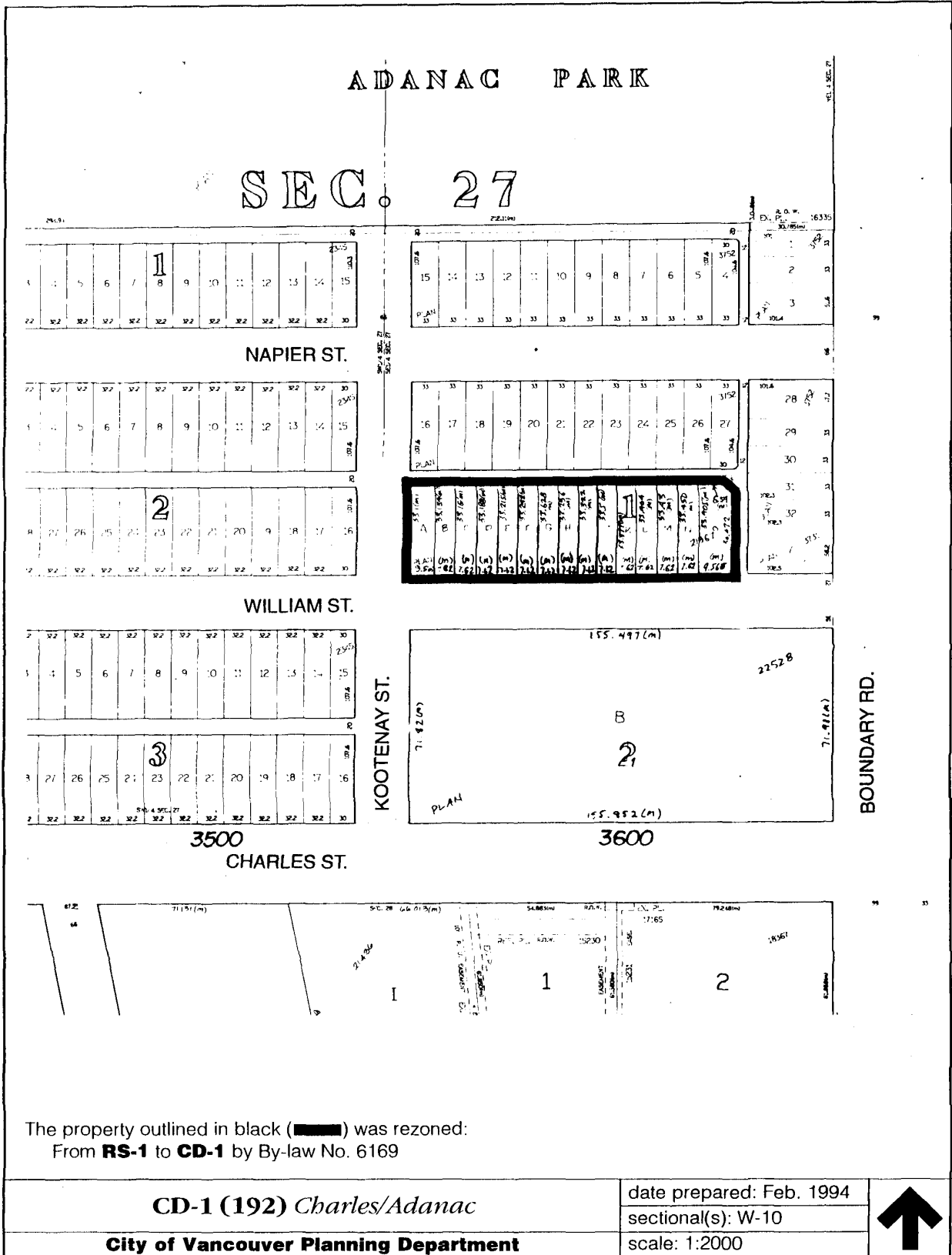
7 Site Coverage

The maximum site coverage for buildings, parking areas and driveways shall be 50 percent of the site areas, calculated in accordance with the RS-1 District Schedule.

8 Off-street Parking and Loading Spaces

Off-street parking and loading spaces shall be provided and maintained in accordance with the provisions of the Parking By-law, except that a minimum of one space per one-family dwelling or one-family dwelling with secondary suite shall be provided. [9414; 06 12 12]

- 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.]



Rezoning Application - 2865 East
Hastings Street (Cont'd)

- Mr. Shane Simpson, 3500 Adanac Street, opposed the hotel use, noting it would exacerbate the already severe traffic and parking problems in the area.

- Mr. Mike Jukich, 1032 Renfrew Street, spoke in opposition, submitting the partially finished building on the site, should be torn down and senior citizen housing constructed for residents of the area.

- Another resident objected to the proposed pub.

MOVED by Ald. Puil,

THAT the application be approved subject to the conditions proposed by the Director of Planning as set out in this Minute of the Public Hearing.

- CARRIED

(Aldermen Davies and Eriksen opposed)

Applications 2 and 3 were related and were considered concurrently but for clarity they are dealt with separately in these Minutes.

2. Rezoning Application - North Side of
3600-Block William Street

An application of the Director of Planning was considered as follows:

REZONING: LOCATION - NORTH SIDE OF 3600-BLOCK WILLIAM STREET
(Lots 3 through 14, Block 1, S.E. Corner Section 27,
THSL)

Present Zoning: RS-1 One-Family Dwelling District

Proposed 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:

- 15 one-family dwellings;
- minimum site area of 2,600 sq. ft.;
- maximum floor space ratio of 0.60;
- maximum height of the lesser of 25 feet or two storeys;
- minimum 5 foot side yards required on one side of each building;
- minimum 20 foot front yards and 30 foot rear yards; and
- provisions regarding off-street parking.

(ii) Any consequential amendments.

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

- (a) That the approved form of development is generally as prepared by Moodie Consultants Ltd., illustrated in Appendix B of the City Manager's report dated March 25, 1987, provided that the Director of Planning may allow minor alterations to this approved form of development when approving development permit applications.

Mr. Michael Gordon, Planner, reviewed the application and responded briefly to questions.

Cont'd....

Rezoning Application - North Side of
3600-Block William Street (Cont'd)

The Mayor called for speakers for or against the proposal and one speaker addressed the Public Hearing:

- Ms. Patricia Coutts, Hastings Sunrise Citizens Planning Committee, spoke in support and described the public participation process which has assured area residents that the consultants are open and receptive to their needs.

MOVED by Ald. Bellamy,

THAT the application be approved subject to the condition proposed by the Director of Planning and set out in this Minute of the Public Hearing.

- CARRIED UNANIMOUSLY

3. Rezoning Application - Lands surrounded
by William Street, the lane West of Boundary
Road, Charles Street and Kootenay Street

Council considered an application of the Director of Planning as follows:

REZONING: LOCATION - LANDS SURROUNDED BY WILLIAM STREET, THE LANE WEST OF BOUNDARY ROAD, CHARLES STREET AND KOOTENAY STREET (Lots 1 through 12, and 20 through 31, Block 2, S.E. Corner Section 27, THSL)

Present Zoning: RS-1 One-Family Dwelling District

Proposed 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:

- maximum of 40 dwelling units in multiple dwellings;
- maximum floor space ratio of 0.75;
- maximum height of the lesser of 30 feet or two storeys;
- minimum 20 foot setback from any property boundaries; and
- provisions regarding off-street parking.

(ii) Any consequential amendments.

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

(a) That the approved form of development is generally as prepared by Moodie Consultants Ltd., illustrated in Appendix D of the City Manager's report dated March 25, 1987, provided that the Director of Planning may allow minor alterations to this approved form of development when approving development permit applications.

The departmental position was outlined by Mr. M. Gordon, Planner, who noted some of the City land would be temporarily withheld from the market in order that it may be available, if required, for residents displaced by the Cassiar Connector highway project.

The Mayor called for speakers for or against the application and one speaker, Ms. Patricia Coutts, Hastings Sunrise Citizens Planning Committee, supported the rezoning.

MOVED by Ald. Bellamy,

THAT the application be approved subject to the condition proposed by the Director of Planning and set out in the Minute of the Public Hearing.

- CARRIED UNANIMOUSLY

BY-LAW NO. 7219

A By-law to amend
By-law No. 6169,
being a By-law which amended
the Zoning and Development By-law
by rezoning an area of the City to CD-1

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

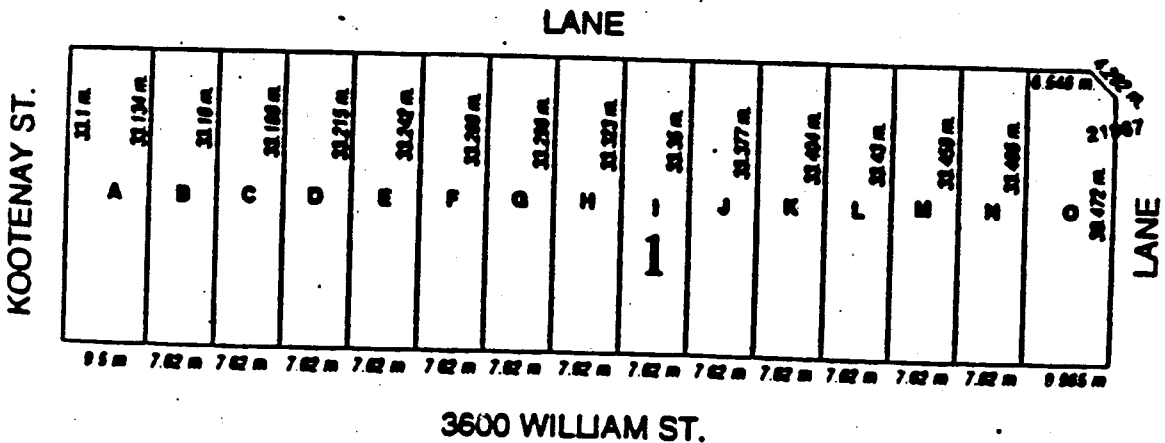
- 1. Section 5 of By-law No. 6169 is amended
 - (a) by deleting the second sentence beginning with the words "A side yard" and substituting the following:

"A side yard with a minimum width of 1.524 m (5 ft.) shall be required on one side of the building only, except that the following additional regulations shall apply to lots A and O on Diagram 1:

- (a) for lot A, a side yard with a minimum width of 10 percent of the width of the site shall be provided on the west property line; and
- (b) for lot O, a side yard with a minimum width of 10 percent of the width of the site shall be provided on the east property line.", and

- (b) by inserting the following diagram:

Diagram 1



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

DONE AND PASSED in open Council this 7th day of
July , 1987.

(signed) Gordon Campbell
Mayor

(signed) Maria Kinsella
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 7th day of July, 1987, and numbered 6169.

CITY CLERK"

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, June 11, 1987 at Hastings Community Centre, 3096 East Hastings Street, at approximately 8:00 p.m., for the purpose of holding a Public Hearing to amend the Zoning and Development and Sign By-laws.

PRESENT: Mayor Campbell
Aldermen Baker, Bellamy,
Caravetta, Davies,
Eriksen, Owen, Price,
Puil, and Taylor

ABSENT: Alderman Boyce

CLERK TO THE COUNCIL: Mrs. J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,
SECONDED by Ald. Puil,

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development and Sign By-laws.

- CARRIED UNANIMOUSLY

1. Rezoning Application - 2865 East
Hastings Street

Council considered an application of Street & Company as follows:

REZONING: LOCATION - 2865 EAST HASTINGS STREET (Lots 5, 6, 7 and 8, Block 50, THSL)

Present Zoning: C-2C1 Commercial District

Proposed 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:

- hotel;
- accessory uses including pub, restaurant, lounge and retail;
- maximum floor space ratio of 3.05;
- maximum height of 45 feet; and
- provisions regarding off-street parking and loading.

(ii) Amend Sign By-law No. 4810.

(iii) Any consequential amendments.

Cont'd.....

**Charles / Adanac
Zero Side Yard Single-Family
Design Guidelines
to accompany CD-1 (192)
By-Law No. 6169**

*Adopted by City Council July 7, 1987
Amended June 22, 1993*

INTENT

The intent of these guidelines is to provide additional design direction to enhance the quality and livability of one-family dwellings with a zero side yard setback.

Zero side yard housing on narrow frontage lots (± 25 ft.) provides an opportunity to increase densities in existing residential neighbourhoods without sacrificing either the appearance or livability that is provided in single-family dwellings. Siting the dwelling unit on one property line provides more usable and private open space on the other side of the unit adjacent to the neighbouring blank wall.

To provide an attractive and livable environment, care must be taken at the design stage to ensure that the unit occupant's privacy is respected and maintained, a monotonous similarity between units is avoided and the residential scale and variety of the neighbourhood is preserved and enhanced.

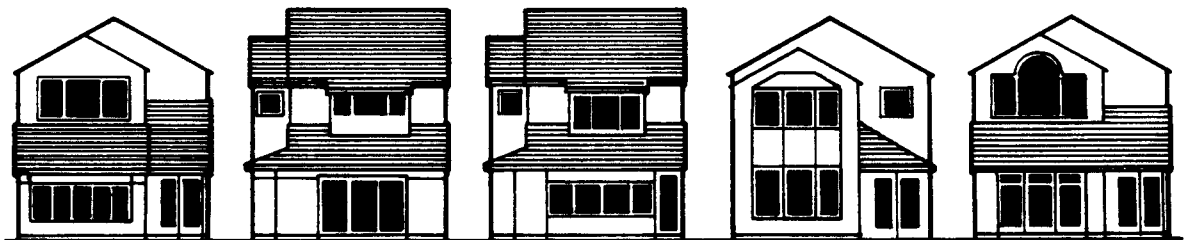
4 GUIDELINES PERTAINING TO THE REGULATIONS OF THE ZONING AND DEVELOPMENT BY-LAW

4.3 Height

4.3.1 Height, massing and roof forms should reflect the residential scale and variety of the adjacent existing neighbourhoods. As illustrated in Figure 1, this can be achieved by:

- (a) using predominantly sloping roof forms with a minimum slope of 4 in 12;
- (b) bringing roof plane down at the front and/or on one side so that a portion of each unit's eaves are no higher than one storey; and
- (c) providing a variation in roof forms to express individual unit identity.

Figure 1. Example of Variation in Massing, Roof Forms and Facades

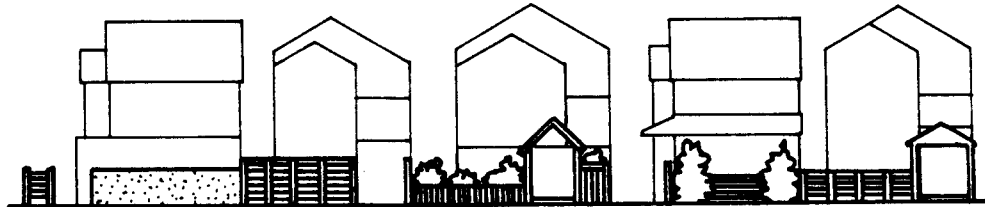


4.4 Front Yards

4.4.1 To avoid a monotonous development, front yard setback should be varied by at least 5 feet from adjacent dwellings. This variety can be further enhanced by:

- (a) providing a variation in house forms and facades (Figure 1); and
- (b) including entrance courts, canopies and other architectural elements to provide variety, unit identity and individuality and to signal address and entrance (Figure 2); however, such elements should comply with the provision of Section 10, including Section 10.16 of the Zoning and Development By-law, unless otherwise approved by the Director of Planning.

Figure 2. Example of Entrance Courts Used to Create Identity and Individuality



4.5 Side Yards

4.5.1 Where there is a zero side yard, the wall of the building will be of non-combustible construction and cladding (i.e. steel stud framing with exterior stucco), with no unprotected openings.

4.5.2 Where there is a 5 foot side yard, there is an opportunity to provide usable, attractive, landscaped open space which links the front and rear yards. In addition, the blank wall of the adjacent unit provides an excellent opportunity to enhance privacy (Figure 3).

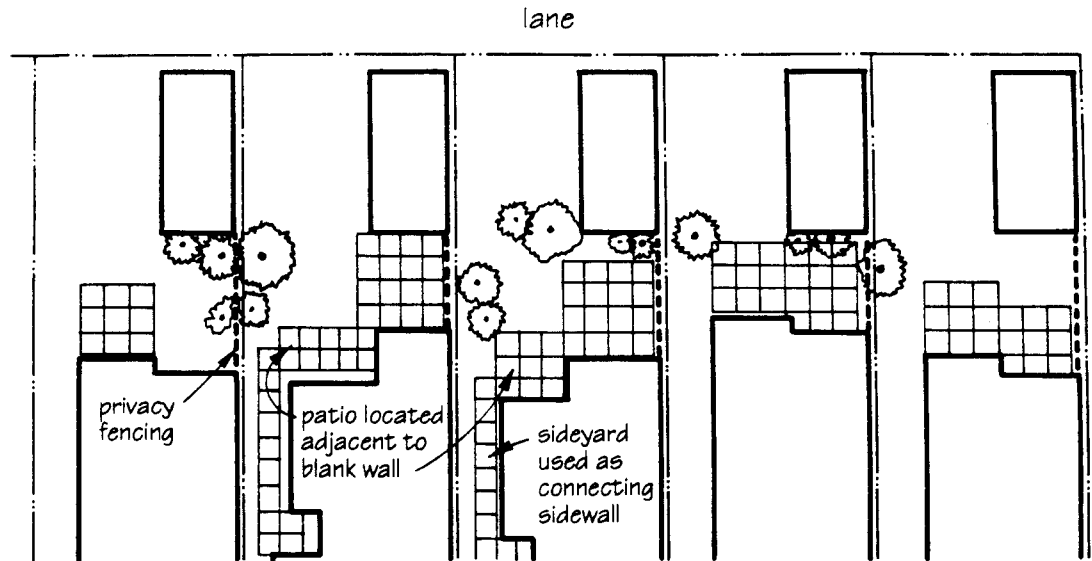
4.6 Rear Yards

4.6.1 Each unit should have a private outdoor space which is screened from its neighbours. As illustrated in Figure 3, privacy can be achieved by:

- (a) fencing;
- (b) locating private outdoor areas so overlook is minimized by siting it adjacent to blank wall of adjacent unit; and
- (c) locating private outdoor areas where they will be sheltered by the dwelling units and/or accessory building.

- 4.6.2 Rear yards should provide usable outdoor open space and should not be dominated by accessory buildings (Figure 3).
- 4.6.3 Second storey decks in rear yards should be sited and designed so that they preserve privacy in adjacent rear yards.

Figure 3. Example of the Use of a Single Garage (Rather Than A Double) to Increase Rear Yard Space and Use of Fencing and Patio Location to Provide Private Outdoor Space in Rear Yard



5 GUIDELINES RELATING TO ARCHITECTURAL COMPONENTS

5.1 Materials

By limiting the number of finishing materials used on a house, a more cohesive, controlled and solid image will result.

If stucco is used, it should be of muted shades rather than temporarily bright whites that do not stand up to Vancouver's climate and tend to discolour and stain very quickly.

192
Charles Adman

North Side
3600 Block William Street

BY-LAW NO. 6169

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

THE COUNCIL OF THE CITY OF VANCOUVER, in open 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-335a 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. 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 15 one-family dwelling;
 - (b) accessory buildings customarily ancillary to the above use provided that:
 - (i) no accessory building exceeds 3.658 m (12 ft.) in height measured to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.572 m (15 ft.) in height;
 - (ii) all accessory buildings are located in the rear yard and in no case are less than 1.524 m (5 ft.) from the flanking street, subject also to the provisions of section 11.1 of the Zoning and Development By-law;

(iii) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 40.876 m² (440 sq. ft.); and

(iv) not more than 80 per cent of the width of the rear yard of any of site is occupied by accessory buildings.

(c) accessory uses customarily ancillary to the above uses.

3. Site Area

The minimum site area for a one-family dwelling shall be 241.55 m² (2,600 sq. ft.).

4. Height

In no case shall the maximum height of a building exceed the lesser of 7.62 m (25 ft.) or two storeys.

5. Yards

A front yard with a minimum depth of 6.096 m (20 ft.) shall be provided.

A side yard with a minimum width of 1.524 m (5 ft.) shall be required on one side of the building only.

A rear yard with a minimum depth of 9.144 m (30 ft.) shall be provided.

6. Floor Space Ratio

The floor space ratio for each site shall not exceed 0.60, calculated in accordance with the RS-1 District Schedule.

7. Site Coverage

The maximum site coverage for buildings, parking areas and driveways shall be 50 percent of the site areas, calculated in accordance with the RS-1 District Schedule.

8. Off-Street Parking and Loading Spaces

Off-street parking and loading spaces shall be provided and maintained in accordance with the provisions of the Parking By-law, except that a minimum of one space per dwelling unit shall be provided.

2.
passing.

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

1993.

DONE AND PASSED in open Council this 2nd day of November ,

(signed) Gordon Campbell
Mayor

(signed) Maria C. Kinsella
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 2nd day of November 1993, and numbered 7219.

CITY CLERK"

192

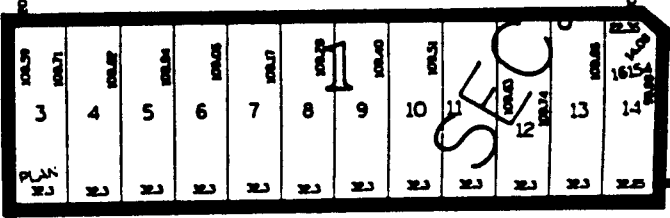
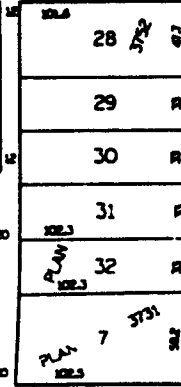
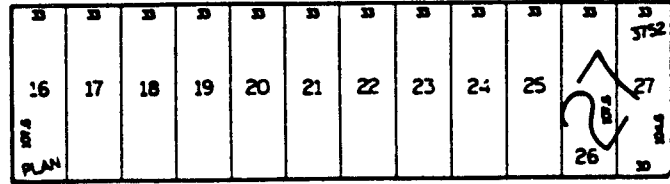
BY-LAW No. 6169 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW

THE PROPERTY SHOWN BELOW () OUTLINED IN BLACK
IS REZONED: FROM RS-1 TO CD-1

SCHEDULE A

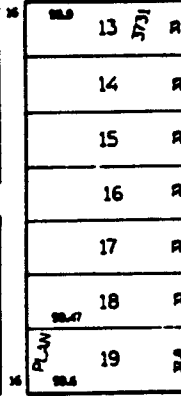
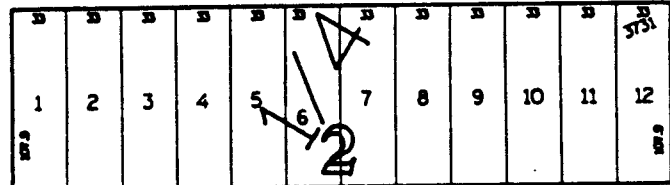


NAPIER ST.

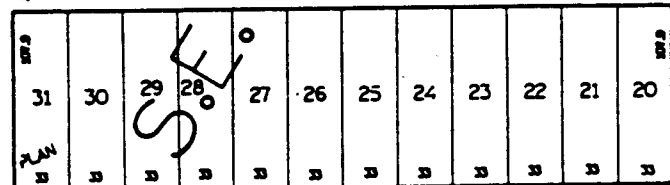


WILLIAM ST.

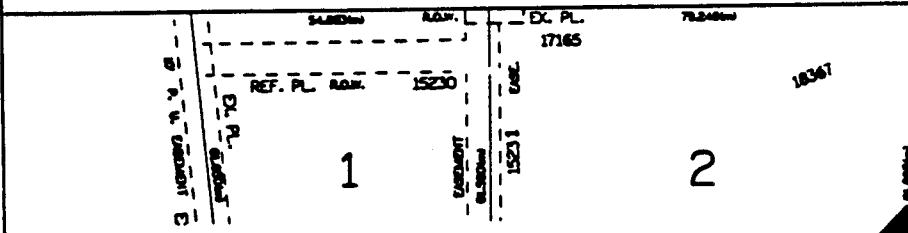
KOOTENAY ST.



BOUNDARY RD.



CHARLES ST.



SCALE: 1:1000
FILE No. RZ 26/87

Z- 335a

CHARLES/ADANAC
ZERO SIDE YARD SINGLE FAMILY
DESIGN GUIDELINES TO ACCOMPANY CD-1 BY-LAW NO. 6169
Adopted by City Council July 7, 1987

1. INTENT

The intent of these guidelines is to provide additional design direction to enhance the quality and livability of one-family dwellings with a zero side yard setback.

Zero side yard housing on narrow frontage lots (± 25 ft.) provides an opportunity to increase densities in existing residential neighbourhoods without sacrificing either the appearance or livability that is provided in single-family dwellings. Siting the dwelling unit on one property line provides more usable and private open space on the other side of the unit adjacent to the neighbouring blank wall.

To provide an attractive and livable environment, care must be taken at the design stage to ensure that the unit occupant's privacy is respected and maintained, a monotonous similarity between units is avoided and the residential scale and variety of the neighbourhood is preserved and enhanced.

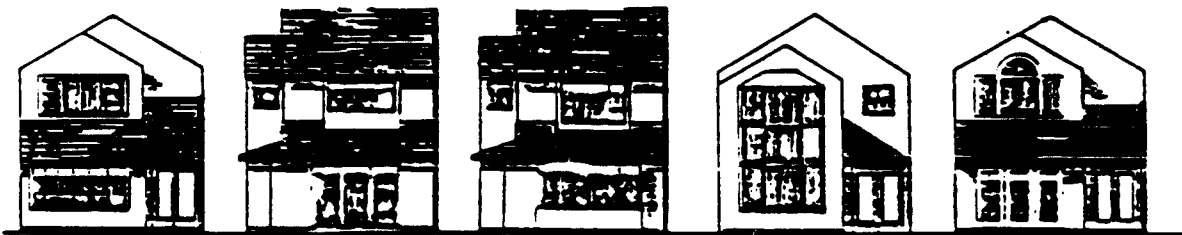
4. GUIDELINES PERTAINING TO THE REGULATIONS OF THE ZONING AND DEVELOPMENT BY-LAW

4.3 Height

4.3.1 Height, massing and roof forms should reflect the residential scale and variety of the adjacent existing neighbourhoods. As illustrated in Figure 1, this can be achieved by:

- a) using predominantly sloping roof forms with a minimum slope of 4 in 12;
- b) bringing roof plane down at the front and/or on one side so that a portion of each unit's eaves are no higher than one storey; and
- c) providing a variation in roof forms to express individual unit identity.

Figure 1: Example of variation in massing, roof forms and facades

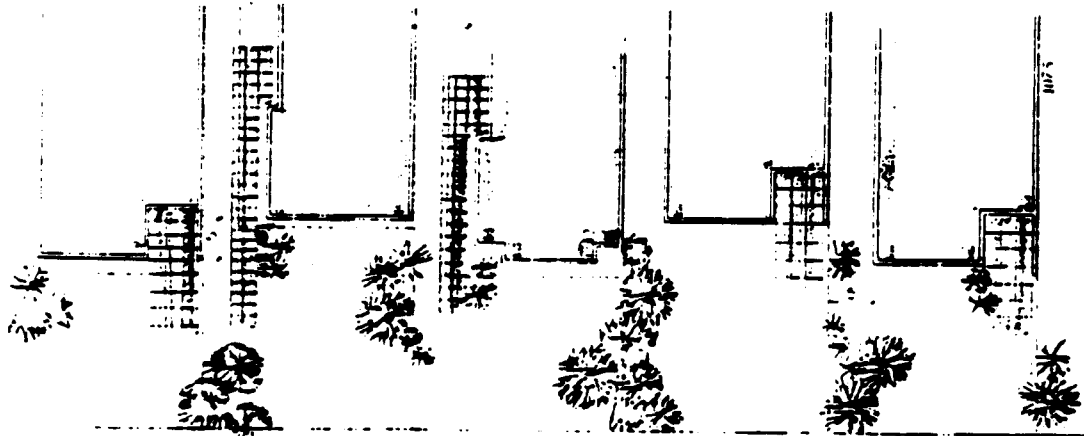


4.4 Front Yards

4.4.1 To avoid a monotonous development, front yard setback should be varied by at least 5 feet from adjacent dwellings (Figure 2). This variety can be further enhanced by:

- a) considering 'side' entrances for 'front' door locations (Figure 2) while ensuring entry is identifiable from the street (Figure 3);
- b) providing a variation in house forms and facades (Figure 1); and
- c) including entrance courts, canopies and other architectural elements to provide variety, unit identity and individuality and to signal address and entrance (Figure 3), however, such elements should comply with the provision of Section 10, including section 10.16, of the Zoning and Development By-law, unless otherwise approved by the Director of Planning.

Figure 2: Example of side entrances



William Street

Figure 3: Example of entrance courts used to create identity and individuality



Entry Courts

4.5 Side Yards

4.5.1 Where there is a zero side yard, the wall of the building will be of non-combustible construction and cladding, (i.e. steel stud framing with exterior stucco) with no unprotected openings.

4.5.2 Where there is a 5ft. side yard, there is an opportunity to provide usable, attractive, landscaped open space which links the front and rear yards. In addition, the blank wall of the adjacent unit provides an excellent opportunity to enhance privacy (Figure 4).

4.6 Rear Yards

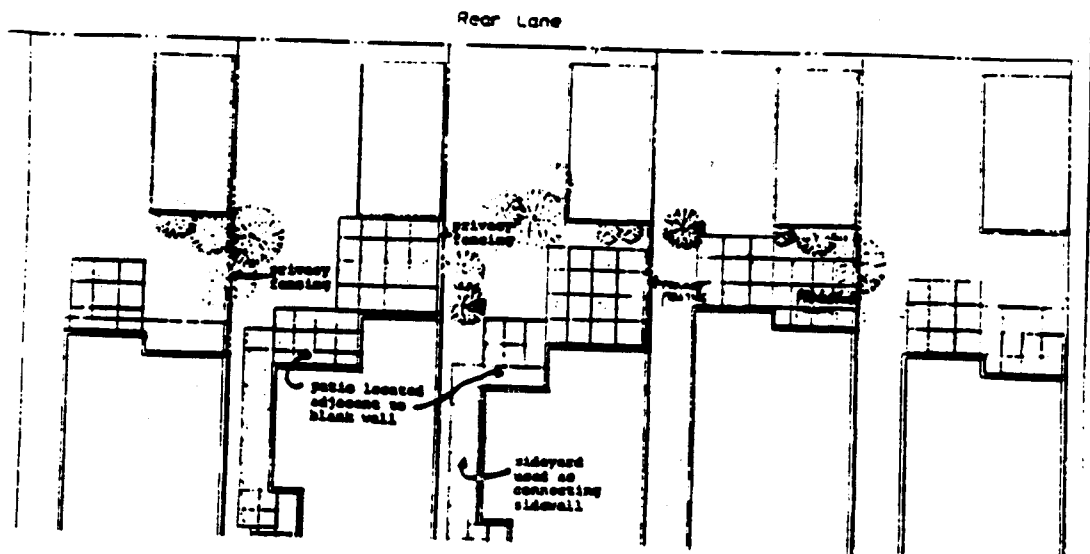
4.6.1 Each unit should have a private outdoor space which is screened from its neighbours. As illustrated in Figure 4, privacy can be achieved by:

- a) fencing;
- b) locating private outdoor areas so overlook is minimized by siting it adjacent to blank wall of adjacent unit; and
- c) locating private outdoor areas where they will be sheltered by the dwelling units and/or accessory building.

4.6.2 Rear yards should provide usable outdoor open space and should not be dominated by accessory buildings (Figure 4).

4.6.3 Second storey decks in rear yards should be sited and designed so that they preserve privacy in adjacent rear yards.

Figure 4: Example of the use of a single garage (rather than a double) to increase rear yard space and use of fencing and patio location to provide private outdoor space in rear yard.



5 **GUIDELINES RELATING TO ARCHITECTURAL COMPONENTS**

5.1 **Materials**

By limiting the number of finishing materials used on a house, a more cohesive, controlled and solid image will result.

If stucco is used, it should be of muted shades rather than temporarily bright whites that do not stand up to Vancouver's climate and tend to discolour and stain very quickly.

MOTIONS (CONT'D)

H. Guidelines for the North Side of
3600 Block William Street



MOVED by Ald. Bellamy,
SECONDED by Ald. Eriksen,

THAT the document entitled "Charles/Adanac Zero Side Yard Single Family Design Guidelines" be approved for use in conjunction with the CD-1 By-law for development on the north side of the 3600 Block William Street.

- CARRIED UNANIMOUSLY

I. Guidelines for the Block Bounded by Charles,
Kootenay and William Streets, and Lane West
of Boundary Road

MOVED by Ald. Bellamy,
SECONDED by Ald. Eriksen,

THAT the document entitled "Charles/Adanac Townhouse Design Guidelines" be approved for use in conjunction with the CD-1 By-law for development on the block bounded by Charles, Kootenay and William Streets, and lane west of Boundary Road.

- CARRIED UNANIMOUSLY

J. Guidelines for 600 West 12th Avenue

MOVED by Ald. Bellamy,
SECONDED by Ald. Eriksen,

THAT the document entitled "Fairview Heights RM-3A1 Guidelines" adopted by Council July 24, 1984 be amended to include the 600 Block West 12th Avenue in Figure 1 which shows the area for which the guidelines apply.

- CARRIED UNANIMOUSLY

1. Arcades - Age Restrictions

Alderman Caravetta advised that he wished to withdraw the motion on arcades, which he served notice of at the regular Council meeting of June 23, 1987.

CITY OF VANCOUVER



MEMORANDUM

RECEIVED
PLANNING DEPARTMENT
JUN 25 1993
NUMBER P5948
REFERRED TO FAS
COPY TO... (initials)
ANSWER REQ'D.....

From: CITY CLERK

Date: June 24, 1993

To: Ken Dobell, City Manager
Victoria Garland, Director of Housing & Properties
Tom Fletcher, Director of Planning
Dave Rudberg, City Engineer

Refer File: 5303-3

Subject: Minor Amendment:
Charles/Adanac CD-1 Design Guidelines

I wish to advise that Vancouver City Council at its meeting on June 22, 1993, approved the recommendation of the City Manager as contained in an Administrative Report dated June 8, 1993, as follows:

THAT the Charles/Adanac Zero Side Yard Single Family Design Guidelines that accompany CD-1 By-Law No. 6169, adopted by City Council on July 7, 1987, be amended as shown in Appendix B (of the Administrative Report dated June 8, 1993), to delete reference to side entrances for front door locations.

Maria Kinsella
CITY CLERK

ds

DSalmon:as

ADMINISTRATIVE REPORT

Date: July 12, 1993
Dept. File No. BA

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: Amendment of Charles/Adanac CD-1 By-law No. 6169

RECOMMENDATION

THAT the Director of Planning be instructed to make application to amend CD-1 By-law No. 6169 for the north side of the 3600 block William Street to change the regulations with respect to side yards, generally in accordance with Appendix A;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law;

AND FURTHER THAT the application and by-law be referred to a Public Hearing together with the recommendation of the Director of Planning to approve the application.

CITY MANAGER'S COMMENTS

The City Manager RECOMMENDS approval of the foregoing.

COUNCIL POLICY

Council policy is reflected in the CD-1 By-law and Council-adopted guidelines for these sites. The CD-1 By-law specifies minimum front, side and rear yards.

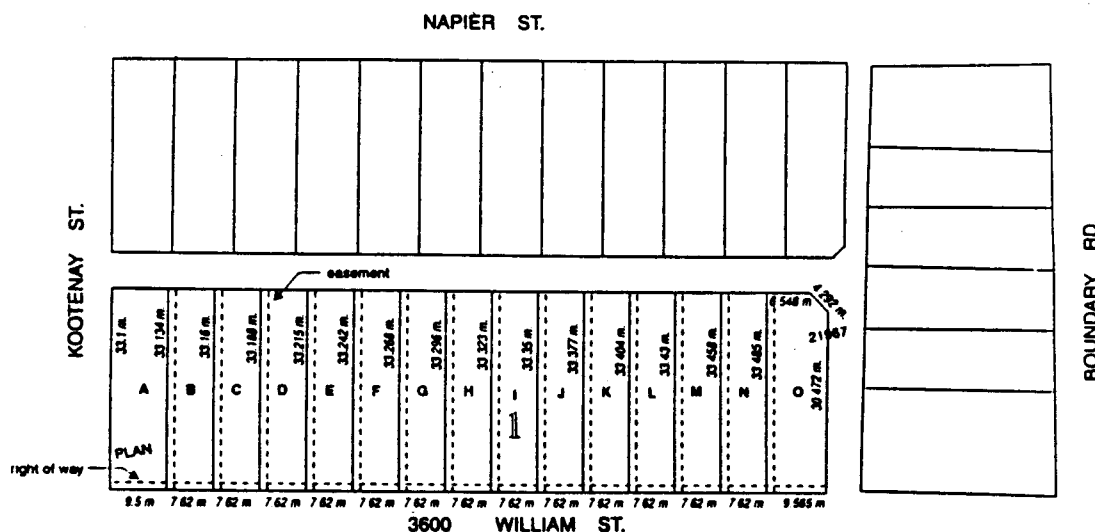
PURPOSE

The purpose of this report is to amend the side yard regulations for lots A and O at the west and east edge of this CD-1 District (see map on next page).

BACKGROUND

In November 1982, Council approved the release of 28 City-owned RS-1S Lots and 15 CD-1 zero side yard lots for sale in the 3500 and 3600 blocks of Napier and William Streets, south of Adanac Park. The RS-1S lots were sold in April 1993, and staff are finalizing terms of the tender package for the remaining CD-1 lots.

Fig. 1



As shown in the map above, the interior CD-1 lots have frontages of 7.6 m (25 feet). A 1.5 m (5 feet) wide easement extends along the western boundary of each lot to allow for the installation or repair of drainage and support lines, building maintenance and repair, and the placement of eaves of the adjacent dwelling. Lots A and O, the corner lots, have wider frontages of 9.5 m (31 feet) to prevent building or maintenance related encroachments on the adjacent street or lane.

DISCUSSION

In reviewing the CD-1 By-law before putting the lots out for tender, staff discovered a problem with the side yard regulations for lots A and O.

The regulations require only one side yard of 1.524 m (5 feet) on each lot. There is also an easement of 1.524 m (5 feet) registered on the property which runs along the west side of lots B through O inclusive. Since the easement is identical to the required side yard, the expected form of development is zero side yard dwellings, sited with the east wall of the proposed dwelling on the east property line and the west wall situated 1.524 m (5 feet) from the west property line.

The proposed regulations and easements work well for lots B through N inclusive. However, under the regulations as written, the owner of lot A could choose to provide a 1.524 m (5 feet) side yard along the eastern boundary of the site and locate the west wall of a new dwelling on the west property line which abuts Kootenay Street. A new dwelling with no side yard setback on Kootenay Street would be undesirable and would be inconsistent with the prevailing pattern of development in the surrounding neighbourhood. The proposed amendment requires a minimum 10 percent side yard along the west property line of lot A.

Similarly, a new dwelling on Lot O would likely provide the required 1.524 m side yard on the west side of the lot as expected, but could then locate the east wall of the new dwelling on the east property line which abuts a lane. This is also seen by staff to be undesirable and out of character with other development in the area. Therefore, the proposed amendment requires a minimum 10 percent side yard along the east property line of lot O.

The proposed 10 percent side yards for the west side of lot A and the east side of lot O will mean that the relationship of the new dwellings on these two lots to the adjacent street and lane will be the same as in the surrounding RS-1S district.

CONCLUSION

The existing side yard regulations applied to lots A and O could result in new dwellings being built with no setback from Kootenay Street nor from the lane to the east of the site. This form of development would be undesirable and out of context with the surrounding RS-1S district.

The proposed amendments to the side yard regulations for lots A and O to require a 10 percent side yard adjacent to both Kootenay Street to the west and the lane to the east of the site, would correct the situation.

* * * * *

APPENDIX A

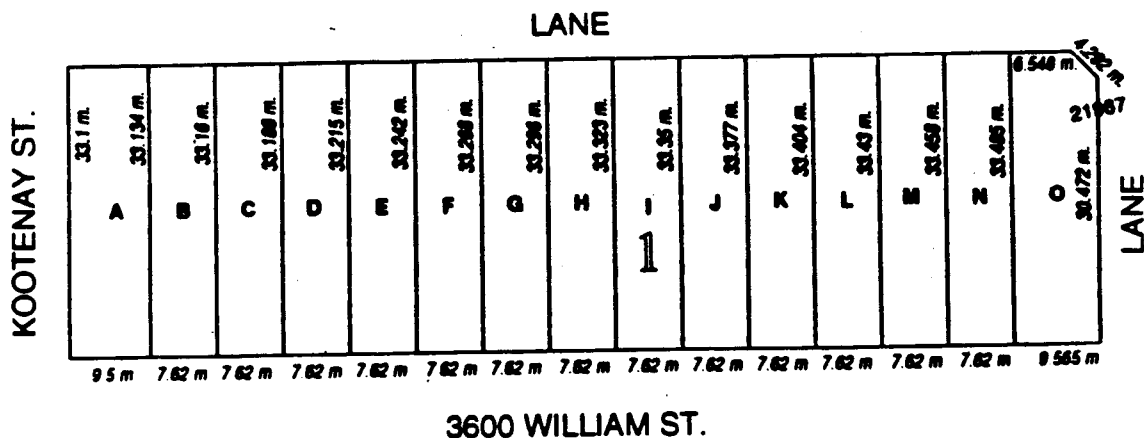
PROPOSED AMENDMENTS TO SIDE YARD REGULATIONS
 OF CD-1 BY-LAW NO. 6169
 [CD-1 (192)]

(Italics indicate amendment)

5. Yards

- (a) A front yard with a minimum depth of 6.096 m (20 ft.) shall be provided.
- (b) A side yard with a minimum width of 1.524 m (5 ft.) shall be required on one side of the building only, except that the following additional regulations shall apply to lots A and O on Diagram 1:
 - (i) for lot A, a side yard with a minimum width of 10 percent of the width of the site shall be provided on the west property line; and
 - (ii) for lot O, a side yard with a minimum width of 10 percent of the width of the site shall be provided on the east property line.
- (c) a rear yard with a minimum depth of 9.144 m (30 ft.) shall be provided.

Diagram 1



3600 WILLIAM ST.

TERMS OF INSTRUMENT - PART 2

Part 2 of General Instrument between City of Vancouver and the City of Vancouver.

WHEREAS:

A. It is understood and agreed that this instrument shall be read as follows:

- (i) the Transferor, City of Vancouver, is called the "Owner"; and
- (ii) the Transferee, City of Vancouver, is called the "Neighbour";

B. The Owner is the owner of those certain parcels or tracts of land in the City of Vancouver, Province of British Columbia, more particularly described as follows:

Lots C to O inclusive, of the
South East 1/4
Section 27
Town of Hastings Suburban Lands
Plan 21967

(herein together called the "Servient Tenement Lots" and individually referred to by lot numbers);

C. The Neighbour is the owner of those certain parcels or tracts of land in the City of Vancouver, Province of British Columbia, more particularly described as follows:

Lots B to N inclusive, of the
South East 1/4
Section 27
Town of Hastings Suburban Lands
Plan 21967

(herein together called the "Dominant Tenement Lots" and individually referred to by lot number);

D. The Servient Tenement Lots and the Dominant Tenement Lots are vacant lots which will be developed with single family dwellings with zero lot lines pursuant to CD-1 By-law 6169;

E. The Neighbour has requested the Owner to grant to him and his successors in title to the Dominant Tenement Lots a free and uninterrupted right of access and easement on, ~~over and across the west~~

3. This easement agreement shall be interpreted as creating thirteen (13) separate easements, each of which are upon the within terms and conditions, as follows:

Dominant Tenement Lots	Servient Tenement Lots
1. Lot B over the Easement Area of Lot C	
2. Lot C over the Easement Area of Lot D	
3. Lot D over the Easement Area of Lot E	
4. Lot E over the Easement Area of Lot F	
5. Lot F over the Easement Area of Lot G	
6. Lot G over the Easement Area of Lot H	
7. Lot H over the Easement Area of Lot I	
8. Lot I over the Easement Area of Lot J	
9. Lot J over the Easement Area of Lot K	
10. Lot K over the Easement Area of Lot L	
11. Lot L over the Easement Area of Lot M	
12. Lot M over the Easement Area of Lot N	
13. Lot N over the Easement Area of Lot O	

4. In exercising these easement rights the Neighbour shall cause as little interruption or interference with the use and enjoyment of the Servient Tenement Lots as reasonably practicable and restore the Servient Tenement Lots as near as is reasonably practicable to the condition at the outset of each instance of exercise of its rights hereunder and shall provide the Owner with five (5) days written notice but if there is an emergency, no notice of the Neighbour's intention of exercising its rights hereunder and in the written notice stating the nature of the works to be performed and the length of time the Neighbour expects to complete the works. Saturdays, Sundays and statutory holidays shall be counted in computing the notice days.

5. The Neighbour agrees that:

- (a) the drainage eaves are the only physical encroachment permitted above the grade of the Servient Tenement Lots;

~~Five (5) feet of each of the adjacent Servient Tenement Lots, which vest
Five (5) foot portion of each of the Servient Tenement Lots is herein
called the "Easement Area",~~

F. The Owner has agreed to grant the aforesaid easements to the Neighbour on the terms and conditions hereinafter set forth.

NOW THEREFORE in consideration of the sum of Ten Dollars (\$10.00) now paid by the Neighbour to the Owner and other good and valuable consideration (the receipt and sufficiency whereof is hereby acknowledged) the parties hereto agree as follows:

1. The Owner hereby grants to the Neighbour in perpetuity the full, free and uninterrupted right, liberty and easement for the Neighbour and its successors in title, the owners and occupiers for the time being of the Dominant Tenement Lots as set out in paragraph 3 of this agreement and its or their respective servants, invitees, tenants and licensees, at all times hereafter by day or by night, and at their will and pleasure, to pass and repass over, have access over, enter upon, labour on, dig up, remain and be upon the Easement Area of the Servient Tenement Lots, on foot and with such materials, equipment and vehicles as may be necessary for the proper exercising of the rights granted hereunder, for the purposes of:
 - (a) constructing, inspecting, maintaining, repairing, renovating, renewing and demolishing buildings and structures on the Dominant Tenement Lots;
 - (b) installing beneath the grade of the Servient Tenement Lots support works for any building or structure situate on the Dominant Tenement Lots and inspecting, maintaining, repairing, renewing and removing such support works;
 - (c) installing beneath the grade of the Servient Tenement Lots drainage pipes and apparatus to drain the Dominant Tenement Lots and inspecting, maintaining, cleaning, repairing, renewing and removing such drainage works;
 - (d) installing within the Servient Tenement Lots at least seven (7) feet above grade drainage eaves which are attached to and service the buildings and structures situate on the Dominant Tenement Lots and inspecting, maintaining, repairing, renewing, removing and replacing such eaves; and
 - (e) doing all acts necessary or incidental to the foregoing.
2. The Owner agrees that storm water and waste water may pass freely through the eaves and the drainage works.

- (b) he will not bury debris or rubbish of any kind in the excavation of backfill and that it will remove shoring and temporary structures as backfilling proceeds;
- (c) he will thoroughly clean, raking up all rubbish and construction debris, leave in a neat and clean condition, the Servient Tenement Lots affected by the Neighbour's exercise of its rights hereunder;
- (d) he will, as far as reasonably necessary, carry out all work in a proper and workmanlike manner so as to do as little injury as possible and will restore the Servient Tenement Lots as nearly as reasonably possible to the condition thereof at the term of commencement of work; and
- (e) all expenses incurred for carrying out any work pursuant to this easement and in performing of any and all covenants herein agreed to be performed by the Neighbour shall be borne and paid for by the Neighbour.

6. The Owner agrees that he shall not, while at any time otherwise having the right so to do, maintain any embankment, fill or landscaping or any building or structure of any kind whatsoever including but not limited to paved sidewalks on the Easement Area of the Servient Tenement Lots which is likely to obstruct or hinder the exercise of the rights granted to the Neighbour hereunder.

7. The Neighbour agrees to indemnify and save harmless the Owner from and against any and all manner of actions or causes of action which may be brought against the Owner by reason of the exercise of this easement, and any and all damages, losses, liabilities, costs or expenses which the Owner may sustain, incur or be put to, by reason of any injury or damage to any person or to any property arising out of the exercise by the Neighbour of the rights and easement granted hereby, except to the extent that such injury, losses, costs, expenses or damages was caused by the negligence of the Owner.

8. The Owner and the Neighbour agree that no part of the fee of the soil of the Servient Tenement Lots shall pass to or be vested in the Neighbour under or by these presents and that the Owner may use and enjoy the Servient Tenement Lots, subject only to the rights and restrictions herein provided.

9. This easement shall run with the Servient Tenement Lots and this easement shall enure to the benefit of and be binding upon the Neighbour and his successors in title and their respective heirs, executors, administrators, trustees and successors; and this easement shall enure to the benefit of and be binding upon the Owner and his successors in title and their respective heirs, executors, administrators, trustees and successors.

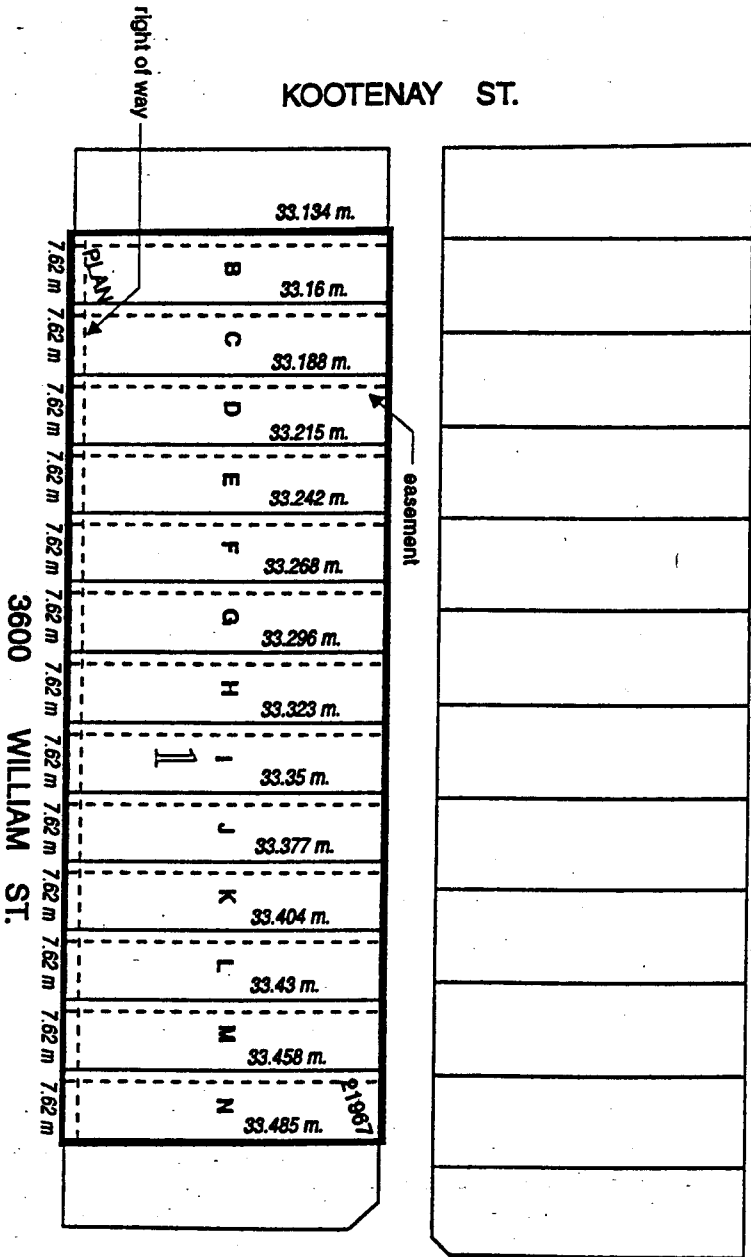
10. If the Neighbour be more than one party, such parties shall be jointly and severally liable to indemnify the Owner as aforesaid.

11. Words herein importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females or corporations as well as males, and the converse whenever the context requires.

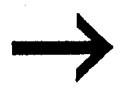
END OF DOCUMENT

(JNS0140E/126)

KOOTENAY ST.



BOUNDARY RD.



Secondary suites

BY-LAW NO. 9414

A By-law to amend CD-1 By-law No.'s 4670, 4918, 5028, 5416, 5937, 5950, 6169, 6312, 6313, 6315, 6316, 6318, 6319, 6320, 6321, 6322, 6323, 6361, 6362, 6363, 6528, 7405, and 7705

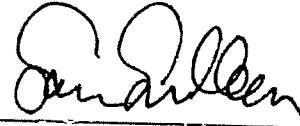
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. To section 2 of By-law No.'s 4670 and 4918, and to section 2(a) of By-law No.'s 5416, 5937, 5950 and 6528, after "dwellings", Council adds "or one-family dwellings with secondary suite".
2. In section 2 of By-law No. 5028, Council:
 - (a) after "dwellings", Council adds "or one-family dwellings with secondary suite"; and
 - (b) strikes out "dwelling units" each time it appears, and substitutes "one-family dwellings and one-family dwellings with secondary suite combined".
3. To section 2 of By-law No.'s 6312, 6315, 6316, 6318, 6319, 6320, 6321, 6322, 6323, 6361 and 6362, to subsections (a) and (b) of By-law No. 6363, and to section 2(b) of By-law No. 6313, after "One-family dwelling", Council adds "or one-family dwelling with secondary suite".
4. In By-law No. 6169, Council:
 - (a) from section 2(a), strikes out "dwelling", and substitutes "dwellings or one-family dwellings with secondary suite"; and
 - (b) from section 8, strikes out "dwelling unit", and substitutes "one-family dwelling or one-family dwelling with secondary suite".
5. To section 2(a) of By-law No. 7405, after "One-Family Dwellings", Council adds "or One-Family Dwellings with Secondary Suite".
6. To section 2(d) of By-law No. 7705, after "One-Family Dwelling", Council adds "or One-Family Dwelling with Secondary Suite".
7. To section 3.1 of By-law No.'s 6315, 6321, 6322, 6323 and 6362, to section 3.2 of By-law No.'s 6316, 6318, 6319, 6320 and 6361, to section 6.1 of By-law No.'s 6321, 6322 and 6323, and to sections 6.3 and 7.1 of By-law No. 6362, after "one-family dwelling", Council adds "or one-family dwelling with secondary suite".

8. In By-law No. 4918, Council repeals:
 - (a) section 4, and substitutes:
 - “4. The number of one-family dwellings and one-family dwellings with secondary suite, combined, must not exceed eight per acre.”;
 - (b) section 5, and substitutes:
 - “5. The height of any one-family dwelling or one-family dwelling with secondary suite must not exceed two storeys and a cellar or one storey and a basement.”; and
 - (c) section 6, and substitutes:
 - “6. Each one-family dwelling or one-family dwelling with secondary suite must have 1.5 off-street parking spaces except for a building constructed after April 20, 2004 which must have at least two off-street parking spaces.”.
9. In By-law No. 5028, Council repeals section 5, and substitutes:
 - “5. Each one-family dwelling or one-family dwelling with secondary suite must have two off-street parking spaces.”.
10. In By-law No. 5416, Council:
 - (a) repeals the first sentence of section 7, and substitutes:
 - “Each one-family dwelling or one-family dwelling with secondary suite must have at least two off-street parking spaces with access from the lane.”; and
 - (b) repeals section 9.
11. 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.

12. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 12th day of December, 2006



Mayor



City Clerk

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Chow

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT Council enact the by-laws before them at this meeting as numbers 1 and 2, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend various CD-1 By-laws re secondary suites (By-law No. 9414)
2. A By-law to amend the Zoning and Development By-law re retail and wholesale uses (By-law No. 9415)

The Special Council adjourned at 8:20 p.m.

2. TEXT AMENDMENT: Secondary Suites: Amendments to Various CD-1 By-laws

An application by the Director of Planning was considered as follows:

Summary: To amend various CD-1 By-laws to allow "one-family dwelling with secondary suite" as a use in CD-1s that currently permit one-family dwellings.

The Director of Planning recommended approval.

Staff Comments

Joyce Uyesugi, Planner, CityPlans, was present to respond to questions.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application and none were present.

Council Decision

MOVED by Councillor Capri

THAT the application to amend the applicable sections of various CD-1 By-laws to permit one-family dwellings with a secondary suite, generally in accordance with Appendix A to the Administrative Report, "Secondary Suites: Amendments to Various CD-1 By-laws" dated October 17, 2006 be approved.

CARRIED UNANIMOUSLY



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
DECEMBER 12, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, December 12, 2006, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development and Sign By-laws.

PRESENT:

- Mayor Sam Sullivan
- Councillor Suzanne Anton
- Councillor Elizabeth Ball
- Councillor David Cadman
- Councillor Kim Capri
- Councillor George Chow
- Councillor Heather Deal
- Councillor Peter Ladner
- Councillor B.C. Lee
- Councillor Raymond Louie
- Councillor Tim Stevenson

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Anton

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair, to consider proposed amendments to the Zoning and Development and Sign By-laws.

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: Retail and Wholesale Definitions

An application by the Director of Planning was considered as follows:

Summary: To amend Section 2 of the Zoning and Development By-law to improve and clarify the differentiation between retail and wholesale functions.

The Director of Planning, in consultation with the Director of Legal Services, recommended approval.