



**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 (275)**

*5626-5652 Larch Street*

*By-law No. 6838*

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

**Effective May 28, 1991**

*(Amended up to and including By-law No. 8760, dated December 9, 2003)*

**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(275), 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 dwelling units in a multiple dwelling; and
- (b) accessory uses customarily ancillary to the above use.

### **3 Floor Space Ratio**

**3.1** The floor space ratio shall not exceed 1.00.

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

- (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, 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 shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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:
  - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length; or
  - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;
- (d) amenity areas, including recreation facilities and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch; and
- (f) 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]
- (g) 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 measured above the base surface shall be 12.19 m (40 ft.), subject to section 10.11 of the Zoning and Development By-law.

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 6838 or provides an explanatory note.*

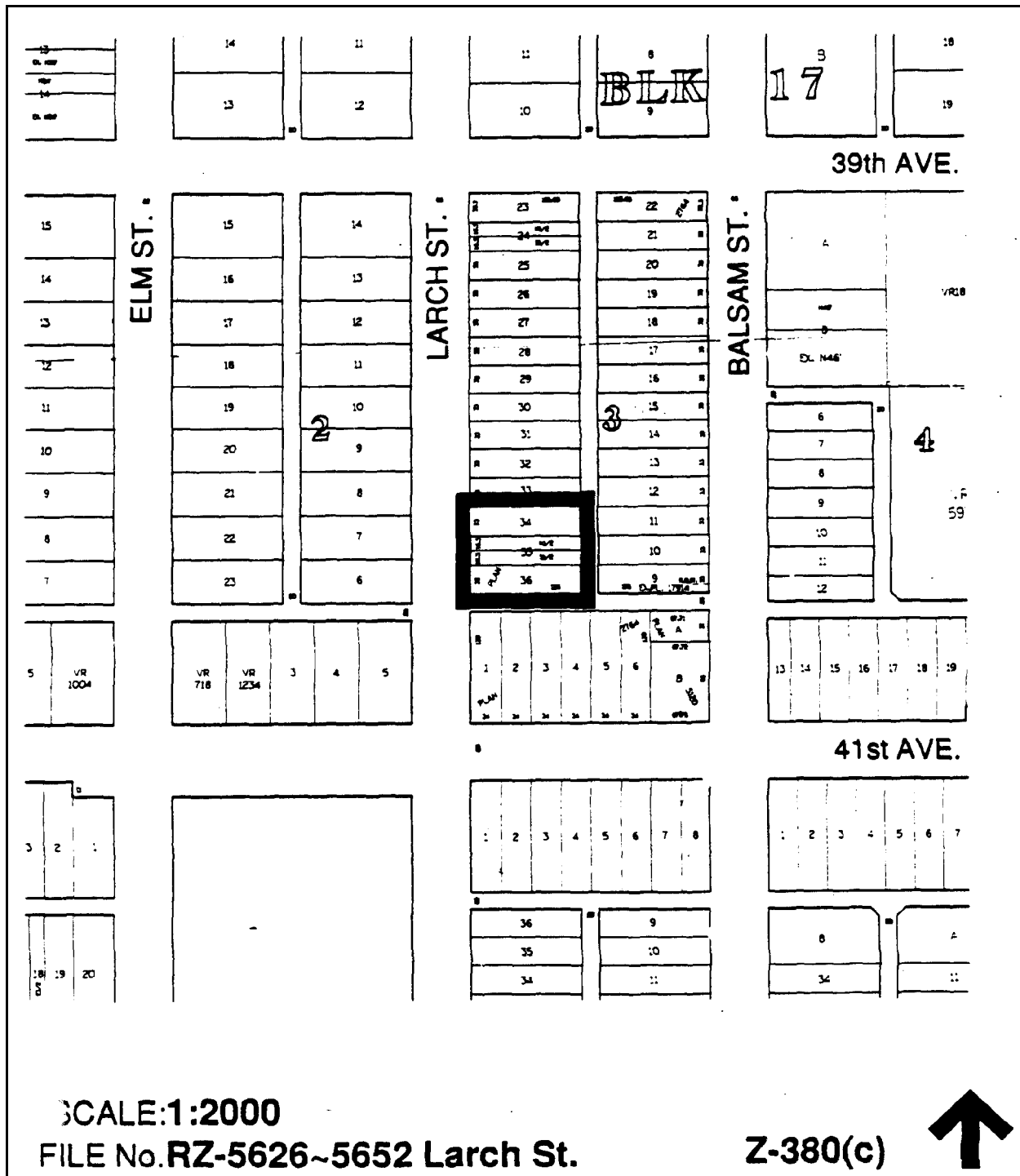
**5 Off-Street Parking and Loading**

Off-street parking and loading 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 parking space shall be provided for each dwelling unit.

**6** *[Section 6 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. 6838 being a By-law to amend By-law No. 3575, being the Zoning and Development By-law**

The property shown below ( **■** ) outlined in black is rezoned from RS-1 to CD-1





SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, July 12, 1990, in the Council Chamber, Third Floor, City Hall, at approximately 7:30 p.m., for the purpose of holding a Public Hearing to amend the Zoning & Development By-law.

- PRESENT: Mayor Campbell  
Aldermen Baker, Bellamy, Davies,  
Eriksen, Owen, Price,  
Rankin, Taylor and Wilking
- ABSENT: Alderman Puil (Leave of Absence)
- CLERK TO THE COUNCIL: Mrs. J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,  
SECONDED by Ald. Owen,

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

- CARRIED UNANIMOUSLY

1. Rezoning: 5626-52 Larch Street

An application of Pro Pacific Management Limited was considered as follows:

REZONING: 5626-52 LARCH STREET (Lot 34, South One-Half and North One-Half of Lot 35 and Lot 36, all of 3, Block 17, D.L. 526, Plan 2764)

Present Zoning: RS-1 One-Family Dwelling District  
 Proposed Zoning: CD-1 Comprehensive Development District

(i) If approved, the CD-1 by-law would permit the use and development of the site generally as follows:

- maximum of 15 dwelling units;
- accessory uses customarily ancillary to the above;
- maximum floor space ratio of 1.45;
- maximum height of 15.85 m (52 ft.); and
- provisions regarding 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 draft CD-1 by-law be amended prior to enactment as follows:

- (i) reduce 1.45 FSR to a maximum of 1.00;
- (ii) reduce the maximum building height, as measured above the base surface, from 15.85 m (52 ft.) to 12.19 m (40 ft.), subject to Section 10.11 of the Zoning and Development By-law; and

Clause No. 1 cont'd

- (iii) increase the off-street parking spaces to 1.2 spaces per dwelling unit (from 16 spaces in total).
- (b) That, prior to the enactment of the CD-1 by-law, the detailed scheme of development in a development application be approved by the Director of Planning, having particular regard to the following items, as outlined in the City Manager's report dated June 8, 1990:
  - (i) creation of a wider north side yard, and revised siting to locate the bulk of the building on the southerly portion of the site and achieve more of a single family scale and character on the northerly portion;
  - (ii) re-orientation of windows away from the neighbouring houses to the north;
  - (iii) provision of landscaping to screen open space from the service station site;
  - (iv) provision of grass landscaping on City boulevard property and relocation of the low hedge on Larch Street so that it is entirely on the site; and
  - (v) provision of residential recycling storage facilities, to the satisfaction of the City Engineer.
- (c) That, prior to enactment of the CD-1 by-law, the registered property owner shall, at no cost to the City:
  - (i) consolidate the site into one parcel, registered in the Land Title Office;
  - (ii) dedicate to the City a 3.0 m (9.84 ft.) by 3.0 m (9.84 ft.) corner cut-off at the southeast corner of Lot 36 of 3, Block 17, D.L. 526, Plan 2764; and
  - (iii) make suitable arrangements, to the satisfaction of the City Engineer, to ensure that B.C. Hydro and B.C. Telephone services are undergrounded within and adjacent to the site from the closest existing suitable service point.

Should Council wish to approve the application and general form of development as submitted at 1.45 FSR (exclusive of 0.15 FSR in amenity spaces), then the following conditions of approval are recommended:

- (b) as above, except (i) and (ii) replaced with:
  - (i) creation of a wider north side yard and reduction of mass in the northeast corner of the site to reduce shadowing, and to improve the relationship to the adjacent single family house, in particular to its rear yard;
  - (ii) redesign of the north elevation to improve the 3-storey blank wall and to re-orient windows away from the neighbouring houses to the north;
- (c) as above; and

Clause No. 1 cont'd

- (d) That the proposed form of development be approved in principle generally as prepared by The Hulbert Group B.C. Ltd. and stamped "Received City Planning Department - May 9, 1990," provided that the Director of Planning may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) above.

Mrs. P. Johnston, Zoning & Subdivision, reviewed the application, noting the proposed development contains 15 dwelling units ranging in size from 740 - 1080 sq. ft., designed as a very large house, 52 feet in height.

The original proposal presented in the City Manager's report dated June 8, 1990, was at an fsr of 1.45 exclusive of amenity, storage and parking spaces. In response to concerns expressed by staff and immediate neighbours to the north and across the street, the applicant has redesigned the portion of the building adjacent to the single family house to the north and reduced the floor space ratio to 1.34. The redesign has increased the setbacks from the neighbours to the north, eliminated some north facing windows to reduce overlook problems and pulled back the building in the northeast corner to reduce shadowing of the neighbour's rear yard.

A public meeting was held in the neighbourhood in April and an open house took place a week ago. While many adjacent residents support the use of the site for medium density seniors housing, there is opposition to the size of the building. Staff share this view, believing even at reduced 1.34 fsr, the building is too big to be compatible with adjacent houses. The north side of the building is 80 feet long, presenting an imposing wall to the adjacent single family houses.

Therefore, in order to reduce the bulk of the building and improve its compatibility, the Director of Planning is recommending a reduction to 1.0 fsr, height reduction to 40 feet, and parking requirement of 1.2 spaces per unit.

Staff recognize the reduced size will push up the price of the units. The applicant has calculated the Director of Planning's recommendation will reduce the number of units from 15 to 10, and increase the unit price from just over \$200,000 to approximately \$280,000. The Manager of Properties believes the unit price would be more in the order of \$250,000-\$270,000.

Mrs. Johnston stated if Council wished to approve the project at 1.34 fsr, as proposed by the applicant, the Director of Planning also recommended a new condition (a) as follows:

- (a) That the draft CD-1 By-law be amended prior to enactment to reduce the fsr to a maximum of 1.34.

In response to questions from Council members, Mr. R. Scobie, Associate Director, Zoning & Subdivision, advised approval of the Director of Planning's recommendation would alter the target market for the demonstration seniors housing project. Council was presented with the question: whether the overriding objective was to achieve a maximum unit price of approximately \$200,000, or achieve neighbourly compatibility.

Cont'd



Clause No. 1 cont'd

Mr. Paul Russell, Tillicum Housing Co-operative, advised residents of the project will be senior citizens who are long time residents of the Kerrisdale community. Most will be over the age of 75 and are, or have been, homeowners in the area. It was a source of disappointment to the Co-op that it could not help Kerrisdale renters, but the project would meet the needs of aging homeowners with no subsidization from senior governments. The reduction in fsr proposed by the Director of Planning threatened the economics of the project, and would mean the objective of providing moderate cost units could not be met.

Mr. Brian Palmquist, project architect, discussed the use, density, form of development and design criteria. He felt the redesign met all the neighbours' concerns respecting overshadowing and loss of privacy. Shrinking the project would raise the unit price and make fewer units available for the target market.

The Mayor called for speakers and the following addressed the Public Hearing:

Dr. Josephine Mallek stated the Special Council Committee on Seniors endorsed the demonstration project with great enthusiasm, recognizing there is a crisis in seniors housing and various housing alternatives should be made available for the special needs of seniors. The Tillicum project has focussed on these needs by incorporating a meeting room on the ground floor so residents will not become isolated, a hobby room, small attractive gardens, wide doorways and elevators, bathrooms large enough for a wheelchair, and appliances with eye level controls.

June Teraguchi, 5600 Block Larch Street, opposed the density, massing and scale, noting her residence would face an 80-ft. wall, four storeys high if the project is approved as proposed.

Gary Hackett objected on behalf of his parents, the owners of 5575 Larch Street.

Frank Hardwick, Tillicum Housing Co-operative, described the objectives of the Co-op and, in response to questions, advised the units would be limited to the 50 and over age group.

Arliss Kehoe, 5700 Block Larch Street, opposed, expressed disappointment that the co-op was targetting homeowners, whose needs were already being served by market housing, rather than renters facing a crisis in affordable housing.

Jim Black, Kerrisdale Concerned Citizens for Affordable Housing, did not support the proposal as it would not provide accommodation for evicted tenants. Council should be directing its efforts toward provision of affordable accommodation.

Joyce Diggins, Kerrisdale Concerned Citizens for Affordable Housing, spoke in favour of the Tillicum proposal.

Maureen Jack, 5500 Block Larch Street, expressed serious concerns about the proposal and felt a 3-storey walkup would have less impact on the neighbourhood. The problem of compatibility had not been successfully addressed as it had in other seniors housing projects, such as St. Mary's Mews at Balsam and 37th Avenue.

Sam Schick, 5300 Block Elm Street, opposed, felt the proposed development did not fit into the block.

Clause No. 1 cont'd

Ed Safarick, 5300 Block Elm Street, opposed, suggested the building would be more appropriately sited in an apartment area. Creeping development was unfair to residents of single family areas.

Carol Lee, 5600 Block Larch Street, in opposing the application, circulated drawings of her home superimposed on the bulk of the proposed building. A 4½-storey building was too drastic an intrusion on a block of single family homes.

Alan Baxter, 5400 Block Larch Street, spoke in favour but suggested Council re-examine the zoning in the area as the existing mix of single family, RM-3 and CD-1 did not make sense.

Betty Tangye, 1200 Block West 48th Avenue, supported the proposal but expressed concern about spot zoning. An overall rezoning should have been considered in advance of the current application.

Council also noted a petition in opposition to the rezoning with 46 signatures, and letters opposing the project from Ms. M. Ostrowski, 5367 Elm Street; Mr. & Mrs. R. Harris, 5558 Elm Street; Mr. & Mrs. S. Northcott, 5611 Larch Street; and Ms. K. Walsh, 5612 Elm Street.

During discussion, Council members questioned the Tillicum representatives on the viability of the project at a reduced floor space ratio and the effect on the number and price of units.

MOVED by Ald. Eriksen,

THAT this Public Hearing be adjourned to permit staff to report back on a possible compromise at an fsr between 1.0 and 1.34.

- LOST

(Aldermen Baker, Bellamy, Owen, Taylor, Wilking  
and the Mayor opposed)

MOVED by Ald. Taylor,

A. THAT the application be approved at a maximum 1.0 fsr, subject to the conditions proposed by the Director of Planning, as set out in this minute of the Public Hearing, except that the form of development be further considered and reported back to Council for approval.

B. THAT condition (a)(iii) be amended to read:

(iii) off-street parking space requirement to be 1.0 space per unit.

C. THAT the following be added as condition (b)(vi):

(b)(vi) provision of landscaping on the north side of the property to improve the relationship to the single family house to the north.

- CARRIED UNANIMOUSLY

2. Rezoning: 2110-48 West 38th Avenue

An application by The Hulbert Group B.C. Ltd., was considered as follows:

REZONING: 2110-48 WEST 38TH AVENUE (Lot E of 8, Block 17, D.L. 526, Plan 22497)

Present Zoning: RM-3 Multiple Dwelling District  
Proposed Zoning: CD-1 Comprehensive Development District

Cont'd

5626-5652 Larch Street

BY-LAW NO. 6838

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-380(c) 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, which area shall be more particularly described as CD-1(275), 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 dwelling units in a multiple dwelling; and
- (b) accessory uses customarily ancillary to the above use.

3. Floor Space Ratio

3.1 The floor space ratio shall not exceed 1.00.

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

- (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, 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 shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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:
  - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length; or
  - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;
- (d) amenity areas, including recreation facilities and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch; and
- (f) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion shall be 40 square feet per dwelling unit.

#### 4. Height

The maximum building height measured above the base surface shall be 12.19 m (40 ft.), subject to section 10.11 of the Zoning and Development By-law.

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

Off-street parking and loading 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 parking space shall be provided for each dwelling unit.

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

DONE AND PASSED in open Council this 28th day of  
May , 1991.


(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 28th day of May 1991, and numbered 6838.

CITY CLERK "

BY-LAW No. 6838 BEING A BY-LAW TO AMEND BY-LAW No.3575  
BEING THE ZONING AND DEVELOPMENT BY-LAW

THE PROPERTY SHOWN BELOW (  ) OUTLINED IN BLACK IS REZONED:

SCHEDULE A

**FROM RS-1 TO CD-1**



SCALE:1:2000

FILE No. RZ-5626~5652 Larch St.

Z-380(c)



CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: June 3, 1991

To: CITY MANAGER  
→ DIRECTOR OF PLANNING  
ASSOCIATE DIRECTOR OF PLANNING - ZONING

Refer File: 2606-1

**RECEIVED**

PLANNING DEPARTMENT

JUN -4 1991

NUMBER: M3868

REFERRED TO: T.H.F./FAS

COPY TO: .....

ANSWER REQ'D: .....

Subject: Comprehensive Development District  
Form of Development (5626-52 Larch Street)

I wish to advise you Vancouver City Council, at its meeting on Tuesday, May 28, 1991, when considering the above matter, resolved as follows:

"THAT the approved form of development for the CD-1 zoned site known as 5626-52 Larch Street be generally as illustrated in DA 211695, prepared by The Hulbert Group B.C. Ltd. and stamped "Received, City Planning Department August 28, 1990", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of the site or adjacent properties.

- CARRIED UNANIMOUSLY"

*M Kinsella*

CITY CLERK

#

TT:mjh



CITY OF VANCOUVER  
SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 20, 2003

A Special Meeting of the Council of the City of Vancouver was held on Thursday, November 20, 2003, 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 By-law, Official Development Plans, Sign By-law and to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

**PRESENT:** Mayor Larry Campbell  
Councillor David Cadman  
Councillor Peter Ladner  
Councillor Raymond Louie  
Councillor Tim Louis  
Councillor Anne Roberts  
Councillor Tim Stevenson  
\*Councillor Sam Sullivan  
Councillor Ellen Woodsworth

**ABSENT:** Councillor Fred Bass (Leave of Absence - Civic Business)  
Councillor Jim Green (Civic Business)

**CITY CLERK'S OFFICE:** Laura Kazakoff, Meeting Coordinator

\*Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Louis  
SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law, to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

**1. Text Amendment: Zoning and Development By-law, CD-1s, and Official Development Plans**

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

Summary: Housekeeping amendments to the Zoning and Development By-law, including CD-1s and Official Development Plans.

The Director of Current Planning recommended approval.

**Staff Comments**



Dave Thomsett, Senior Planner, Rezoning Centre, was present to respond to questions.

#### **Summary of Correspondence**

No correspondence was received since the date the application was referred to Public Hearing.

#### **Speakers**

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

#### **Council Decision**

MOVED by Councillor Louis

THAT the application by the Director of Current Planning to amend the Zoning & Development By-law, CD-1 By-laws and Official Development Plans generally as set out in Appendices A & B of the Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws, and Official Development Plans, Zoning and Development Fee By-law and Policies and Guidelines" dated September 23, 2003, be approved.

CARRIED UNANIMOUSLY  
(Councillor Sullivan absent for the vote)

**BY-LAWS**

MOVED by Councillor Cadman  
SECONDED by Councillor Louie

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 11 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments) (By-law No. 8758)
2. A By-law to amend By-law Nos. 6180, 6320, and 8587 which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (By-law No. 8759)
3. A By-law to amend miscellaneous CD-1 By-laws (re miscellaneous text and residential storage amendments) (By-law 8760)

(Councillors Bass, Green and Sullivan excused from voting)

4. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text and residential storage amendments) (By-law 8761)

(Councillors Bass, Green and Sullivan excused from voting)

5. A By-law to amend Downtown District Official Development Plan By-law No. 4912, Downtown-Eastside/Oppenheimer District Official Development Plan By-law No. 5532, and Southeast Granville Slopes Official Development Plan By-law No. 5752 (By-law 8762)

(Councillors Bass, Green and Sullivan excused from voting)

6. A By-law to amend Solid Waste and Recycling By-law No. 8417 to regulate certain 2004 utility fees and miscellaneous amendments (By-law 8763)

7. A By-law to amend Water Works By-law No. 4848 (2004 Fees and miscellaneous amendments) (By-law 8764)

8. A By-law to authorize the borrowing of certain sums of money from January 8, 2004 to January 7, 2005 pending the collection of real property taxes (By-law No. 8765)

9. A By-law to amend By-law No. 8093, being the Sewer and Watercourse By-law (Establishment of 2004 Sewer Use and Connection Rates) (By-law No. 8766)

10. A By-law to amend License By-law No. 4450 re 2004 marina operator fee increases

(By-law No. 8767)

11. A By-law to amend Impounding By-law No. 3519 (2004 Charges re Towing Service Contract) (By-law 8768)