



# **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](mailto:planning@vancouver.ca)

## CD-1 (333)

### *6120 Macdonald Street*

### *By-law No. 7405*

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

**Effective March 28, 1995**

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

1 *[Section 1 is not reprinted here. It contains a Standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*

2 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(333), and the only uses permitted within the outlined area, subject to section 3 and 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 6 One-Family Dwellings or One-Family Dwellings with Secondary Suite, and [9414; 06 12 12]
- (b) Accessory Buildings customarily ancillary to one-family dwellings, including a swimming pool.

3 **Conditions of Use**

No use listed in section 2 will be permitted and no building will be permitted to be occupied or continued to be occupied unless the trees identified on the plan referred to in section 9 are retained in a healthy condition on the site, except that the Director of Planning may permit removal or alteration of trees pursuant to the Private Property Tree By-law.

4 **Floor Space Ratio**

4.1 The floor space ratio must not exceed 0.60, subject to the following:

- (a) the floor space ratio shall not exceed a total of 0.20 plus 390 m<sup>2</sup> for
  - (i) buildings existing prior to April 12, 1988 the floor space ratio being based on the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade, and
  - (ii) for all other dwellings having floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.2 m or more above finished grade.

4.2 For the purpose of computing floor space ratio, the site will be all parcels covered by this By-law, and shall be deemed to be 5 592 m<sup>2</sup>, being the site size at time of application for rezoning, prior to any dedications.

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

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
- (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; and
- (c) where the distance from a floor to the floor above or where there is no floor above to the top of the roof joists exceeds 3.7 m, an amount equal to the area of the floor below the excess height.

4.4 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;

**Note:** *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7405 or provides an explanatory note.*

- (c) where floors are used for off-street parking and loading or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used which are located in an accessory building, or are located in a principal building, up to a maximum of 42 m<sup>2</sup>;
- (d) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) floors located at or below finished grade with a ceiling height of less than 1.2 m; and
- (f) covered porches, provided that
  - (i) they face a street or property line and are located at the basement or first storey,
  - (ii) that portion facing the street or property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law,
  - (iii) the total area being excluded does not exceed 5 percent of the permitted floor area, and
  - (iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 measured from the porch floor;
- (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]

## 5 Height

- 5.1** The maximum building height measured above the base surface is 9.2 m and the building must not extend beyond 2½ storeys.
- 5.2** Height must be measured from hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if the Director of Planning is of the opinion that the hypothetical surface determined by joining the existing grades is not compatible with the existing grades of adjoining sites or general topography of the area, he may instead require that height be measured from base surface.
- 5.3** Notwithstanding the height limitation in section 5.1, the Director of Planning may permit a building to exceed a height of 9.2 m but not to exceed a height of 10.7 m provided that he considers
  - (a) the impact of the increased height on views from surrounding development,
  - (b) the extent to which the increased height improves the roof lines of the building, and
  - (c) the effect of the increased height on adjacent properties and the character of the area.

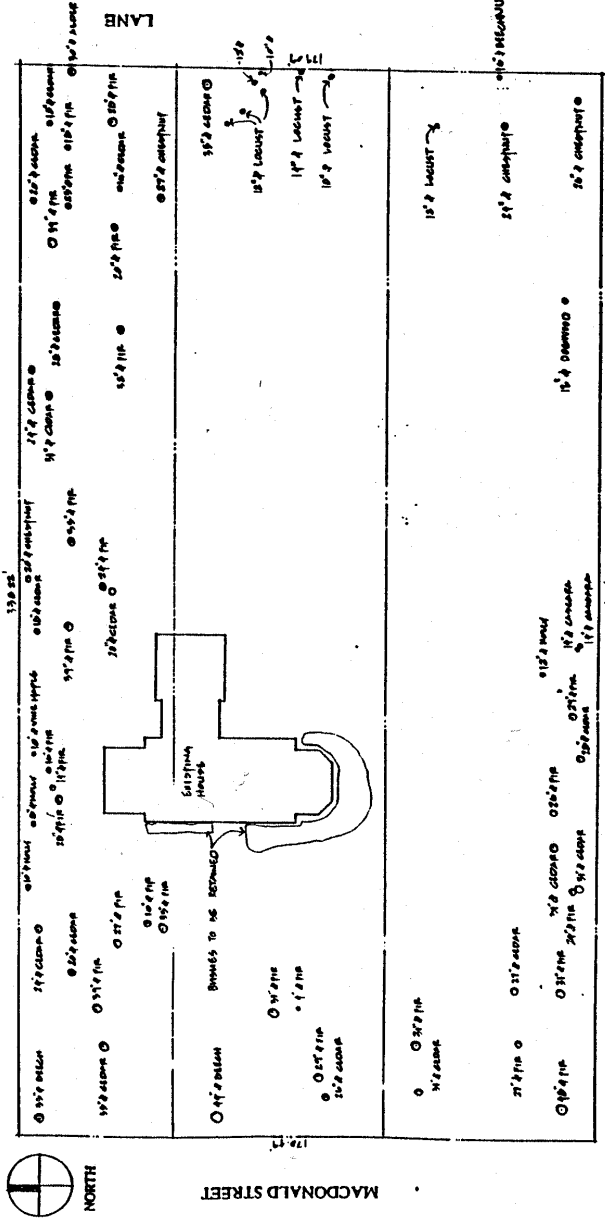
## 6 External Design

- 6.1** For the purpose of section 6.2, a front entrance means a door facing the front yard and located at or within 1.2 m of grade or connected to grade by stairs, a ramp or other means.
- 6.2** There must be no more than one separate and distinct front entrance to a one-family dwelling.
- 6.3** An entrance to a one-family dwelling will not permitted adjoining an interior side yard.

## 7 Setbacks

- 7.1** A minimum setback of 11.0 m must be provided from the north property boundary for any one-family dwelling developed after March 28, 1995.
- 7.2** A minimum setback of 30.6 m must be provided from the west property boundary for one-family dwellings;

- 7.3** A minimum setback of 8.5 m must be provided from the east property boundary for all buildings; and
- 7.4** A minimum setback of 7.6 m must be provided from the existing one-family dwelling at 6120 Macdonald Street for all buildings.
- 8** Site Coverage
- 8.1** The maximum site coverage for all buildings is 22 percent of the site area.
- 8.2** For the purpose of this section, site coverage for buildings is based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.
- 8.3** The maximum site coverage for any portion of the site used for uncovered parking, internal roads and associated vehicular manoeuvring aisles is 30 percent of the site area.
- 9** Landscaping and Trees  
Before any development permit can be approved for the site a site plan showing mature landscaping and trees which will be retained must be submitted to and approved by the Director of Planning. For the purpose of this section the plan labelled “6120 MACDONALD ST. PLAN OF EXISTING TREES AND BUSHES TO BE RETAINED”, which is attached to and forms part of this By-law, shall be deemed to be the site plan referred to in this section and in section 3. All landscaping and trees must be maintained in a healthy condition.
- 10** *[Section 10 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.]*



5100 MACDONALD ST.  
 PART OF EXISTING TREES AND BUSHES TO BE RETAINED.

**RECEIVED**  
 AUG 31 1994  
 PLANNING DEPARTMENT  
 (LAND USE & DEVELOPMENT DIVISION)

FORUMBER ARCHITECTURAL INC.  
 690 - 1280 HUBBARD STREET  
 VANCOUVER, BRITISH COLUMBIA  
 CANADA V6E 2T8

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



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

**Z-433(a)**

**RZ 6120 Macdonald St.**

**City of Vancouver Planning Department**

map: 1 of 1

scale: 1:3000



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, September 15, 1994, at 7:30 p.m., in the Judge White Theatre, Robson Square Conference Centre, 800 Robson Street, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

PRESENT: Mayor Owen  
Councillors Bellamy, Clarke, Ip, Kennedy, Kwan, Price, Pull and Sullivan

ABSENT: Councillor Chiavario (civic business)  
Councillor Hemer (civic business)

CITY MANAGER'S OFFICE: Ken Dobell

CLERK TO THE COUNCIL: Gary MacIsaac

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,  
SECONDED by Cllr. Clarke,

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

- CARRIED UNANIMOUSLY

1. 6120 Macdonald Street

An application by James Bussey, Formwerks Architectural, was considered as follows:

6120 Macdonald Street (Lots 1-3, Block 1, D.L. 2027, Plan 2086):

The proposed rezoning, from RS-1 One-Family Dwelling District to CD-1 Comprehensive Development District would:

- permit the development of five infill one-family dwellings;
- assure the restoration and heritage designation of the existing 'B' listed heritage house;
- require retention of most existing good quality trees;

- reduce maximum site coverage from 40% to 22%;
- limit maximum density to floor space ratio 0.60;
- limit maximum height to 9.2 m or 2½ storeys; and
- include possible consequential amendments.

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

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by James Bussey, Formwerks Architectural and stamped "Received City Planning Department, June 30, 1994", provided that the Director of Planning may allow minor alternations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:
  - (i) retention and protection of all trees identified to be retained on the landscape concept plan received June 30, 1994;
  - (ii) retention or replication of the perimeter wood fence;
  - (iii) deletion of the proposed 45th Avenue perimeter Laurel hedge;
  - (iv) provision of a minimum 4.8 m (16 ft.) semi-natural landscape zone adjoining the property line in the west, north and east setbacks;
  - (v) submission of detailed exterior materials specifications;
  - (vi) stucco textures and colours and all trim details, including windows and chimneys, to be in keeping with the upgraded finishing details of the existing house;
  - (vii) roofing to be cedar shingle on all dwellings;
  - (viii) separation between dwellings to be minimum of 4.8 m (16 ft.);



- (ix) provision of a 15 m setback of a swimming pool from the south property line;
  - (x) surface garages to have a maximum floor area of 42 m<sup>2</sup> (452 sq.ft.);
  - (xi) removal of existing garage;
  - (xii) provision of a carport instead of a garage in front of the Macdonald infill house with appropriate screening and in character with the existing house; and
  - (xiii) driveways to be surfaced with gravel, except the sloped portion of the driveway to the east of the heritage house providing access from 45th Avenue.
- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall;
- (i) consolidate lots 1-3, Block 1, D.L. 2027, Plan 2086;
  - (ii) obtain designation of the existing building under Schedule A of the City's Heritage By-law;
  - (iii) execute a legal agreement satisfactory to the Director of Legal Services providing that owners will not discriminate against families with children in the sale of their property;
  - (iv) provide a covenant to the satisfaction of the Director of Legal Services to commit the owner to retaining and protecting all trees identified on the landscape concept plan received June 30, 1994;
  - (v) provide a covenant to the satisfaction of the Director of Legal Services to commit the owner to cause any strata corporation formed as a result of strata titling of the site to provide a covenant in favour of the City of Vancouver committing that Strata Corporation to retaining all trees identified in the "Plan of Existing Trees and Bushes to be Retained", received August 31, 1994;
  - (vi) make arrangements for all electrical and telephone services to be underground within and adjacent the site

from the closest existing suitable service point, the design of which is to the satisfaction of the City Engineer and the Director of Planning (to ensure protection of tree roots); and

- (vii) make arrangements to the satisfaction of the City Engineer to provide a sidewalk on the south side of 45th Avenue from Macdonald Street to the lane east, at the applicant's expense.

**Staff Opening Remarks**

Mr. Rick Scobie, Deputy Director of Planning, described the area in question as a "super block", and advised staff support the application because of the public benefits which will be derived from this proposal. Mr. Scobie provided a historical background of the previous subdivision applications for this site, which were refused by the Planning Department. He concluded the Planning Department supports five in-fill dwellings rather than four in-fill dwellings because the proforma prepared by the Housing & Properties Department suggest the latter option would be less viable.

Mr. Bruce Maitland, Manager of Real Estate, explained the rationale and methodology used in deriving the pro forma analysis for this site.

Mr. Robert Lemon, Heritage Planner, described this site from the heritage context, and advised there are a total of five heritage buildings located in the immediate vicinity. Mr. Lemon explained the various options available to preserve heritage sites of this nature, and concluded the proposal before Council on this evening is clearly the best option in this instance. This is an excellent opportunity to preserve a heritage site because the owner of the property is supportive of retaining the heritage property, which is often not the case with other development applications. The CD-1 rezoning provides the City with the mechanisms necessary to retain the property, which is not available under the current RS-1 By-law.

**Applicant Opening Remarks**

Mr. Jim Bussey, Formwerks Architectural, advised the application before Council on this evening is supported by the Vancouver Heritage Advisory Committee, the Urban Design Panel, and Heritage Vancouver. The owner of the property has previously been,

unsuccessful in attempting to subdivide the property. The in-fill option will protect the heritage character of the site and preserve 67 of the 69 valuable trees on the site. The in-fill option is preferable to the existing three RS-1 lots, and if this rezoning application is unsuccessful, it is unlikely the owner would develop the lots, thus increasing the chances of losing the heritage building on the site.

Ms. Judith Reeve, Landscape Architect, advised that in addition to preserving existing trees on the site, this plan would plant more trees to ensure the future heritage of the site.

Summary of Correspondence

A review of the correspondence received on this matter indicated the following:

- 29 letters in support of the application;
- 50 letters opposing the application;
- petition in support of the application signed by 45 people;
- petition opposed to the application signed by 80 people;
- 17 completed questionnaires supporting the application;
- 6 completed questionnaires opposing the application.

It was noted the questionnaires were distributed at the meeting held by the applicant, and completed at his request.

Also distributed to Council on this day was a detailed analysis of the correspondence received to date, which was prepared by the Planning Department.

Speakers

The Mayor called for speakers for and against the application, and 24 individuals addressed Council on this evening.

The following delegations spoke in favour of the application before Council:

- ◆ Michael Livingston
- ◆ M. Jemiehta
- ◆ Danice Macleod
- ◆ Scott Fullmer
- ◆ Michael Kluckner

- ◆ Rod McCarthy
- ◆ Jo Scott B.
- ◆ Jim McPherson
- ◆ Hugh Miller
- ◆ Lynne Bryson
- ◆ C.G. Ashmore
- ◆ Ken Yule
- ◆ James Kimme
- ◆ John Livingston
- ◆ Geoff Burgess

The foregoing speakers supported the application for one or more of the following reasons:

- This rezoning would provide protection from architectural developments which are out of context with the surrounding neighbourhood. The CD-1 rezoning provides more control than is possible under the present RS-1 zoning;
- Under this scheme the trees on the site can be saved, and this cannot be ensured under RS-1 zoning;
- The heritage house on the site will be protected;
- Everyone in the neighbourhood wishes to protect its unique character. The rezoning is misunderstood by those opposing it. Change is inevitable in this neighbourhood and the CD-1 rezoning allows for controlled change;
- The developer is not getting a heritage bonus for this application;
- The in-fill development is of good quality and will not destroy the character of the existing neighbourhood.

The following delegations were opposed to the application:

- ◆ E. Jefferys
- ◆ Chris Korvin
- ◆ Emerick Ceschi
- ◆ Terence Dunn
- ◆ Jim Russell
- ◆ Rita Dunn
- ◆ Karam Gopaursingh
- ◆ Diane Korvin
- ◆ David Israel

The foregoing speakers objected to the application on one or more of the following grounds:

- The majority of the neighbourhood is opposed to the rezoning, as is evidenced in the correspondence before Council on this evening;
- Two previous subdivision applications for this site were refused, and one of these decisions was upheld by the Supreme Court;
- The City should not be concerned with developers' profits, but yet more in-fill units are being permitted to make the project more viable for the developer;
- No decision should be made on this application <sup>until</sup> under a comprehensive plan has been established for the entire block;
- The heritage aspects of the proposal are being used as a lever to get a better deal. The heritage house in question is assessed at \$15,000;
- The neighbourhood would prefer to leave the area zoned RS-1 and take its chances on the development of the three existing large lots;
- This rezoning will have an adverse effect on the entire neighbourhood as it will create a domino effect;
- The pool planned for this site is out of context with the neighbourhood.

) Applicant Concluding Remarks

Mr. Brian Bell, owner of the property, explained his rationale for proceeding with this type of development. Mr. Bell concluded that if this rezoning does not proceed, he will sell the property and allow someone else to develop the three lots.

Staff Concluding Remarks

Mr. Rick Scobie concluded by stating that this block and the site within the block is unique. He reiterated the heritage benefits of developing the property in this manner. Also, from an

equity perspective, the property does have a development potential and it would be inappropriate to insist the property be maintained as a large property.

Mr. Scoble also suggested the future of the block should be the focus of a study by the Community Planning Division.

MOVED by Cllr. Price,

THAT the application be approved, subject to the conditions as set out in this Minute of the Public Hearing.

- CARRIED

(Councillor Pull opposed)

2. Special Needs Residential Facility (SNRF) - Gastown

Two alternative amendments to the text of the HA-2 District Schedule were considered. These options would either:

- A. permit Special Needs Residential Facilities (all categories), or
- B. permit Special Needs Residential Facilities (limited to use for persons aged 55 years or older); and
- would include consequential amendments.

The applicant, The Tiffany Group, made application for Option A (all categories).

The Director of Planning recommended approval of Option A (all categories).

Staff Opening Remarks

Ms. Pat Johnson, Planner, advised staff recommend Option A, which would allow for all types of facilities to be considered, subject to Council's approval. Staff are not in support of the option presented in the brief from the Gastown Historic Area Planning Committee (GHAPC) which requests a more limited type of Special Needs Residential Facility (SNRF), as this would create a division which overlaps others, and would increase confusion. Also, government-funded care facilities cannot discriminate by age.

Applicant Opening Remarks

Ms. Loreta Chow, on behalf of the Tiffany Group, advised the applicant is in support of Option B which would restrict future SNRFs in Gastown. Concerns were registered concerning the

6120 Macdonald Street

BY-LAW NO. 7405

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

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-433(a) 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" shall be more particularly described as CD-1(333), and the only uses permitted within the outlined area, subject to section 3 and 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 6 One-Family Dwellings, and
- (b) Accessory Buildings customarily ancillary to one-family dwellings, including a swimming pool.

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4. Floor Space Ratio

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  - (i) buildings existing prior to April 12, 1988 the floor space ratio being based on the area of all floors at or above

finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade, and

- (ii) for all other dwellings having floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.2 m or more above finished grade.

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  - (i) they face a street or property line and are located at the basement or first storey,
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5.3 Notwithstanding the height limitation in section 5.1, the Director of Planning may permit a building to exceed a height of 9.2 m but not to exceed a height of 10.7 m provided that he considers

- (a) the impact of the increased height on views from surrounding development,
- (b) the extent to which the increased height improves the roof lines of the building, and
- (c) the effect of the increased height on adjacent properties and the character of the area.

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7.4 A minimum setback of 7.6 m must be provided from the existing one-family dwelling at 6120 Macdonald Street for all buildings.

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8.3 The maximum site coverage for any portion of the site used for uncovered parking, internal roads and associated vehicular manoeuvring aisles is 30 percent of the site area.

## 9. Landscaping and Trees

Before any development permit can be approved for the site a site plan showing mature landscaping and trees which will be retained must be submitted to and approved by the Director of Planning. For the purpose of this section the plan labelled "6120 MACDONALD ST. PLAN OF EXISTING TREES AND BUSHES TO BE RETAINED", which is attached to and forms part of this By-law, shall be deemed to be the site plan referred to in this section and in section 3. All landscaping and trees must be maintained in a healthy condition.

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

DONE AND PASSED in open Council this 28 day of March ,  
1995.

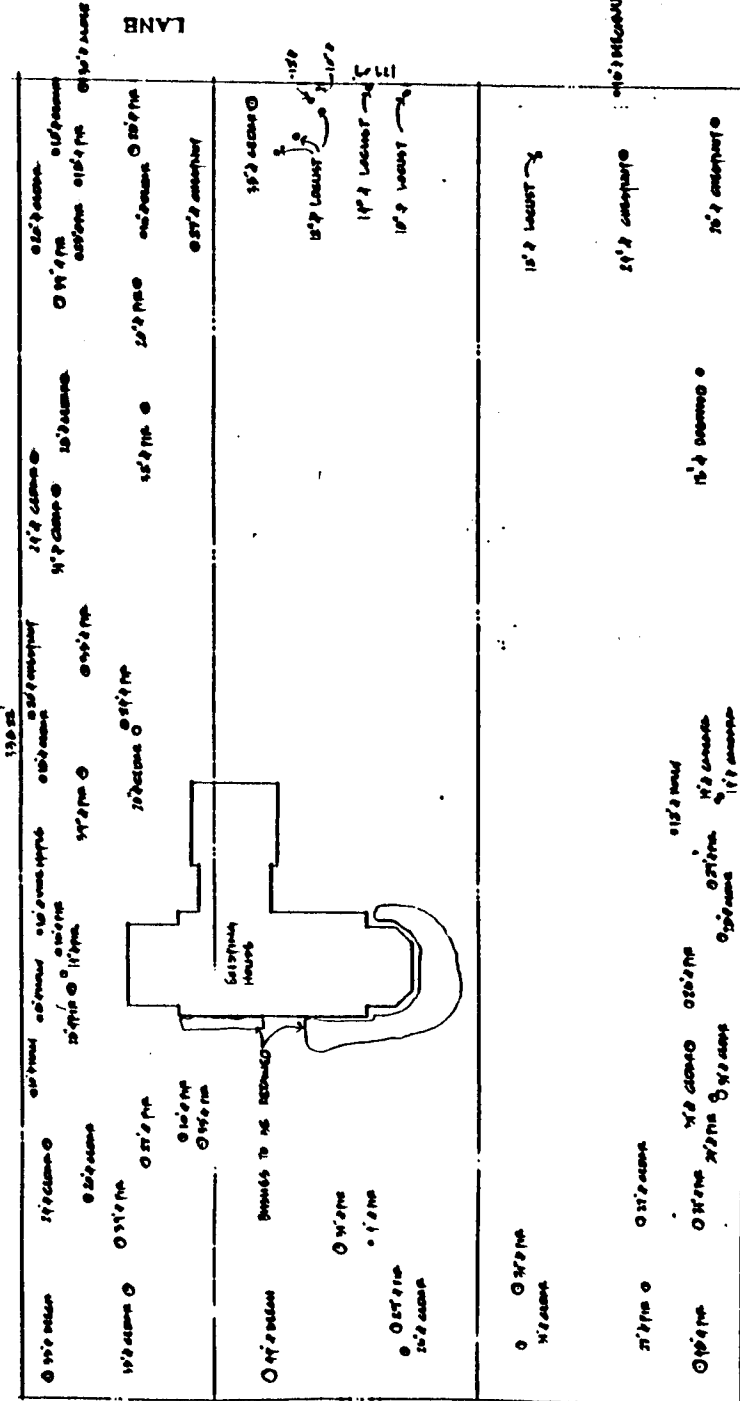
"(signed) Maggie Ip"  
Deputy Mayor

"(signed) Maria C. Kinsella"  
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 March 1995, and numbered 7405.

CITY CLERK"

WEST 45TH AVE



210 MACDONALD ST.  
PLAN OF EXISTING TREES AND BUSHES TO BE REMOVED.

**RECEIVED**  
 AUG 31 1994  
 PLANNING DEPARTMENT  
 (LAND USE & DEVELOPMENT DIVISION)

PERMITS ARCHITECTURAL, INC.  
 400 - 1200 HURON STREET  
 WINDSOR, ONTARIO L9A 4K2  
 Canada V8B 3J8

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



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

**Z-433(a)**

**RZ 6120 Macdonald St.**

map: 1 of 1

**City of Vancouver Planning Department**

scale: 1:3000



CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK'S OFFICE

Date: November 9, 1995  
Refer File: 2607-2

To: Ken Dobell, City Manager  
Ted Droettboom, General Manager of Community Services  
Rick Scobie, Director of Land Use & Development  
Francie Connell, Director of Legal Services

Subject: Form of Development: 6120 MacDonald Street  
D.A. 217733 - CD-1 By-law Number 7405

RECEIVED	
PLANNING DEPARTMENT	
NUMBER	R 9667
REFERRED TO	FAS
COPY TO	RS
ANSWER REQ'D	

On November 7, 1995, Vancouver City Council approved the following recommendation contained in an October 16, 1995 Administrative Report (A4):

THAT the approved form of development for the CD-1 zoned site known as 6120 MacDonald Street be generally approved as illustrated in Development Application Number 217733, prepared by Formworks Architectural Inc. and stamped "Received, City Planning Department August 31, 1995", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

(A4)(333)

*Marnie Cross*

Marnie Cross  
COMMITTEE CLERK

MCross:dmy

Letter to: Mr. James Bussey  
Formwerks Architectural Incorporated  
101 - 1290 Homer Street  
Vancouver, B.C. V6B 2Y5

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".

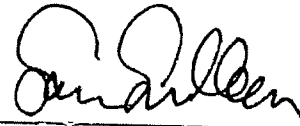
8. In By-law No. 4918, Council repeals:
  - (a) section 4, and substitutes:
    - “4. The number of one-family dwellings and one-family dwellings with secondary suite, combined, must not exceed eight per acre.”;
  - (b) section 5, and substitutes:
    - “5. The height of any one-family dwelling or one-family 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 12<sup>th</sup> 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.

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**2. TEXT AMENDMENT: Secondary Suite s: 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.