



City of Vancouver *Zoning and Development By-law*

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CD-1 (477)

1020-1090 Victoria Drive

By-law No. 9846

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

Effective May 5, 2009

1 Zoning District Plan amendment

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-601(c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (477).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (477) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Institutional Uses, limited to Community Care Facility – Class B; and
- (b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

3 Density

3.1 Computation of floor area must assume that the site consists of 2 061 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The floor space ratio for all uses, combined, must not exceed 1.01.

3.3 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.4 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - (i) are at or below base surface, or
 - (ii) are above base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas including recreation facilities, lounge areas, multi-purpose rooms, and meeting rooms except that the total area excluded must not exceed 10% of the total permitted floor area;
- (e) undeveloped floor area located above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch;
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;

- (g) covered verandas or porches if:
 - (i) that portion facing the street or rear property line is open or protected by partial walls or guard rails, the height of which must not exceed the minimum specified in the Building By-law, and
 - (ii) the total area of such exclusions, when combined with the balcony and deck exclusions under subsection (a), does not exceed 13% of the permitted floor area; and
- (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this subsection (h) does not apply to walls in existence before March 14, 2000.

4 Building height

The building height, measured above base surface, must not exceed 11.4 m.

5 Yards

5.1 The depth of the front yard must be at least 7.3 m measured from the west property line, except that if the Director of Planning or Development Permit Board first considers the depths of adjacent front yards and all applicable policies and guidelines adopted by Council, the Director of Planning or Development Permit Board may relax the minimum depth of the front yard.

5.2 The depth of each side yard must be at least 1.5 m measured from each of the north property line and south property line.

5.3 Despite section 10.7.1(a) of the Zoning and Development By-law, structures such as steps and access ramps may intrude into either side yard.

5.4 The depth of the rear yard must be at least 2.4 m from the east property line, except that if the rear of the site abuts a lane, the depth of the rear yard may decrease by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

6 Parking and loading, and bicycle spaces

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that the Director of Planning, in consultation with the General Manager of Engineering Services may allow substitution of required bicycle parking spaces for the parking and charging of scooters or other such devices required by residents of this facility.

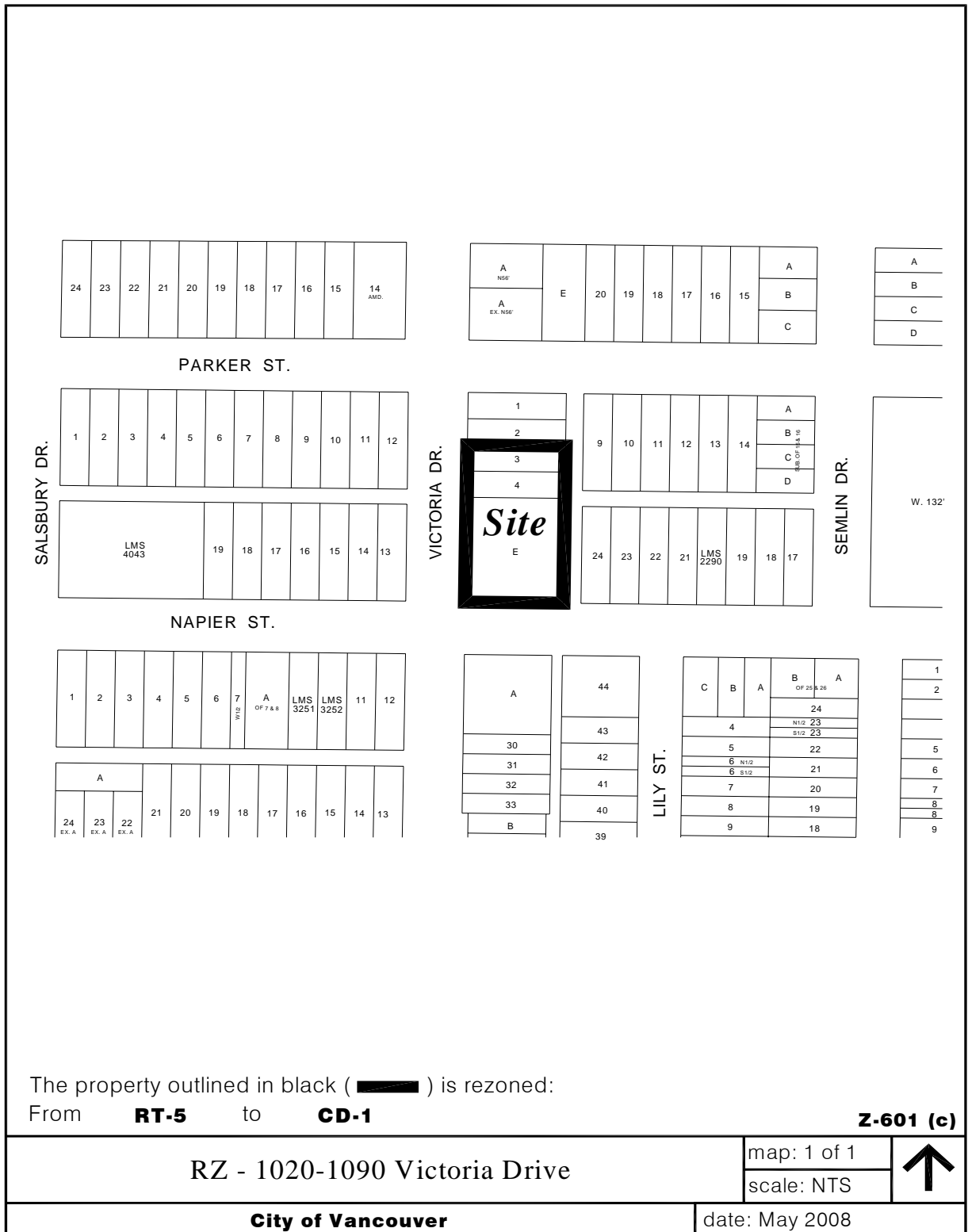
7 Severability


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

8 Force and effect

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

ENACTED by Council this 5th day of May, 2009.



The property outlined in black () is rezoned:

From **RT-5** to **CD-1**

Z-601 (c)

RZ - 1020-1090 Victoria Drive

map: 1 of 1

scale: NTS



City of Vancouver

date: May 2008

1020 - 1090 Victoria Drive

BY-LAW NO. 9846

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

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

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-601(c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (477).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (477) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Institutional Uses, limited to Community Care Facility - Class B; and
- (b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Density

3.1 Computation of floor area must assume that the site consists of 2 061 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The floor space ratio for all uses, combined, must not exceed 1.01.

3.3 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building; and

- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - (i) are at or below base surface, or
 - (ii) are above base surface and where developed as off-street parking are located in an accessory building situated in the rear yard,except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
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- (e) undeveloped floor area located above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch;
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- (g) covered verandas or porches if:
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 - (ii) the total area of such exclusions, when combined with the balcony and deck exclusions under subsection (a), does not exceed 13% of the permitted floor area; and

- (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this subsection (h) does not apply to walls in existence before March 14, 2000.

Building height

- 4. The building height, measured above base surface, must not exceed 11.4 m.

Yards

5.1 The depth of the front yard must be at least 7.3 m measured from the west property line, except that if the Director of Planning or Development Permit Board first considers the depths of adjacent front yards and all applicable policies and guidelines adopted by Council, the Director of Planning or Development Permit Board may relax the minimum depth of the front yard.

5.2 The depth of each side yard must be at least 1.5 m measured from each of the north property line and south property line.

5.3 Despite section 10.7.1(a) of the Zoning and Development By-law, structures such as steps and access ramps may intrude into either side yard.

5.4 The depth of the rear yard must be at least 2.4 m from the east property line, except that if the rear of the site abuts a lane, the depth of the rear yard may decrease by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

Parking and loading, and bicycle spaces

6. Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that the Director of Planning, in consultation with the General Manager of Engineering Services may allow substitution of required bicycle parking spaces for the parking and charging of scooters or other such devices required by residents of this facility.

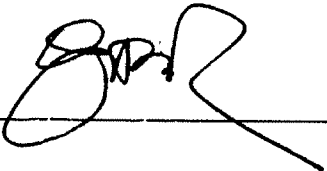
Severability

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

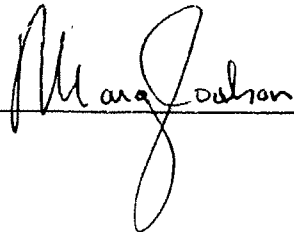
Force and effect

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

ENACTED by Council this 5th day of May, 2009



Mayor



City Clerk



The property outlined in black () is rezoned:
 From **RT-5** to **CD-1**

Z-601 (c)

RZ - 1020-1090 Victoria Drive

map: 1 of 1

scale: NTS



City of Vancouver

date: May 2008

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Woodsworth

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Stevenson
SECONDED by Councillor Cadman

THAT Council, except for those members excused as noted in the agenda, enact the by-law(s) listed on the agenda for this meeting as numbers 1 to 5 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-law(s).

CARRIED UNANIMOUSLY

1. **A By-law to designate certain real property as protected heritage property (re 1020 Victoria Drive) (By-law No. 9845)**
2. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 1020-1090 Victoria Drive) (By-law No. 9846)**
3. **A By-law to levy rates on all taxable real property in the City of Vancouver to raise a sum which, added to the estimated revenue of the City of Vancouver from other sources, will be sufficient to pay all debts and obligations of the City of Vancouver falling due within the year 2009 and not otherwise provided for (2009 Rating By-law General Purpose Taxes) (By-law No.9847)**
4. **A By-law to levy a rate on property to raise monies required to be paid to the Greater Vancouver Regional District (2009 Rating By-law Greater Vancouver Regional District) (By-law No. 9848)**
5. **A By-Law to Authorize the Borrowing and Incurring of Liabilities for the Purposes of Financing in Relation to the Southeast False Creek Development Project (re Commercial Paper Program) (By-law No. 9849)**

5. CD-1 REZONING: 1020-1090 VICTORIA DRIVE

An application by Karl Gustavson, Karl Gustavson Architect Inc. was considered as follows:

Summary: To rezone from RT-5 (Two-Family Dwelling) to CD-1 (Comprehensive Development) to permit an expansion of Britannia Lodge (1090 Victoria Drive), a Special Needs Residential Facility - Class B, onto the adjacent site at 1020 Victoria Drive. The expansion would accommodate an increase in the number of patient beds from 45 to 65. The proposal includes designation and restoration of the heritage listed 'A' building at 1020 Victoria Drive and an addition of approximately 3,750 sq. ft.

The Director of Planning recommended approval subject to conditions as set out in the agenda for the Public Hearing.

Staff Opening Comments

Michelle McGuire, Planning Department, reviewed the application and responded to questions.

Summary of Correspondence

One e-mail in favour of the application had been received since referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Karl Gustavson Architect, to rezone 1020 - 1090 Victoria Drive (PID 014-697-572 & 014-697-581, Lots 3 & 4, Plans 1271 and 1771, & PID 017-683-998, Lot E, Plan LMP 3223, Blk 31, DL 264A, Group 1, New Westminster District) from RT-5 (Two-Family Dwelling) District to a CD-1 (Comprehensive Development) District to allow an expansion of Britannia Lodge (1090 Victoria Drive), a Special Needs Residential Facility - Class B, onto the adjacent site at 1020 Victoria Drive, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 1020-1090 Victoria Drive (Britannia Lodge Expansion)" dated April 29, 2008 be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- a) That the proposed form of development be approved by Council in principle, generally as prepared by Karl Gustavson Architect, and stamped "Received City Planning Department, November 6, 2007", provided that the Director of Planning may allow minor alterations 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:

Design Development:

- (i) Design development to set back the northerly parking stalls a minimum of 1'-0" from the north property line, with appropriate planted landscaping within this setback;

Note to applicant: Delete the tandem parking stall in this location.

- (ii) Design development to move the ramp on the south side of the house at 1020 Victoria Drive away from the house, with appropriate planted landscaping adjacent to the house;
- (iii) Design development to move the southerly parking stalls closer to the house to create larger ("regular car") spaces.

Note to applicant: The planting strip adjacent to the south wall of the house can be deleted;

- (iv) Design development to the northerly ramp adjacent to the house at 1020 Victoria Drive, so that the ramp and guard do not project forward (west) of, or conflict visually with, the main entry stairs;
- (v) Design Development to clearly distinguish new development from the rehabilitated heritage building by dropping the roofline of the rear addition;
- (vi) The design of the connecting breezeway between the contemporary facility and the heritage house must confirm the range of materials being proposed for the cladding, windows and door. The arrangement of windows on the front of the breezeway should be studied further to increase the transparency of the breezeway;
- (vii) Development permit drawings should carefully note all cladding materials of the exterior walls where changes are being proposed to the heritage house;

Note to applicant: For instance, identify how basement window on south elevation is to be infilled.

- (viii) Addition or removal of windows in the heritage house should be carefully considered for impact to the design of the primary elevation facing Victoria Drive.
- (ix) Design development to include a conservation plan for the heritage house;

Note to applicant: The purpose of the plan is to identify the scope of the work for the heritage building and to identify the proposed remedial measures, and should be included on the development permit drawings as a series of construction notes, and supported by current photos of the building.

Landscape:

- (x) Consideration to provide additional lane greening measures by providing additional small trees in the planters behind the existing Britannia Lodge (Lot E);
- (xi) Provision of a planted landscape strip adjacent the rear north property line near the lane, to mitigate continuous paving at the lane;
- (xii) Resolution of walkways, walls and grades to avoid tree root damage;

Note to Applicant: for example, under the two north cypress trees proposed for retention there are existing steps at the property line that allow for the walkway to span over the roots. Consult a certified arborist for technical advice, where necessary.

- (xiii) At time of development permit application submission, provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. Illustrate and clarify all outdoor surface/paving materials, site furniture, lighting, irrigation, hose bibs, retaining wall treatment, public realm (building edge to the curb, trees, lamp posts, fire hydrants); and

CPTED (Crime Prevention through Environmental Design):

- (xiv) Design development to take into consideration the principles of CPTED.

AGREEMENTS

- c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

- (i) Provide to the Director of Legal Services a title charge summary in accordance with her specifications; and
 - (ii) Make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the following:
 - (1) Consolidation of Lots 3 and 4 and Lot E into a single parcel;
 - (2) Provision of an option to purchase for the westerly 7'-0" of the site. (Lots 3, 4 and Lot E.);
 - (3) Provision of a standard concrete lane entry at the lane east of Victoria Drive on the north side of Napier Street; and
 - (4) Undergrounding of any new utility services from the closest existing suitable service point. All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged.
- B. THAT should the rezoning be approved, the Heritage Designation By-law to designate as municipally protected heritage property the category 'A' listed building at 1020 Victoria Drive be approved.

CARRIED UNANIMOUSLY



CITY OF VANCOUVER

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

JUNE 10, 2008

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 10, 2008, at 7:35 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 Sign By-laws.

PRESENT: Mayor Sam Sullivan
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Tim Stevenson

ABSENT: Councillor Suzanne Anton
Councillor Elizabeth Ball (Sick Leave)
Councillor Kim Capri
Councillor Raymond Louie

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY