

EXPLANATION**A By-law to amend the Zoning and Development By-law
re 1372 Seymour Street**

After the public hearing on December 8, 2009, Council resolved to amend the Zoning and Development By-law to create a CD-1 zoning district for 1372 Seymour Street. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
June 8, 2010



1372 Seymour Street

BY-LAW NO. _____

**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-618 (a) 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 (484).

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 (484) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwelling;
- (b) Institutional Uses, limited to Child Day Care Facility; and
- (c) Accessory Uses customarily ancillary to the uses listed in this section 2.2 including ancillary office, training, and parenting space related to the provision of child care comprising not less than 480 m².

Conditions of use

3. Dwelling uses are permissible only if the development includes:

- (a) a child day care facility licensed under the Community Care Facility Act (British Columbia) consisting of:
 - (i) 37 child day care spaces,
 - (ii) at least 446 m², and

- (iii) adjacent outdoor space of 450 m² or more; and
- (b) ancillary office, training, and parenting space related to the provision of child day care comprising not less than 480 m².

Density

4.1 Computation of floor area must assume that the site consists of 3 294 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses, combined, must not exceed 7.82.

4.3 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;
- (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; and
- (c) in the case of dwelling uses, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

4.4 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 are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;

- (d) undeveloped floor area located above the highest 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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas accessory to residential use, except that the total area excluded must not exceed 936 m²;
- (g) 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; and
- (h) with respect to exterior:
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character; and

- (c) unenclosed outdoor areas at grade level underneath tower building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided.

Building height

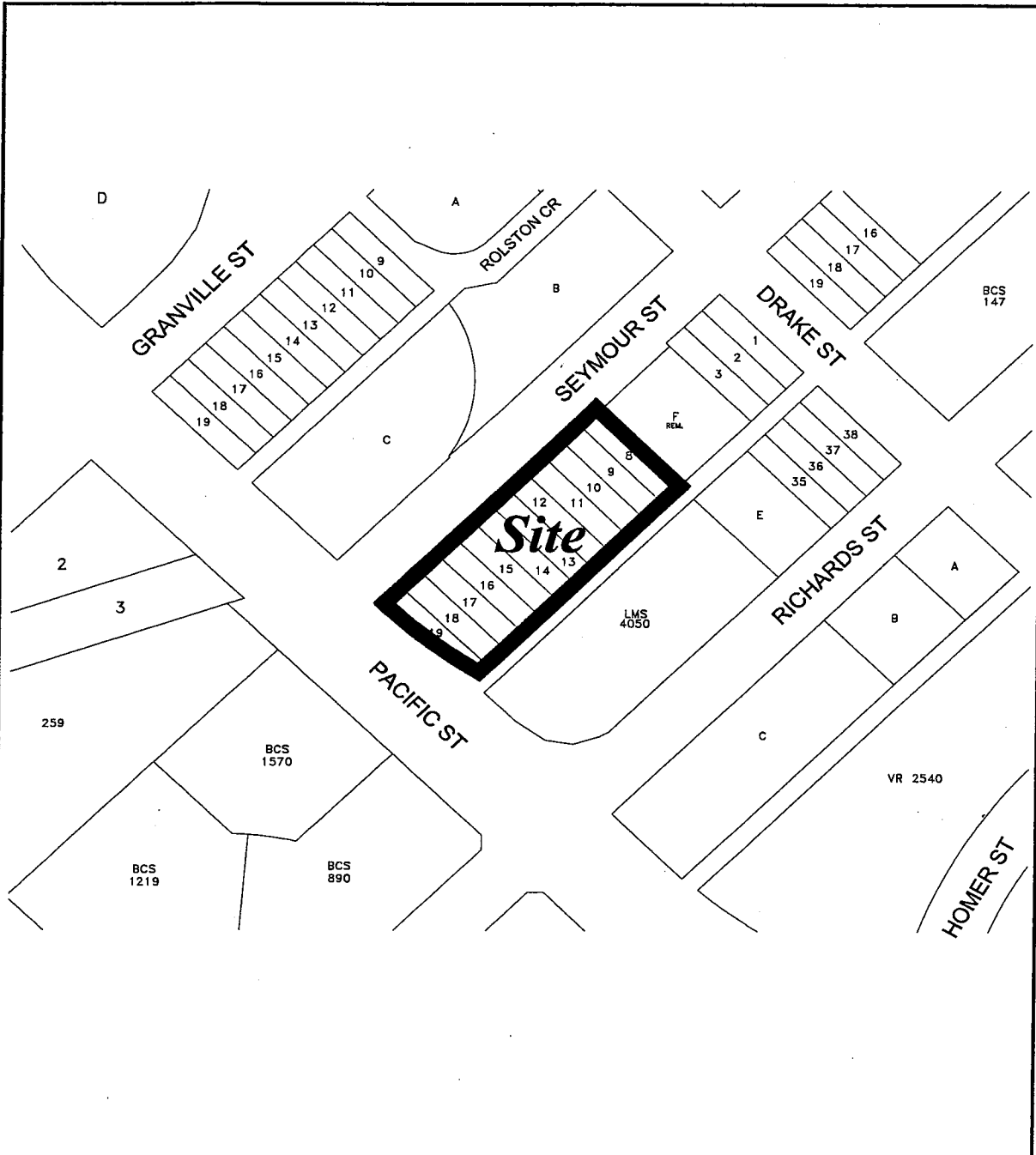
- 5. The building height, measured above base surface, must not exceed 119.7 m.

Setbacks

- 6. The setback of each building must be at least:
 - (a) 5.15 m from the front yard property line; and
 - (b) 3.66 m from the Pacific Street side yard property line.

Parking, loading, and bicycle spaces

- 7. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be:
 - (a) for dwelling uses:
 - (i) at least the lesser of one parking space for each 140 m² of gross floor area and one parking space for each dwelling unit,
 - (ii) no more than 0.5 parking space for each studio dwelling unit, one parking space for each one bedroom dwelling unit, and two parking spaces or each two bedroom or more dwelling units,
 - (iii) a small car parking space ratio that must not exceed 34% of the total parking, and
 - (iv) at least three shared vehicle spaces;
 - (b) for the child day care facility, at least seven parking spaces; and
 - (c) for the ancillary office and multi-use space, at least five parking spaces.



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

Z-618 (a)

RZ - 1372 Seymour Street

map: 1 of 1
 scale: NTS



City of Vancouver

date: 2009-11-20

EXPLANATION

**Parking By-law amending by-law
re Relaxation and Payment-in-Lieu
1132 Hamilton Street**

On May 18, 2010, Council approved a recommendation to accept \$141,400.00 in return for the waiver of the requirement to provide seven off-street parking spaces at 1132 Hamilton Street.

The Director of Finance has verified that the money has been received, and Council may now enact the attached by-law to implement Council's resolution and effect the waiver.

Director of Legal Services
June 8, 2010



1132 Hamilton Street

BY-LAW NO. _____

A By-law to amend Parking By-law No. 6059

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

1. To Schedule A of the Parking By-law, Council adds:

PID: 002-710-668 Lot 25 Block 76 District Lot 541 New Westminster Land District Plan 3469	Seven off-street parking spaces	\$141,400.00
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2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2010

Mayor

City Clerk

EXPLANATION

**Heritage Designation By-law
re 1476 Graveley Street**

At a public hearing on May 18, 2010, Council approved a recommendation to designate a building at 1476 Graveley Street as protected heritage property. Enactment of the attached by-law will achieve the designation.

Director of Legal Services
June 8, 2010

1476 Graveley Street
Marchese House

BY-LAW NO. _____

**A By-law to designate certain real property
as protected heritage property**

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

1. Council considers that the real property described as:

Structure and exterior envelope of the improvements and exterior building materials of the Marchese House	1476 Graveley Street	Parcel Identifier: 026-584-719 Strata Lot 1 District Lot 264A Group 1 New Westminster District Strata Plan BCS1714
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has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the *Vancouver Charter*.

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

ENACTED by Council this _____ day of _____, 2010

Mayor

City Clerk

EXPLANATION

**A By-law to amend the Zoning and Development By-law
regarding keeping of hens**

After the public hearing on May 18, 2010, Council resolved to amend the Zoning and Development By-law in regards to the keeping of hens. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
June 8, 2010



Keeping of hens

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
regarding keeping hens**

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

1. This By-law amends or adds to the indicated provisions of the Zoning and Development By-law.
2. To section 2, after the definition of “Head of Household”, Council adds:
“Hen means a domesticated female chicken that is at least four months old;”.
3. After section 10.18.1, Council adds:
“10.18.2 Despite section 10.18.1, a building or other enclosure for keeping one or more hens:
 - (a) must be no more than 9.2 m² in floor area;
 - (b) must be no more than 2 m high;
 - (c) must be no closer than 3 m from any door or window of any dwelling;
 - (d) must be situate only in a rear yard or a side yard;
 - (e) may be anywhere in a rear yard;
 - (f) must, on a corner flanking lot, be no less than the greater of a distance equal to:
 - (i) the existing setback of the principal building, and
 - (ii) the required setback for a principal building under the Zoning and Development By-law,from the property line adjacent to the flanking street;
 - (g) must be at grade level;
 - (h) must be no less than 1 m from any property line; and
 - (i) may be situate only in RA, RS, RT, RM, FM, and FSD zones.”

EXPLANATION

**Animal Control By-law amending by-law
regarding keeping of hens**

On April 8, 2010 , Council resolved that the Animal Control By-law be amended to regulate the keeping of hens, subject to approval at public hearing of certain amendments to the Zoning and Development By-law regarding backyard hens. Those amendments to the Zoning and Development By-law were approved at public hearing without conditions on May 18, 2010 and enactment of this by-law will implement council's resolution.

Director of Legal Services
June 8, 2010

BY-LAW NO. _____

**A By-law to amend Animal Control By-law No. 9150
regarding keeping of hens**

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

1. This By-law amends or adds to the indicated provisions of the Animal Control By-law.
2. To section 1.2, after the definition of “dog”, Council adds:

‘ “hen” means a domesticated female chicken that is at least four months old;’.
3. From section 1.2, Council repeals the definition of “other animal”, and substitutes:

‘ “other animal” means any animal, including any mammal, bird, reptile or amphibian, except a dog or domestic cat;’.
4. Council repeals section 7.2, and substitutes:

“7.2 A person must not keep in any area, temporarily or permanently, any horses, donkeys, cattle, swine, sheep, goats, ducks, geese, turkeys, pheasants, quail, or other poultry or fowl, except that this prohibition does not apply to:
 - (a) keeping hens, subject to sections 7.15 and 7.16;
 - (b) areas in which the Zoning and Development By-law allows the keeping of such animals;
 - (c) licensed pet shops or kennels;
 - (d) slaughter houses; or
 - (e) the exceptions set out in section 7.4.”
5. In section 7.5, Council:
 - (a) from subsection (a), strikes out “or”;
 - (b) from subsection (b), strikes out “.”, and substitutes “; or”; and
 - (c) after subsection (b), adds:

“(c) four hens, in aggregate, on any one parcel despite the number of dwelling units permissible on that parcel.”

6. After section 7.14, Council adds:

“Registration of hens

7.15 A person must not keep a hen unless that person first registers with the city, by:

- (a) requesting, by telephone to 311, the mailing to that person of the information on keeping hens and an application form;
- (b) reading such information;
- (c) completing the application including the following mandatory fields:
 - (i) the date,
 - (ii) the person’s name, address and postal code,
 - (iii) confirmation that the person resides on the property where he or she will be keeping hens, and
 - (iv) confirmation that the person has read the information referred to in subsection(b); and
- (d) returning the completed application to the city;

and such person must promptly update, and provide to, the city any information given when any change occurs.

Keeping of hens

7.16 A person who keeps one or more hens must:

- (a) provide each hen with at least 0.37 m² of coop floor area, and at least 0.92 m² of roofed outdoor enclosure;
- (b) provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;
- (c) provide and maintain, in each coop, at least one perch, for each hen, that is at least 15 cm long, and one nest box;
- (d) keep each hen in the enclosed area at all times;

- (e) provide each hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health;
- (f) maintain each hen enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
- (g) construct and maintain each hen enclosure to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
- (h) keep a food container and water container in each coop;
- (i) keep each coop locked from sunset to sunrise;
- (j) remove leftover feed, trash, and manure in a timely manner;
- (k) store manure within a fully enclosed structure, and store no more than three cubic feet of manure at a time;
- (l) remove all other manure not used for composting or fertilizing;
- (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency;
- (n) keep hens for personal use only, and not sell eggs, manure, meat, or other products derived from hens;
- (o) not slaughter, or attempt to euthanize, a hen on the property;
- (p) not dispose of a hen except by delivering it to the Poundkeeper, or to a farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of hens lawfully; or
- (q) not keep a hen in a cage.”

EXPLANATION

**Ticket Offences By-law amending by-law
re enforcement of snow and ice removal provisions
by the City Engineer**

On December 3, 2009, Council approved an amendment to the Ticket Offences By-law to add failure to remove snow and ice from sidewalks as a ticketable offence and to add the City Engineer as a designated by-law enforcement officer. This housekeeping amendment is necessary so that the City Engineer may delegate enforcement of the provisions of the by-law to other city staff and inspectors, and is consistent with the existing provisions in the by-law regarding the Chief License Inspector, Medical Health Officer and Poundkeeper, who are all authorized to delegate enforcement of certain designated ticketable offences to city staff, city officials, and various city inspectors and officers.

Director of Legal Services
June 8, 2010

BY-LAW NO. _____

**A By-law to amend
Ticket Offences By-law No. 9360
regarding a minor housekeeping amendment
relating to snow and ice removal**

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

1. To section 1.2 of the Ticket Offences By-law, after the definition of "Chief License Inspector", Council adds:

"City Engineer" means the person appointed by Council from time to time as City Engineer for the city, and includes any officer, official, or employee acting on behalf of or in place of the City Engineer and any street use inspector, engineering technician, survey assistant or other person authorized by Council or the City Engineer to enforce by-laws;"

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

ENACTED by Council this _____ day of _____, 2010

Mayor

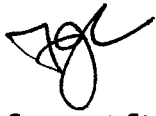
City Clerk

EXPLANATION

**Subdivision By-law No. 5208 amending by-law
re 1975 Sasamat Street and 4507 West 4th Avenue**

On May 20, 2010, Council approved an application to re-classify the captioned properties from Category C to Category A of Table 1 of Schedule A to the Subdivision By-law. The attached by-law implements Council's resolution.

Director of Legal Services
June 8, 2010



1975 Sasamat Street and
4507 West 4th Avenue

BY-LAW NO. _____

A By-law to amend Subdivision By-law No. 5208

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

1. Council amends Table 1 of Schedule A to the Subdivision By-law in accordance with the plan labeled Schedule A and attached to and forming part of this By-law by reclassifying the properties shown in black outline on that plan, from Category C to Category A in accordance with the explanatory legends, notations, and references incorporated thereon.
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2010

Mayor

City Clerk

