



DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

COUNCIL REPORT

Date:	April 21, 2022
From:	Winnie Yip, Senior Community Planner Maeve Bermingham, Assistant Planner
Subject:	Proposed Bylaw Amendments for Land Use Contract Sites
File:	13-2515-01

RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5201, 2022” be read a first time.

RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5201, 2022” be presented at a public hearing scheduled for May 31, 2022 at 6 p.m. in the Municipal Hall Council Chamber and via electronic communication facilities (WebEx video conferencing software), and that statutory notice be given of the scheduled public hearing.

RECOMMENDATION

THAT proposed “Tree Bylaw No. 4892, 2016, Amendment Bylaw No. 5202, 2022” be read a first, second, and third time.

1.0 Purpose

The purpose of this report is to bring forward bylaw amendments to provide consistent land use regulations that will apply to lands currently subject to expiring Land Use Contracts.

2.0 Executive Summary

In 2014, the Provincial Government amended the *Local Government Act* to terminate all Land Use Contracts (LUCs) that historically formed site-specific, contractual arrangements between local governments and landowners. The District currently has 23 LUCs which are due to expire on June 30, 2024. Without further action, land use regulations on lands currently subject to LUCs will revert to the underlying zoning, which are inconsistent with the existing building, structure and uses allowed by the LUCs. This would result in future legal non-conformity on the impacted lands. Staff have undertaken a comprehensive technical review of existing LUCs and are proposing amendments to the Zoning Bylaw and Tree Bylaw, as described in this report, to maintain consistent land use provisions on the impacted lands upon the termination of the LUCs. The proposed amendments will address 22 of the 23 LUCs, while the

remaining Caulfeild Area LUC will be addressed at a later date due to its complex nature, as explained in this report.

3.0 Legislation/Bylaw/Policy

Provincial Legislation

The *Local Government Act* requires all Land Use Contracts be terminated on June 30, 2024 in accordance with Section 547. Sections 545 to 550 further outline associated requirements with respect to the discharge and termination of the LUCs and the adoption of zoning bylaw(s) for the purpose of replacing the LUCs.

The *Local Government Act* also requires that a public hearing be held on the proposed Zoning Bylaw amendments to replace the LUCs, in accordance with Sections 464 through 470.

Municipal Bylaws

Zoning Bylaw No. 4662, 2010 regulates land use and development of property and buildings in the District.

Tree Bylaw No. 4892, 2016 regulates, prohibits, and imposes requirements in relation to trees in the District.

4.0 Council Strategic Objective(s)/Official Community Plan

Official Community Plan

The OCP provides direction to address expiring LUCs by implementing replacement regulations for the lands affected in the following policy:

“2.1.22 Create new regulations prior to 2022 that replace expiring Land Use Contracts, meet community housing needs, and respond to neighbourhood context and character.”

5.0 Financial Implications

The LUC review process included technical consultant and legal reviews, which have been completed within the allocated budget. No further financial implications are anticipated with respect to the recommendations of this report.

6.0 Background

6.1 History

LUCs were exercised in B.C. between 1971 and 1978 as a form of site-specific, contractual arrangement between local governments and landowners. These contracts regulate development (e.g., density, site coverage, setbacks, heights, etc.) and were registered on land title. When the LUC legislation was repealed in 1978, the existing contracts remained in place, however no new contracts could be created.

In 2014, the Provincial Government amended the *Local Government Act* to terminate all existing LUCs on June 30, 2024. As a result, municipalities can either:

1. Adopt new underlying zoning bylaws that will apply to the impacted lands on June 30, 2024 (when LUCs are terminated) in order to maintain consistent land use regulations; or
2. Allow the LUCs to lapse without further action. The current underlying zones would then apply and any uses, buildings or structures that do not conform may be continued as legally non-conforming. However, if the non-conforming uses, buildings or structures are discontinued for a continuous period of 6 months, any subsequent use of the land, building or other structure becomes subject to the regulations of the underlying zone.

Staff recommends adopting new zoning for these impacted lands (i.e., Option 1) to avoid future non-conformity and potential unintended changes to development rights. To this end, Urban Systems Ltd. (the Consultant) was retained to undertake a technical review of these LUCs and provide draft regulations, which staff have incorporated into the proposed Comprehensive Development (CD) zones.

7.0 Analysis

7.1 Discussion

Zoning Bylaw Amendments

The review of the 23 LUCs determined that each LUC's unique contractual terms necessitate the creation of 20 new CD zones and amendments to 2 existing CD zones (i.e., CD10 and CD25) to avoid legal non-conformity as a result of the Province's termination of the LUCs. Should Council adopt the proposed amendments to the Zoning Bylaw, the new CD Zones will be in place so that land use regulations will remain consistent with current LUC provisions and ensure legal conformity for over 500 properties when the LUCs terminate on June 30, 2024. In the meantime, the LUCs will continue to be effective until termination.

The review also determined that additional time and resources are required for a separate technical exercise to create new zoning for the Caulfeild Area LUC due to its complex nature. The Caulfeild Area LUC is uniquely different from the other LUCs as it facilitated long-term area-wide development for the Caulfeild neighbourhood, with provisions for residential, commercial, schools, and greenbelt areas on over 700 properties. Each type of use, building and structure led to a variety of different governing regulations in this LUC. Given the complexity of the Caulfeild Area LUC, staff intends to conduct this separate technical exercise and report back to Council on its replacement zoning at a later time (but prior to the expiration of this LUC).

The following table provides a summary of the LUCs and their respective replacement CD Zones in the proposed Zoning Bylaw amendments (**Appendix A**). The Consultant has also provided technical memos for each LUC (**Appendix B**) to further outline how relevant land use provisions would be carried over into their respective CD Zone.

Address	Existing Development	Underlying Zone	New Zone
Folkestone Way	Multi-Family Residential: apartments Commercial: restaurant	CD10	CD10
525 Clyde Ave	Community Care Facility	CD25	CD25
6645 Nelson Ave	Multi-Family Residential: apartment	RD2	CD63
585 16 th St	Commercial: office	RM2	CD64
1340 Duchess Ave	Multi-Family Residential: apartment	RM2	CD65
1489-1497 Marine Dr	Commercial: office, retail	AC1	CD66
1507 Bellevue Ave	Commercial: office, retail	AC1	CD67
1495 Esquimalt Ave	Multi-Family Residential: apartment	RM2	CD68
2030-2040 Marine Dr	Multi-Family Residential: townhomes	RS5	CD69
2119 Bellevue Ave	Multi-Family Residential: apartment	RM2	CD70
202-250 16 th St, 1571-1579 Bellevue Ave	Commercial: office, retail	AC1	CD71
440 13 th St, 1285 & 1289 Keith Rd	Multi-Family Residential: townhomes	RD1	CD72
1363 Clyde Ave	Multi-Family Residential: apartment	RM2	CD73
4957 Marine Dr	Multi-Family Residential: townhomes	C1	CD74
1858-1896 Bellevue Ave	Multi-Family Residential: townhomes	RD1	CD75

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Address	Existing Development	Underlying Zone	New Zone
312-320 Keith Rd	Multi-Family Residential: townhomes	RS3	CD76
5500 Block Parthenon Pl & 5490 Marine Dr	Single-Detached Residential Public Park	RS3	CD77
950 Cross Creek Rd	Hollyburn Country Club	RS3	CD78
6330-6338 Bay St	Commercial: office, retail	RS4	CD79
382-398 Mathers Ave	Single-Detached Residential	RS3	CD80
800 Block Taylorwood Pl	Single-Detached Residential	RS3	CD81
6255 & 6265 Imperial Ave, 6620-6678 Marine Dr	Single-Detached Residential	RS4	CD82
Caulfeild Area	Residential, Commercial, and Institutional	RS10, RS3	To be addressed

Tree Bylaw Amendments

The LUC review also identified other regulatory elements that needed to be addressed outside of zoning. Specifically, the LUCs for the proposed CD77, CD81 and CD82 zones require District staff approval for the removal of trees over 6 inches in diameter and 6 feet in height. An amendment to Tree Bylaw No. 4892, 2016 has therefore also been prepared to require a tree cutting permit for such cases on these new CD zones (**Appendix C**).

7.2 Sustainability

Not applicable.

7.3 Public Engagement and Outreach

Public Hearing and Notification

A public hearing must be held to consider the zoning bylaw amendments, proposed for May 31, 2022. Notice of the public hearing would be given in accordance with legislative requirements and District procedures.

Website

A dedicated webpage on the District's website has been created to provide information regarding the process of LUC termination, the proposed amendment bylaws, and associated documents.

Notification for LUC Termination

All property owners with land(s) currently under LUC will be notified of the Province's termination of their LUCs by June 30, 2022, in accordance with Section 549 of the *Local Government Act*.

7.4 Conditions Precedent to Adoption

Ministry of Transportation and Infrastructure approval is required prior to adoption of the proposed Zoning Bylaw amendments.

7.5 Other Communication, Consultation, and Research

Planning staff have consulted with District staff from other departments as appropriate. A legal review of the proposed replacement zoning bylaws was also undertaken to ensure that the proposed amendment bylaws meet the requirements of the *Local Government Act*.

8.0 Options

8.1 Recommended Option

That Council give first reading to the proposed Zoning Bylaw amendments and set the date for a public hearing; and

That Council give first, second, and third reading to the proposed Tree Bylaw amendments.

8.2 Considered Options

- a) give first reading to the proposed Zoning Bylaw amendments and set an alternative date (to be specified) for a public hearing;
- b) defer consideration of the proposed bylaws pending the receipt of additional information (to be specified) to assist in the consideration of the bylaws;
- c) provide alternative direction (to be specified); or
- d) reject the proposed bylaw amendments.

9.0 Conclusion

Staff have undertaken a technical review of the expiring LUCs and concluded that the proposed bylaw amendments will provide consistent land use regulations on lands impacted, avoid future non-conformity, and meet the relevant requirements of the *Local Government Act*. Staff recommend approval of the bylaw amendments described in this report subject to consideration of public input at the public hearing.

Authors:



Winnie Yip, Senior Community Planner

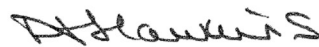


Maeve Bermingham, Assistant Planner

Concurrence:



Michelle McGuire,
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David Hawkins,
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Appendices:

- A. Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5201, 2022
- B. Technical Memos by Urban Systems Ltd.
- C. Tree Bylaw No. 4892, 2016, Amendment Bylaw No. 5202, 2022

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District of West Vancouver

**Zoning Bylaw No. 4662, 2010,
Amendment Bylaw No. 5201, 2022**

Effective Date:

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5201, 2022

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District of West Vancouver

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5201, 2022

A bylaw to amend zoning for lands currently under land use contract.

Previous amendments: Amendment bylaws 4672, 4677, 4678, 4679, 4689, 4701, 4680, 4710, 4697, 4716, 4712, 4737, 4726, 4736, 4757, 4752, 4767, 4787, 4788, 4784, 4772, 4791, 4805, 4809, 4828, 4854, 4873, 4866, 4895, 4839, 4898, 4927, 4944, 4905, 4974, 4967, 4982, 4962, 4928, 4992, 5001, 5021, 5024, 5009, 4938, 5044, 5055, 5051, 5068, 5065, 5087, 5069, 5110, 5106, 5132, 5161, 5160, 5013, 5122, 5155, and 5169.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for amendments to facilitate existing development under land use contract;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5201, 2022.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendment of Regulations

- 3.1 Zoning Bylaw No. 4662, 2010, Section 610 – CD10 (Folkestone Way) is hereby amended by deleting the text in its entirety and replacing with **Schedule A** to this bylaw.
- 3.2 Zoning Bylaw No. 4662, 2010, Section 625 – CD25 (Care Facility on Clyde Avenue) is hereby amended by:
- 3.2.1 Adding the following text in Section 625.01 “Permitted Uses”, following “b) assisted living”:
- c) Hospitals as defined in the *Hospital Act*
- 3.2.2 Adding Section 625.02 after Section 625.01 “Permitted Uses” as follows, and renumbering the subsequent sections accordingly:

625.02 Conditions of Use

No more than 210 beds shall be permitted.

Part 4 Amendment of CD Zones

- 4.1 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 663 as the CD63 – Comprehensive Development Zone 63 (6645 Nelson Avenue), as set out in **Schedule B** to this bylaw.
- 4.2 The Lands shown shaded on the map in **Schedule C** to this bylaw are rezoned from RD2 – Duplex Dwelling Zone 2 to CD63 (6645 Nelson Avenue).
- 4.3 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 664 as the CD64 – Comprehensive Development Zone 64 (585 16th Street), as set out in **Schedule D** to this bylaw.
- 4.4 The Lands shown shaded on the map in **Schedule E** to this bylaw are rezoned from RM2 – Multiple Dwelling Zone 2 to CD64 (585 16th Street).
- 4.5 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 665 as the CD65 – Comprehensive Development Zone 65 (1340 Duchess Avenue), as set out in **Schedule F** to this bylaw.

- 4.6 The Lands shown shaded on the map in **Schedule G** to this bylaw are rezoned from RM2 – Multiple Dwelling Zone 2 to CD65 (1340 Duchess Avenue).
- 4.7 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 666 as the CD66 – Comprehensive Development Zone 66 (1489 –1497 Marine Drive), as set out in **Schedule H** to this bylaw.
- 4.8 The Lands shown shaded on the map in **Schedule I** to this bylaw are rezoned from AC1 – Ambleside Centre Zone 1 to CD66 (1489 –1497 Marine Drive).
- 4.9 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 667 as the CD67 – Comprehensive Development Zone 67 (1507 Bellevue Avenue), as set out in **Schedule J** to this bylaw.
- 4.10 The Lands shown shaded on the map in **Schedule K** to this bylaw are rezoned from AC1 – Ambleside Centre Zone 1 to CD67 (1507 Bellevue Avenue).
- 4.11 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 668 as the CD68 – Comprehensive Development Zone 68 (1495 Esquimalt Avenue) as set out in **Schedule L** to this bylaw.
- 4.12 The Lands shown shaded on the map in **Schedule M** to this bylaw are rezoned from RM2 – Multiple Dwelling Zone 2 to CD68 (1495 Esquimalt Avenue)
- 4.13 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 669 as the CD69 – Comprehensive Development Zone 69 (2030 – 2040 Marine Drive) as set out in **Schedule N** to this bylaw.
- 4.14 The Lands shown shaded on the map in **Schedule O** to this bylaw are rezoned from RS5 – Single Family Dwelling Zone 5 to CD69 (2030 – 2040 Marine Drive)
- 4.15 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 670 as the CD70 – Comprehensive Development Zone 70 (2119 Bellevue Avenue), as set out in **Schedule P** to this bylaw.
- 4.16 The Lands shown shaded in **Schedule Q** to this bylaw are rezoned from RM2 – Multiple Dwelling Zone 2 to CD70 (2119 Bellevue Avenue).

- 4.17 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 671 as the CD71 – Comprehensive Development Zone 71 (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue), as set out in **Schedule R** to this bylaw.
- 4.18 The Lands shown shaded in **Schedule S** to this bylaw are rezoned from AC1 – Ambleside Centre Zone 1 to CD71 (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue).
- 4.19 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 672 as the CD72 – Comprehensive Development Zone 72 (440 13th Street, 1285 & 1289 Keith Road), as set out in **Schedule T** to this bylaw.
- 4.20 The Lands shown shaded in **Schedule U** to this bylaw are rezoned from RD1 – Duplex Dwelling Zone 1 to CD72 (440 13th Street, 1285 & 1289 Keith Road).
- 4.21 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 673 as the CD73 – Comprehensive Development Zone 73 (1363 Clyde Avenue), as set out in **Schedule V** to this bylaw.
- 4.22 The Lands shown shaded in **Schedule W** to this bylaw are rezoned from RM2 – Multiple Dwelling Zone 2 to CD73 (1363 Clyde Avenue).
- 4.23 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 674 as the CD74 – Comprehensive Development Zone 74 (4957 Marine Drive), as set out in **Schedule X** to this bylaw.
- 4.24 The Lands shown shaded in **Schedule Y** to this bylaw are rezoned from C1 – Commercial Zone 1 to CD74 (4957 Marine Drive).
- 4.25 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 675 as the CD75 – Comprehensive Development Zone 75 (1858 – 1896 Bellevue Avenue), as set out in **Schedule Z** to this bylaw.
- 4.26 The Lands shown shaded in **Schedule AA** to this bylaw are rezoned from RD1 – Duplex Dwelling Zone 1 to CD75 (1858 – 1896 Bellevue Avenue).
- 4.27 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 676 as the CD76 – Comprehensive Development Zone 76 (312 – 320 Keith Road), as set out in **Schedule BB** to this bylaw.

- 4.28 The Lands shown shaded in **Schedule CC** to this bylaw are rezoned from RS3 – Single Family Dwelling Zone 3 to CD76 (312 – 320 Keith Road).
- 4.29 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 677 as the CD77 – Comprehensive Development Zone 77 (5500 Block Parthenon Place & 5490 Marine Drive) as set out in **Schedule DD** to this bylaw.
- 4.30 The Lands shown shaded on the map in **Schedule EE** to this bylaw are rezoned from RS3 – Single Family Dwelling Zone 3 to CD77 (5500 Block Parthenon Place & 5490 Marine Drive)
- 4.31 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 678 as the CD78 – Comprehensive Development Zone 78 (950 Cross Creek Road), as set out in **Schedule FF** to this bylaw.
- 4.32 The Lands shown shaded in **Schedule GG** to this bylaw are rezoned from RS3 – Single Family Dwelling Zone 3 to CD78 (950 Cross Creek Road).
- 4.33 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 679 as the CD79 – Comprehensive Development Zone 79 (6330 – 6338 Bay Street) as set out in **Schedule HH** to this bylaw.
- 4.34 The Lands shown shaded in **Schedule II** to this bylaw are rezoned from RS4 – Single Family Dwelling Zone 4 to CD79 (6330 – 6338 Bay Street).
- 4.35 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 680 as the CD80 – Comprehensive Development Zone 80 (382 – 398 Mathers Avenue) as set out in **Schedule JJ** to this bylaw.
- 4.36 The Lands shown shaded on the map in **Schedule KK** to this bylaw are rezoned from RS3 – Single Family Dwelling Zone 3 to CD80 (382 –398 Mathers Avenue)
- 4.37 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 681 as the CD81 – Comprehensive Development Zone 81 (800 Block Taylorwood Place) as set out in **Schedule LL** to this bylaw.
- 4.38 The Lands shown shaded in **Schedule MM** to this bylaw are rezoned from RS3 – Single Family Dwelling Zone 3 to CD81 (800 Block Taylorwood Place).

- 4.39 Zoning Bylaw No. 4662, 2010, Section 600 (Comprehensive Development Zones) is hereby amended by adding Section 682 as the CD82 – Comprehensive Development Zone 82 (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive) as set out in **Schedule NN** to this bylaw.
- 4.40 The Lands shown shaded on the map in **Schedule OO** to this bylaw are rezoned from RS4 – Single Family Dwelling Zone 4 to CD82 (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)

Part 5 Amendment of the Table of Contents

- 5.1 Zoning Bylaw No. 4662, 2010, Section 100 Table of Contents is amended accordingly.

Part 6 Amendment of Zoning Maps

- 6.1 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule C** to this bylaw,

FROM: RD2 (Duplex Dwelling Zone 2)

TO: CD63 – Comprehensive Development Zone 63 (6645 Nelson Avenue)

- 6.2 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule E** to this bylaw,

FROM: RM2 (Multiple Dwelling Zone 2)

TO: CD64 – Comprehensive Development Zone 64 (585 16th Street)

- 6.3 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule G** to this bylaw,

FROM: RM2 (Multiple Dwelling Zone 2)

TO: CD65 – Comprehensive Development Zone 65 (1340 Duchess Avenue)

- 6.4 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule I** to this bylaw,

FROM: AC1 (Ambleside Centre Zone 1)

TO: CD66 – Comprehensive Development Zone 66 (1489 – 1497 Marine Drive)

- 6.5 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule K** to this bylaw,

FROM: AC1 (Ambleside Centre Zone 1)

TO: CD67 – Comprehensive Development Zone 67 (1507 Bellevue Avenue)

- 6.6 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule M** to this bylaw,

FROM: RM2 (Multiple Dwelling Zone 2)

TO: CD68 – Comprehensive Development Zone 68 (1495 Esquimalt Avenue)

- 6.7 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule O** to this bylaw,

FROM: RS5 (Single Family Dwelling Zone 5)

TO: CD69 – Comprehensive Development Zone 69 (2030 – 2040 Marine Drive)

- 6.8 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule Q** to this bylaw,

FROM: RM2 (Multiple Dwelling Zone 2)

TO: CD70 - Comprehensive Development Zone 70 (2119 Bellevue Avenue)

- 6.9 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule S** to this bylaw,

FROM: AC1 – Ambleside Centre Zone 1

TO: CD71 - Comprehensive Development Zone 71 (202 – 250
16th Street, 1571 – 1579 Bellevue Avenue)

- 6.10 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule U** to this bylaw,

FROM: RD1 – Duplex Dwelling Zone 1

TO: CD72 – Comprehensive Development Zone 72 (440 13th
Street, 1285 & 1289 Keith Road)

- 6.11 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule W** to this bylaw,

FROM: RM2 – Multiple Dwelling Zone 2

TO: CD73 – Comprehensive Development Zone 73 (1363 Clyde
Avenue)

- 6.12 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule Y** to this bylaw,

FROM: C1 – Commercial Zone 1

TO: CD74 – Comprehensive Development Zone 74 (4957 Marine
Drive)

- 6.13 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule AA** to this bylaw,

FROM: RD1 – Duplex Dwelling Zone 1

TO: CD75 – Comprehensive Development Zone 75 (1858 – 1896
Bellevue Avenue)

- 6.14 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule CC** to this bylaw,

FROM: RS3 – Single Family Dwelling Zone 3

TO: CD76 - Comprehensive Development Zone 76 (312 – 320 Keith Road)

- 6.15 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule EE** to this bylaw,

FROM: RS3 (Single Family Dwelling Zone 3)

TO: CD77 – Comprehensive Development Zone 77 (5500 Block Parthenon Place & 5490 Marine Drive)

- 6.16 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule GG** to this bylaw,

FROM: RS3 – Single Family Dwelling Zone 3

TO: CD78 - Comprehensive Development Zone 78 (950 Cross Creek Road)

- 6.17 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule II** to this bylaw,

FROM: RS4 – Single Family Dwelling Zone 4

TO: CD79 - Comprehensive Development Zone 79 (6330 – 6338 Bay Street)

- 6.18 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule KK** to this bylaw,

FROM: RS3 (Single Family Dwelling Zone 3)

TO: CD80 – Comprehensive Development Zone 80 (382 – 398 Mathers Avenue)

6.19 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on Lands as shown on the map in **Schedule MM** to this bylaw,

FROM: RS3 – Single Family Dwelling Zone 3

TO: CD81 - Comprehensive Development Zone 81 (800 Block Taylorwood Place)

6.20 Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps is hereby amended by changing the zoning on the Lands as shown on the map in **Schedule OO** to this bylaw,

FROM: RS4 (Single Family Dwelling Zone 4)

TO: CD82 – Comprehensive Development Zone 82 (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)

Schedules

Schedule A – CD10 – Comprehensive Development Zone 10 (Folkestone Way)

Schedule B – CD63 – Comprehensive Development Zone 63 (6645 Nelson Avenue)

Schedule C – Zoning Maps Amendment (6645 Nelson Avenue)

Schedule D – CD64 – Comprehensive Development Zone 64 (585 16th Street)

Schedule E – Zoning Maps Amendment (585 16th Street)

Schedule F – CD65 – Comprehensive Development Zone 65 (1340 Duchess Avenue)

Schedule G – Zoning Maps Amendment (1340 Duchess Avenue)

Schedule H – CD66 – Comprehensive Development Zone 66 (1489 – 1497 Marine Drive)

Schedule I – Zoning Maps Amendment (1489 – 1497 Marine Drive)

Schedule J – CD67 – Comprehensive Development Zone 67 (1507 Bellevue Avenue)

Schedule K – Zoning Maps Amendment (1507 Bellevue Avenue)

Schedule L – CD68 – Comprehensive Development Zone 68 (1495 Esquimalt Avenue)

Schedule M – Zoning Maps Amendment (1495 Esquimalt Avenue)

Schedule N – CD69 – Comprehensive Development Zone 69 (2030 – 2040 Marine Drive)

Schedule O – Zoning Maps Amendment (2030 – 2040 Marine Drive)

Schedule P – CD70 – Comprehensive Development Zone 70 (2119 Bellevue Avenue)

Schedule Q – Zoning Maps Amendment (2119 Bellevue Avenue)

Schedule R – CD71 - Comprehensive Development Zone 71 (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue)

- Schedule S – Zoning Maps Amendment (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue)
- Schedule T – CD72 – Comprehensive Development Zone 72 (440 13th Street, 1285 & 1289 Keith Road)
- Schedule U – Zoning Maps Amendment (440 13th Street, 1285 & 1289 Keith Road)
- Schedule V – CD73 - Comprehensive Development Zone 73 (1363 Clyde Avenue)
- Schedule W – Zoning Maps Amendment (1363 Clyde Avenue)
- Schedule X – CD74 - Comprehensive Development Zone 74 (4957 Marine Drive)
- Schedule Y – Zoning Maps Amendment (4957 Marine Drive)
- Schedule Z – CD75 - Comprehensive Development Zone 75 (1858 – 1896 Bellevue Avenue)
- Schedule AA – Zoning Maps Amendment (1858 – 1896 Bellevue Avenue)
- Schedule BB – CD76 - Comprehensive Development Zone 76 (312 – 320 Keith Road)
- Schedule CC – Zoning Maps Amendment (312 – 320 Keith Road)
- Schedule DD – CD77 – Comprehensive Development Zone 77 (5500 Block Parthenon Place & 5490 Marine Drive)
- Schedule EE – Zoning Maps Amendment (5500 Block Parthenon Place & 5490 Marine Drive)
- Schedule FF – CD78 - Comprehensive Development Zone 78 (950 Cross Creek Road)
- Schedule GG – Zoning Maps Amendment (950 Cross Creek Road)
- Schedule HH – CD79 - Comprehensive Development Zone 79 (6330 – 6338 Bay Street)
- Schedule II – Zoning Maps Amendment (6330 – 6338 Bay Street)
- Schedule JJ – CD80 – Comprehensive Development Zone 80 (382 – 398 Mathers Avenue)
- Schedule KK – Zoning Maps Amendment (382 – 398 Mathers Avenue)
- Schedule LL – CD81 - Comprehensive Development Zone 81 (800 Block Taylorwood Place)
- Schedule MM – Zoning Maps Amendment (800 Block Taylorwood Place)
- Schedule NN – CD82 – Comprehensive Development Zone 82 (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)
- Schedule OO – Zoning Maps Amendment (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)

READ A FIRST TIME on [Date]

PUBLICATION OF NOTICE OF PUBLIC HEARING on [Date]

PUBLIC HEARING HELD on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

APPROVED by the Minister of Transportation and Infrastructure on [Date]

ADOPTED by the Council on [Date].

Mayor

Corporate Officer

Schedule A – CD10 – Comprehensive Development Zone (Folkestone Way)

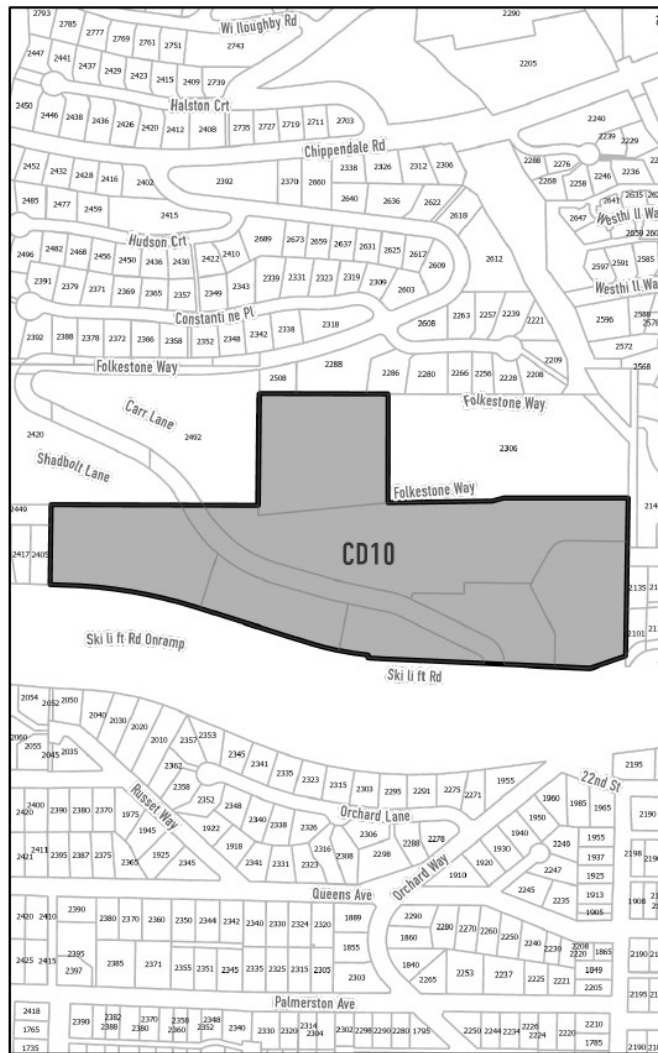
610 CD10 (Folkestone Way)

AMENDING
BYLAW

SECTION REGULATION

610.01 Map

Lands zoned CD10 are shaded on the map below:

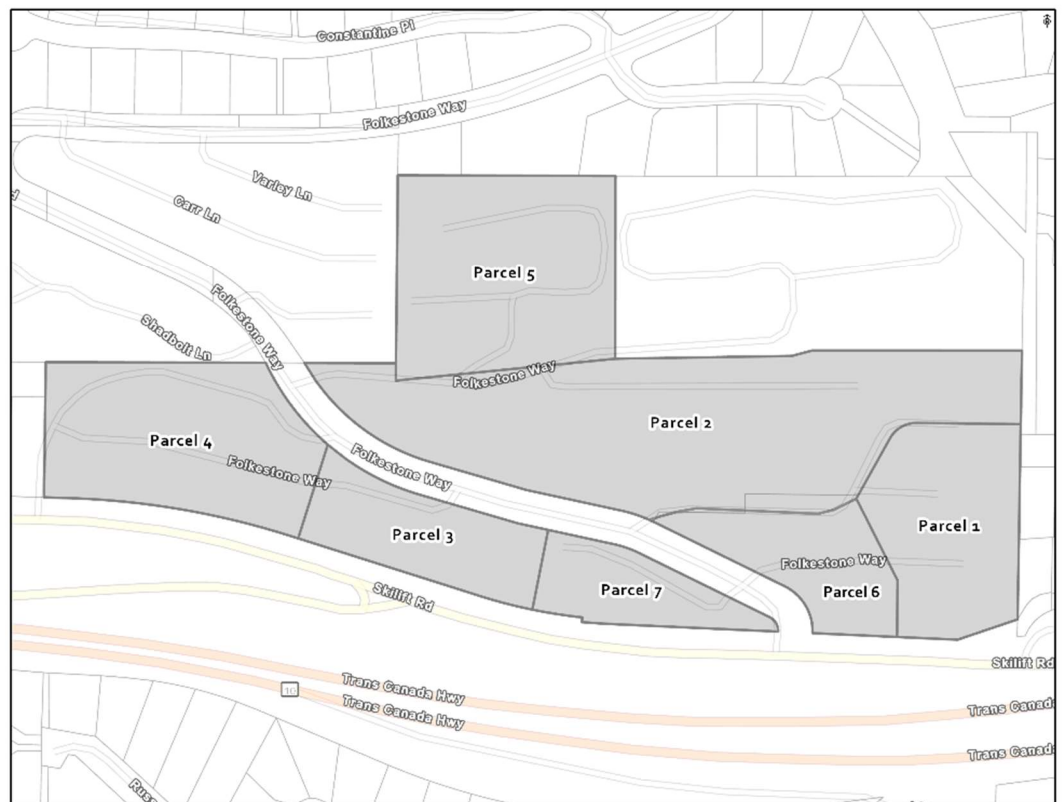


610.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Recreation complex
- iii. Apartments
- iv. Townhouses
- v. Shopping centre, including gasoline station
- vi. Restaurant

610.03 Conditions of Use

- (1) Development of lands zoned CD10 is allocated by parcels according to the map below:



- (2) A shopping centre, gasoline station, and restaurant shall be permitted only on Parcel 7.
- (3) A gasoline station must be operated as an integral part of a shopping centre.
- (4) Any development that occurs on Parcel 2 in the northeast corner shall be an apartment.

610.04 Maximum Floor Area Ratio (FAR)

- (1)
 - i. Parcel 1 development: 5,837.3 m² – 6,131.6 m²
 - ii. Parcel 2 development: 17,641.6 m² – 17,930.3 m²
 - iii. Parcel 3 development: 3,272.8 m² – 3,716.1 m²
 - iv. Parcel 4 development: 3,579.5 m² – 8,825.8 m²
 - v. Parcel 5 development: 6,109.7 m² – 6,503.2 m²
 - vi. Parcel 6 development: 3,184.7 m² – 3,623.2 m²
 - vii. Parcel 7 development: 1,207.7 m² – 1,300.6 m²
- (2) Recreation complex – 576 m² minimum, including two outdoor tennis courts with minimum dimensions 24.4 metres x 32 metres.
- (3) Shopping centre – 1,300.6 m² maximum.
- (4) All development combined, excluding the recreation complex – 48,030.9 m² maximum.

610.05 Setbacks

- (1) Gasoline station pump island and canopy supports – minimum 4.6 metres from north, east, and south site lines, excluding canopies which may project up to 1.5 metres into the setback area.
- (2) Gasoline station use – minimum 9.1 metres from south site line.
- (3) Apartment on Parcel 4 constructed immediately adjacent to western boundary – 25.9 metres from north site line.
- (4) All other uses – minimum 7.6 metres from all site lines.
- (5) Minimum setbacks for Parcel 1:

North:	6.6 metres
South:	7.3 metres
East:	9.2 metres
West:	3.0 metres

610.06 Number of Storeys

- (1) Apartment – maximum 3 storeys, including basement.
- (2) Townhouses – maximum 2 storeys, including basement.

610.07 Off-Street Parking

- (1) Townhouses – minimum 2 parking spaces per dwelling unit.
- (2) Apartments – minimum 1.6 parking spaces per dwelling unit.
- (3) Recreation complex – minimum 10 parking spaces.
- (4) All building types, excluding recreation complex – minimum 1 covered parking space per unit.
- (5) Maximum number of open parking spaces – 350, including 1 space per 37.2 m² of gross commercial floor area to be located on Parcel 1.

610.08 Landscaping

- (1) Landscaping, fencing and screening shall be provided for parking spaces located along or adjacent to an exterior lot line.

Schedule B – CD63 – Comprehensive Development Zone (6645 Nelson Avenue)

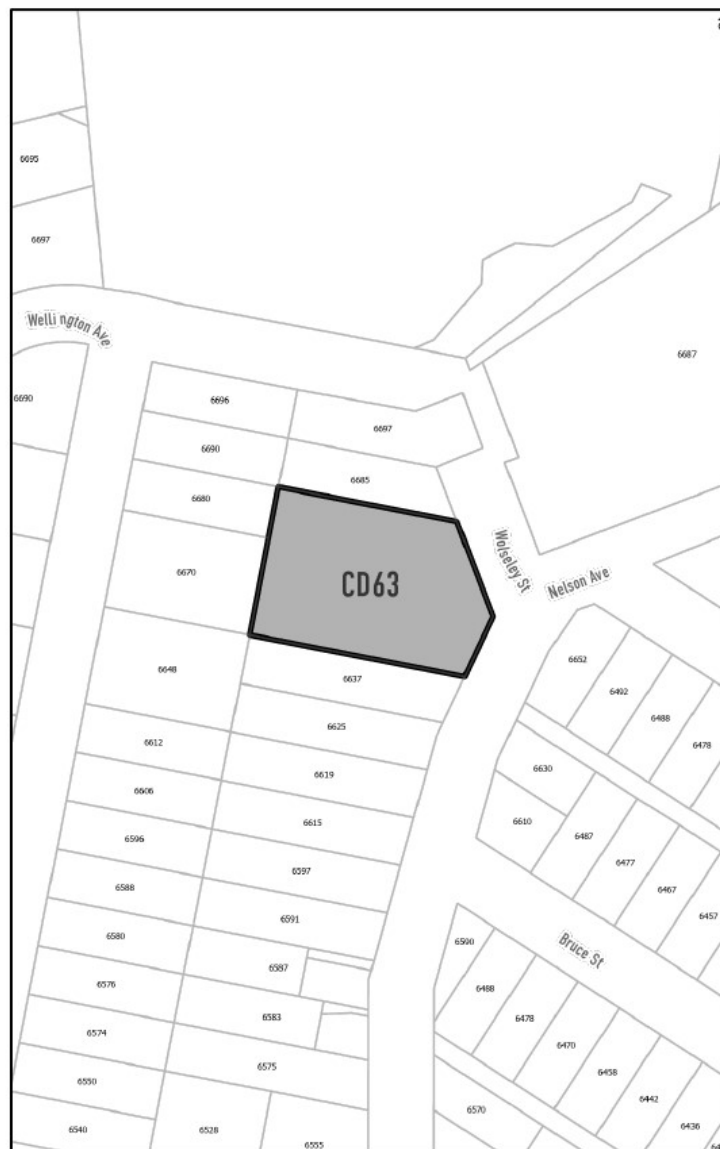
663 CD63 (6645 Nelson Avenue)

AMENDING
BYLAW

SECTION REGULATION

663.01 Map

Lands zoned CD63 are shaded on the map below:



663.02 Permitted Uses

- i. Apartment building for seniors housing
- ii. Caretaker's suite

663.03 Density

- (1) A maximum of 45 dwelling units.
- (2) A maximum of one caretaker's suite.

663.04 Floor Area Ratio (FAR)

- (1) Apartment building – 0.83

663.05 Setbacks

- (1) Minimum:

West:	36.0 metres
South:	2.0 metres
North:	1.0 metres

Existing accessory structures lawfully built prior to January 1, 2022 are exempted from setbacks requirements in CD63.

- (2) For the purpose of defining existing accessory structures lawfully built prior to January 1, 2022 in Section 663.05(1), such measurements may be established by providing a drawing prepared and stamped by a British Columbia Land Surveyor or a Professional Engineer or a Registered Architect, showing the location, elevation and shape of the structures that existed on the site as of January 1, 2022.

663.06 Number of Storeys

- (1) Apartment building – maximum 5 storeys.

663.07 Off-Street Parking

- (1) Notwithstanding Section 142.08, eight parking spaces may be provided within 91.4 metres of the site.

Schedule C – Zoning Maps Amendment (6645 Nelson Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD63.



Schedule D – CD64 – Comprehensive Development Zone (585 16th Street)

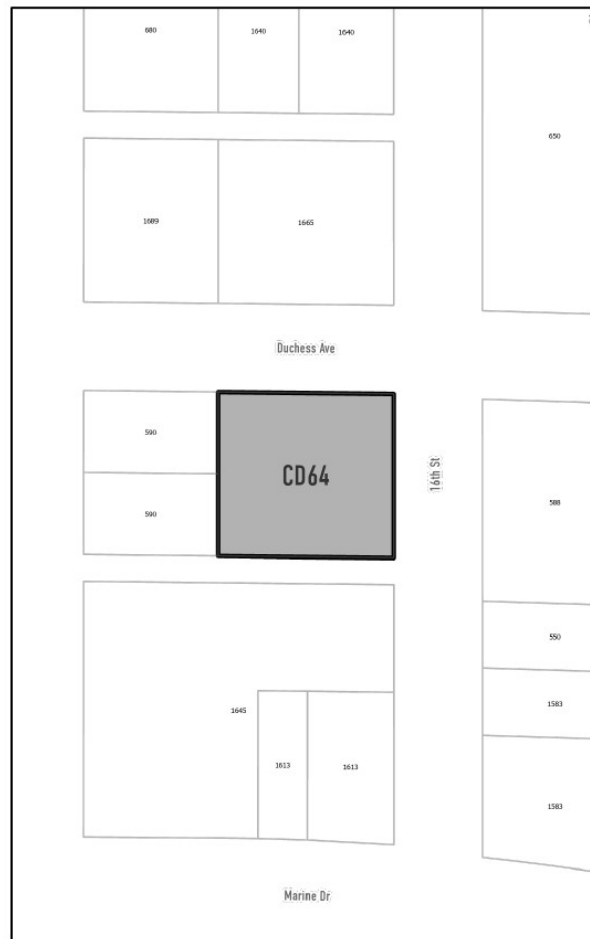
664 CD64 (585 16th Street)

AMENDING
BYLAW

SECTION REGULATION

664.01 Map

Lands zoned CD64 are shaded on the map below:



664.02 Permitted Uses

- i. Office
- ii. Retail accessory to office use

664.03 Conditions of Use

- (1) Office use is not to exceed 1,509.6m², excluding parking areas
- (2) a maximum of 92.9m² for accessory retail use

664.04 Density

- (1) A maximum gross floor area of 1,509.6m², excluding parking areas.

664.05 Setbacks

Minimum:

East:	3.0 metres
West:	1.5 metres
South:	3.0 metres
North:	6.4 metres

664.06 Building Height

- (1) Office – 11.2 metres maximum measured from the floor of the basement parking level plus 1.5 metres for any roof-top equipment.

664.07 Number of Storeys

- (1) 2 storeys maximum

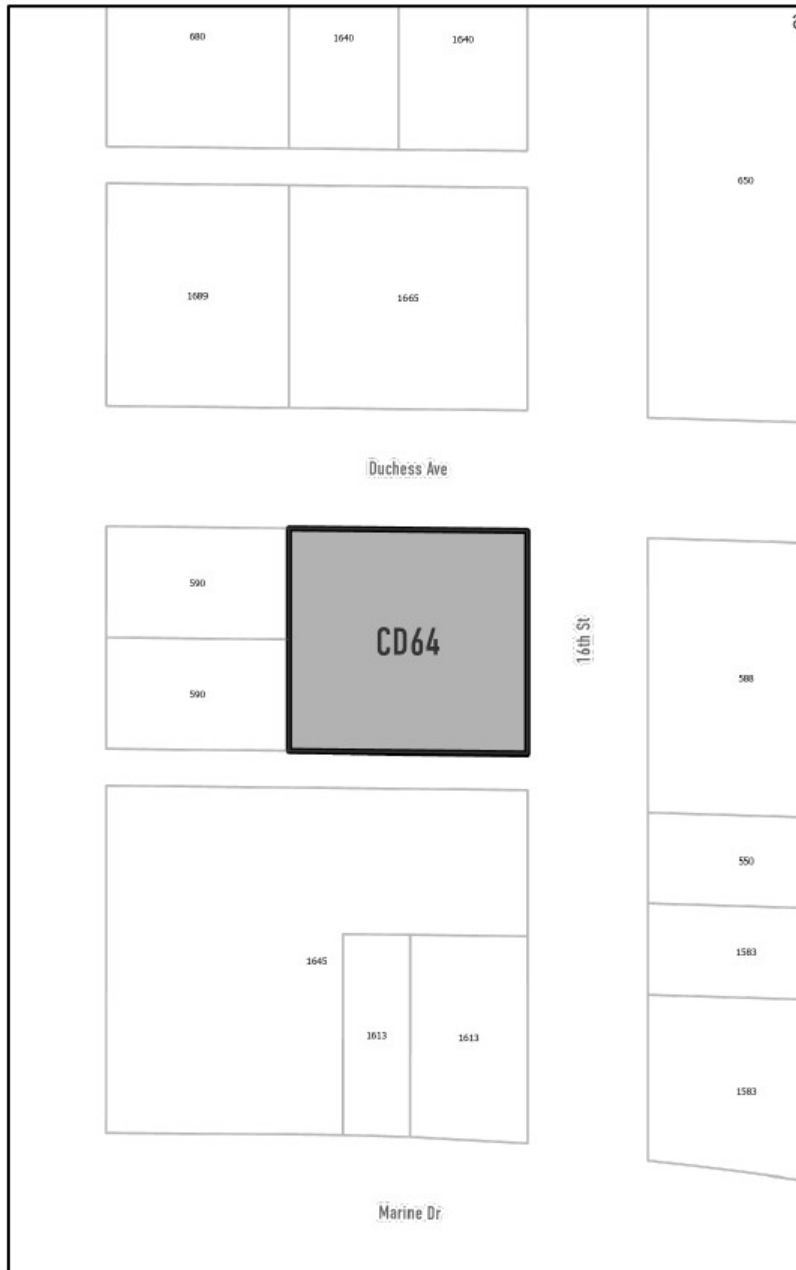
664.08 Off-Street Parking

- (1) Provide underground parking areas.
- (2) 40 parking spaces are to be provided for tenants of and visitors to the building.
- (3) Out of the parking spaces required by (2) above, one parking space is to be provided for the use of persons with disabilities.
- (4) A maximum of 25% of the parking spaces can be for small vehicles.

Schedule E – Zoning Maps Amendment (585 16th Street)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD64.



Schedule F- CD65 – Comprehensive Development Zone (1340 Duchess Avenue)

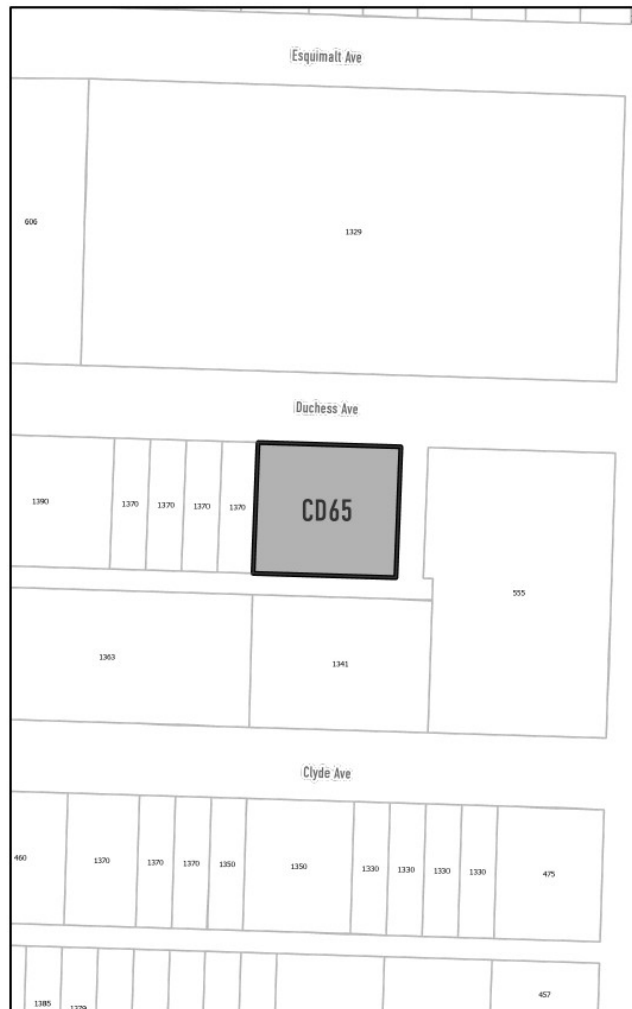
665 CD65 (1340 Duchess Avenue)

AMENDING
BYLAW

SECTION REGULATION

665.01 Map

Lands zoned CD65 are shaded on the map below:



665.02 Permitted Uses

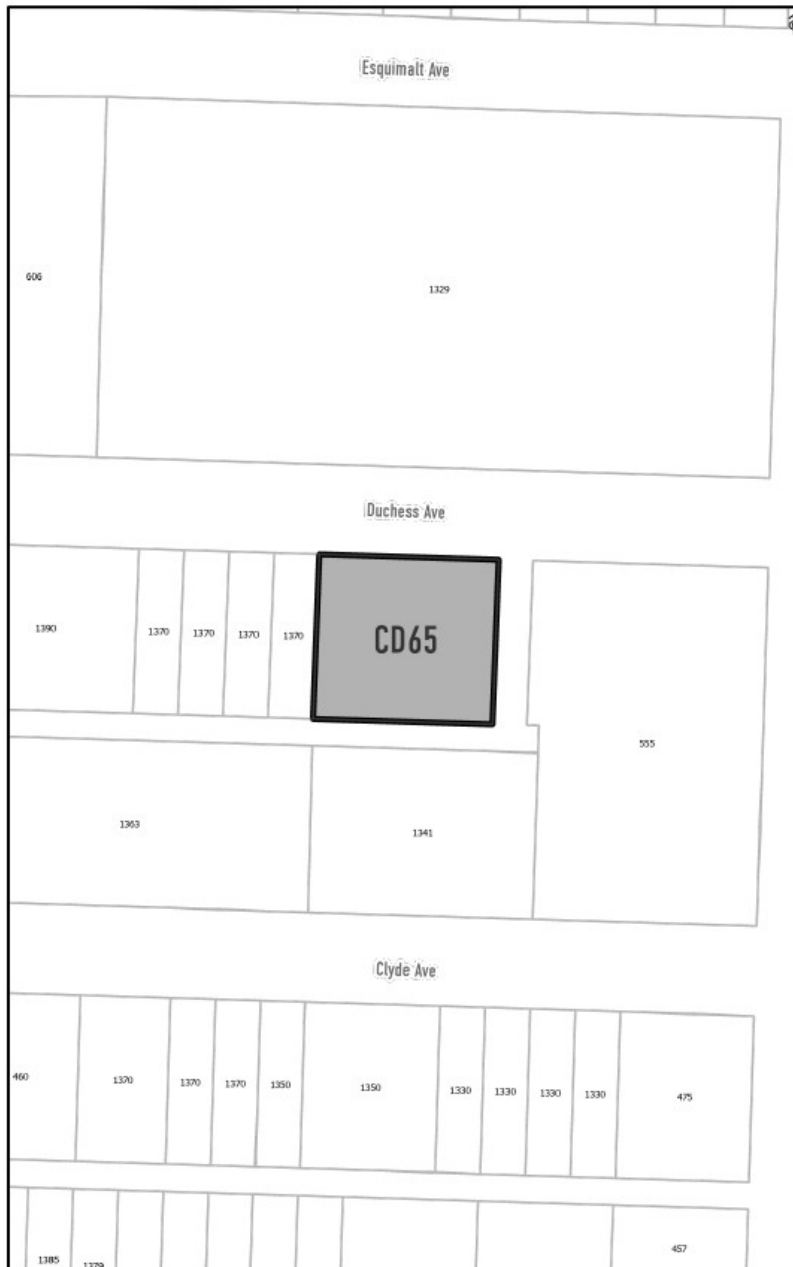
- i. Apartment building

665.03	Density
(1)	A maximum of 30 dwelling units
665.04	Site Coverage
(1)	Maximum 53%
665.05	Setbacks
(1)	The following minimum setbacks shall apply: North: 2.6 metres South: 2.2 metres East: 4.1 metres West: 6.3 metres
665.06	Building Height
(1)	Maximum 13.6 metres.
665.07	Maximum Number of Storeys
(1)	Apartment buildings – 4 storeys maximum.
665.08	Off-Street Parking
(1)	30 parking spaces shall be provided.

Schedule G – Zoning Maps Amendment (1340 Duchess Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD65.



Schedule H – CD66 – Comprehensive Development Zone (1489 – 1497 Marine Drive)

666 CD66 (1489 – 1497 Marine Drive)

AMENDING
BYLAW

SECTION REGULATION

666.01 Map

Lands zoned CD66 are shaded on the map below:



666.02	Permitted Uses
(1)	Those uses as provided for in Section 701.01 - Ambleside Centre Zone 1 of this bylaw.
666.03	Density
(1)	All uses not to exceed 2,508 m ²
666.04	Building Height
(1)	Maximum – 11.5 metres, plus 1.5 metres for any rooftop equipment.
666.05	Number of Storeys
(1)	Maximum 3 storeys
666.06	Off-Street Parking
(1)	No less than 40 parking spaces, including the provision of a minimum of one stall for persons with disabilities.
(2)	Notwithstanding Section 140.28, parking spaces may be provided within 91.4 metres of the site.

Schedule I – Zoning Maps Amendment (1489 – 1497 Marine Drive)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD66.



Schedule J – CD67 – Comprehensive Development Zone (1507 Bellevue Avenue)

667 CD67 (1507 Bellevue Avenue)

AMENDING
BYLAW

SECTION REGULATION

667.01 Map

Lands zoned CD67 are shaded on the map below:



667.02 Permitted Uses

- (1) Those uses as provided for in Section 701.01 - Ambleside Centre Zone 1 of this bylaw.

667.03 Conditions of Use

- (1) The Lands within the CD67 Zone shall be developed with a building for stores, offices and a restaurant and ground level and upper level parking, being two storeys on the south side, and two storeys parking and one storey commercial on the north side.

667.04 Density

- (1) The building shall not exceed 1,021.9 m², excluding parking areas.
- (2) Office includes a maximum of 92.9 m² for retail use.

667.05 Building Height

- (1) Maximum height of 9.1 metres from the floor of the lowest commercial storey, including rooftop structure.

667.06 Off-Street Parking

- (1) Provide ground level and upper level parking areas for tenants and visitors to the building on a ratio of one to each 55.7 m² of floor area; a maximum of three may be designated for small cars.
- (2) Provide a minimum of one parking stall suitable for persons with disabilities, from those required in the above.
- (3) Subject to exceptions contained in (2) and (3), ensure that the parking spaces otherwise comply with Section 140 of this bylaw.

Schedule K – Zoning Maps Amendment (1507 Bellevue Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD67.



Schedule L – CD68 – Comprehensive Development Zone (1495 Esquimalt Avenue)

668 CD68 (1495 Esquimalt Avenue)

AMENDING
BYLAW

SECTION REGULATION

668.01 Map

Lands zoned CD68 are shaded on the map below:



668.02 Permitted Uses

- i. Apartment building for seniors housing

668.03 Density

- (1) No building or structure shall contain more than 84 dwelling units.

668.04 Setbacks

- (1) Minimum:
 - South: 8.6 metres
 - North: 8.9 metres
 - East: 9.1 metres
- (2) Mechanical equipment may be located within the setback area with the following considerations:
 - (i) Minimum 2.1 metres from north property line
 - (ii) Within 2.2 metres to 8.6 metres from west property line
 - (iii) Screening fence up to 2.9 metres in height

668.05 Width of Building

- (1) No building shall be constructed above grade level which exceeds in width one-half the width of the said lands; frontage of the site shall be considered to be that boundary of the said lands abutting Esquimalt Avenue.

668.06 Number of Storeys

- (1) No building shall be constructed to a height in excess of 11 storeys including the main floor at grade level.

668.07 Off-Street Parking

- (1) Ten accessory off-street parking spaces are to be provided, at surface level with access from the lane, provided however no spaces shall be constructed or located within 12.1 metres of the 15th Street side site line.

Schedule M – Zoning Maps Amendment (1495 Esquimalt Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD68.



Schedule N – CD69 – Comprehensive Development Zone (2030 – 2040 Marine Drive)

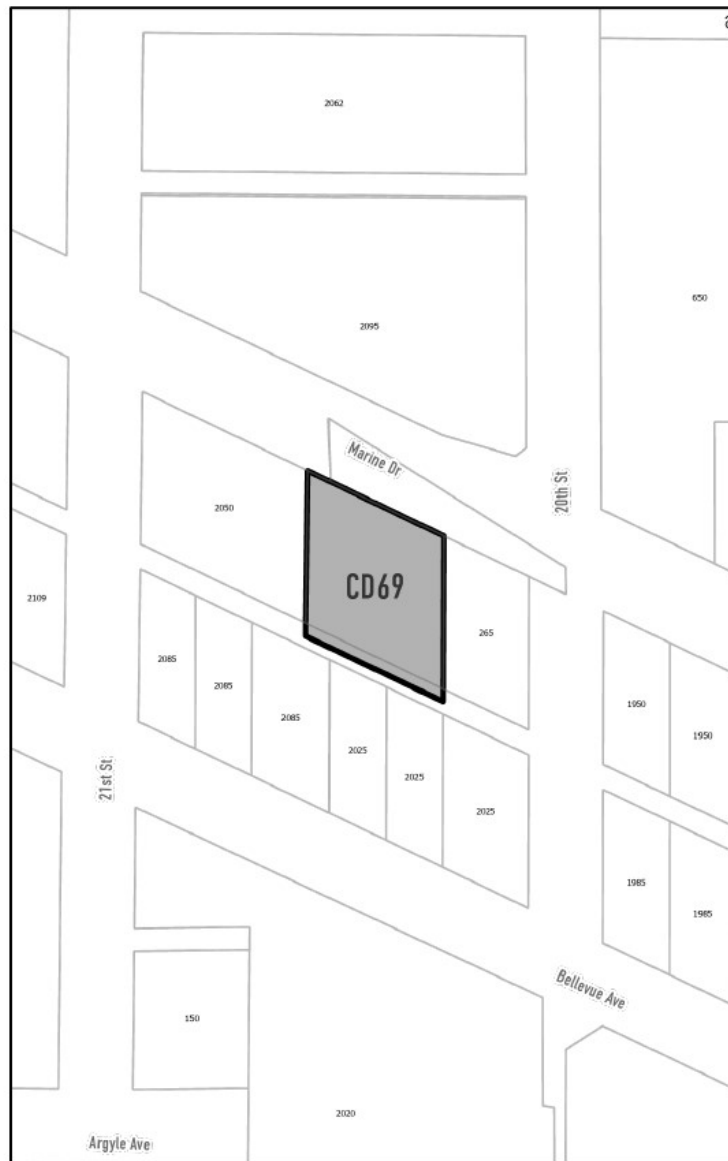
669 CD69 (2030 – 2040 Marine Drive)

AMENDING
BYLAW

SECTION REGULATION

669.01 Map

Lands zoned CD69 are shaded on the map below:



669.02 Permitted Uses

- i. Townhouses

669.03 Density

- (1) Six townhouses not exceeding a gross floor area of 1,300.6 m² including covered parking.

669.04 Setbacks

Minimum:

- North: 4.1 metres
- East: 4.0 metres
- West: 2.7 metres

669.05 Building Height

- (1) Townhouses – 9.1 metres maximum measured from the average grade on the front of the building to the peak of the roof, but excluding the chimney which shall be to the minimum height allowed by the National Building Code.

669.06 Number of Storeys

- (1) Townhouse – 2 storey plus basement maximum.

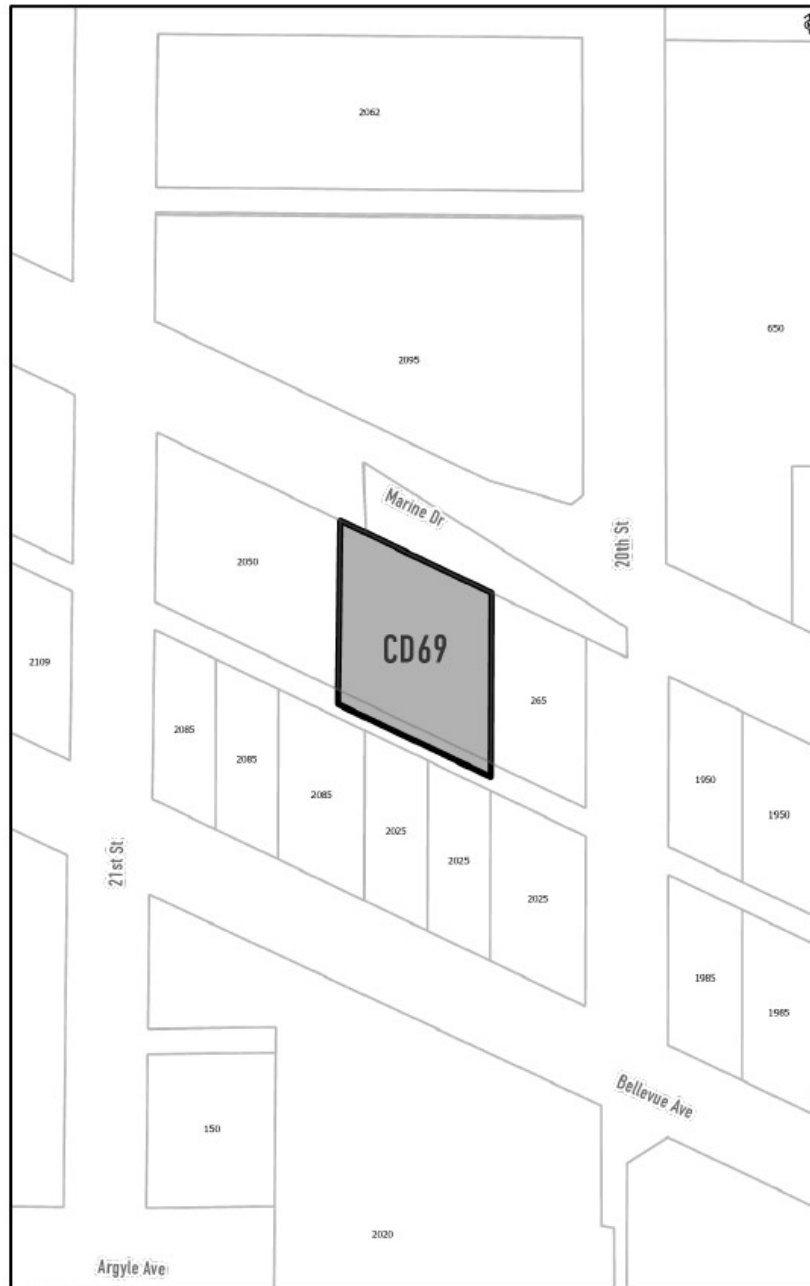
669.07 Off-Street Parking

- (1) Townhouse – 2 spaces per dwelling unit, one space in an enclosed garage and one space out of doors.
- (2) Townhouse Visitor Parking – 6 parking spaces.

Schedule O – Zoning Maps Amendment (2030 – 2040 Marine Drive)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD69.



Schedule P – CD70 – Comprehensive Development Zone (2119 Bellevue Avenue)

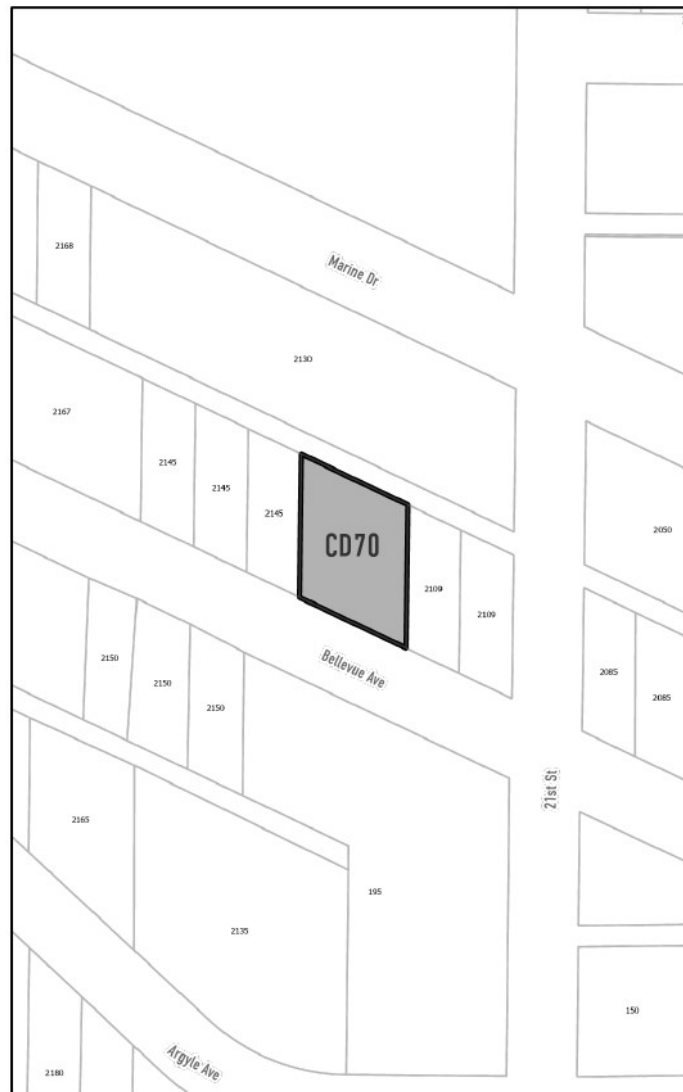
670 CD70 (2119 Bellevue)

AMENDING
BYLAW

SECTION REGULATION

670.01 Map

Lands zoned CD70 are shaded on the map below:



670.02 Permitted Uses

- i. Accessory buildings, structures and uses
- ii. Apartment buildings

670.03 Density

- (1) A maximum of 27 dwelling units.

670.04 Floor Area Ratio (FAR)

- (1) Maximum 1.48

670.05 Gross Floor Area

- (1) Maximum 1,858 m²

670.06 Site Coverage

- (1) Maximum 49%

670.07 Setbacks

- (1) The following minimum setbacks shall apply:

South:	7.6 metres
North:	4.5 metres
East:	2.1 metres
West:	2.1 metres

670.08 Building Height

- (1) Apartment buildings – 11.6 metres maximum, plus 3 metres for the service penthouse.

670.09 Number of Storeys

- (1) Apartment buildings – 4 storeys maximum.

670.10 Off-Street Parking

- (1) A minimum of 1 parking space for each dwelling, with a maximum of 7 spaces to be provided for small cars.

Schedule Q – Zoning Maps Amendment (2119 Bellevue Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD70.



Schedule R – CD71 – Comprehensive Development Zone (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue)

671 CD71 (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue)

AMENDING
BYLAW

SECTION REGULATION

671.01 Map

Lands zoned CD71 are shaded on the map below:



671.02	Permitted Uses
i.	Accessory buildings, structures, and uses
ii.	Dwelling units, in a building with commercial uses as permitted in the CD71 zone
iii.	Office
iv.	Restaurant
iv.	Retail
671.03	Conditions of Use
(1)	Offices may not exceed 10% of the ground floor area of the principal building.
671.04	Gross Floor Area
(1)	Maximum: 3,065 m ²
671.05	Building Height
(1)	Maximum 9.1 metres, excluding any roof top equipment.
671.06	Number of Storeys
(1)	Maximum two storeys
671.07	Off-Street Parking
(1)	A minimum of 1 parking space per 56 m ² of gross floor area of development.
(2)	A minimum of 38 parking spaces, including visitor parking, must be provided on-site.
(3)	Notwithstanding section 142.08, the remaining required off-street tenant parking spaces may be provided within 91.4 metres of the site.

Schedule S – Zoning Maps Amendment (202 – 250 16th Street, 1571 – 1579 Bellevue Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD71.



Schedule T – CD72 – Comprehensive Development Zone (440 13th Street, 1285 & 1289 Keith Road)

672 CD72 (440 13th Street, 1285 & 1289 Keith Road)

AMENDING
BYLAW

SECTION REGULATION

672.01 Map

Lands zoned CD72 are shaded on the map below:



672.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Townhouses
- iii. Secondary suites

672.03 Conditions of Use

- (1) A maximum of one secondary suite per principal dwelling unit is permitted in accordance with section 130.05 of the bylaw, excluding section 130.05 (1).

672.04 Density

- (1) Maximum 3 principal dwelling units.

672.05 Setbacks

Minimum:

South (Keith Road): 3.6 metres

West: 5.8 metres

672.06 Number of Storeys

- (1) Maximum three storeys.

672.07 Off-Street Parking

- (1) 1 parking space per dwelling unit in the form of an attached carport or garage.
- (2) Minimum of 3 on-site guest parking spaces.

Schedule U – Zoning Maps Amendment (440 13th Street, 1285 & 1289 Keith Road)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD72.



Schedule V – CD73 – Comprehensive Development Zone (1363 Clyde Avenue)

673 CD73 (1363 Clyde Avenue)

AMENDING
BYLAW

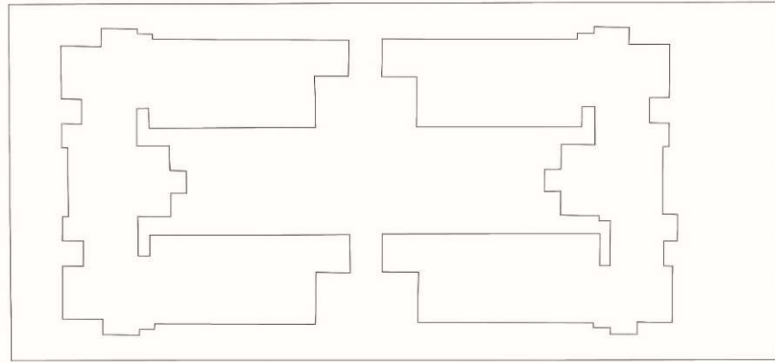
SECTION REGULATION

673.01 Map

Lands zoned CD73 are shaded on the map below:



Buildings shall be generally sited as per below:



673.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Apartment building

673.03 Conditions of Use

(1) Notwithstanding other provisions of this Zoning Bylaw, a maximum of two apartment buildings are permitted.

673.04 Density

(1) A maximum of 60 dwelling units.

673.05 Site Coverage

(1) Maximum 55%

673.06 Setbacks

Minimum:

North:	2.5 metres
South:	2.5 metres
East:	11.6 metres
West:	5.3 metres

Balcony projections are exempted from setback requirements in CD73.

673.07 Number of Storeys

(1) Maximum four storeys.

673.08 Off-Street Parking

(1) 1 parking space per dwelling unit.

Schedule W – Zoning Maps Amendment (1363 Clyde Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD73.



Schedule X – CD74 – Comprehensive Development Zone (4957 Marine Drive)

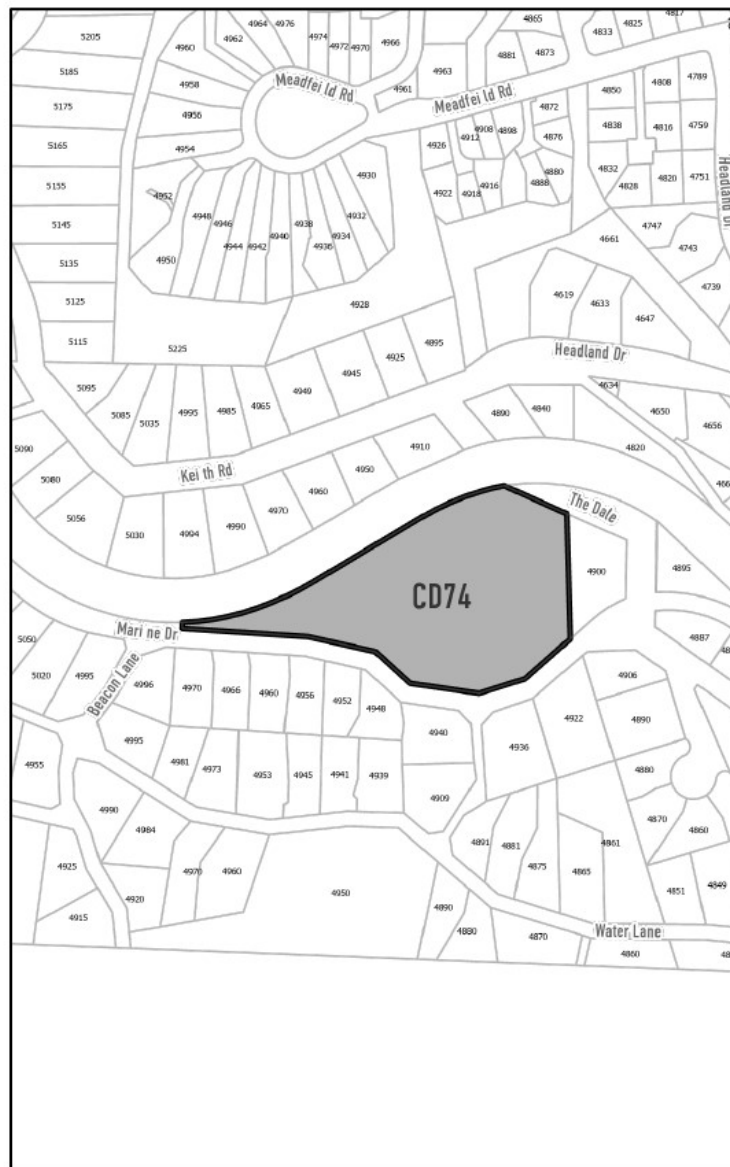
674 CD74 (4957 Marine Drive)

AMENDING
BYLAW

SECTION REGULATION

674.01 Map

Lands zoned CD74 are shaded on the map below:



674.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Townhouses

674.03 Site Coverage

- (1) Maximum 35% including covered parking and swimming pool areas.

674.04 Density

- (1) Maximum of 30 dwelling units.

674.05 Setbacks

Minimum:

South: 7.62 metres

674.06 Building Height

- (1) Maximum 7.62 metres of all buildings and structures containing dwelling units measured through the cross-section of a unit from the lowest floor level.
- (2) Maximum height of accessory buildings and structures is subject to Section 130.01 (9) of this bylaw.

674.07 Number of Storeys

- (1) Maximum two storeys, including a basement plus a loft.

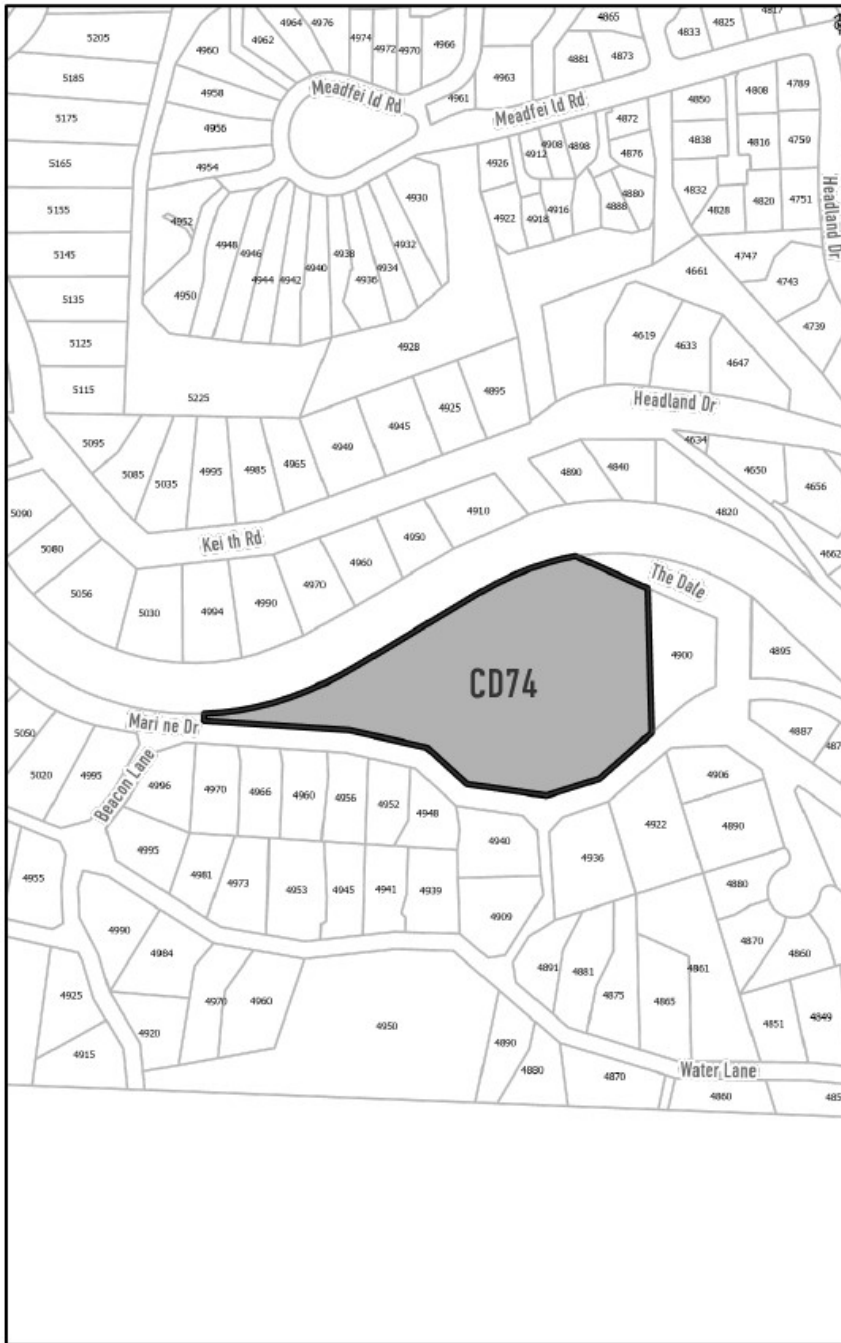
674.08 Off-Street Parking

- (1) 2 parking spaces per dwelling unit.

Schedule Y – Zoning Maps Amendment (4957 Marine Drive)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD74.



Schedule Z – CD75 – Comprehensive Development Zone (1858 – 1896 Bellevue Avenue)

675 CD75 (1858-1896 Bellevue Avenue)

AMENDING
BYLAW

SECTION REGULATION

675.01 Map

Lands zoned CD75 are shaded on the map below:



675.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Townhouses

675.03 Density

- (1) Maximum of 6 dwelling units.

675.04 Number of Storeys

- (1) Maximum two storeys and an attic.

675.05 Off-Street Parking

- (1) Minimum 2 parking spaces per dwelling unit in the form of a carport or garage located within the buildings.

Schedule AA – Zoning Maps Amendment (1858 – 1896 Bellevue Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD75.



Schedule BB – CD76 – Comprehensive Development Zone (312 – 320 Keith Road)

676 CD76 (312-320 Keith Road)

AMENDING
BYLAW

SECTION REGULATION

676.01 Map

Lands zoned CD76 are shaded on the map below:



676.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Townhouses

676.03 Density

- (1) 1 unit per 0.16 hectares to a maximum of 5 dwelling units.

676.04 Setbacks

Minimum:

North: 22.3 metres

South: 81.4 metres

East: 2.4 metres

West: 2.4 metres

676.05 Building Height

- (1) Maximum 7.6 metres, not including a chimney.

676.06 Number of Storeys

- (1) Maximum two storeys.

676.07 Off-Street Parking

- (1) Minimum 2 parking spaces per dwelling unit in the form of a carport or garage located within the buildings.
- (2) Minimum 5 parking spaces for visitors.

Schedule CC – Zoning Maps Amendment (312 – 320 Keith Road)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD76.



Schedule DD – CD77 – Comprehensive Development Zone (5500 Block Parthenon Place & 5490 Marine Drive)

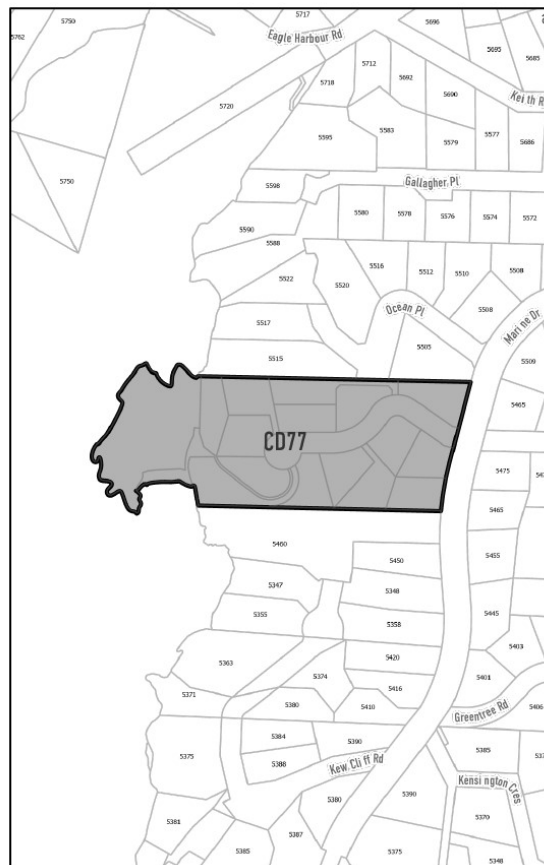
677 CD77 (5500 Block Parthenon Place & 5490 Marine Drive)

AMENDING
BYLAW

SECTION REGULATION

677.01 Map

Lands zoned CD77 are shaded on the map below:



677.02 Definitions

Within the CD77 Zone the following definitions shall apply:

- (1) “Building Lot” shall mean and include Lots 1 to 15 on Plan 15985 District Lot 879 Block G Lot 3
- (2) “Recreational Lot” shall mean and include Plan LMP5712 District Lot 879 Block G Lot D

677.03 Permitted Uses

- (1) Building Lots
- a. One single family dwelling, inclusive of the following uses:
 - i. Home based business
 - ii. Secondary suites
 - iii. Pre-school groups (nursery-kindergarten) in single family dwellings, provided a maximum of 20 children only shall be permitted per single-family dwelling
 - iv. Family day care in single-family dwellings
 - v. Group day care
 - vi. Accessory buildings
 - vii. The uses customarily incidental to any of the above uses.
- (2) Recreation Lot
- a. Recreation uses inclusive of private parkland, playgrounds, swimming pool, tennis court, squash court, and other similar uses specifically exempting commercial and/or residential uses.

677.04 Conditions of Use

- (1) No swimming pool, diving pool, ornamental pool, fish pond or other similar structure shall be situated within the boundaries of any Building Lot at a distance of less than 1.5 metres from any boundary line of such Building Lot.
- (2) No drive-way or vehicular access shall be constructed or maintained on either Lot 15 or Lot 2 unless the same is connected to the road dedicated by the deposit of the subdivision plan.
- (3) Antennas are not permitted.
- (4) No boat or vessel shall be kept, stored, constructed, re-constructed, altered, repaired or maintained on any Building Lot and/or the Recreation Lot save only as set out below:
- a. The construction and/or storage of 1 boat, 6.09 metres or less in length overall is permitted on any Building Lot
 - b. The construction of a boat exceeding 6.09 metres in length overall is permitted on any Building Lot subject to approval by the Council of the Municipality of a Building Permit.

677.05 Density

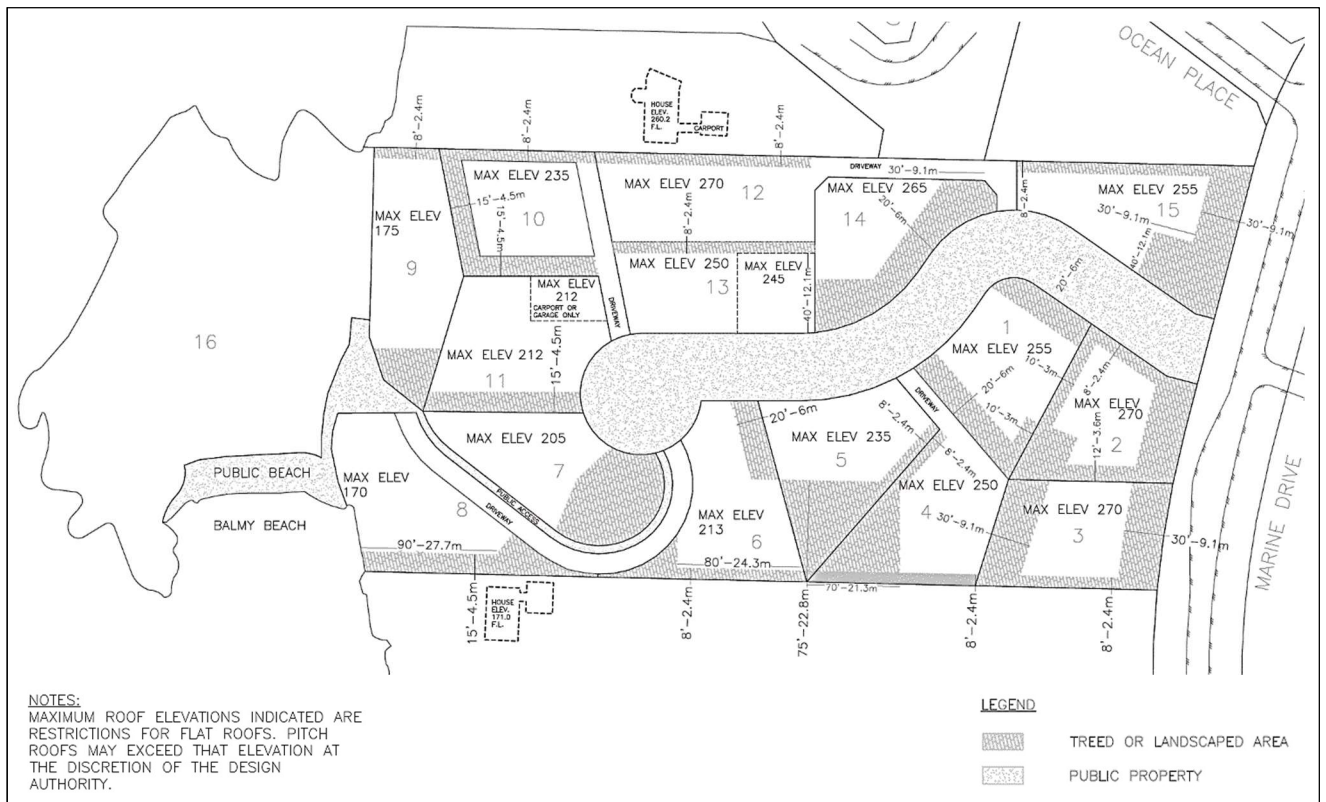
- (1) No more than one principal building shall be erected on any Building Lot and/or the Recreation Lot.

677.06 Site Coverage

- (1) Building Lots
 - a. All buildings and accessory buildings shall cover no more than 445.9 m² for each lot.
- (2) Recreational Lot
 - b. All buildings and accessory buildings shall cover no more than 696.7 m².
- (3) If one purchaser purchases one or more contiguous Building Lots and wishes to consolidate them they may do so upon first receiving the approval of Council in which event Council may vary the location of the building envelopes, the siting of any building or accessory buildings on such consolidated lot and the site coverage limitation, provided however in no event shall the building and accessory buildings cover more than 40% of the site area of such consolidated lot.

677.07 Setbacks

- (1) Setbacks are as outlined on map below:



677.08 Building Height

- (1) Building Lots
- a. In no event shall a building exceed the lesser of the amounts outlined below or as indicated on map in Section 677.07:
 - i. In the case of a flat roof 9.1 metres in height measured vertically in a straight line from the floor of the lowest storey (including any basement) to the level of the highest point of the building.
 - ii. In the case of a pitched roof 9.7 metres in height measured vertically in a straight line from the floor of the lowest storey (including any basement) to the level of:
 - a. If a pitched roof with a ceiling to the mean height line between the highest point of the building and the ceiling immediately below, or
 - b. If a pitched roof without a ceiling the mean height line between the highest point of the building and a point 2.4 metres above the floor immediately below.
- (2) Recreational Lot
- a. 7.62 metres in height or two storeys.
- (3) Accessory Building
- a. 1 storey or 3.6 metres

677.09 Off-Street Parking

- (1) Building Lot: minimum 2 covered parking spaces per dwelling unit, with access to and from an adjacent street or lane, either directly or across a registered right-of-way.

677.10 Projections

- (1) That part of the land which is inside the setbacks on each lot may be encroached upon and occupied by:
- a. Sills, belt courses, cornices and eaves, not exceeding 0.6 metres.
 - b. Uncovered and unenclosed steps attached to a building in front yards, not exceeding 1.2 metres.

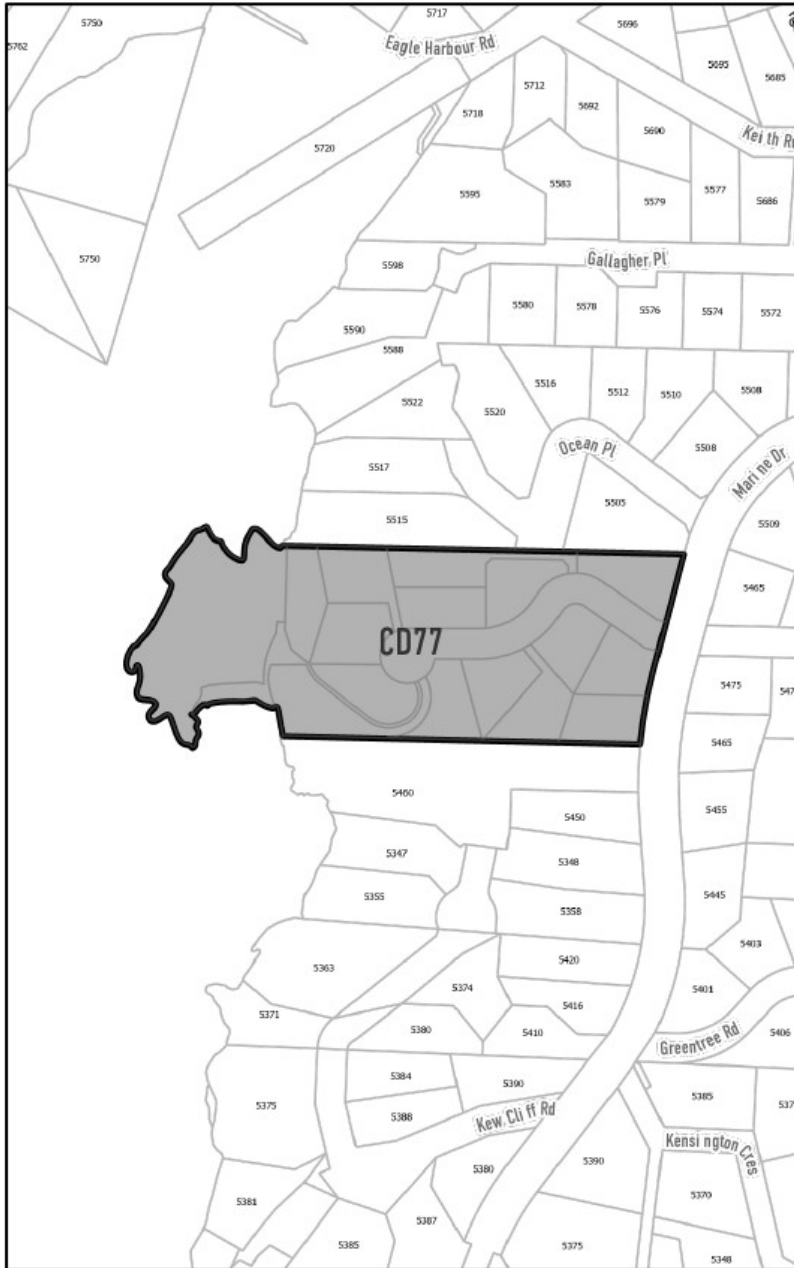
677.11 Landscaping

- (1) Lot 7, Block G, District Lot 879, Plan 15985 is permitted to develop the subject property outside the “building envelope” as follows:
- a. The existing southerly retaining wall as lawfully built prior to January 1, 2022.
 - b. The existing cedar deck bounded by a concrete retaining wall noted in (a) and a raised concrete curb, as lawfully built prior to January 1, 2022. Plants and other landscaping shrubs will not exceed 3’ to 4’ as measured from the floor elevation, i.e., 181’1”.
 - c. The exposed aggregate area (courtyard) is raised approximately 11” to elevation 182’0”.
 - d. The entrance gate to the residence is moved approximately 3’ northwards and the retaining wall is changed to a curved wall.
 - e. The cedar lattice fence will not be greater than 5’ in height as measured from the courtyard elevation.
- (2) For the purpose of defining the existing southerly retaining wall and existing cedar deck as built prior to January 1, 2022 in Sections 677.11(1)(a) and 677.11(1)(b), such measurements must be established by providing a drawing prepared and stamped by a British Columbia Land Surveyor or a Professional Engineer or a Registered Architect, showing the location, elevation and shape of the structures that existed on the site as of January 1, 2022.

Schedule EE – Zoning Maps Amendment (5500 Block Parthenon Place & 5490 Marine Drive)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD77.



Schedule FF – CD78 – Comprehensive Development Zone (950 Cross Creek Road)

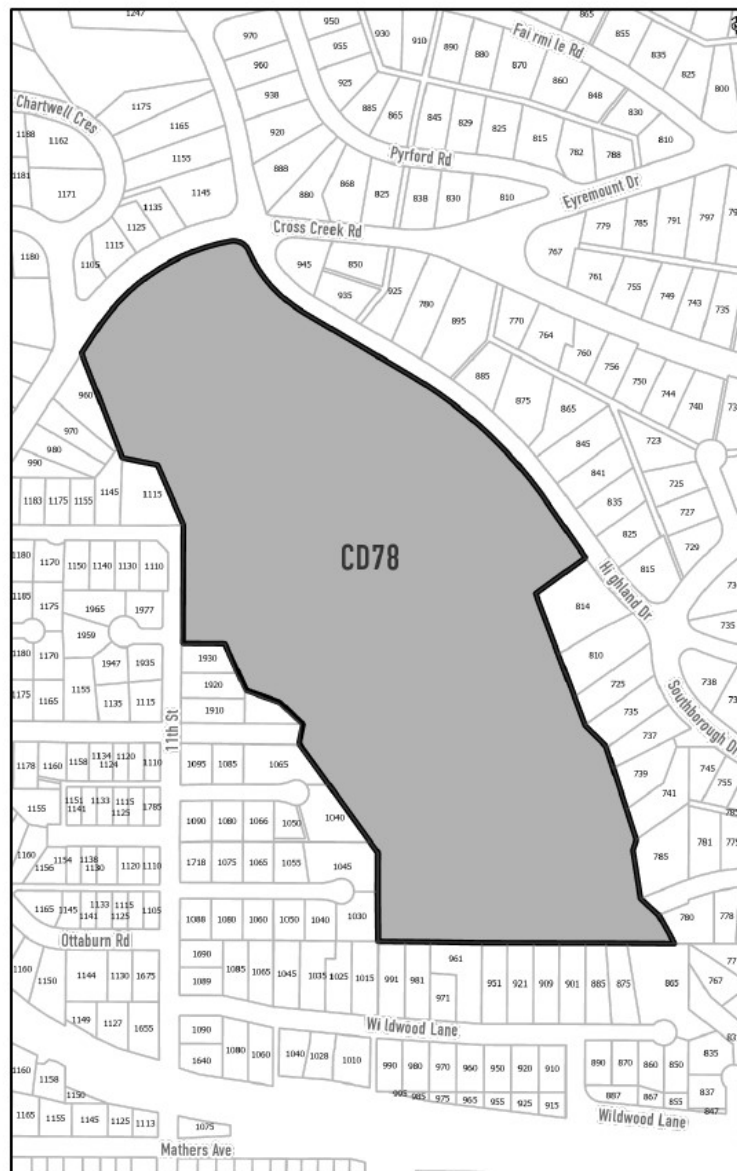
678 CD78 (950 Cross Creek Road)

AMENDING
BYLAW

SECTION REGULATION

678.01 Map

Lands zoned CD78 are shaded on the map below:



678.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Recreation buildings

678.03 Conditions of Use

- (1) Landscaping must be provided around the perimeter of the property that covers the entire setback area as per section 678.05.
- (2) A maximum of eight indoor tennis courts are permitted.

678.04 Site Coverage

- (1) Maximum 15% of the site area.

678.05 Setbacks

Minimum:

- North: 30.5 metres
- South: 30.5 metres
- East: 61.0 metres
- West: 30.5 metres

678.06 Building Height

- (1) Indoor tennis courts – maximum 12.2 metres measured from the surface of the playing area to the highest point of the structure.
- (2) All other buildings and structures - maximum 15.2 metres measured from the floor of the lowest storey of the building.

678.07 Number of Storeys

- (1) Maximum 3 storeys.

678.08 Off-Street Parking

- (1) Parking shall be sufficiently provided to accommodate users of the site, as determined by a Transportation Engineer and approved by Director of Planning.

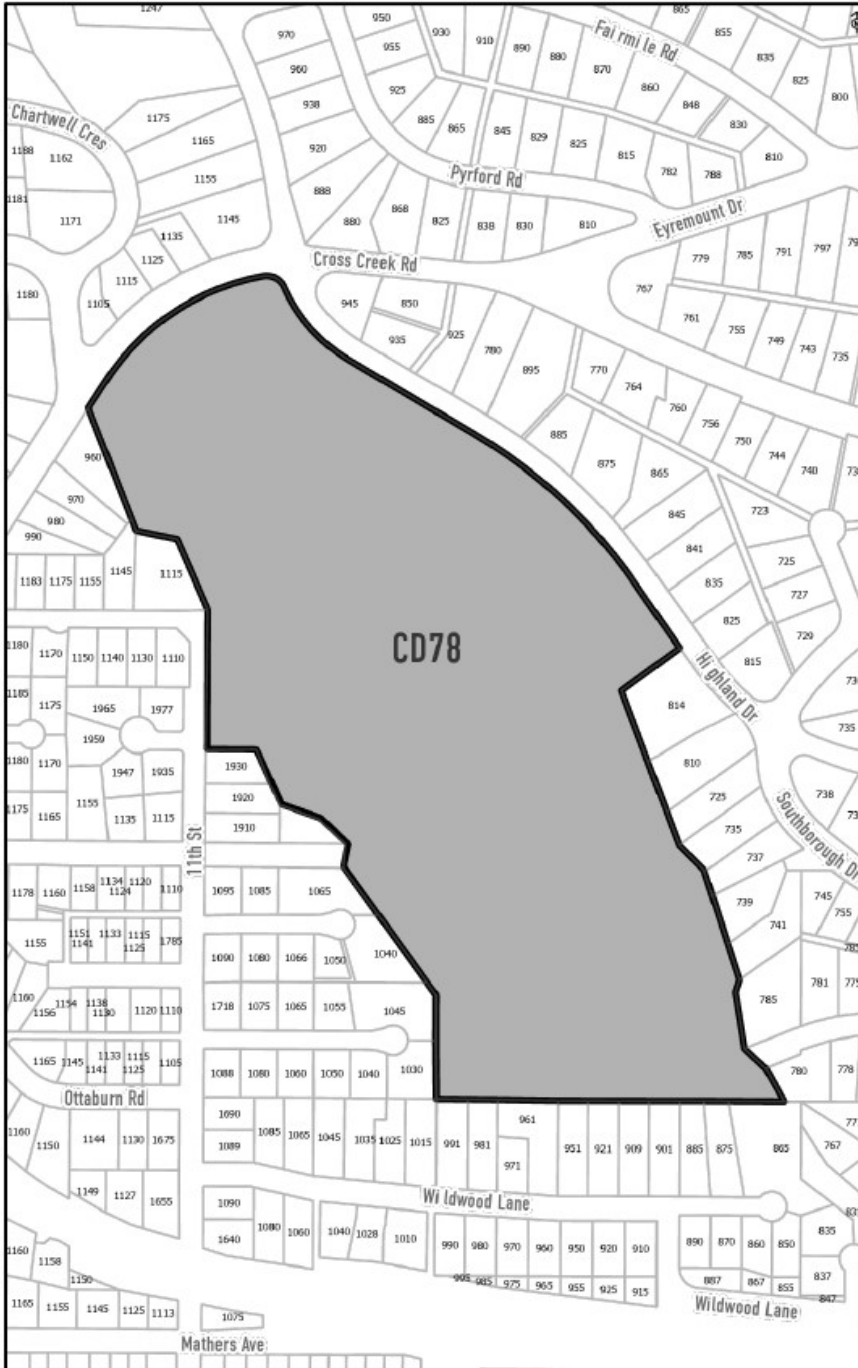
678.09 Landscaping

- (1) No earthen banks shall be created as a result of excavation for development purposes or allowed to remain on the site unless the same shall be landscaped and continuously maintained as per an approved landscaping plan.

Schedule GG – Zoning Maps Amendment (950 Cross Creek Road)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD78.



Schedule HH – CD79 – Comprehensive Development Zone (6330 – 6338 Bay Street)

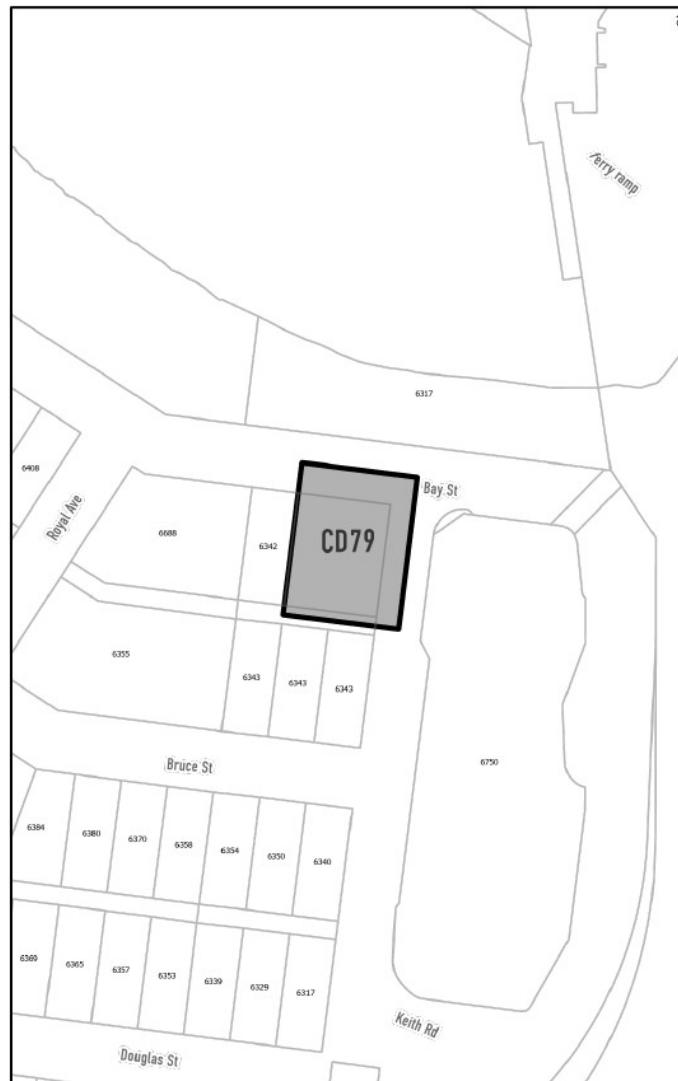
679 CD79 (6330 – 6338 Bay Street)

AMENDING
BYLAW

SECTION REGULATION

679.01 Map

Lands zoned CD79 are shaded on the map below:



679.02**Permitted Uses**

- i. Accessory buildings, structures, and uses
- ii. Store or shop for the conduct of retail business but excluding gasoline service stations
- iii. Office
- iv. Bakery
- v. Bakeshop or confectionary
- vi. Bank or credit union
- vii. Barber shop or beauty parlour
- viii. Figure salon
- ix. Business or commercial school, including art and music academy
- x. Child care
- xi. Community care
- xii. Dry cleaner
- xiii. Liquor primary licensed premises
- xiv. Personal services
- xv. Pet care establishment
- xvi. Vehicle sales show room
- xvii. Restaurant
- xviii. Electric appliance repair shop
- xix. Theatre excluding drive-in theatre
- xx. Tire repair shop
- xxi. Amusement place
- xxii. Printing shop
- xxiii. Photograph gallery
- xxiv. Funeral home
- xxv. Dwelling units over commercial premises
- xxvi. Home based business
- xxvii. Veterinary medical clinic

679.03 Conditions of Use

- (1) Buildings must not exceed 743.2 m² in gross floor area.
- (2) Accessory buildings must be located to the rear of the main building.

679.04 Floor Area Ratio (FAR)

- (1) Maximum 0.24.

679.05 Setbacks

Minimum: South: 18.2 metres

679.06 Building Height

- (1) 8.2 metres maximum, not including rooftop appurtenances which shall not exceed 1.8 metres in height.

679.07 Number of Storeys

- (1) Maximum two storeys.

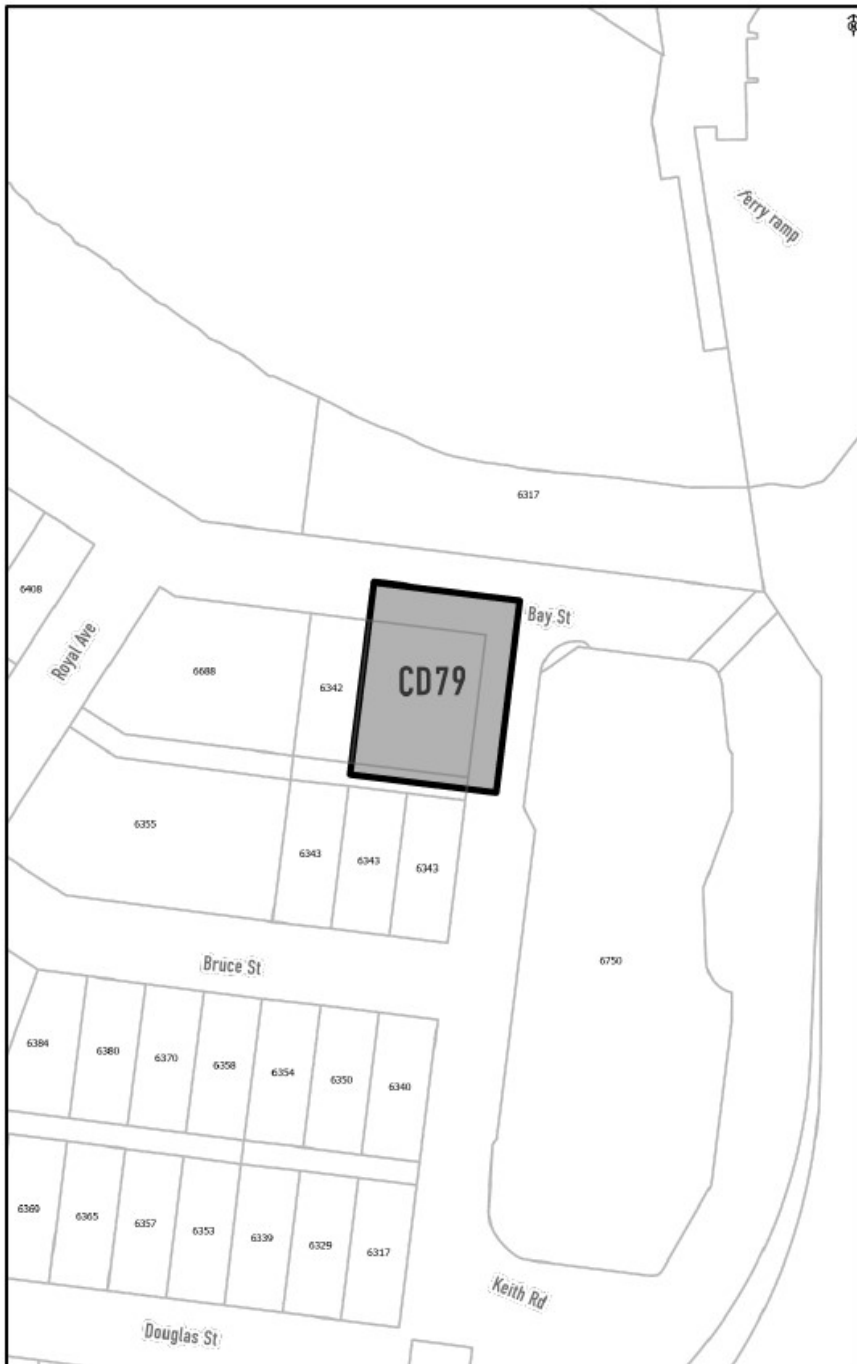
679.08 Off-Street Parking

- (1) Minimum 1 space per 37.2 m² of gross floor area.

Schedule II – Zoning Maps Amendment (6330 – 6338 Bay Street)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD79.



Schedule JJ – CD80 – Comprehensive Development Zone (382 – 398 Mathers Avenue)

680 CD80 (382-398 Mathers Avenue)

AMENDING
BYLAW

SECTION REGULATION

680.01 Map

Lands zoned CD80 are shaded on the map below:



SL – Strata Lot
C – Common Area

680.02	Permitted Uses
(1)	<p>Strata Lots</p> <ol style="list-style-type: none"> a. One single-family dwelling per strata lot, inclusive of the following uses: <ol style="list-style-type: none"> i. Home based business ii. Secondary suites; provided however where this use exists, the keeping of lodgers or boarders as set forth below shall not be permitted iii. The keeping of not more than two boarders or lodgers iv. Accessory uses to the above uses
(2)	<p>Common Areas</p> <ol style="list-style-type: none"> b. Swimming pools and cabanas c. Tennis or other racquet courts d. Guest parking areas for automobiles and other vehicles, fenced, covered or open e. Private parkland f. Provided always that any swimming pool, cabana, tennis court or covered parking area must receive prior written approval of the Director of Planning and Development as to location, design and site coverage.
(3)	No accessory buildings, other than a garage, shall be erected on any strata lot.
680.03	Conditions of Use
(1)	No dwelling shall be erected on any strata lot unless provision is made in the design and construction of such dwelling for a garage or car-port (either attached or detached) for housing not less than two motor vehicles and proper access to the road system of the development.
680.04	Density
(1)	No more than one principal building shall be erected on any strata lot.
(2)	Maximum of 8 strata lots.
680.05	Site Coverage
(1)	The overall site coverage for all buildings including the existing building shall not cover more than 35% of the gross area of the lands.
(2)	Accessory, recreational and other buildings, improvements and facilities to be constructed on the Common Areas – as approved by the Director of Planning and Development.

680.06 Setbacks

- (1) Minimum:
 - North: 9.1 metres
 - South: 30.0 metres
 - West: 3.2 metres
 - East: 9.1 metres

The existing structures on Common Areas lawfully built prior to January 1, 2022 is exempted from setback requirements in CD80.

- (2) For the purpose of defining the existing structures on Common Areas as built prior to January 1, 2022 in Section 680.06(1), such measurements may be established by providing a drawing prepared and stamped by a British Columbia Land Surveyor or a Professional Engineer or a Registered Architect, showing the location, elevation and shape of the building or structures that existed on the site as of January 1, 2022.

680.07 Building Height

- (1) Strata Lots – in no event shall a building in the Land exceed 7.6 metres in height.
- (2) Height shall mean vertical distance measured in a straight line. For calculation purposes, height shall be measured from the curb level provided, however, when a structure is situated on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site along any side of such structure, and, further, the point to which height shall be measured as follows:
 - a. Flat roof buildings- to the highest point of the building unless otherwise specifically provided.
 - b. Pitched roof buildings, with ceilings – to the mean height line between the highest point of the building and the ceiling immediately below.
 - c. Pitched roof buildings, without ceilings – to the mean height line between the highest point of the building and a point of 2.4 metres above the floor immediately below.
 - d. All other structures – to the highest point of such structure.

Schedule KK – Zoning Maps Amendment (382 – 398 Mathers Avenue)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD80.



SL – Strata Lot
C – Common Area

Schedule LL – CD81 – Comprehensive Development Zone (800 Block Taylorwood Place)

681 CD81 (800 Taylorwood Place)

AMENDING
BYLAW

SECTION REGULATION

681.01 Map

Lands zoned CD81 are shaded on the map below:



681.02 Permitted Uses

- i. Accessory buildings, structures, and uses
- ii. Single family dwellings
- iii. Home based business
- iv. Secondary suites
- v. Site management office

681.03 Site Coverage

- (1) All buildings and structures - maximum 35%.

681.04 Gross Floor Area

- (1) Maximum 371.6 m²

681.05 Density

- (1) 1 principal building per strata lot.
- (2) Maximum 21 dwelling units.

681.06 Setbacks

- (1) Accessory buildings – minimum 4.6 metres from the principal structure
- (2) For strata lots adjacent to Taylor Way – minimum 12.1 metres from Taylor Way
- (3) For all other strata lots – minimum 9.1 metres from the external boundary of the site

681.07 Building Height

- (1) Accessory buildings – maximum 3.7 metres
- (2) All other buildings and structures – maximum 9.1 metres
- (3) Height shall mean vertical distance measured in a straight line. For calculation purposes, height shall be measured from the curb level provided, however, when a structure is situated on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site along any side of such structure, and, further, the point to which height shall be measured as follows:
 - a. Flat roof buildings- to the highest point of the building unless otherwise specifically provided.
 - b. Pitched roof buildings, with ceilings – to the mean height line between the highest point of the building and the ceiling immediately below.

- c. Pitched roof buildings, without ceilings – to the mean height line between the highest point of the building and a point of 2.4 metres above the floor immediately below.
- d. All other structures – to the highest point of such structure.

681.08 Number of Storeys

- (1) Accessory buildings – maximum 1 storey.
- (2) All other buildings and structures – maximum 2 storeys, including a basement.

681.09 Off-Street Parking

- (1) Minimum 2 spaces per dwelling unit located in a garage or carport.
- (2) Minimum 4 guest parking spaces to be located in each cul-de-sac driveway.

Schedule MM – Zoning Maps Amendment (800 Block Taylorwood Place)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD81.



Schedule NN – CD82 – Comprehensive Development Zone (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)

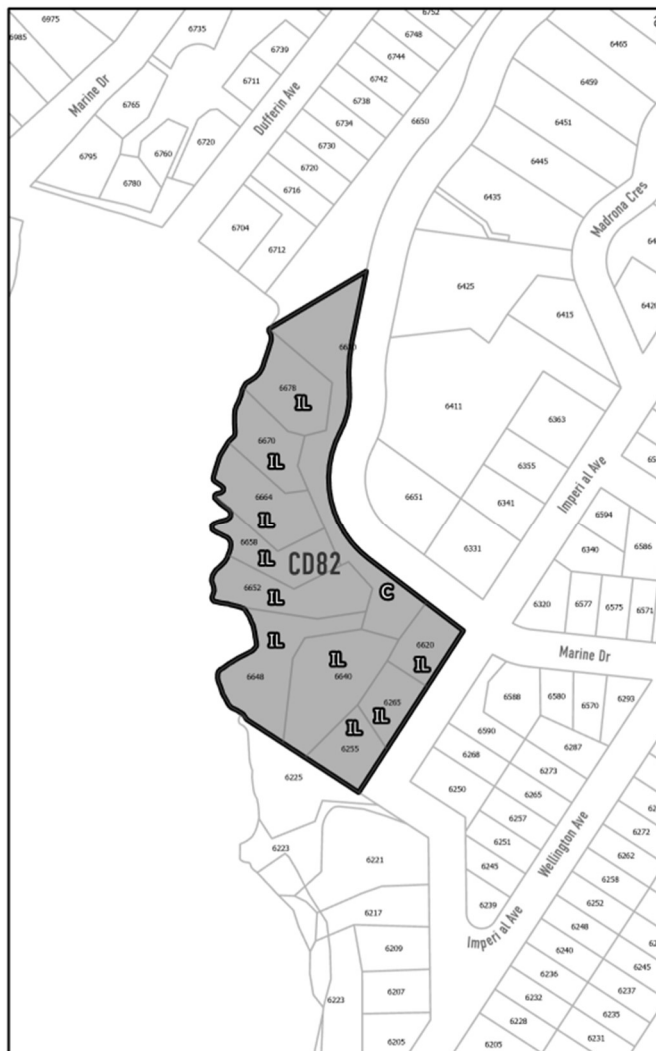
682 CD82 (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)

AMENDING
BYLAW

SECTION REGULATION

682.01 Map

Lands zoned CD82 are shaded on the map below:



IL – Individual Lot
C – Common Lot

682.02 Permitted Uses

- (1) Individual lots
 - a. One single-family dwelling inclusive of the following uses:
 - i. Home based business
 - ii. Secondary suite; provided however where this use is assumed, the keeping of lodgers or boarder as set forth below shall not be permitted.
 - iii. The keeping of not more than two boarders or lodgers
 - iv. The uses customarily incidental to any of the above uses
- (2) Common lot
 - a. Private parkland
 - b. Roadways

682.03 Conditions of Use

- (1) No accessory buildings shall be erected on any lot.
- (2) No further subdivision of existing lots shall be permitted.
- (3) No boat or vessel shall be kept, stored, constructed, re-constructed, altered, repaired or maintained on any Building Lot and/or the Recreation Lot save only as set out below:
 - a. The construction and/or storage of 1 boat, 6.09 metres or less in length overall is permitted on any Building Lot.
 - b. The construction of a boat exceeding 6.09 metres in length overall is permitted on any Building Lot subject to approval by the Council of the Municipality of a Building Permit.

682.04 Density

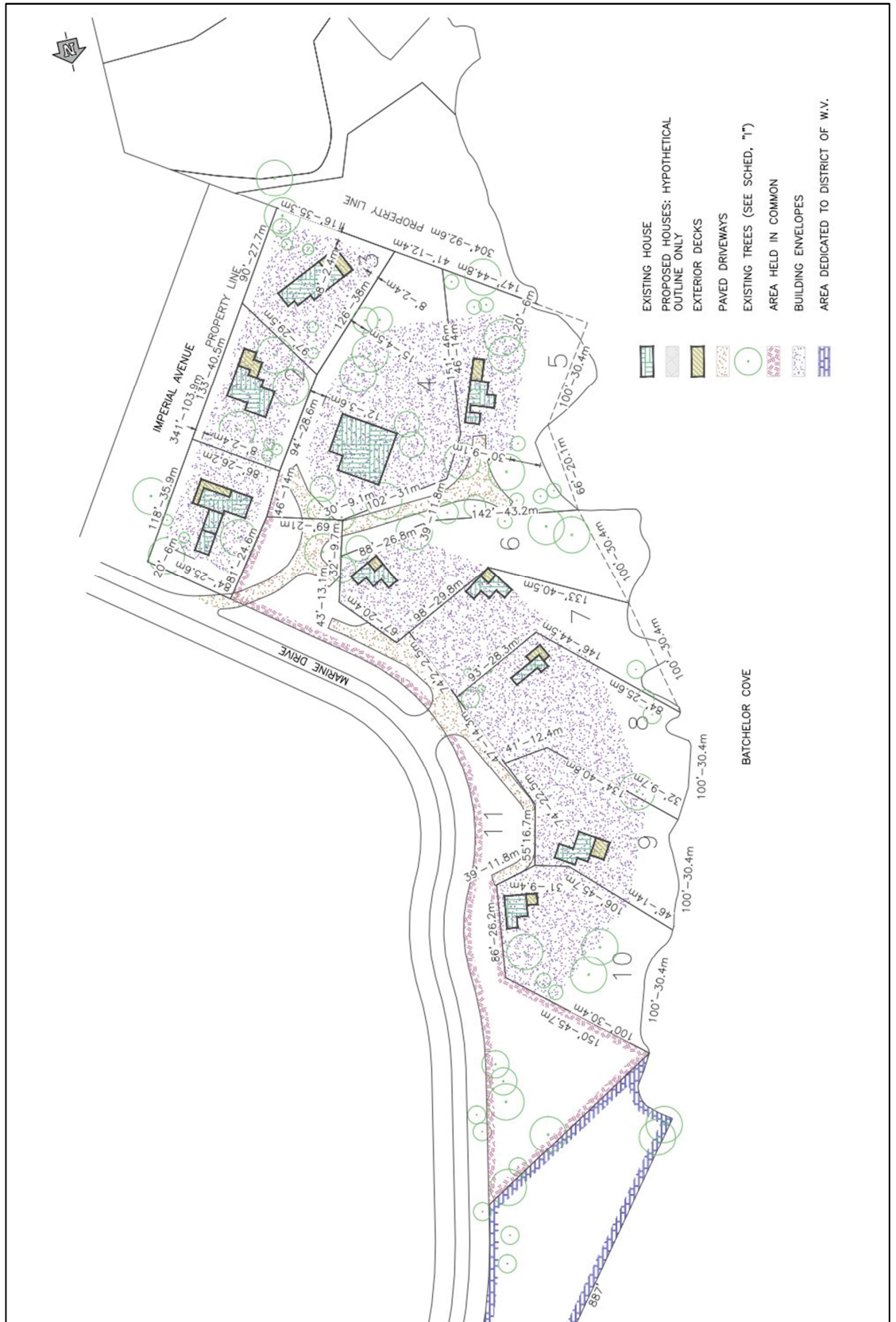
- (1) No more than one principal building shall be erected on any lot.

682.05 Site Coverage

- (1) The improvements in total will have a surface area of not more than 408.7 m², per lot.
- (2) The overall site coverage for all buildings shall not be in excess of 35% of the gross area of the CD82 Zone.

682.06 Setbacks

(1) Setbacks are as outlined on map below:



4823033v1

682.07 Building Height

- (1) Individual lots – in no event shall a building in the CD82 Zone exceed 7.62 metres in height
- i. Height shall mean vertical distance measured in a straight line. For calculation purposes, height shall be measured from the curb level provided, however, when a structure is situate on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site along any side of such structure, and, further, the point to which height shall be measured shall be as follows:
 - a. Flat roof buildings – to the highest point of the building unless otherwise specifically provided.
 - b. Pitched roof buildings, with ceilings – to the mean height line between the highest point of the building and the ceiling immediately below.
 - c. Pitched roof building, without ceiling – to the mean height line between the highest point of the building and a point 2.4 metres above the floor immediately below.
 - d. All other structures – to the highest of such structure.

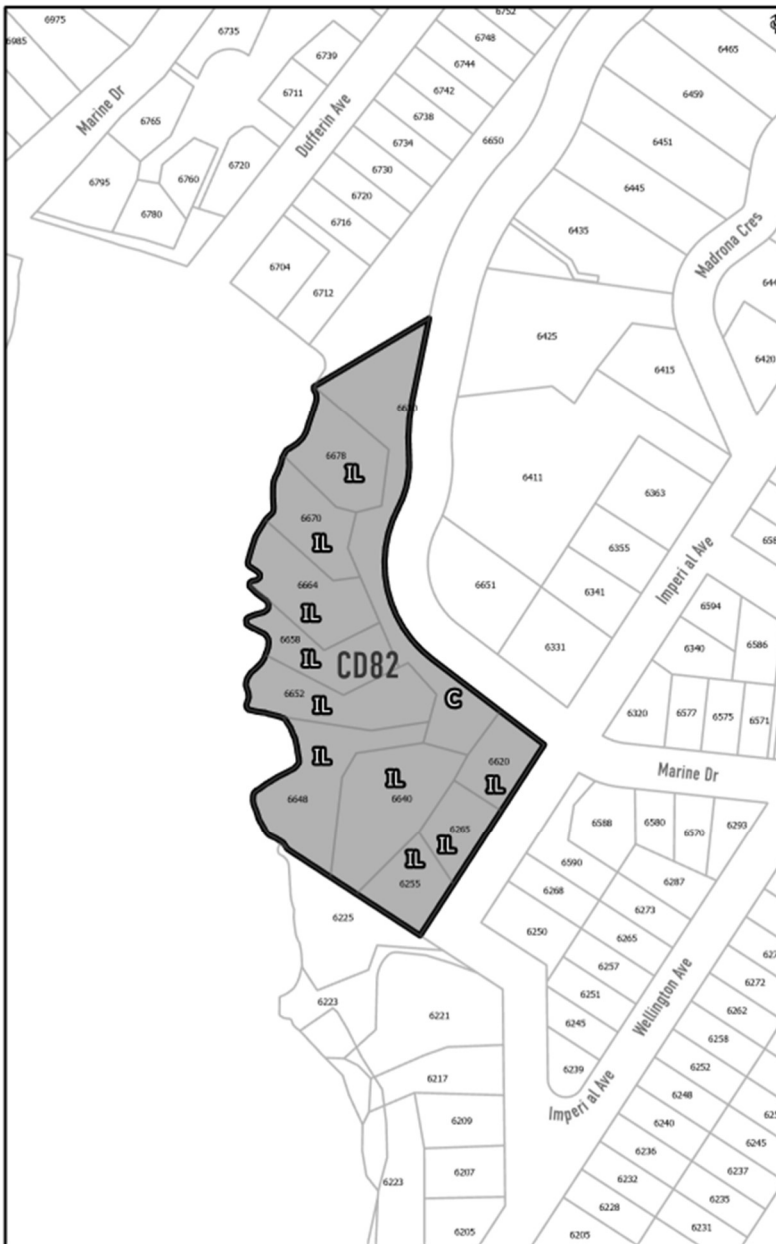
682.08 Off-Street Parking

- (1) Each dwelling on any lot shall provide no less than two parking spaces and proper access to the road.

Schedule OO – Zoning Maps Amendment (6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive)

Amendment to Zoning Bylaw No. 4662, 2010, Section 852, Schedule 2, Zoning Maps.

The area shown shaded on the map below rezones the site to CD82.



IL – Individual Lots
C – Common Lot

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TECHNICAL MEMO:

2200 BLOCK FOLKESTONE WAY

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	2200 Block Folkestone Way
Land Use Contract No.	A71704
DAA No.	1957
Land Use Contract Modifications	N/A
Map	<p>The map displays a residential street grid with a specific area highlighted in grey. This highlighted area is labeled 'CD10' and is situated between Folkestone Way to the north and Skye Rd to the south. To the west, it is bounded by Skye Rd, and to the east, it is bounded by Folkestone Way. The map also shows other streets such as Chippewa Rd, Hudson Ct, and Skye Rd. The highlighted area appears to be a large lot or a small block within the grid.</p>

2.0 CD10 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>1. <u>USE</u></p> <p>(a) The Developer covenants and agrees that except as hereinafter provided, from the date of registration of this Land Use Contract in the office of the Vancouver Land Registration District, the said lands shall not be developed or used except for residential purposes including a recreation complex ancillary thereto and an interested shopping centre complex.</p>	<ul style="list-style-type: none"> Residential, recreational, and shopping uses listed as permitted in s.610.02 Permitted Uses 	<ul style="list-style-type: none"> Permitted uses revised to reflect what is existing on the site in addition to what the LUC allows Gas station was not built on the property but pertained as a permitted use in accordance with Zoning Bylaw No. 2200. Type A and B buildings are classified as Townhouses. Type C and D buildings are classified as Apartments. Typology language has not been included in the CD10 Zone as mismatches exist between what was planned and what was built. As such, apartments and townhouses are widely permitted.
<p>2. <u>BUILDING CONSTRUCTION</u></p> <p>(a) No building or structure shall be constructed, added to or used on the said lands, except in compliance with the provisions of Parts 1 and 2, excluding Section 21-004 of Bylaw No. 2200 being the Zoning By-law of the District of any by-law pari materia.</p> <p>(c) No buildings shall be constructed, or added to on any of the parcels of lands as shown on Plan A Attached hereto, which in area are</p>	<ul style="list-style-type: none"> Setback requirements for gas station use regulated in s.610.05(1) and (2) Setbacks Parcel-specific square footage regulated in 610.04(1) Maximum Gross Floor Area Total development square footage for all parcels excluding the recreation facility and shopping centre regulated in s.610.04(4) Maximum Gross Floor Area Maximum square footage for the recreation facility and tennis court 	<ul style="list-style-type: none"> Gas station setback requirements derive from CR2 Zoning.

LUC Regulation	CD Zone Regulation	Notes
<p>less than the minimum square footage or more than the maximum square footage provided for the respective parcels listed hereunder, excluding the recreational facility:</p> <p>Parcel 1 62,832 – 66,000 square feet Parcel 2 189,893 – 193,000 square feet Parcel 3 35,228 – 40,000 square feet Parcel 4 30,529 – 95,000 square feet Parcel 5 65,764 – 70,000 square feet Parcel 6 34,280 – 39,000 square feet Parcel 7 13,000 – 14,000 square feet</p> <p>Provided, however, the total square footage of the floor areas for the seven parcels excluding the recreational facility shall not exceed 517,000 square feet; PROVIDED FURTHER THAT the recreation building shall be not less than 6,200 sq. ft. in area and the facility shall include 2 outdoor tennis courts not less than 80' x 105' in overall dimension.</p>	<p>dimensions regulated in s.610.04(2) Maximum Gross Floor Area</p> <ul style="list-style-type: none"> Maximum square footage for the shopping centre regulated in s.610.04(3) 	
<p><u>4. BUILDING SITING AND AMENITIES</u> (ii) notwithstanding the foregoing, no building shall be constructed within twenty-five (25) feet of any external boundary of the said lands nor, in Parcel 1 shall the type and location of the buildings be changed; in Parcel 2 the building constructed closest to the north-easterly boundary shall only be a type D building; and in Parcel 4, if a type C building is constructed immediately adjacent to the westerly boundary of the said lands, such building shall not be sited closer than</p>	<ul style="list-style-type: none"> Setbacks for all uses regulated in s.610.05(4) Setbacks Siting of buildings on Parcel 1 regulated through s.610.05(5) Setbacks Type of development permitted on Parcel 2 regulated in s.610.03(4) Conditions of Use Siting of apartment buildings on Parcel 4 regulated in s.610.05(3) 	<ul style="list-style-type: none"> See previous note about building types

LUC Regulation	CD Zone Regulation	Notes
<p>eighty-five (85) feet from the northerly boundary of the said Parcel 4.</p>		
<p>7. PARKING AND STORAGE (a) No building shall be occupied or used until parking is constructed and installed as hereinafter provided: (i) Two (2) parking spaces per unit shall be provided for A and B type buildings. (ii) One point six (1.6) parking spaces per unit shall be provided for C and D type buildings. (iii) The minimum covered parking shall be one (1) space per unit for all types of buildings, excluding the recreation facility. (iv) Ten (10) parking spaces shall be provided for the recreation facility. (v) The maximum open parking to be permitted on the said site shall be three hundred and fifty (350) spaces, which number of spaces shall include one (1) parking space per four hundred (400) square feet of gross commercial floor space, and it is provided that such commercial parking spaces shall be located solely within Parcel 1. (vi) Where open parking spaces are located along or adjacent to an exterior lot line of the said lands, fencing, landscaping and screening of the said parking spaces shall be constructed to the satisfaction of the District's Superintendent of Parks.</p>	<ul style="list-style-type: none"> • Number of required parking spaces for townhouses and apartments regulated in s.610.07(1) and (2) Off-Street Parking • Requirement for covered parking spaces for all buildings except the recreation facility regulated in s.610.07(4) Off-Street Parking • Number of required parking spaces for the recreation facility regulated in s.610.07(3) Off-Street Parking • Maximum number of open parking spaces permitted on the site regulated in s.610.07(5) Off-Street Parking • Landscaping requirements for open parking spaces located adjacent to exterior lot lines regulated in s.610.08 Landscaping 	

2.2 LIST OF SCHEDULES

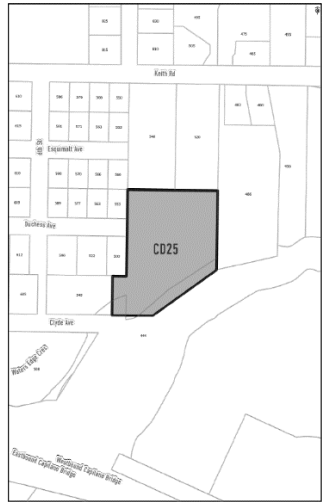
- Building Elevations and Floor Plans for Apartments and Townhouses
- Subdivision Plans (3)

- Landscape Plan

TECHNICAL MEMO:

525 CLYDE AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	525 Clyde Avenue
Land Use Contract No.	D56577
DAA No.	2876
Land Use Contract Modifications	N/A
Map	

2.0 CD25 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>I. <u>DEFINITIONS AND CONSENTS</u></p> <p>3. The Developer has obtained the consent of all persons holding any registered interest in the Land as set out in the Consents to the use and development set forth herein, which Consents are listed and attached hereto as Schedule "A".</p>		<ul style="list-style-type: none"> 525 Clyde is already regulated under CD 25 Zone
<p>II. <u>DEVELOPMENT AND CONSTRUCTION; RESTRICTION OF USE</u></p> <p>4. The lands and premises may be used for the purposes of the operation of a Private Hospital as defined in Part II of the Hospital Act (R.S.B.C. 1960 Chapter 178 and all amendments thereto) or as such facility as may be defined in any successor Act to the said Private Hospital Act and as a Community Care Facility as defined by the Community Care Facilities Licensing Act (R.S.B.C. 1960 Chapter 4 and all amendments thereto) or as such facility may be defined in any successor Act to the said Community Care Facilities Licensing Act and in particular, but not so as to limit the generality of the foregoing, as a Retirement Boarding Home and Multi-Level Care Facility, for elderly or retired patients and/or residents. The total number of beds for patients shall not exceed such numbers as may be</p>	<ul style="list-style-type: none"> Amendment to CD25 Zone to include "Hospitals as defined in the <i>Hospital Act</i>" under S.625.01 Permitted Uses Amendment to CD25 Zone to include "No more than 210 beds shall be permitted without the written approval of the Director of Development" under S.625.02 Conditions of Use 	

LUC Regulation	CD Zone Regulation	Notes
<p>permitted from time to time by the aforementioned Acts and any successor Acts thereto, provided that no more than two hundred and ten (210) beds shall be permitted without the written approval of the Director of Development first had and obtained.</p> <p>5. The Developer covenants and agrees to obtain the necessary Building Permit and commence construction of the Renovations to the Existing Building within six (6) months of the date that this land use contract is registered in the Vancouver Land Registry Office. As conditions precedent to the issuance of any such Building Permit, the Developer shall submit to the Building Inspector all plans of the Renovations required for the issuance of a building permit, and obtain his approval of the same, such plans to conform substantially with the plans listed on Schedule "B" attached hereto.</p>		

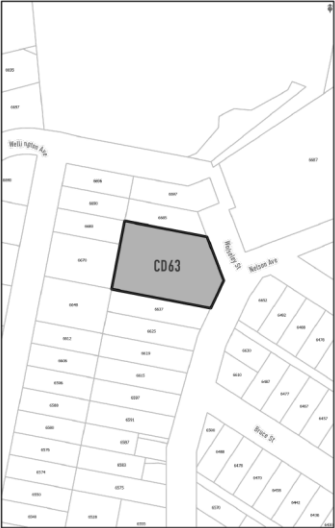
2.2 LIST OF SCHEDULES

- Schedule A – Persons Holding Registered Interest in the Land Affected
- Schedule B – Description of letters, floor plan, site plan

TECHNICAL MEMO:

6645 NELSON AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	6645 Nelson Avenue
Land Use Contract No.	E52955
DAA No.	2500
Land Use Contract Modifications	N/A
Map	

2.0 CD63 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>Development and Construction:</u> <u>Restriction of Use</u></p> <p>4. The lands and premises may be used for the purposes of a five (5) storey multiple dwelling containing forty-five (45) dwelling units as defined by the Municipal Zoning By-law for use by senior citizens, plus a caretaker's suite, all in the manner set out in the Site Plan, being Schedule "A" hereto.</p>	<ul style="list-style-type: none"> • Building height limited to five storeys under S.663.06 Maximum Number of Storeys • Apartment building for use by senior citizens included in Permitted Uses S.663.02 • One caretaker's suite listed under Permitted Uses S.663.02 and Density S.663.03(2) • Setbacks are regulated under S.663.05 	<ul style="list-style-type: none"> • "Shown on Schedule A" translated to setbacks, as applicable
<p>6. The Owner covenants and agrees: (i) to construct the Building substantially in accordance with Schedule "A" and strictly in accordance with the plans and specifications filed with the Building Inspector in accordance with clause 5(iv) above (subject to the provisions of clause 9 below).</p>	<ul style="list-style-type: none"> • Floor Area Ratio regulated under S.663.04 	
<p>7. The Owner shall provide parking spaces for eight (8) motor vehicles within 300 feet of the Land. The parking areas and driveways shall be located substantially as shown on the Plan annexed hereto as Schedule "A." The maintenance of the same shall be the responsibility of the Owner.</p>	<ul style="list-style-type: none"> • Eight parking spaces required, off-site, and in the location substantially "as built" in S.663.07 (1) and (2). 	<ul style="list-style-type: none"> • All measures in imperial were converted to metric


2.2 LIST OF LUC SCHEDULES

- Schedule A – Site Plan
- Schedule B – Preliminary General Landscape Plan
- Schedule C – Off-Site Works
- Schedule D – List of Consents

TECHNICAL MEMO:

585 16TH STREET

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	585 16 th Street
Land Use Contract No.	E89197
DAA No.	2533
Land Use Contract Modifications	N/A
Map	

2.0 CD64 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>I. DEFINITIONS AND LAND DESCRIPTION</u></p> <p>1. "Building" means a two (2) storey Building for offices, not exceeding 16,250 square feet, excluding parking areas, to be built in the location shown on Schedule "A".</p> <p>"Offices" includes a maximum of 1,000 square feet for related retail use with the approval of the Director of Development, such approval not to be unreasonably withheld.</p>	<ul style="list-style-type: none"> Office listed as permitted use under S.664.02 Building height regulated under s.664.07 Number of Storeys. Office maximum GFA, excluding parking regulated under S. 664.04 Density. Retail accessory to office use permitted under S.664.02 with maximum GFA converted to square meters and regulated under S.664.04 Density. 	<ul style="list-style-type: none"> "Shown on Schedule A" translated setbacks regulated under S.664.05 "With approval of the Director of Development, such approach not to be unreasonably withheld" not included as development is already constructed. Any future redevelopment would need associated approvals. All measures in imperial were converted to metric
<p><u>II. DEVELOPMENT AND CONSTRUCTION: RESTRICTIONS OF USE</u></p> <p>4. The Lands shall be developed with a two (2) storey Building for offices and one level of underground parking, not exceeding a gross area of 16,250 square feet (excluding parking), nor a maximum height of 37 feet from the basement parking level plus five (5) feet for any roof-top equipment, all in the manner set out in the Site Plan forming Schedule "A", and the elevations and building envelopes shown in Schedule "B" and attached hereto.</p> <p>7. (a) provide underground parking areas for the Building located substantially as shown on Schedule "A";</p>	<ul style="list-style-type: none"> One level of underground parking carried into S.664.08 (1) Maximum building size (excluding parking) regulated under S.664.04 Building height regulations permit additional allowance for roof-top equipment. Parking requirements captured in S.644.08 Off-Street Parking, including maximum 25% provision for small car parking. 	<ul style="list-style-type: none"> "Elevations and building envelopes shown in Schedule "B" and attached hereto" translated into S.664.05 Setbacks to account for building envelope. 7 (f) removed completely as development already constructed and assumed ration for tenants already allocated. All measures in imperial were converted to metric

LUC Regulation	CD Zone Regulation	Notes
<p>(b) provide forty (40) parking spaces for tenants of and visitors to the Building;</p> <p>(c) provide out of the parking space required by (b) above one parking space for the use of handicapped persons;</p> <p>(d) supply up to 25% of the parking spaces for small vehicles only, the said number and size to be approved by the Building Inspector 1 but substantially in conformity with those shown on Schedule "A".</p> <p>(f) provide spaces designated for tenants of and visitors to the Building on a ratio to be agreed upon by the Owner and the Municipality after the Building is substantially occupied by tenants.</p>		
<p>VI. MISCELLANEOUS PROVISIONS</p> <p>24. If the improvements contemplated herein to the Lands are destroyed to the extent of 75% or more of their value above the foundations as determined by the Building Inspector at any time following completion of the Building, the Owner may rebuild in accordance with the plans and specifications filed pursuant to this land use contract with such variations as have been approved hereunder, or may within six (6) months of the occurring of such destruction notify the Municipality in writing of its desire not to rebuild the improvements, and, provided that the Owner shall clear to the ground the remains of such improvements and remove all debris therefrom within such reasonable time as may be required by the Municipality, the Municipality shall not require the Owner to rebuild the improvements, and this land use contract shall thereafter be of no further force and effect.</p>		<ul style="list-style-type: none"> • New CD zone would avoid legal non-conformance and eliminates the requirements for including rebuild provisions.

2.2 LIST OF SCHEDULES

- Schedule A – Site Plan
- Schedule B – Building Envelope & Elevations
- Schedule C – Off-site Works
- Schedule D – Landscaping Plan
- Schedule E – Consents

TECHNICAL MEMO:

1340 DUCHESS AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	1340 Duchess Avenue
Land Use Contract No.	E32023
DAA No.	2384
Land Use Contract Modifications	N/A
Map	

2.0 CD65 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
AND WHEREAS the Developer wishes to construct a 30 unit residential low-rise apartment building at 1340 Duchess Avenue.	<ul style="list-style-type: none"> Apartment building listed as Permitted Use in S.665.02 30 unit cap regulated under S.665.03 Density 	
<p>4. <u>Use and Building Permits</u> The land and any building, structure and improvement erected thereon, thereover or therein shall be used for the purposes specified in Schedule "A" hereto and for no other purposes. A Building Permit will be issued by the Municipality for such building, following the registration of the Land Use Contract and the construction of the buildings will comply with all Municipal and Provincial regulations except those specifically excluded by way of this Land Use Contract. The building shall have the siting, lot coverage and building height limitation set forth in Schedule "B".</p>	<ul style="list-style-type: none"> Schedule A includes an apartment building as principal use. Only use permitted in CD65 is an apartment building. Siting regulated under S.665.05 Setbacks, Lot coverage regulated under S.665.04 Site Coverage Building height regulated under S.665.06 Building Height Maximum number of storeys regulated under S.665.07 	<ul style="list-style-type: none"> All Schedule B limitations translated to siting, lot coverage and building height regulations based on 1979 Building Plan.
<p>5. <u>Restrictions</u> Such building shall be subject to the restrictions set forth in Schedule "C" hereto and acceptance by the advisory Design Panel and compliance to all Municipal & Provincial regulations.</p>	<ul style="list-style-type: none"> Only use permitted in CD65 is an apartment building. 	See below
<u>Schedule of Permitted Land Use (Schedule A)</u>		

LUC Regulation	CD Zone Regulation	Notes
<p>Land & Building located thereon shall be used for one 30 unit low rise residential apartment building to be used in conformity to Part Three of the District of West Vancouver Zoning By-law 2200 and Amendments thereto.</p> <p>If the Land is subdivided pursuant to the Strata Titles Act, parking space shall be provided for and be part of each strata lot.</p>		
<p><u>Use and Building Permits (Schedule B)</u></p> <p>Site Plan, lot coverage and building height limitations to be as per Drawing Nos. 1, 7 & 8 dated April 19, 1977 as prepared by Michael Katz, Architect, which are attached hereto and form part of this contract.</p>		
<p><u>Restrictions (Schedule C)</u></p> <p>The following restrictions shall apply</p> <ol style="list-style-type: none"> 1) The driveway must allow adequate sight distance to the satisfaction of the Director of Operations. 2) The use of the Building shall be confined to residential use. 3) Site coverage and height of building shall not exceed that shown on the site plan (Schedule "B") 		<ul style="list-style-type: none"> • Driveway already constructed and regulated under parent Bylaw 466 Section 140 Parking Regulations. Note there is not a direct translation, but section 142.04 (4) of the Bylaw requires "driveways...shall maintain a clear unobstructed width..."
<p><u>Off Street Parking (Schedule D)</u></p> <p>30 parking spaces shall be provided as set out in the plans hereinbefore referred to.</p>	<ul style="list-style-type: none"> • 30 parking spaces required under S.665.08 Off-Street Parking 	

2.2 LIST OF SCHEDULES

- Schedule A – Schedule of Permitted Land Use
- Schedule B – Use and Building Permits
- Schedule C – Restrictions

- Schedule D – Construction of Buildings
- Schedule F– Off-site Works
- Schedule G – Subdivision
- Schedule H - Drawing No. 8 attached form part of this contract
- *No Schedule E on record

TECHNICAL MEMO:

1489 - 1497 MARINE DRIVE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	1489-1497 Marine Drive
Land Use Contract No.	E89189
DAA No.	2547
Land Use Contract Modifications	N/A
Map	

2.0 CD66 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>I. <u>DEFINITIONS AND LAND DESCRIPTION</u></p> <p>1. In this contract, unless the context otherwise requires: "Building means a three (3) storey Building for stores and offices, not exceeding 24,660 square feet, excluding public areas to be built in the location shown on Schedule "A".</p>	<ul style="list-style-type: none"> Permitted Uses in S.666.02 reference permitted uses in AC1 Zone. Number of storeys regulated in S.666.05 Maximum Number of Storeys Gross floor area regulated in S.666.03 Density 	<ul style="list-style-type: none"> All measures in imperial were converted to metric
<p>II. <u>DEVELOPMENT AND CONSTRUCTION: RESTRICTIONS OF USE</u></p> <p>4. The Land shall be developed with a three (3) storey Building for offices and retail commercial use not exceeding a gross area of 27,000 square feet nor a maximum height of 38 feet plus five (5) feet for any roof-top equipment, and public space in excess of 2,000 square feet must be provided, all in the manner set out in the Site Plan forming Schedule "A", and the elevations and building envelopes shown in Schedule "B" and attached hereto.</p>	<ul style="list-style-type: none"> Rooftop equipment limitation included in Maximum Building Height S.666.04 	<ul style="list-style-type: none"> Public space not normally called out as permitted use Size of public space deemed not applicable as it is already provided on site
<p>7.</p> <p>(a) The Owner shall provide sufficient marked parking spaces for tenants of and visitors to the Building on the Principal Site. The Owner shall provide not less than forty parking spaces, including the provision of a minimum of one parking stall for the use of handicapped persons. These parking stalls, with the exception of</p>	<ul style="list-style-type: none"> Minimum of 40 parking spaces required under S.666.06 (1), including one space for persons with disabilities Provision to allow for off-site parking included as S.666.06 (2) Existing covenant meets requirements of S.667.06 (2) as off-street parking regulations allow for off-site parking 	<ul style="list-style-type: none"> Language was updated to reflect existing Bylaw terms (e.g., persons with disabilities as opposed to handicapped) Off-site parking does not reference specific site – Zone cannot speak to uses on other property.

LUC Regulation	CD Zone Regulation	Notes
<p>the small parking stall noted below, shall conform to the Municipal Zoning By-law No.2497 requirements. The parking spaces shall be provided on the Principal Site and on those parcels on the north side of Clyde Avenue known as Lots 24, 25 and 26. Block 13, District Lot 237. Plan 3459 (hereinafter referred to as the "Subordinate Site") or at any other location within 300 feet of the Principal Site. A number of spaces may be supplied for use by small vehicles only, the said number to be determined by the Building Inspector. The parking areas and driveways for the Principal Site shall be located substantially as shown on Schedule "A". The parking areas and driveways for the Subordinate Site shall be located substantially as shown on a plan annexed hereto as Schedule "A-1". The landscaping, surface treatment, fencing and screening of the lots comprising the Subordinate Site shall be shown as Schedule "D-1".</p> <p>(b) The Owner agrees to grant to the Municipality a covenant pursuant to Section 24A of the Land Registry Act to the intent that the Subordinate Site be used only for the purpose of providing parking spaces unless and until the Owner provides an alternate site and grants to the Municipality a similar covenant with respect to such alternate site.</p>		
<p>10. All signs shall conform to the provisions of the Sign By-law of the Municipality but the design and the location of such signs shall be first approved by the Advisory Design Panel of the Municipality.</p>		<ul style="list-style-type: none"> • Clause 10 regulated by Sign Bylaw 4499

LUC Regulation	CD Zone Regulation	Notes
<p>VI. <u>MISCELLANEOUS PROVISIONS</u></p> <p>23. If the improvements contemplated herein to the Land are destroyed to the extent of 75% or more of their value above the foundations as determined by the Building Inspector at any time following completion of the Building, the Owner may rebuild in accordance with the plans and specifications filed pursuant to this land use contract with such variations as have been approved hereunder, or may within six (6) months of the occurring of such destruction notify the Municipality in writing of its desire not to rebuild the improvements, and, provided that the Owner shall clear to the ground the remains of such improvements and remove all debris therefrom within such reasonable time as may be required by the Municipality, the Municipality shall not require the Owner to rebuild the improvements, and this land use contract shall thereafter be of no further force and effect.</p>		<ul style="list-style-type: none"> • New CD zone would avoid legal non-conformance and eliminates the requirement for including rebuild provisions.

2.2 LIST OF SCHEDULES

- Schedule A – Site Plan & Parking Plan
- Schedule B – Building Elevations
- Schedule C – Off-site Works
- Schedule D – Landscaping Plan
- Schedule E – List of Consents to Land Use Contract

TECHNICAL MEMO:

1507 BELLEVUE AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	1507 Bellevue Avenue
Land Use Contract No.	F54590
DAA No.	2693
Land Use Contract Modifications	N/A
Map	

2.0 CD67 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>Definitions and Land Description</u></p> <p>1. "Building" means a commercial building with two (2) storeys in part and three (3) storeys in part for stores, offices and restaurant, not exceeding 11,000 square feet, excluding parking areas, to be built in the location shown on Schedule "A".</p>	<ul style="list-style-type: none"> Permitted Uses in S.667.02 reference permitted uses in AC1 Zone. Difference in height accounted for in Conditions of Use S.667.03 Maximum building size accounted for in Density S.667.04 (1) 	<ul style="list-style-type: none"> All measures in imperial were converted to metric
<p>"Offices" includes a maximum of 1,000 square feet for retail use with the approval of the Director of Development, such approval not to be unreasonably withheld.</p>	<ul style="list-style-type: none"> S.667.04 (2) limits office use to a maximum of 92.9m2 for retail use 	
<p><u>Development and Construction: Restrictions of Use</u></p> <p>The lands shall be developed with a building for stores, offices and restaurant and ground level and upper level parking, being two storeys or the south side, and two storeys parking and one storey commercial on the north side, not exceeding a gross area of 11,000 square feet (excluding parking), nor a maximum height of 30 feet from the lowest commercial habitable floor level, including rooftop paraphernalia, all in the manner set out in the Site Plan forming Schedule "A", and the elevations and building envelopes shown in Schedule "B" and attached hereto. Nothing herein shall be construed so as to prevent the Owner</p>	<ul style="list-style-type: none"> "The lands shall be developed with a building for stores, offices and restaurant and ground level and upper level parking, being two storeys or the south side, and two storeys parking and one storey commercial on the north side" was directly included under S.667.03 Conditions of Use Maximum GFA was accounted for in S.667.04 (1) Density Maximum height accounted for in Building Height S.667.05 	

LUC Regulation	CD Zone Regulation	Notes
<p>from utilizing the Strata Titles Act for the purpose of creating strata lots.</p>		
<p>7. The Owner shall; (a) Provide ground level and upper level parking areas and parking spaces for the Building located substantially as shown in Schedule "A". (b) Provide parking spaces for tenants of and visitors to the Building on a ration of one (1) to each 600 square feet of floor area; a maximum of three may be designed for small cars to the satisfaction of the Chief Building Inspector. (c) Provide a minimum of one parking stall suitable for the handicapped, from those required in the above. (d) subject to the exceptions contained in the paragraphs 7(b) and 7(c) ensure that the parking spaces otherwise comply with the Municipality's Zoning By-Law No. 2200.</p>	<ul style="list-style-type: none"> Each parking provision included separately under S.667.06 Parking 	<ul style="list-style-type: none"> Language was updated to reflect existing Bylaw terms (e.g., persons with disabilities as opposed to handicapped)
<p>26. If the improvements contemplated herein to the Lands are destroyed to the extent of 75% or more of their value above the foundations as determined by the Building Inspector at any time following completion of the Building, the Owner may rebuild in accordance with the plans and specifications filed pursuant to this land use contract with such variations as have been approved hereunder, or many within six (6) months or the occurring of such destruction notify the Municipality in writing of its desire not to rebuild the improvements, and provided that the Owner shall clear to the ground the remains of such improvements and</p>		<ul style="list-style-type: none"> New CD zone would avoid legal non-conformance and eliminates the requirement for including rebuild provisions.

LUC Regulation	CD Zone Regulation	Notes
remove all debris therefrom within such reasonable time as may be required by the Municipality, the Municipality shall not require the Owner to rebuild the improvements, and this land use contract shall thereafter be of no further force and effect.		

2.2 LIST OF SCHEDULES

- Schedule A – Site Plan
- Schedule B – Building Envelope & Elevations
- Schedule C – Off-site Works
- Schedule D – On-site Works
- Schedule E – Landscaping Plan
- Schedule F – Consents

TECHNICAL MEMO:

1495 ESQUIMALT AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	1495 Esquimalt Avenue
Land Use Contract No.	A77767
DAA No.	2439
Land Use Contract Modifications	N/A
Map	

2.0 CD68 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
(d) No building or structure shall be constructed except as a senior citizens apartment building developed under the auspices of the Greater Vancouver Regional District in accordance with the British Columbia Housing Act.	<ul style="list-style-type: none"> Apartment building for use by senior citizens listed as only Permitted Use in S.668.02 	
(e) No building or structure shall be added to or used except as a senior citizens apartment building.	<ul style="list-style-type: none"> Only a senior citizens apartment building is permitted in the CD68 Zone, therefore not permitting other uses 	
(f) No building or structure shall contain more than 84 dwelling units.	<ul style="list-style-type: none"> Regulated under S.668.03 Density 	
(g) No building or structure shall be occupied or used unless ten (10) accessory off-street parking spaces are provided, at surface level with access from the lane, provided however no spaces shall be constructed or located within forty (40) feet from the 15th Street side site line.	<ul style="list-style-type: none"> Minimum parking spaces and access requirements regulated under S.668.07 Off Street Parking 	<ul style="list-style-type: none"> All measurements in imperial were converted to metric
(h) No parking spaces shall be constructed unless, such required parking spaces, including access thereto, are adequately surfaced and suitably marked by means of painted lines, arrows and cross-hatching to indicate each parking space, direction of vehicle movement, access and egress areas and crossovers within which parking is prohibited.		<ul style="list-style-type: none"> Parking spaces requirements (i.e., markings and surface materials) addressed in S. 140 of parent Zoning Bylaw 4662.
(i) No building shall be constructed to a height in excess of eleven (11) storeys including the main floor at grade level.	<ul style="list-style-type: none"> Maximum height (storeys) regulated in S.668.06 Number of Storeys 	

LUC Regulation	CD Zone Regulation	Notes
(j) No building shall be constructed above grade level which exceeds in width one-half the width of the said lands; frontage of the site shall be considered to be that boundary of the said lands abutting Esquimalt Avenue.	<ul style="list-style-type: none"> Regulated under S.668.05 Width of Building 	
(k) No building shall be constructed so that any portion of such building to be occupied for dwelling purposes above grade level, but excluding balconies, is closer to the front or rear site lines of the said parcel than twenty-five (25) feet, nor closer to the east site line of the said parcel than thirty (30) feet, nor closer to the westerly boundary of the said lands than forty (40) feet.	<ul style="list-style-type: none"> Regulated under S.664.04 Setbacks 	<ul style="list-style-type: none"> Setbacks have been determined based on building plans, with additional wording for mechanical equipment that are within the building's setback area, which was approved in 2020 via Development Permit (DP). The regulations in the CD Zone reflect what was approved in the latest DP

2.2 LIST OF SCHEDULES

N/A

TECHNICAL MEMO:

2030 – 2040 MARINE DRIVE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	2030 – 2040 Marine Drive
Land Use Contract No.	G2354
DAA No.	2735
Land Use Contract Modifications	N/A
Map	

2.0 CD69 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>Definitions and Land Description</u> "Building" means a building with two (2) storeys in part and three (3) storeys in part housing a Squash and Racquetball club with nine (9) courts with related locker and lounge facilities, not exceeding 25,000 square feet gross area excluding parking areas nor a maximum of 35 feet (excluding rooftop appurtenances) in height.</p>	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Unknown if LUC for property containing the Squash and Racquet Ball club (immediately west of DAA 2735) was discharged previously or expired as this site was no longer on-title and therefore has not been accounted for in the CD zone The property has since been redeveloped with residential use. No provisions related to the this property, or in relation to the "Building" containing a Squash and Racquet Ball club were included in CD Zone 71.
<p>"Site plan" means that part of the plan comprising Schedule "A" showing generally the proposed development on the Lands.</p>		
<p>"Town House" means an attached, two (2) storey, self-contained dwelling unit with basement and with an internal stairway in each unit connecting the main and upper floor.</p>	<ul style="list-style-type: none"> Townhouse listed as Permitted Use in S.669.02 Height is addressed in another LUC provision 	<ul style="list-style-type: none"> Updated definition of Townhouse included in parent Zoning Bylaw 4662 Section 110

LUC Regulation	CD Zone Regulation	Notes
<p><u>Development and Construction: Restrictions of Use</u> The Lands shall be developed with:</p> <p>(a) A Building to house a squash and racquetball club consisting of nine (9) courts with related locker and lounge facilities., not exceeding a gross floor area of 25,000 square feet, nor a maximum height of Thirty-five (35) feet which may be increased by a maximum of six (6) inches for a parapet.</p> <p>(b) Rooftop appurtenances (including the stair tower) to a maximum height not exceeding eight feet (8') above the 35' mentioned in (a) above.</p> <p>(c) Six (6) two (2) storey Townhouses not exceeding a gross floor area of 14,000 square feet including covered parking and service areas nor a maximum height of thirty feet (30') measured from the average grade on the front of the building to the peak of the roof but excluding the chimney which shall be to the minimum height allowed by the National Building Code.</p>	<ul style="list-style-type: none"> • Number of townhouses (six) and maximum GFA accounted for in S.669.03 Density • Maximum building height, including how height is regulated in S.669.05 Building Height 	<ul style="list-style-type: none"> • Clause (a) not applicable • Clause (b) relates to the “Building” and therefore not applicable • All measures in imperial were converted to metric
<p>Building and Townhouses to be located within the building envelope shown on Schedules “A” and “B” as may be amended or modified by the Advisory Design Panel...</p>	<ul style="list-style-type: none"> • Setbacks accounted for in S.669.04 	<ul style="list-style-type: none"> • Setbacks derive from building plans

LUC Regulation	CD Zone Regulation	Notes
<p>The Owner shall:</p> <p>(a) as to the Building provide parking areas .and 49 parking spaces for motor vehicles located substantially as shown on Schedule "A", said parking spaces and aisle width shall be sized to meet the requirements of Zoning By-law 2200, 1968, As amended.</p> <p>(b) as to the Townhouses provide:</p> <p>(i) for the owners or tenants of each Townhouse 2(two) motor vehicles parking spaces, one space in an enclosed garage and one out of doors.</p> <p>(ii) six (6) parking spaces for visitors to or guests of the owners or tenants of the Townhouses as shown on Schedule "A"</p>	<ul style="list-style-type: none"> Townhouse and visitor parking requirements included in S.669.07 Off Street Parking 	<ul style="list-style-type: none"> Clause (a) not applicable
<p>11.</p> <p>(a) All signs shall comply with the provisions of the Municipal Sign By-law except as otherwise provided herein.</p> <p>(b) One (1) only sign advertising the Townhouses· development and the sale thereof shall be permitted to the requirements of the Sign By-law.</p> <p>(c) One (1) only sign advertising the sale of memberships in the Squash and Racquetball Club shall be permitted upon registration of this contract for a period of up to six (6) months after the issuance of an occupancy permit for the Building of a size not to exceed sixteen (16) square feet and at a location satisfactory to the Chief Building Inspector.</p>		<ul style="list-style-type: none"> Clause 11 regulated by Sign Bylaw 4499

LUC Regulation	CD Zone Regulation	Notes
<p>(d) One (1) only permanent identification sign of a design and size approved by the Advisory Design Panel may be place or affixed upon or near the Building.</p> <p>(e) One (1) only permanent identification sign of a location design and size approved by the Advisory Design Panel may be placed or affixed upon or near the Townhouse development.</p>		
<p>31. Schedules "A" to "G" hereinbefore referred to are hereby incorporated into and made part of this contract.</p>		<ul style="list-style-type: none"> • Schedules were reviewed for any pertinent information to be translated to new zoning provisions. • Remainder of Schedules did not provide specific details that could be incorporated into CD Zone


2.2 LIST OF SCHEDULES

- Schedule A – Site Plan
- Schedule B – Building Envelope & Elevations
- Schedule C – Proposed Subdivision Plan
- Schedule D – On-site Works
- Schedule E – Off-site Works
- Schedule F – Landscaping Plan
- Schedule G – Consents

TECHNICAL MEMO:

2119 BELLEVUE AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	2119 Bellevue Avenue
Land Use Contract No.	E59612
DAA No.	2456
Land Use Contract Modifications	N/A
Map	

2.0 CD70 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>Development and Construction:</u> <u>Restriction of Use</u> 4. The lands and premises shall be developed with a twenty-seven (27) unit development pursuant to the Strata Titles Act, not exceeding thirty-eight (38) feet from the lowest livable floor plus ten (10) feet for the service penthouse in height nor a density of 1.48 feet, together with common property attaching thereto, all in the manner set out in the site plan forming Schedule "A" and Schedule "B" attached hereto.</p>	<ul style="list-style-type: none"> • Number of units regulated through s.670.03 Density • Development height regulated through s.670.08 Building Height and s.670.09 Number of Storeys • Apartment building permitted in s.670.02 Permitted Uses • Size of development regulated through s.670.05 Gross Floor Area and s.670.04 Floor Area Ratio • Site coverage regulated through s.670.06 Site Coverage • Development setbacks from property lines regulated through s.670.07 Setbacks 	<ul style="list-style-type: none"> • Imperial measurements have been converted to metric • Schedules A and B provided plans detailing the approved development that were used to determine relevant zoning provisions for site coverage, number of storeys, gross floor area, and setbacks.
<p>7. The Developer shall provide parking spaces for twenty-seven (27) automobiles on the Land. Small car spaces shall be allowed to the maximum number of seven (7), the location of the actual number thereof being approved by the Building Inspector.</p>	<ul style="list-style-type: none"> • Number of required parking spaces regulated through s.670.10 Off-Street Parking 	

2.2 LIST OF SCHEDULES

- Schedule A – Survey

- Schedule B – Roof Plan and West Elevation
- Schedule B1 – Elevations
- Schedule C – Landscape Plan
- Schedule D – Parking Plan

TECHNICAL MEMO:

202-250 16TH ST, 1571 BELLEVUE AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	202-250 16 th Street, 1571 Bellevue Avenue
Land Use Contract No.	E54794
DAA No.	2444
Land Use Contract Modifications	N/A
Map	

2.0 CD71 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>4. The Land shall be developed with a two storey Building pursuant to the Strata Title Act, or for leasing, not exceeding a gross area of 33,000 square feet nor a maximum height of 30 feet excluding any roof-top equipment, together with common property attaching thereto, all in the manner set out in the site plan forming Schedule “A-1”, and the elevations and building envelopes shown in Schedule “B” and attached hereto. Use of the space on the first and second floors of the Building shall be confined to stores or shops for the conduct of retail businesses, restaurants, dwelling units and offices for the business and professional uses, said offices not to exceed ten percent of the ground floor area. The Building shall be built in its entirety to the maximum specifications possible under the National Building Code for the foregoing uses.</p>	<ul style="list-style-type: none"> • Number of storeys regulated in s.671.06 Maximum Number of Storeys • Maximum gross floor area regulated in s.671.04 Gross Floor Area • Maximum height regulated in s.671.05 Building Height • Retail, restaurant, office, and dwelling units listed as Permitted Uses in s. 671.02 • Office use limitation regulated in s.671.03 Conditions of Use 	<ul style="list-style-type: none"> • All measurements in imperial were converted to metric
<p>7. The Developer shall provide one parking space for every 600 square feet of the total area of the Building on the Principal Site. The parking spaces for the use of Visitors to the Building shall be provided on the Principal Site.</p> <p>The parking spaces for the use of tenants of the Building shall be provided on Lot 16,</p>	<ul style="list-style-type: none"> • Minimum parking spaces for tenants and visitors regulated under s.671.07(1), (2) Off-Street Parking • Provision to allow off-site parking included as 671.07(3) 	<ul style="list-style-type: none"> • The subordinate site for off-street parking referenced in the LUC is located at 1507 Bellevue Avenue. This site is not an encumbrance on title, as such, the CD71 Zone can only allow for the provision of parking off-site

LUC Regulation	CD Zone Regulation	Notes
Block 3, District Lot 237, Plan 5612 (hereinafter referred to as the "Subordinate Site") or at any other location within 300 feet of the Principal Site.		


2.2 LIST OF SCHEDULES

- Schedule A1 – Ground Floor Plan
- Schedule B – Elevations
- Schedule B1 – Elevations
- Schedule B2 – Building Envelope
- Schedule C – not included in LUC
- Schedule D – Planting Plan

TECHNICAL MEMO:

440 13TH ST 1285 AND 1289 KEITH ROAD

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	440 13 th Street, 1285 & 1289 Keith Road
Land Use Contract No.	D51710
DAA No.	2270
Land Use Contract Modifications	N/A
Map	

2.0 CD72 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
4. The lands and premises shall be developed with a three unit development pursuant to the Strata Titles Act, together with common property attaching thereto, all in the manner set out in the plan forming Schedule "B" and the drawings listed in Schedule "C", all being attached hereto. Each of the strata units of the Buildings erected thereon shall be solely used for the purpose of "Single Family Dwellings" within the meaning of that term as defined and used in Zoning By-law 2200 of the Municipality and all amendments as of the date hereof.	<ul style="list-style-type: none"> Townhouse listed as permitted use in s.672.02 Permitted Uses Secondary Suite included in s.672.02 Permitted Uses to reflect amendments to Zoning Bylaw 2200 that included "Secondary Suite" within the definition of "Single Family Dwelling" Three principal dwelling units regulated as a maximum in s.672.04 Density Building setbacks and height (number of storeys) as shown on Schedules regulated through s.672.05 Setbacks and s.672.06 Maximum Number of Storeys 	<ul style="list-style-type: none"> Terminology in Permitted Uses reflects townhouse development shown on Schedules "Single Family Dwelling" defined in Zoning Bylaw 2200 as "a building designed for use exclusively as a Principal Dwelling Unit and includes a Secondary Suite and other accessory uses" Conditions of Use in s.672.03 permit one secondary suite per principal dwelling unit in accordance with s.130.05, excluding s.130.05(1)(a), otherwise this would limit the number of secondary suites on the lot to one
7. The Developer shall provide parking spaces for one automobile attached to each strata unit in the form of a carport or garage located within the building erected on the land and additional guest parking for a minimum of three (3) automobiles.	<ul style="list-style-type: none"> Number and form of required off-street parking spaces for residents regulated in s.672.07 (1) Off-Street Parking Number of required visitor parking spaces regulated in s.627.07 (2) Off-Street Parking 	

2.2 LIST OF SCHEDULES

- Schedule A – Persons Holding Any Registered Interest in the Land Affected

- Schedule B – not labelled in LUC
- Schedule C – Drawing No. 1 – Rendering
- Schedule C – Drawing No. 2 – Loft Floor Plan
- Schedule C – Drawing No. 3 – Mid-Living Level Floor Plan
- Schedule C – Drawings No. 4-6 - Elevations

TECHNICAL MEMO:

1363 CLYDE AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	1363 Clyde Avenue
Land Use Contract No.	E31490
DAA No.	2385
Land Use Contract Modifications	N/A
Map	

2.0 CD73 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>Schedule A - Schedule of Permitted Land Use</u> Land & Building located thereon shall be used for one 60 unit low rise residential apartment building to be used in conformity to Part Three of the District of West Vancouver zoning By-Law 220 & Amendments hereto. If the Land is subdivided pursuant to the Strata Titles Act, parking space shall be provided for and be part of each strata lot.</p>	<ul style="list-style-type: none"> Number of dwelling units regulated through s. 673.04 Density Apartment building use regulated through s.673.02 Permitted Uses 	
<p><u>Schedule B - Use and Building Permits</u> Site Plan, lot coverage and building height limitations to be as per Drawing Nos. 1, 7, 8 & 9 dated April 19, 1977 as prepared by Michael Katz, Architect, which are attached hereto and form part of this contract.</p>	<ul style="list-style-type: none"> Siting of buildings in compliance with the drawing shown in s. 673.01 Map and s.673.06 Setbacks 	<ul style="list-style-type: none"> Setbacks determined based on building plans. Balcony projections are exempt from setback regulations
<p><u>Schedule C - Restrictions</u> The following restrictions shall apply 1) The use of the building shall be confined residential use 2) Site coverage and height of building shall not exceed that shown on the site plan (Schedule "B")</p>	<ul style="list-style-type: none"> Site coverage regulated through s.673.05 Site Coverage Building height regulated through s.673.07 Maximum Number of Storeys 	<ul style="list-style-type: none"> Site coverage and number of storeys determined based on building plans.
<p><u>Schedule D - Off Street Parking</u> 60 parking spaces shall be provided as set out in the plans hereinbefore referred to,</p>	<ul style="list-style-type: none"> Number of required parking spaces regulated through s.673.08 Off-Street Parking 	

2.2 LIST OF SCHEDULES

- Schedule A - Schedule of Permitted Land Use

- Schedule B - Use and Building Permits
- Schedule C - Restrictions
- Schedule D - Off Street Parking
- Schedule E – not included in LUC
- Schedule F – Off-Site Works
- Schedule G – Subdivision
- Schedule H – Details of Landscape Architecture Drawing

2.0 CD74 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 ORIGINAL LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>(e) No building or structure shall be constructed or added to which causes any dwelling unit or portion thereof to exceed a height of two storeys, a basement being included in this limitation nor twenty-five (25) feet measured through the cross-section of such unit from the lowest floor level thereof. The height limitation contained herein applies to the proposed change room and any other buildings or structures proposed for use or occupancy other than for dwelling purposes.</p> <p>(f) No building shall be constructed which causes the building site coverage including covered parking and swimming pool areas, to exceed thirty-five (35) percent of the site area nor shall thereby constructed more than thirty (30) dwelling units on the said lands.</p> <p>(g) No building shall be constructed within twenty-five (25) feet along the southerly boundary of the said lands.</p> <p>(h) No building shall be occupied or used for dwelling purposes unless two (2) accessory parking spaces are provided for each dwelling unit constructed and such parking spaces including access thereto,</p>	<ul style="list-style-type: none"> • Height of building regulated through s.674.06 Building Height and s.674.07 Maximum Number of Storeys • Building site coverage regulated through s.674.03 Site Coverage • Building setbacks regulated through s.674.05 Setbacks • Number of required parking spaces regulated through s.674.08 Off-Street Parking 	<ul style="list-style-type: none"> • Imperial measurements have been converted to metric

LUC Regulation	CD Zone Regulation	Notes
<p>shall be adequately surfaced with asphaltic concrete or similar material and suitably marked by means of painted lines, arrows and cross-hatching to indicate each parking space, direction of vehicle movement, access and egress areas and crossovers within which parking is prohibited.</p>		

2.2 LAND USE CONTRACT MODIFICATION #1

LUC Regulation	CD Zone Regulation	Notes
<p>(b) Section 1(e) shall be deleted and replaced with: “No building or structure shall be constructed or added to which may cause any dwelling unit or portion thereof to exceed a height of 25 feet measured through the cross-section of such unit from the lowest floor level thereof. Notwithstanding, the dwelling may use or install a loft. The presence of this loft will not be used in calculating height.”;</p>	<ul style="list-style-type: none"> • Building height for dwellings including lofts regulated through s.674.06 Building Height and s.674.07 Number of Storeys 	<ul style="list-style-type: none"> • The building height provision discussed in the modified clause applies only to buildings with dwelling units and not accessory buildings. The height of accessory buildings is subject to s.130.01(9) of the Zoning Bylaw • The modified clause has been interpreted such that lofts are not included in the calculation of building height, though must be contained within the maximum number of storeys permitted for a building.

2.3 LAND USE CONTRACT MODIFICATION #2

LUC Regulation	CD Zone Regulation	Notes
<p>(b) Section 1(e) shall be deleted and replaced with: “No building or structure shall be constructed or added to which may cause any dwelling unit or portion thereof to exceed a height of 25 feet measured through the cross-section of such unit from the lowest floor level thereof. Notwithstanding, the dwelling may use or install a loft. The presence of this loft will not be used in calculating height,;’ and (c) Section 1(n) of the LUC shall be deleted.</p>	<ul style="list-style-type: none"> • See above 	<ul style="list-style-type: none"> • Deleted LUC section is N/A for zoning


2.4 LIST OF SCHEDULES

N/A

TECHNICAL MEMO:

1858-1896 BELLEVUE AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	1858-1896 Bellevue Avenue
Land Use Contract No.	D1949
DAA No.	2218
Land Use Contract Modifications	N/A
Map	

2.0 CD75 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
4. The lands and premises shall be developed with a six unit development pursuant to the Strata Titles Act. together with common property attaching thereto, all in the manner set out in the plan attached hereto 2,1d forming Schedule "B" to this agreement, and each of the strata units erected thereon shall be used for the purpose of a "Single Family Dwellings" within the meaning of that term as defined in Zoning By-law No. 2200 of the Municipality and all amendments of the date hereof.	<ul style="list-style-type: none"> Number of units regulated through s.675.03 Density Townhouse listed as permitted use in in s.675.02 Permitted Uses Building height regulated through s.675.04 Maximum Number of Storeys 	<ul style="list-style-type: none"> Terminology in Permitted Uses reflects existing townhouse development Number of storeys shown in Building Plans
11. The Developer shall provide parking spaces for two automobiles attached to each strata unit in the form of a carport or garage located within the buildings erected on the lands.	<ul style="list-style-type: none"> Number of required parking spaces regulated through s.675.05 Off-Street Parking 	


2.2 LIST OF SCHEDULES

- Schedule A – Persons Holding Registered Interest in the Land Affected
- Landscape Plan

TECHNICAL MEMO:

312-320 KEITH ROAD

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	312-320 Keith Road
Land Use Contract No.	D17744
DAA No.	2233
Land Use Contract Modifications	N/A
Map	

2.0 CD76 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>4. The lands and premises shall be developed with a five unit development pursuant to the Strata Titles Act, together with common property attaching thereto, all in the manner set out in the plan forming Schedule "B", the drawings listed in Schedule "C", and the Park facilities listed in Schedule "D", all being attached hereto. Each of the strata units of the Buildings erected thereon shall be used for the purpose of "Single family Dwellings" within the meaning of that term as defined and used in Zoning By-law 2200 of the Municipality and all amendments as of the date hereof. The recreation facilities inclusive of recreation building, pool and tennis court, and any other recreation development on the Land (excluding the park facilities), shall be for the sole use of the occupants of the strata lots and their guests and invitees, but shall not be used for any commercial purposes.</p>	<ul style="list-style-type: none"> • Number of units regulated in s.676.03 Density • Townhouse and accessory structures and uses included as permitted uses in s.676.02 • Setbacks, building height, and maximum number of storeys as shown on Schedules are regulated in s.676.04 Setbacks, s.676.05 Building Height, and s.676.06 Maximum Number of Storeys 	<ul style="list-style-type: none"> • Terminology in Permitted Uses reflects townhouse development shown on Schedules • Park not listed as a permitted use as this is already dedicated and no longer part of title
<p>8. The Developer shall provide parking spaces for two automobiles attached to each strata unit in the form of a carport or garage located within the Buildings erected on the Land and additional guest parking for a minimum of five (5) automobiles.</p>	<ul style="list-style-type: none"> • Number of required parking spaces regulated in s.676.07 Off-Street Parking 	

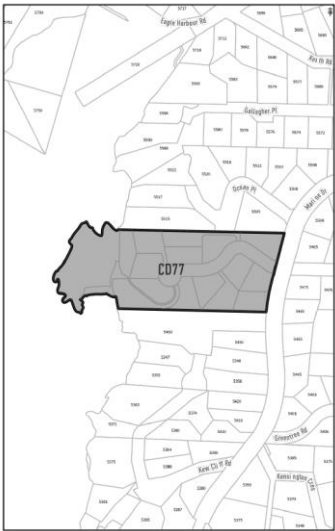
2.2 LIST OF SCHEDULES

- Schedule A – Persons Holding Any Registered Interest in the Land Affected
- Schedule B – Site Plan
- Schedule C – Details on Architectural Drawings
- Schedule D – “Not Applicable”
- Plan 1 – Site Plan
- Plan 2-3 – Floor Plans
- Plan 4 - Elevation

TECHNICAL MEMO

5490 MARINE DRIVE & 5502-5548 PARTHENON PLACE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	5490 Marine Drive & 5502-5548 Parthenon Place
Land Use Contract No.	C28160
DAA No.	2162
Land Use Contract Modifications	P15715, GC73276
Map	

2.0 CD77 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 ORIGINAL LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>1. "Beach" shall be construed to mean the beach area above the high water mark entitled Public Beach on the plan attached as Schedule "B" hereto.</p> <p>"Building Envelope" shall be construed to mean and include the area within the Building Lots and Recreational Lot shown on Schedule "F" hereto.</p> <p>"Building Lot" shall be construed to mean and include Lots 1 to 15 inclusive as shown on the plan attached as Schedule "B" hereto.</p> <p>"Recreational Lot" shall be construed to mean and include Lot 16 as shown on the plan attached as Schedule "B" hereto.</p>	<ul style="list-style-type: none"> Definitions included as S.667.02 	
<p>4. The land and any and all buildings, Accessory Buildings, structures and improvements erected thereon, thereover or therein shall be used for the purpose specified in Schedule "A" hereto and for no other purpose.</p>		<ul style="list-style-type: none"> See Below
<p>5. All buildings and Accessory Buildings erected or constructed on any Building Lot and/or the Recreational Lot shall be sited within the Building Envelope for such lot, and shall in the case of the Building Lots not cover more than 4,800 square feet in total of such lot, shall for the Recreational Lot not cover more than 7,500 square feet in total of such</p>	<ul style="list-style-type: none"> Site coverage for individual Building Lots is regulated under S.667.06 (1) Site coverage for Recreational Lot is regulated under S.667.06 (2) 	<ul style="list-style-type: none"> Schedule F for Building Envelope has been recreated for s.677.07 in CD77 See below for Schedule B regulations

LUC Regulation	CD Zone Regulation	Notes
lot, and shall not exceed the height limitations set forth in Schedule "B".		
6. The Building Lots and/or the Recreational Lot shall be subject to the restrictions set forth in Schedule "C" hereto.		<ul style="list-style-type: none"> • See below
7. The design of all buildings and accessory buildings is subject to the approval of the Developer or the Association (incorporated association restricted to the owners of the Building Lots) and to the design criteria and restrictions set forth in a Statutory Building Scheme to be registered against the Building Lots by the Developer immediately following subdivision of the said land as herein contemplated, such Statutory Building incorporating the restrictions set forth in Schedule "D" hereto. . The sole responsibility for design approval and control shall vest in the Developer or the Association, and the Municipality shall not be bound to inquire as to whether or not any plans for dwellings or Accessory Buildings on the Building Lots have been so approved prior to granting any Building Permit for the same and shall not be liable for failure to do so.		<ul style="list-style-type: none"> • See below for Schedule D regulations • Regulation of form and character regulated under Statutory Building Scheme, registered on title. The District is not party to this Scheme and therefore provisions regulating form and character cannot be transferred into the CD77 Zone
11. The Beach and access for the public to the Beach shall be provided by dedication of the subdivision plan. Construction and development of the access shall be in compliance with and according to the plan of works enumerated in Schedule "G" hereto, which plan is on file in the		<ul style="list-style-type: none"> • See below for Schedule G

LUC Regulation	CD Zone Regulation	Notes
<p>13. If one purchaser purchases one or more contiguous Building Lots and wishes to consolidate the same he may do so upon first receiving the approval of the Council of the Municipality in which event the Council may vary the location of the Building Envelopes, the siting of any building or Accessory Buildings on such consolidated lot and the site coverage limitation, provided however in no event shall the building and Accessory Buildings cover more than forty per cent (40%) of the site area of such consolidated lot.</p>	<ul style="list-style-type: none"> • Lot consolidation regulations included under S.677.06 (3) Site Coverage 	
<p><u>Schedule of Permitted Land Use (Schedule A)</u> 1. Building Lots One (1) single-family dwelling inclusive of the following uses: (a) home craft, occupation or business subject to the regulation of Section 31-005 of the Municipal Zoning By-Law; (b) in-law suites subject to compliance with the regulations contained in Section 31-D09 of the Municipal Zoning By-Law, provided however where this use is assumed, the keeping of lodgers or boarders as set forth below shall not be permitted; (c) pre-school groups (Nursery - Kindergarten) single-family dwellings provided a maximum enrollment of twenty (20) children only shall be permitted in single-family dwellings, subject to Council of the Municipality approval of the required business licence; (d) family day care in single-family dwellings; (e) group day care subject to the regulations of Section 31-010 of the Municipal Zoning By-Law; (f) the keeping of not more than two (2) boarders or lodgers;</p>	<ul style="list-style-type: none"> • Building lots, inclusive of listed uses, are permitted under S.677.03 • Recreation lot, inclusive of listed uses, are permitted under S.677.03 	<ul style="list-style-type: none"> • Secondary suites (in-law suites) are regulated under Section 130.05 of the parent Zoning Bylaw 4662.

LUC Regulation	CD Zone Regulation	Notes
<p>(g) accessory buildings subject as set forth in this Agreement; (h) the uses customarily incidental to any of the above uses.</p> <p>2. Recreation Lot Recreation uses inclusive of private parkland, playgrounds, swimming pool, tennis court, squash court, and other similar uses specifically exempting commercial and/or residential uses.</p>		
<p><u>Schedule B</u></p> <p><u>Site Plan as attached.</u></p> <p><u>Building Envelope:</u> As shown in red on Plan attached as Schedule "F" hereto.</p> <p><u>Site Coverage.</u> (a) Building Lots – 4,800 square feet (b) Recreational Lot – 7,500 square feet</p> <p><u>Height Limitations:</u></p> <p><u>(a) Building Lots.</u> In no event shall a building exceed: (i) in the case of a flat roof thirty (30) feet in height measured vertically in a straight line from the floor of the lowest storey (including any base-ment) to the level of the highest point of the building; and (ii) in the case of a pitched roof thirty-two (32) feet in height measured vertically in a straight line from the floor of the lowest storey (including any basement) to the level of: A. if a pitched roof with a ceiling to the mean height line between the highest point of the</p>	<ul style="list-style-type: none"> • Site coverage regulated under S.677.06 • Height limitations for building lots, including measurement of building height, included in S.677.08 (1) • Height limitations for recreation lot, including measurement of building height, included in S.677.08 (2) 	<ul style="list-style-type: none"> • Schedule F for Building Envelope has been recreated as a Schedule A to CD77 Zone • Part 6 of the Tree Bylaw will be amended to address the tree cutting restrictions

LUC Regulation	CD Zone Regulation	Notes
<p>building and the ceiling immediately below, or B. if a pitched roof without a ceiling the mean height line between the highest point of the building and a point eight (8) feet above the floor immediately below.</p> <p><u>(b) Recreational Lot.</u> Twenty-five (25) feet in height or two storeys.</p> <p><u>Trees:</u> No tree over six inches (6") in diameter and six (6) feet in height shall be removed from the Recreational Lot without the consent of the Municipal Manager or a person designated by him first had and obtained.</p>		
<p><u>Schedule C</u> The following restrictions shall apply to the Building Lots and/or the Recreation Lot: (a) No more than one main building shall be erected on any Building Lot and/or the Recreation Lot. (b) No signs shall be erected upon any Building Lot and/or the Recreation Lot or any building or structure thereon to identify the same as being for sale until sold and except such signs shall identify the various building lots by street address or otherwise (c) No wrecked, derelict or abandoned motor vehicle or trailer, engine frame, chassis, body, box or van unit thereof shall be kept, stored, or parked except within a building on any Building Lot and/or the Recreation Lot. (d) No wrecked, derelict or abandoned boat, or vessel or part thereof shall be kept, stored, or parked except within a building on any Building Lot or the Recreation Lot. (e) No boat or vessel shall be kept, stored, constructed, re-constructed, altered, repaired</p>	<ul style="list-style-type: none"> • Only one main building permitted on any lot regulated under S.677.05 Density • Minimum parking requirements regulated under S.677.09 • Pools and ponds to be setback from any lot line is regulated under S.667.04 (1) Conditions of Use • Restriction on driveway location regulated under S.677.04 (2) Conditions of Use • Restriction on accessory buildings as habitable spaces regulated under S.677.04 (2) Conditions of Use • Accessory Building Height is regulated under S.677.08 (3). • Clause (e) regulated under Conditions of Use Section 677.04 	<ul style="list-style-type: none"> • Clause (b) regulated by Sign Bylaw 4499. • Clause (c) regulated by s. 120.13 of parent Zoning Bylaw 4662. • Clause (d) regulated by S.120.13 of parent Zoning Bylaw 4662. • Clause (f) regulated by S.130.04 (4) in parent Zoning Bylaw 4662. • Clause (g) regulated by S.130.03 in parent Zoning Bylaw 4662.

LUC Regulation	CD Zone Regulation	Notes
<p>or maintained on any Building Lot and/or the Recreation Lot save only as set out below:</p> <p>(i) The construction and/or storage of one (1) boat, twenty (20) feet or less in length overall is permitted on any Building Lot;</p> <p>(ii) The construction of a boat exceeding twenty (20) feet in length overall is permitted on any Building Lot subject to approval by the Council of the Municipality of a Building Permit.</p> <p>(f) No horse shall be kept or accommodated on any Building Lot and/or the Recreation Lot.</p> <p>(g) No commercial vehicle, equipment or trailer which exceeds a gross weight of 5,000 pounds shall be parked or stored on any Building lot and/or the Recreation Lot between the hours of one o'clock a.m. and six o'clock a.m.</p> <p>(h) No temporary dwelling or temporary building shall be constructed. or erected on any Building Lot and/or the Recreation Lot.</p> <p>(i) No dwelling shall be erected on any Building Lots unless provisions is made in the design and construction of such dwelling for a garage or car-port (either attached or detached) for housing not less than two (2) motor vehicles and proper access to such garage or car-port from any street or lane either directly or across a registered right-of-way across privately owned land.</p> <p>(j) No swimming pool, diving pool, ornamental pool, fish pond or other similar structure shall be situated within the boundaries of any Building Lot at a distance of less than five (5) feet from any boundary line of such Building Lot.</p> <p>(k) No Accessory Building shall be designed or used for living purposes, nor shall the same</p>		

LUC Regulation	CD Zone Regulation	Notes
<p>exceed one (1) storey or twelve (12) feet in height from the surface of the ground. (1) No drive-way or vehicular access shall be constructed or maintained on either Lot 15 or Lot 2 as shown on Schedule "B" attached.here to unless the same leads from or is connected to the road dedicated by the deposit of the subdivision plan herein contemplated.</p>		
<p><u>Design Criteria and Restrictions (Schedule D)</u> 1. <u>APPROVAL</u> No improvement excavation or other works including landscaping shall be done without first obtaining approval from the Developers Design committee. Plans shall be submitted to the Design Committee in both "Preliminary" Stage and "Working Drawing" Stage. It is the Owners responsibility to obtain approvals required by Municipal and other public authorities. 2. <u>MAINTENANCE</u> The land and all improvements shall be maintained by the Owner in good condition and repair. 3. <u>PETS, ANIMALS</u> Only a reasonable number of recognized house or yard pets are permitted. 4. <u>TREES</u> No tree over 6 in. in diameter and 6 ft. in height can be removed without prior Design Committee approval. Only those trees and shrubs which are presently indigenous to the property may exceed a height of 8 feet. 5. <u>SIGNS</u> No signs shall be permitted except residential identification signs up to 3 sq. ft. in area and temporary construction signs of limited size.</p>	<ul style="list-style-type: none"> • Prohibition of antennas regulated under s.677.04(3) Conditions of Use 	<ul style="list-style-type: none"> • Design jurisdiction does not rest with Municipality and therefore cannot be transferred into the CD77 Zone • Clause (5) regulated by Sign Bylaw 4499. • Clause (7) – House trailers not listed as permitted use in CD77 Zone • Geodetic height restrictions included on Schedule F were recreated for s.677.07 in CD77

LUC Regulation	CD Zone Regulation	Notes
<p>6. <u>ANTENNAS</u> No external antennas shall be installed.</p> <p>7. <u>HOUSE TRAILERS</u> No house trailers are permitted except for the purpose of a temporary construction shelter. Other trailers or boats are permitted only if adequately screened from neighbouring property.</p> <p>8. <u>GARBAGE</u> Garbage shall be kept in covered containers, so located that they are not visible from neighbouring property.</p> <p>9. <u>PARKING</u> Parking shall be in attached garages or screened car ports, the design of which must meet approval of Developers Design Committee.</p> <p>10. <u>FENCE MATERIALS</u> Fencing to be approved by Developers Design Committee.</p> <p>11. <u>LANDSCAPING</u> The use of presently indigenous plant materials and informal site plans are encouraged. Paving materials should be selected to harmonize with the overall landscape. Particular care should be taken to preserve the existing ground cover in order to prevent soil erosion.</p> <p>12. <u>SERVICES</u> All services including power and oil storage tanks must be buried.</p> <p>13. <u>EXTERIOR MATERIALS</u> <u>Walls:</u> Limited to natural materials such as cedar siding or shingles, stone and stucco. <u>Roofs:</u> May be either flat or pitched; however, the use of tar and gravel roofing on flat roofs that are overseen is not permitted without additional treatment to the approval of the</p>		

LUC Regulation	CD Zone Regulation	Notes
<p>Design Committee, Use of Red Cedar shakes or shingles for pitched roofs is encouraged.</p> <p>14. <u>APPEARANCE FROM WATER</u> The design of all buildings with respect to appearance from the water is considered very important. Special attention must be given to the appearance of the underside and the supporting structure of buildings on sloping sites.</p> <p>15. <u>HEIGHT RESTRICTIONS</u> Notwithstanding any other limitations on height of buildings which may apply no building on any of the following Building Lots shall exceed the height limitation for a flat roof set forth below:</p> <p><u>Building Lots</u> Lot 8 Lot 12</p> <p><u>Height Limitation</u> 170 270</p> <p>The height limitations referred to above are based upon the datum set forth in the plan attached hereto as Schedule "F".</p>		

2.2 LAND USE CONTRACT MODIFICATION #1

LUC Regulation	CD Zone Regulation	Notes
<p>"5A Notwithstanding clause 5 hereof, as a variation of Section 12-004 of "Zoning By-law No.2200, 1968" under its heading</p>	<ul style="list-style-type: none"> • Projections regulated under S.677.10 Projections 	

LUC Regulation	CD Zone Regulation	Notes
<p>“Yard”, that part of the land which is outside the building envelope on each lot may be encroached upon and occupied by:</p> <p>1) ordinary projections, not exceeding twenty-four (24) inches of sills, belt courses, cornices, eaves and chimneys,</p> <p>2) ordinary projections, not exceeding forty-eight (48) inches, of uncovered and enclosed steps attached to a building in front yards.”</p>		

2.3 LAND USE CONTRACT MODIFICATION #2

LUC Regulation	CD Zone Regulation	Notes
<p><u>Re: New Resident 5548 Parthenon Place, West Vancouver, B. C.</u></p> <p>The design Committee approves the amendments to the landscaped area re the above property as detailed by Mr. Sid Rasekh. Specifically:</p> <p>(a) the southerly retaining wall is located as shown on the drawing;</p> <p>(b) the area shown in cross hatching is a cedar deck bounded by the concrete retaining wall noted in (a) and a raised concrete curb. Plants and other landscaping shrubs will not exceed 3' - 4' as measured from the floor elevation, i.e. 181'1";</p> <p>(c) the exposed aggregate area (courtyard) is raised approximately 11" to elevation 182'0";</p> <p>(d) the entrance gate to the residence is moved approximately 31 northwards and the retaining wall is changed to a curved wall;</p>	<ul style="list-style-type: none"> Landscaping regulations regulated under S.677.11 Landscaping 	<ul style="list-style-type: none"> Restricted one property only. Regulated as a site specific regulation in CD77

LUC Regulation	CD Zone Regulation	Notes
<p>(e) the cedar lattice fence (shown as a dotted line) will not be greater than 5' in height as measured from the courtyard elevation.</p> <p>There is objection to the removal only of the original form work on the southerly retaining wall. This approval letter is conditional on the removal of the "cease building order injunction" obtained by A. Zajdel.</p>		

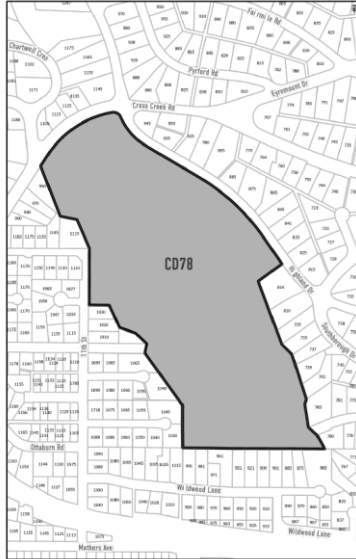
2.4 LIST OF SCHEDULES

- Schedule A – Schedule of Permitted Land Use
- Schedule B – Site Plan (as attached), Site Coverage, Height Limitations, Trees.
- Schedule C – Restrictions applying to the Building Lots and/or Recreation Lot
- Schedule D – Design Criteria and Restrictions
- Schedule E – Plan of Works prepared by Robert F. Binnie Ltd. (No. 502-3) Engineering Works.
- Schedule F – Building Site Envelopes & Maximum Roof Elevations (Recreated for CD Zone).
- Schedule G – Plans and Elevations of Public Beach and Stair Access prepared by Daniel Evan White, Architect, dated February 26, 1975.
- Schedule H – Tree Survey Plan

TECHNICAL MEMO:

950 CROSS CREEK ROAD

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	950 Cross Creek Road
Land Use Contract No.	540354-M
DAA No.	1908
Land Use Contract Modifications	L90933, GD121271
Map	

2.0 CD78 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 ORIGINAL LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
1. (a) No building or structure on the said lands shall be constructed, added to, or used, except in compliance with the provisions of Parts 1 and 2, excluding Section 21-004, of By-law 2200 being the Zoning By-law of the District, or any by-law pari materia.		
1. (c) (i) No building or structure joined in any manner to the buildings presently existing on the said lands shall exceed a height of 3 storeys nor 50 feet through any section, such height measured from the lowest floor level of any such section of the new building or structure so added. (ii) No building or structure separate from the buildings presently existing on the said lands shall exceed a height of 3 storeys nor 50 feet, such height measured from the lowest floor level of such separate building or structure.	<ul style="list-style-type: none"> • Number of storeys regulated through s.678.07 Maximum Number of Storeys • Building height regulated through s.678.06(2) Building Height for “all other buildings and structures” 	<ul style="list-style-type: none"> • Imperial measurements converted to metric in all instances
1. (d) No building site coverage of all buildings presently constructed or to be constructed in the future shall exceed a total of 15 percent of the site area.	<ul style="list-style-type: none"> • Building site coverage regulated through s.678.04 Site Coverage 	
1. (e) No buildings, structures or parking areas shall be constructed, added to, or located within 200 feet of the easterly boundary of the said lands nor 100 feet from any other boundary.	<ul style="list-style-type: none"> • Development setbacks from lot lines regulated through s.678.05 Setbacks 	

LUC Regulation	CD Zone Regulation	Notes
<p>1. (f) (i) No building or structure shall be constructed or added to or any other recreational facility be provided or used unless accessory off-street parking is provided on the said lands sufficient to accommodate at all times the vehicles of members and guests of the Developer.</p> <p>(ii) No accessory off-street parking shall be provided unless the areas for the same are adequately surfaced with asphaltic concrete or similar material and suitable marked by means of painted lines, arrows and cross-hatching to indicate each parking space, vehicle movement, access and egress within which parking is prohibited.</p>	<ul style="list-style-type: none"> Off-street parking requirements regulated through s.678.08 Off-Street Parking 	<ul style="list-style-type: none"> LUC Schedules and Plans do not show specifics of parking. CD Zone parking requirements are not specific to number of spaces. The CD zone requires the number of parking spaces to be determine by a Transportation Engineer and approved by the Director of Planning. In addition, parking requirements outlined in s. 140 of the Zoning Bylaw may be applied.
<p>1. (g) (i) No building or structure shall be constructed, added to, or used on the said lands unless the Developer maintains a natural green belt of plant growth around the boundaries of the said land of a minimum width of 200 feet on the east boundary of the said lands and 100 feet on all other boundaries sufficient to screen all buildings, structures and facilities, including parking areas, from adjacent residential property and where such natural green belt is not sufficient to accomplish the intent hereof, additional tree and shrub planting shall be approved by and undertaken at the direction and under the supervision of the District's Superintendent of Parks.</p> <p>(iii) No earthen banks shall be created as a result of excavation for development purposes or allowed to remain on the said</p>	<ul style="list-style-type: none"> Greenbelt and screening requirements for the property's perimeter regulated through s.678.03 Conditions of Use Restriction on excavations regulated through s.678.09 Landscaping 	

LUC Regulation	CD Zone Regulation	Notes
lands unless the same shall be landscaped and continuously maintained to the satisfaction of the District's Superintendent of Parks.		
1. (h) No floodlighting or other lighting or outdoor recreational facilities, parking areas or other areas of said lands shall be provided unless such floodlighting is so arranged as to shield the direct light from residential properties.		<ul style="list-style-type: none"> Lighting is addressed in sections 5.1.4(f) and 5.2.2(e) of the Good Neighbour Bylaw

2.2 LAND USE CONTRACT MODIFICATION #1

LUC Regulation	CD Zone Regulation	Notes
1. That the said Contract be amended by adding as Clause 1.A the following: Notwithstanding Clause 1 (a) hereof, the said lands may be used and developed by the Developer by the erection of an air supported structure, of a height not more than forty feet (40') at the highest point of the structure measured from the surface of the playing area, for the accommodation of four (4) tennis courts with associated storage facilities in the location on the said lands shown outlined in red on the site plan hereunto attached and marked Schedule "A" to this Agreement.	<ul style="list-style-type: none"> Height of indoor tennis courts regulated through s.678.06 (1) Building Height Air supported structures for the purpose of accommodating tennis courts and storage facilities captured in Permitted Uses, s.678.02 	

2.3 LAND USE CONTRACT MODIFICATION #2

LUC Regulation	CD Zone Regulation	Notes
<p>1. The Contract shall be amended by adding Clause 1.B as follows: "1.B Notwithstanding Clause 1 (a) hereof, the Lands may be used and developed by the Developer by the erection of a second air supported structure for the accommodation of four (4) tennis courts with associated storage facilities generally in accordance with and in the location on the Lands shown outlined in red on the site plan attached and marked Schedule "B" to this Agreement."</p>	<ul style="list-style-type: none"> • See above 	

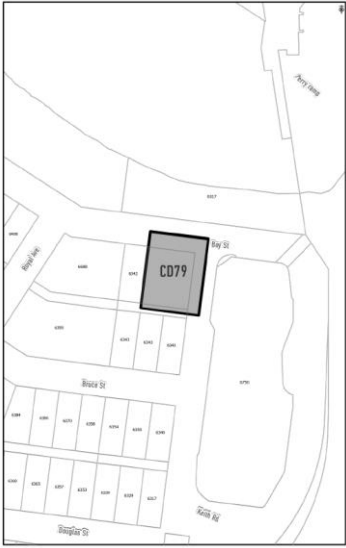
2.4 LIST OF SCHEDULES

- Schedule 1 – Site Plan
- Schedule 2 – Proposed Indoor Tennis Facilities Plan
- Schedule 3 – Proposed Indoor Tennis Facilities Elevation
- Schedule A – Survey of Proposed Indoor Tennis Facilities

TECHNICAL MEMO:

6330-6338 BAY STREET

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	6330 – 6338 Bay Street
Land Use Contract No.	F33440
DAA No.	2680
Land Use Contract Modifications	GC23573
Map	

2.0 CD79 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 ORIGINAL LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>I. <u>DEFINITIONS AND LAND DESCRIPTION</u></p> <p>1. In this contract, unless the context otherwise requires: "Building" means a commercial building not exceeding 8,000 square feet, to be built in the location shown on Schedule A, nor a height of 27ft. together with rooftop appurtenances to a height of no more than 6 additional feet,</p>	<ul style="list-style-type: none"> • Building gross floor area regulated in s.679.03(1) Conditions of Use • Siting of building regulated through s.679.05 Setbacks • Site density regulated through s.679.04 Floor Area Ratio • Building height regulated in s.679.06 Building Height 	<ul style="list-style-type: none"> • Imperial measurements have been converted to metric • LUC indicates that the siting of buildings must be consistent with Schedule A. Rear yard setback derived from building plans • Floor Area Ratio derived from the maximum permitted gross floor area and the lot size shown on Schedule A
<p>II. <u>DEVELOPMENT AND CONSTRUCTION: RESTRICTIONS OF USE:</u></p> <p>4. The Land shall be developed by the construction of a two (2) storey commercial Building permitting uses listed in Section 41-202.1 of the District of West Vancouver Zoning By-law 2200 as amended, with:</p> <p>(a) ground level parking of motor vehicles as shown on Schedule C for use by tenants and members of the public frequenting the Building;</p> <p>(b) ancillary uses customarily incidental to the above, subject to the approval in writing of the Director of Development.</p> <p>7. The Developer shall provide sufficient parking spaces as provided for in the C.2</p>	<ul style="list-style-type: none"> • Number of storeys permitted regulated through s.679.07 Maximum Number of Storeys • Permitted uses outlined in s.679.02 Permitted Uses • Parking space requirements regulated through s.679.08 Off-Street Parking 	<ul style="list-style-type: none"> • Permitted uses derived from those permitted in the C2 zone in the current Zoning Bylaw and those permitted in the C2 zone in Zoning Bylaw 2200 (previous version) to avoid non-conformity of uses. • Parking space requirement derives from Schedule A denoting 20 stalls. The maximum gross floor area of 8,000 square feet and the number of parking spaces shown on Schedules A, C, and C1 were used to calculate a per sq. m. of GFA parking space requirement.

LUC Regulation	CD Zone Regulation	Notes
Zone in accordance with the Zoning By-law 2200 for tenants of and visitors to the Building.		

2.2 LAND USE CONTRACT MODIFICATION #1

The modification allowed for renovations to the building within its existing footprint. Revised Elevation drawings are included in the modification that show changes to architectural features (e.g. materials). Modifications are irrelevant to the Zoning of the site.

2.3 LIST OF SCHEDULES

- Schedule A – Rendering and Site Plan
- Schedule B – Not included in LUC
- Schedule C – Floor Plans
- Schedule C1 – Landscape Plan
- Schedule D - Elevations

TECHNICAL MEMO:

382-398 MATHERS AVENUE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	382-398 Mathers Avenue
Land Use Contract No.	D52079
DAA No.	2269
Land Use Contract Modifications	N/A
Map	

2.0 CD80 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>Definitions "Strata Lot" shall be construed to mean the eight (8) strata lots or any one of them to be created by the registration of the Strata Plan, and show on the plan attached to as "Schedule G".</p>	<ul style="list-style-type: none"> Maximum 8 strata lots is regulated under S.680.05 Density 	
<p>4. <u>Use and Building Permits</u> The land and any and all buildings, structures and improvements erected thereon, thereover or therein shall be used for the purposes specified in Schedule "A" hereto and for no other purposes. A separate Building Permit will be issued by the Municipality for each building or structure on the lands following registration of the strata plan. A Building Permit shall be issued if the proposed improvements conform to the provisions of this Land Use Contract if:- (i) the proposed improvements will be in compliance with this Land Use Contract and in the case of strata lots will be within the Building Envelope for such strata lot and if the surface area is not greater than 3,000 square feet; and (ii) will comply with the Building By-law of the Municipality and all other appropriate building by-laws (but excluding the Municipal Zoning By-law). All buildings shall not exceed the height limitations set forth in Schedule "B".</p>		<ul style="list-style-type: none"> See Below
<p>5. <u>Restrictions</u> The strata lots shall be subject to the restrictions set forth in Schedule "C" hereto.</p>		<ul style="list-style-type: none"> See Below
<p>6. <u>Design on Strata Lots</u> The design of all buildings erected on each strata lot shall be substantially in conformity with any one of the designs attached hereto as Schedule "D", The design of</p>		<ul style="list-style-type: none"> See Below

LUC Regulation	CD Zone Regulation	Notes
<p>any modifications or alterations of the Buildings on the strata lots shall be subject to the approval of the Developer or the Strata Corporation. The sole responsibility for design approval and control shall vest in the Developer or the Strata Corporation, and the Municipality shall not be bound to inquire as to whether or not any plans for dwellings or Accessory Buildings on the strata lots have been so approved prior to granting any Building Permit for the same and shall not be liable for any failure so to do.</p>		
<p><u>14. Right to Flood Agreement</u> Contract in the Vancouver Land Registry Office, the Developer covenants and agrees to execute a Right to Flood Agreement, in a form satisfactory to the Municipal Solicitor, which Agreement shall be registered in the Vancouver Land Registry Office as an encumbrance on the lands.</p>		<ul style="list-style-type: none"> No flood agreement registered on title. Pulled title and cannot find flood agreement. Cannot impose a covenant on title through this process. Any future redevelopment would be regulated by Watercourse Protection DPA if located within 15m of top of bank.
<p><u>Schedule A</u> 1. <u>Strata Lots</u> One (1) single-family dwelling inclusive of the following uses: (a) home craft, occupation or business subject to the regulation of Section 31-005 of the Municipal Zoning By-law; (b) in-law suites subject to compliance with the regulations contained in Section 31-009 of the Municipal Zoning By-law; provided however where this use is assumed, the keeping of lodgers or boarders as set forth below shall not be permitted; (c) the keeping of not more than two (2) boarders or lodgers; (d) the uses customarily incidental to any of the above uses.</p> <p>2. <u>Common Areas</u> (a) swimming pools and cabanas;</p>	<ul style="list-style-type: none"> One single-family dwelling, inclusive of listed uses, is permitted under S.680.02 (1). Common areas, inclusive of listed uses, are permitted under S.680.02 (2). 	<ul style="list-style-type: none"> Language was updated to reflect existing Bylaw terms (e.g., home craft updated to home based business, in-law suites to secondary suites, etc.)

LUC Regulation	CD Zone Regulation	Notes
<p>(b) tennis or other racquet courts; (c) guest parking areas for automobiles and other vehicles, fenced, covered or open; (d) private parkland.</p> <p>Provided always that any swimming pool, cabana, tennis court or covered parking area must receive the prior written approval of the Director of Development as to location, design and site coverage.</p>		
<p><u>Site Plan as attached as Schedule "G" (Scheduled B)</u></p> <p><u>Building Envelope:</u> As shown in white on the Site Plan attached as Schedule "G".</p> <p><u>Site Coverage:</u> (a) Strata lots (excluding the strata lot containing the Existing Building) - 3000 square feet. (b) Accessory, recreational and other buildings, improve-ments and facilities to be constructed on the Common Area - as approved by the Director of Operations.</p> <p><u>Height Limitations:</u> Strata lots - in no event shall a building in the Land exceed 25 feet in height.</p> <p>Height shall mean vertical distance measured in a straight line. For calculation purposes, height shall be measured from the curb level provided, however, when a structure is situates on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site along any side of such structure, and, further, the point to which height shall be measured shall be as follows: Flat Roof Buildings - to the highest point of the building unless otherwise specifically provided.</p>	<ul style="list-style-type: none"> • Legible setbacks on Schedule G included under S.680.06 Setbacks • Site coverage clauses (b) regulated under S.680.05 (2) • Building height limitations, including measurement of height, regulated under S.680.07 Building Height • Overall site coverage for all buildings and lots regulated under S.680.05 (1) 	<ul style="list-style-type: none"> • Setbacks determined based on building plans • 3,000 square foot site coverage not included in CD Zone as existing homes appear larger than 3,000 sq. ft. maximum and building size limitations already regulated by 35% site coverage for total • All measures in imperial were converted to metric

LUC Regulation	CD Zone Regulation	Notes
<p>Pitched Roof Buildings, with Ceilings - to the mean height line between the highest point of the building and the ceiling immediately below.</p> <p>Pitched Roof Building, without Ceilings - to the mean height line between the highest point of the building and a point eight (8) feet above the floor immediately below.</p> <p>All other structures - to the highest point of such structure.</p> <p>The overall site coverage for all buildings including the existing building shall not cover more than 35% of the gross area of the lands.</p>		
<p><u>Schedule C</u></p> <p>The following restrictions shall apply to the strata lots:</p> <p>(a) No more than one main building shall be erected on any strata lot.</p> <p>(b) No signs shall be erected upon any strata lot except to identify the same or being for sale until sold and except such signs as shall identify the various strata lots by street address or otherwise.</p> <p>(c) No wrecked, derelict or abandoned motor vehicle or trailer, engine frame, chassis, body, box or van unit thereof shall be kept, stored, or parked except within a building on any strata lot or within a designated portion of the Common Area.</p> <p>(d) No wrecked, derelict or abandoned boat or vessel, or part thereof, shall be kept, stored or parked except within a building on any strata lot or within a designated portion of the Common Area.</p> <p>(e) No horse shall be kept or accommodated on any strata lot.</p> <p>(f) No commercial vehicle, equipment or trailer which exceeds a gross weight of 5,000 pounds shall be parked or stored on any strata lot or on the Common Areas between the hours of one o'clock a.m. and six o'clock a.m.</p>	<ul style="list-style-type: none"> • No more than one building per lot regulated under S.680.04 Density • Parking requirements regulated under S.680.03 Conditions of Use • Clause (h) regulated under Condition of Use S.680.03 • Clause (i) regulated under Permitted Uses S.680.02(3) 	<ul style="list-style-type: none"> • Clause (b) regulated by Sign Bylaw 4499. • Clause (c) regulated by s. 120.13 of parent Zoning Bylaw 4662. • Clause (d) regulated by S.120.13 of parent Zoning Bylaw 4662. • Clause (e) regulated by Animal Control and Licence Bylaw No. 4545 • Clause (f) regulated by S.130.04 (4) in parent Zoning Bylaw 4662. • Clause (g) regulated by S.130.03 in parent Zoning Bylaw 4662.

LUC Regulation	CD Zone Regulation	Notes
(g) No temporary dwelling or temporary building shall be constructed or erected on any strata lot. (h) No dwelling shall be erected on any strata lot unless provision is made in the design and construction of such dwelling for a garage or car-port (either attached or detached) for housing not less than two (2) motor vehicles and proper access to the road system of the development. (i) No accessory buildings shall be erected on any strata lot.		

2.2 LIST OF SCHEDULES

- Schedule A – Schedule of Permitted Land Use
- Schedule B – Site Plan as attached as Schedule G, Building Envelope, Site Coverage, Height Limitations
- Schedule C – Restrictions applying to the strata lots
- Schedule D – Elevation of building types “A” and “B”
- Schedule E – On-site Works
- Schedule F – Off-site Works
- Schedule G – Site Plan

TECHNICAL MEMO:

800 BLOCK TAYLORWOOD PLACE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	800 Block Taylorwood Place
Land Use Contract No.	C77306
DAA No.	2200
Land Use Contract Modifications	N/A
Map	

2.0 CD81 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p><u>Schedule "A"</u> 1. <u>Strata Lots</u> One (1) single-family dwelling inclusive of the following uses: (a) home craft, occupation or business subject to the regulation of Section 31-005 of the Municipal Zoning By-Law; (b) in-law suites subject to compliance with the regulations contained in Section 31-009 of the Municipal Zoning By-Law; provided however where this use is assumed, the keeping of lodgers or boarders as set forth below shall not be permitted; (c) the keeping of not more than two (2) boarders or lodgers; (d) accessory buildings subject as set forth in this Agreement; (e) the uses customarily incidental to any of the above uses; and (f) swimming pools and cabana.</p> <p>2. <u>Common Areas</u> (a) swimming pools and cabana; (b) tennis or other racquet courts; (c) parking areas for automobiles and other vehicles, fenced, covered or open; (d) storage and maintenance shed; (e) site management office; and (f) carports.</p>	<ul style="list-style-type: none"> Single Detached Dwellings, Home Based Business, Secondary Suites, and Site Management office listed as permitted in s.681.02 Permitted Uses 	<ul style="list-style-type: none"> Common area uses not explicitly listed as these fall under the category of "accessory buildings, structures, and uses" Modernized language for "in-law suites" by replacing with reference to "secondary suites" in s.681.02 Permitted Uses
<p><u>Schedule "B"</u> <u>Building Envelope:</u></p>	<ul style="list-style-type: none"> Site coverage of strata lots regulated in s.681.04 Gross Floor Area 	<ul style="list-style-type: none"> Imperial measurements were converted to metric

LUC Regulation	CD Zone Regulation	Notes
<p>As shown in white on the Site Plan attached as Schedule "G".</p> <p><u>Site Coverage:</u> (a) Strata Lots (excluding the Strata Lot containing the Existing Building) - 4,000 square feet (b) Strata Lot containing the Existing Building - 5,000 square feet (c) Accessory, recreational and other buildings, improve-ments and facilities to be constructed on the Common Area - as approved by the Director of Operations</p> <p><u>Height Limitations:</u> Strata Lots - In no event shall a building in the Land exceed 25 feet in height. Height shall mean vertical distance measured in a straight line. For calculation purposes, height shall be measured from the curb level provided however, when a structure is situated on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site along any side of such structure, and, further, the point to which height shall be measured shall be as follows: Flat Roof Buildings - to the highest point of the building unless otherwise specifically provided. Pitched Roof Buildings, with Ceilings - to the mean height line between the highest point of the building and the ceiling immediately below. Pitched Roof Buildings, without Ceilings - to the mean height line between the highest point of the building and a point eight (8) feet above the floor immediately below. All other structures - to the highest point of such structure.</p>	<ul style="list-style-type: none"> • Building height limitations, including measurement of height, regulated in s.681.07(2) and 681.07(3) Building Height for "All other buildings and structures" • Overall site coverage for all buildings including those existing regulated in s.681.03 Site Coverage 	<ul style="list-style-type: none"> • Clause b) regulation discussing site coverage of strata lots containing an existing building (5,000 sq. ft.) no longer relevant as all lots have been developed. Only clause a) discussing site coverage for strata lots translated into CD81 zone

LUC Regulation	CD Zone Regulation	Notes
<p>The overall site coverage for all buildings including the existing building shall not cover more than 35% of the gross area of the lands.</p>		
<p><u>Schedule "C"</u> The following restrictions shall apply to the Strata Lots: (a) No more than one main building shall be erected on any Strata Lot. (h) No dwelling shall be erected on any Strata Lot unless provision is made in the design and construction of such dwelling for a garage or car-port (either attached or detached) for housing not less than two (2) motor vehicles and proper access to the road system of the development. (i) No Accessory Building shall be designed or used for living purposes, nor shall the same exceed one (1) storey or twelve (12) feet in height from the surface of the ground. All accessory buildings shall be placed at least 15 feet from the principal structure or if not shall be constructed to the same standard as if the Accessory Building were attached to the principal structure.</p>	<ul style="list-style-type: none"> • Number of principal buildings per strata lot regulated in s.681.05(1) Density • Accessory building height regulated in s.681.07(1) Building Height • Number of storeys for accessory buildings regulated in s.681.08(1) Maximum Number of Storeys • Siting of accessory buildings from principal buildings regulated in s.681.06(1) • Number of off-street parking spaces regulated in s.681.09(1) Off-Street Parking 	<ul style="list-style-type: none"> • Number of dwelling units permitted not explicitly stated in LUC but implied through one building per lot stipulation and the number of lots shown on Schedule G. The maximum number of dwelling units in the strata is regulated in s.681.05(2)
<p><u>Schedule "D"</u> 3. Trees No tree over 6 inches in diameter and 6 feet in height can be removed without prior Design Committee approval. The Design Committee shall have the right to require an owner to top, trim or cut down any tree or trees situated on his Strata Lot. 8. Parking Parking shall be in attached garages or screened car-ports, the design of which must meet approval of the Design Committee.</p>	<ul style="list-style-type: none"> • Trees regulation N/A to CD Zone • Location of off-street parking spaces in a garage or carport regulated in s.681.09(1) Off-Street Parking 	<ul style="list-style-type: none"> • Part 6 of the Tree Bylaw will be amended to address the tree cutting restrictions • Parking already constructed so design control not transferred into the CD81 zone

LUC Regulation	CD Zone Regulation	Notes
<u>Schedule “E”</u> 9. Guest Parking Guest parking for a minimum of four (4) vehicles shall be provided as part of each Cul-de-sac driveway	<ul style="list-style-type: none"> • Guest parking requirements regulated in s.681.09(2) Off-Street Parking 	
<u>A. Criteria Common to Either Cluster Development or Strata Title Subdivision</u> 6. Basic setback of 30 feet required from the site’s external boundaries with this setback increased to 40 feet along Taylor Way boundary. 10. No building or structure shall be constructed or added to which causes any dwelling unit or portion thereof to exceed a height of two storeys (a basement being included in this limitation) or thirty (30) feet	<ul style="list-style-type: none"> • Setbacks from external boundaries and Taylor Way regulated in s.681.06(2), (3) Setbacks • Number of storeys for dwelling units regulation in s.681.08(2) Maximum Number of Storeys 	


2.2 LIST OF SCHEDULES

- Schedule A – Schedule of Permitted Land Use
- Schedule B – Regulations for Building Envelope, Site Coverage, and Height
- Schedule C – Strata Lot Restrictions
- Schedule D – Design Criteria and Restrictions
- Schedule E – On-Site Works
- Schedule F – Off-Site Works
- Schedule G – Site Plan
- Plan of Strata Lots

TECHNICAL MEMO:

6255 & 6265 IMPERIAL AVENUE, 6620 – 6678 MARINE DRIVE

1.0 DEVELOPMENT AGREEMENT AREA BACKGROUND

Civic Address	6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive
Land Use Contract No.	E2654
DAA No.	2469
Land Use Contract Modifications	N/A
Map	

2.0 CD82 ZONE

Any sections of the LUC not discussed in this Technical Memo are irrelevant to the Zoning of the site.

2.1 LAND USE CONTRACT

LUC Regulation	CD Zone Regulation	Notes
<p>1. Definitions "Building Envelope" means the shaded area on each lot as shown on Schedule "G" (see Legend).</p> <p>"Common Lot" means the lot held in common as shown on the Subdivision Plan and shown outlined in yellow on Schedule "G".</p> <p>"Individual Lot" means the ten (10) lots or any one of them to be created by the registration of the Subdivision Plan, and shown on the plan attached hereto as Schedule "G".</p>	<ul style="list-style-type: none"> • Common Lot and Individual Lot listed as Permitted Uses under S.682.02 • No further subdivision regulated under S.682.03 Conditions of Use 	<ul style="list-style-type: none"> • Schedule G for Building Envelope has been recreated as a Schedule A to CD82 Zone
<p>4. Use and Building Permits The land and any and all buildings, structures and improvements erected thereon, thereover or therein shall be used for the purposes specified in Schedule "A" hereto and for no other purposes. A separate Building Permit will be issued by the Municipality for each lot, except the common lot, following the registration of the Subdivision Plan but only if the proposed improvements will be within the Building Envelope for the strata lot, if the improvements in total will have a surface area of not more than 4,400 square feet and the improvement will comply with the Building By-law of the Municipality</p>	<ul style="list-style-type: none"> • Limit on total building and structure area per individual lot regulated under S.682.05 (2) Site Coverage 	<ul style="list-style-type: none"> • See Below for Schedule A provisions • See Below for Schedule B provisions • All measures in imperial were converted to metric

LUC Regulation	CD Zone Regulation	Notes
and all other appropriate building by-laws (but excluding the Municipal Zoning By-law). All buildings shall not exceed the height limitations set forth in Schedule "B".		
5. <u>Restrictions</u> The strata lots shall be subject to the restrictions set forth in Schedule "C" hereto.		<ul style="list-style-type: none"> • See Below for Schedule C provisions
6. <u>Design on Individual lots</u> The design of all buildings erected on each individual lot and modifications or renovations to the same. shall be subject to the approval of the Developer. The sole responsibility for design approval and control shall vest in the Developer and the Municipality shall not be bound to inquire as to whether or not any plans for dwellings on the strata lots have been so approved prior to granting any Building Permit for the same and shall not be liable for any failure so to do.		<ul style="list-style-type: none"> • Regulation of form and character was not under the Municipality's jurisdiction and therefore not translated to CD82 Zone.
7. <u>Landscaping</u> The Developer shall landscape the common area generally in the manner set forth in the landscape plan attached hereto as Schedule "B" and to the satisfaction of the Superintendent of Parks of the Municipality, such approval not to be unreasonably withheld. The Developer: (c) shall not remove any tree over 6 inches in diameter and 6 feet in height (such trees being shown on the tree survey attached to this agreement as Schedule "I") other than those within the Building Envelope within an individual lot without the written approval of the		<ul style="list-style-type: none"> • Part 6 of the Tree Bylaw will be amended to address the tree cutting restrictions

LUC Regulation	CD Zone Regulation	Notes
<p>Superintendent of Parks first had and obtained.</p> <p><u>Schedule of Permitted Land Use (Schedule A)</u></p> <p>1. <u>Individual Lots</u> One (1) single-family dwelling inclusive of the following uses: (a) Home craft, occupation or business subject to the regulation of Section 31-005 of the Municipal Zoning By-law; (b) in-law suites subject to compliance with the regulations contained in Section 31-009 of the Municipal Zoning By-law; provided however where this use is assumed, the keeping of lodgers or boarders as set forth below shall not be permitted; (c) the keeping of not more than two (2) boarders or lodgers; (d) the uses customarily incidental to any of the above uses.</p> <p>2. <u>Common Lot</u> (a) Private parkland (b) Roadways</p>	<ul style="list-style-type: none"> Individual lot, inclusive of listed uses, are permitted under S.682.02 Common lot, inclusive of listed uses, are permitted under S.682.02 	<ul style="list-style-type: none"> Language was updated to reflect existing Bylaw terms (e.g., home craft updated to home based business)
<p><u>Schedule E</u></p> <p><u>Site plan as attached as Schedule "G"</u></p> <p><u>Building Envelope:</u> As shown shaded on the Site Plan attached as Schedule "G"</p> <p><u>Site Coverage:</u> The overall site coverage for all buildings shall not be in excess of 35% of the gross area of the lands.</p>	<ul style="list-style-type: none"> Maximum site coverage for all buildings and land regulated under S.682.02 (2) Site Coverage Height limitations for individual lots, including measurement of building height, included in S.682.07 (1) 	<ul style="list-style-type: none"> Schedule G for Building Envelope has been recreated and included in s.682.06 All measures in imperial were converted to metric

LUC Regulation	CD Zone Regulation	Notes
<p><u>Height Limitations</u> Individual Lots - In no event shall a building in the Land exceed 25 feet in height.</p> <p>Height shall mean vertical distance measured in a straight line. For calculation purposes, height shall be measured from the curb level provided, however, when a structure is situate on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site along any side of such structure, and, further, the point to which height shall be measured shall be as follows:</p> <p>Flat Roof Buildings - to the highest point of the building unless otherwise specifically provided.</p> <p>Pitched Roof Buildings, with Ceilings - to the mean height line between the highest point of the building and the ceiling immediately below.</p> <p>Pitched Roof Building, without Ceilings - to the mean height line between the highest point of the building and a point eight (8) feet above the floor immediately below.</p> <p>All other structures - to the highest point of such structure.</p>		
<p><u>Schedule C</u></p> <p>The following restrictions shall apply to the individual lots: (a) No more than one main building shall be erected on any lot.</p>	<ul style="list-style-type: none"> • Only one main building permitted on any lot regulated under S.682.04 Density • Minimum parking requirement regulated under S.682.08 Off-Street Parking 	<ul style="list-style-type: none"> • Clause (b) regulated by Sign Bylaw 4499. • Clause (c) regulated by s. 120.13 of parent Zoning Bylaw 4662. • Clause (d) regulated by S.120.13 of parent Zoning Bylaw 4662.

LUC Regulation	CD Zone Regulation	Notes
<p>(b) No signs shall be erected upon any lot except to identify the same or being for sale until sold and except such signs as shall identify the various lots by street address or otherwise.</p> <p>(c) No wrecked, derelict or abandoned motor vehicle or trailer, engine frame, chasis, body, box or van unit thereof shall be kept, stored, or parked except within a building on any lot or within a designated portion of the Common Area.</p> <p>(d) No wrecked, derelict or abandoned boat or vessel, or part thereof, shall be kept, stored or parked except within a building on any lot or within a designated portion of the Common lot.</p> <p>(e) No horse shall be kept or accommodated on any lot.</p> <p>(f) No commercial vehicle, equipment or trailer which exceeds a gross weight of 5,000 pounds shall be parked or stored on any lot or on the Common Lot between the hours of one o'clock a.m. and six o'clock a.m.</p> <p>(g) No temporary dwelling or temporary building shall be constructed or erected on any lot.</p> <p>(h) No dwelling shall be erected on any lot unless provision is made in the design and construction of such dwelling for a garage or car-port (either attached or detached) for housing not less than two (2) motor vehicles and proper access to the road system of the development.</p> <p>(i) No accessory buildings shall be erected on any lot.</p>	<ul style="list-style-type: none"> No accessory buildings permitted is regulated under S.682.03 Conditions of Use 	<ul style="list-style-type: none"> Clause (e) regulated by Animal Control and Licence Bylaw No. 4545 Clause (f) regulated by S.130.04 (4) in parent Zoning Bylaw 4662. Clause (g) regulated by S.130.03 in parent Zoning Bylaw 4662

2.2 LIST OF SCHEDULES

- Schedule A – Schedule of Permitted Land Use
- Schedule B – Site Plan as attached as Schedule G, Building Envelope, Site Coverage, Height Limitations
- Schedule C – Restrictions applying to the strata lots
- Schedule E – On-site Works
- Schedule F – Off-site Works
- Schedule G – Site Plan



District of West Vancouver

Tree Bylaw No. 4892, 2016, Amendment Bylaw No. 5202, 2022

Effective Date:

District of West Vancouver

Tree Bylaw No. 4892, 2016, Amendment Bylaw No. 5202, 2022

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District of West Vancouver

Tree Bylaw No. 4892, 2016 Amendment Bylaw No. 5202, 2022

A bylaw to amend Tree Bylaw No. 4892, 2016.

Previous amendments:

Amendment Bylaw No. 5162, 2021
Amendment Bylaw No. 5089, 2020
Amendment Bylaw No. 4913, 2016

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for an amendment to the Tree Bylaw No.4892, 2016;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Tree Bylaw No. 4892, 2016, Amendment Bylaw No. 5202, 2022.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amends Tree Cutting Permits

Tree Bylaw No. 4892, 2016, Part 6 Tree Cutting Permits is amended by:

3.1 Inserting the following new section to be numbered as 6.8:

Notwithstanding Section 6.2, no tree over 15.24 cm DBH and over 1.8 m in height can be removed from lands in the CD77, CD81, and CD82 zones unless a tree cutting permit in accordance to Sections 6.3, 6.4, and 6.5 of this Bylaw has been issued in respect of the tree.

READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

ADOPTED by the Council on [Date].

Mayor

Corporate Officer

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