



District of West Vancouver

**Zoning Bylaw No. 2200, 1968,
Amendment Bylaw No. 4568, 2008**

Effective Date –

District of West Vancouver

Zoning Bylaw No. 2200, 1968 Amendment Bylaw No. 4568, 2008

A bylaw to rezone certain real property presently zoned R.S.7 Single Family Zone 7 and R.S.8 Single Family Zone 8 to a Comprehensive Development Zone Three (CD3)

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for amendment of the Zoning Bylaw.

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

Part 1 Citation

- 1.1 This bylaw may be cited as "Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4568, 2008".

Part 2 Adds Child Care Definition

- 2.1 Zoning Bylaw No. 2200, 1968, Part 1, Division 2 - Definitions is hereby amended by adding in alphabetical sequence:

CHILD CARE means the use of premises to provide day care to children in accordance with the Community Care and Assisted Living Act, S.B.C. 2002 and its Regulation as amended from time to time, and includes licensed family child care, group day care, childminding, preschool or out of school care.

Part 3 Adds the CD3 Zone

- 3.1 Zoning Bylaw No. 2200, 1968, Part 3 is hereby amended by adding the Comprehensive Development Zone Three (CD3), as set out in Schedule A to this bylaw.

Part 4 Amends Zoning Maps

4.1 Zoning Bylaw No. 2200, 1968, Part 10, Division 1 – Zoning Maps is hereby amended by changing the zoning of the property listed on Schedule C to this bylaw,

From: R.S.7 Single Family Zone 7 and R.S.8 Single Family Zone 8, as shown on Schedule B to this bylaw.

To: Comprehensive Development Zone Three (CD3), as shown on Schedule B to this bylaw.

Schedules

Schedule A – Comprehensive Development Zone Three (CD3)

Schedule B – Map

Schedule C – Legal Description of Properties, all or part of which are subject to the CD3 zone

READ A FIRST TIME on July 7, 2008

PUBLIC HEARING HELD on July 28, 2008

READ A SECOND TIME on July 28, 2008

READ A THIRD TIME on July 28, 2008

ADOPTED by the Council on

Mayor

Municipal Clerk

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SCHEDULE A

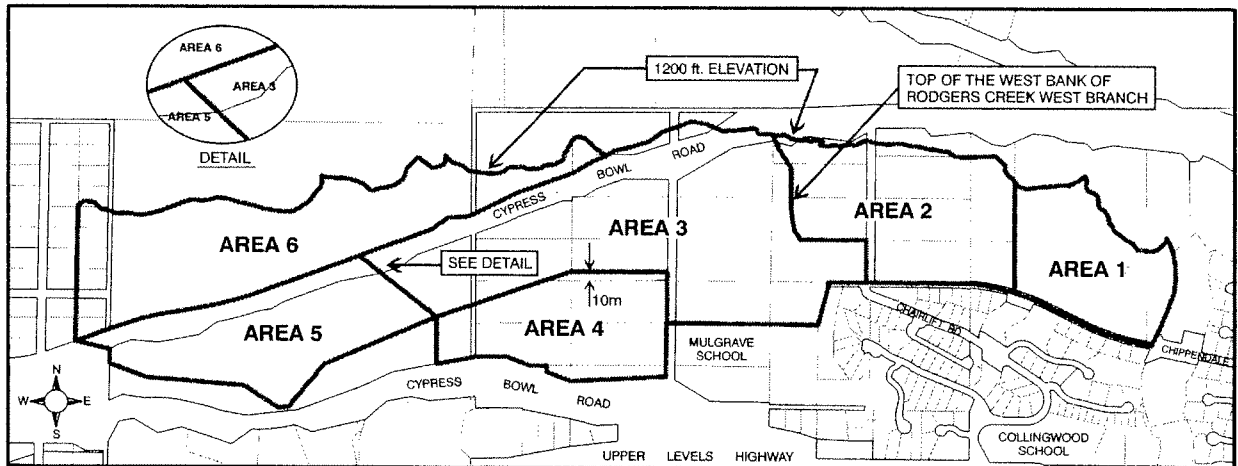
Comprehensive Development Zone Three (CD3)

36-301 Application of Zone

301.01 The provisions of this zone shall apply to land, buildings and structures and the use of land within the Comprehensive Development Zone 3, hereinafter cited as the CD3 zone, as shown on the map or otherwise described in Part 10.

36-302 Uses Permitted

302.01 Lands zoned CD3 are identified as Areas 1 to 6 as shown on the following map:



302.02 In Areas 1 and 2 of the CD3 zone, the following uses and no others shall be permitted:

- Child Care
- Civic Use
- Cluster Housing
- Single Family Dwellings
- Two Family Dwellings
- The keeping of not more than two lodgers in a dwelling unit
- Homecraft, occupation and business subject to regulations contained in Section 31-105
- Uses customarily incidental to any of the above uses

302.03 In Areas 3 and 4 of the CD3 zone, the following uses and no others shall be permitted:

- Apartment
- Child Care
- Civic Use

- Cluster Housing
- Single Family Dwellings
- Two Family Dwellings
- The keeping of not more than two lodgers in a dwelling unit
- Homecraft, occupation and business subject to regulations contained in Section 31-105
- Uses customarily incidental to any of the above uses

302.04 In Area 5 of the CD3 zone, the following uses and no others shall be permitted:

- Apartment
- Child Care
- Civic Use
- Cluster Housing
- Neighbourhood recreation facility
- The keeping of not more than two lodgers in a dwelling unit
- Homecraft, occupation and business subject to regulations contained in Section 31-105
- Uses customarily incidental to any of the above uses

302.05 In Area 6 of the CD3 zone, the following uses and no others shall be permitted:

- Apartment
- Child Care
- Civic Use
- Cluster Housing
- Single Family Dwellings
- Two Family Dwellings
- Neighbourhood recreation facility
- The keeping of not more than two lodgers in a dwelling unit
- Homecraft, occupation and business subject to regulations contained in Section 31-105
- Uses customarily incidental to any of the above uses

36-303 Conditions of Use

303.01 Each Area of the CD3 zone shall meet the following minimum and maximum unit type requirements:

AREA	UNIT TYPE	MINIMUM PERCENTAGE WITHIN THE AREA	MAXIMUM PERCENTAGE WITHIN THE AREA
AREA 1	Single Family	No Minimum Percentage	45%
AREA 2	Single Family	No Minimum Percentage	45%
AREA 3	Single Family	No Minimum Percentage	65%
	Apartment	20%	30%

AREA 4	Single Family	No Minimum Percentage	25%
	Apartment	50%	65%
AREA 5	Apartment	90%	100%
AREA 6	Single Family	No Minimum Percentage	10%
	Apartment	75%	90%

303.02 Apartments in each Area of the CD3 Zone shall have unit floor areas as follows:

AREA	APARTMENT UNIT FLOOR AREAS	MINIMUM PERCENTAGE WITHIN AREA
AREA 3	Dwelling units of 1,000 sq. ft. or less in floor area	30%
AREA 4	Dwelling units of 1,000 sq. ft. or less in floor area	30%
AREA 5	Dwelling units of 1,000 sq. ft. or less in floor area	30%
	Dwelling units of more than 1,000 sq. ft. and less than 2,100 sq. ft. in floor area	45%
AREA 6	Dwelling units of 1,000 sq. ft. or less in floor area	30%
	Dwelling units of more than 1,000 sq. ft. and less than 2,100 sq. ft. in floor area	45%

303.03 For purposes of Section 36-303.02, 'unit floor area' shall mean the dwelling unit area:

- (1) including solariums, enclosed balconies, storage and laundry areas within a unit; and
- (2) excluding:
 - (a) required parking and parking access areas;
 - (b) common hallways, elevator shafts and stairwells;
 - (c) mechanical equipment and maintenance rooms intended to service the entire building;
 - (d) exterior steps; and
 - (e) similar common areas.

303.04 Single and Two Family lots in the CD3 zone shall have a lot depth that does not exceed 3 times the lot width.

- 303.05 Every lot in any proposed subdivision on land zoned CD3 shall have not less than 10% of its perimeter fronting on a street, except that in accordance with the Local Government Act, as amended, the Approving Officer may waive this requirement.

36-304 Density

- 304.01 For the purposes of Section 36-304, the following definitions shall apply:
- (1) for Single Family and Two Family Dwellings, 'floor area' shall mean the total projected area of all storeys and attics of the principal building and all accessory buildings measured to the outside of the exterior walls of the building, excluding:
 - (a) any area used for the storage of motor vehicles up to but not exceeding a total floor area of 440 square feet per dwelling unit;
 - (b) accessory buildings, in addition to motor vehicle storage buildings, up to but not exceeding a total floor area of 240 square feet per dwelling unit;
 - (c) mechanical rooms located in a basement;
 - (d) elevator shafts and stairwells in a basement;
 - (e) those portions of the uppermost storey and/or attic where the vertical distance from the floor or top of the joists of the ceiling of the storey below, to the exterior of the roof above, does not exceed 5 feet 7 inches, or where the space contained is rendered unusable and impassable by a truss or similar system or roof design required structurally so that it cannot be subsequently removed;
 - (f) any other enclosed area with a vertical clear height of less than 4 feet, measured from the underside of the joists or trusses of the storey above to the structural floor; and
 - (g) that portion of an open balcony or open terrace beneath a roof overhang that is less than 6% of total floor area, subject to a maximum exclusion from floor area of 300 square feet.
 - (2) for Cluster Housing and Apartments, 'floor area' shall have the meaning ascribed to it in Division 2 – Definitions, 'Floor Area Ratio – Other than Single Family and Two Family Dwellings' except that solariums and enclosed balconies shall be included in floor area;
 - (3) 'lot area' shall mean the total horizontal area of land within the boundary of a lot excluding any portion of a lot where the width is less than 20 feet; and
 - (4) 'Floor Area Ratio' shall mean the figure obtained by dividing the floor area by lot area.

304.02 The maximum total floor area and maximum total number of dwelling units permitted in each Area of the CD3 Zone shall be as follows:

AREA	MAXIMUM TOTAL FLOOR AREA	MAXIMUM TOTAL DWELLING UNITS
Area 1	134,000 sq. ft.	29
Area 2	162,700 sq. ft.	40
Area 3	313,500 sq. ft.	86
Area 4	244,600 sq. ft.	88
Area 5	478,200 sq. ft.	224
Area 6	542,600 sq. ft.	269
Totals	1,875,600 sq. ft.	736

304.03 Despite Section 36-304.02, the maximum total floor area in either Area 1 or 2 of the CD3 zone may be increased by up to 5%, provided that the aggregate floor area in Areas 1 and 2 does not exceed 296,700 square feet.

304.04 Despite Section 36-304.02, the maximum total floor area in either Area 5 or 6 of the CD3 zone may be increased by up to 5%, provided that the aggregate floor area in Areas 5 and 6 does not exceed 1,020,800 square feet; and the maximum total number of dwelling units in either Area 5 or 6 of the CD3 zone may be increased by up to 10%, provided that the aggregate number of dwelling units in Areas 5 and 6 does not exceed 493 dwelling units.

304.05 The maximum Floor Area Ratio (FAR) on any individual lot shall be:

- (1) 0.45 on a lot used for a Two Family dwelling;
- (2) 0.45 on a lot of 7,200 sq. ft. or less in area and used for a Single Family dwelling;
- (3) 0.40 on a lot of more than 7,200 sq. ft. and less than 11,000 sq. ft. in area and used for a Single Family dwelling; and
- (4) 0.35 on a lot of 11,000 sq. ft. or more used for a Single Family dwelling.

304.06 No Owner may subdivide any lot in the CD3 zone unless, concurrently with the subdivision, the Owner grants to the District a covenant under s. 219 of the Land Title Act restricting the use of the lots being created and the construction of buildings and structures on the lots such that the regulations contained in this bylaw in respect of the CD3 zone are made applicable to the individual lots created by the subdivision in a manner satisfactory to the District.

36-305 Site Coverage

305.01 Site Coverage for buildings and structures, excluding underground parking structures, shall be limited to the following maximums and shall be calculated using 'lot area' as defined in Section 36-304.01:

USE	SITE COVERAGE
Apartment	35%
Cluster Housing	35%
Single Family on lots of 7,200 sq. ft. or less in area	35%
Single Family on lots of more than 7,200 sq. ft. and less than 11,000 sq. ft. in area	30%
Single Family on lots of 11,000 sq. ft. or more in area	25%
Two Family	40%

305.02 For all uses, not more than 60% of a lot may be covered by buildings, structures and materials that are not occurring naturally on the lot.

36-306 Height and Highest Building Face

306.01 No building or structure shall exceed the following height maximums:

AREA	HOUSING TYPE	MAXIMUM HEIGHT
AREAS 1 AND 2	Single Family and Two Family	25 feet
	Cluster	35 feet
AREA 3	Single Family and Two Family	25 feet
	Cluster	35 feet
	Apartment	62 feet and 6 storeys
AREA 4	Single Family and Two Family	25 feet
	Cluster	35 feet
	Apartment	84 feet and 8 storeys
AREA 5	Apartment	122 feet and 12 storeys
AREA 6	Single and Two Family	25 feet
	Cluster	35 feet
	Apartment	122 feet and 12 storeys

306.02 For Single and Two Family buildings, the highest building face envelope shall not exceed 22 feet in height, and no portion of the building shall project outside of the envelope except eaves, decks, decorative features such as flying beams and the pitched roof portion of either gable ends or dormers.

36-307 Yards

307.01 Yard minimums shall be as follows:

USE	YARD MINIMUMS
Apartment	Front Yard: 20 feet Rear Yard: 25 feet Each Side Yard: 20 feet
Cluster Housing	Front Yard: 25 feet Rear Yard: 25 feet Each Side Yard: 20 feet
Single Family on lots of 7,200 sq. ft. or less in area	Front Yards: 15 feet, except where a garage faces the street the yard in front of the garage shall be a minimum 25 feet. Rear Yards: 25 feet. Side Yards shall comply with the provisions of Section 33-108
Single Family on lots of more than 7,200 sq. ft. in area	Front Yards: 15 feet, except where a garage faces the street the yard in front of the garage shall be a minimum 25 feet.
Two Family	Rear Yards: 40 feet Side Yards shall comply with the provisions of Section 33-108.

307.02 Side yards are not required on that portion of a lot that is occupied by a single family dwelling attached to another single family dwelling on an adjacent lot by a common or party wall, provided that any other required side yard is provided in accordance with Section 36-307.01.

36-308 Off-Street Parking and Bicycle Storage

308.01 Off-street parking shall be provided as follows:

USE	PARKING RATIO
Apartment and Cluster Housing	A maximum 2 parking spaces per dwelling unit, excluding visitor parking
Apartment	A minimum 1 parking space for every dwelling unit of 750 sq. ft. or less in unit floor area; and A minimum 1.5 parking spaces for every dwelling unit more than 750 sq. feet in unit floor area; and Parking designed and designated as visitor parking that is equal to at least 20% of the total number of dwelling units.

Cluster Housing	A minimum 1.5 parking spaces per dwelling unit, plus parking designed and designated as visitor parking that is equal to at least 20% of the total number of dwelling units
Single Family Dwelling	A minimum 1 parking space per dwelling unit
Two Family Dwelling	

- 308.02 Required off-street parking, excluding visitor parking, shall be provided within a building or an underground structure.
- 308.03 Off-street parking shall be provided in accordance with Sections 21-114 to 21-117.
- 308.04 For Cluster Housing and Apartments, secure bicycle storage space shall be provided equivalent to a minimum of 2 storage spaces per dwelling unit.

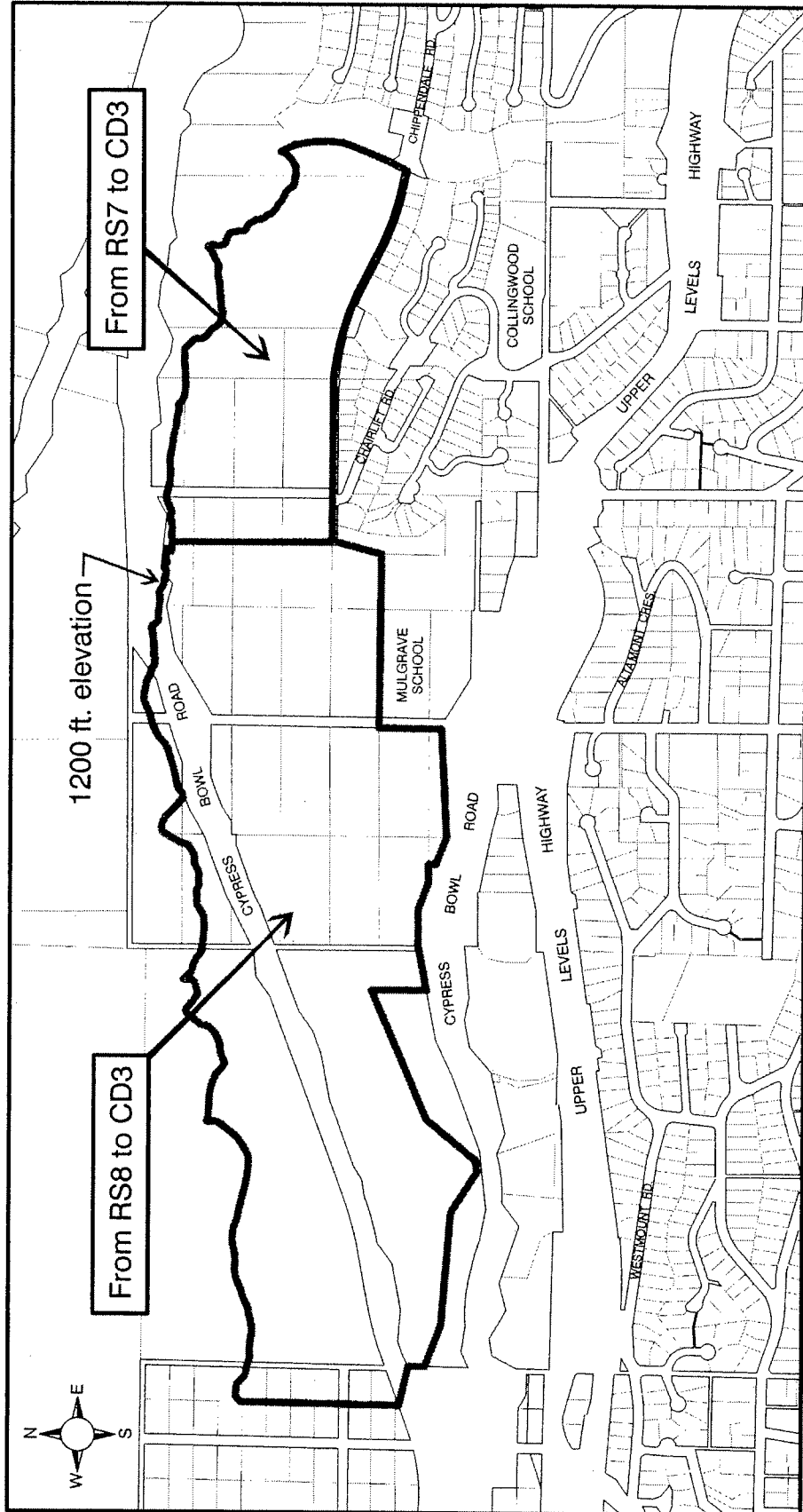
36-309 Garbage and Recycling Handling Facilities

- 309.01 Each Apartment Use shall provide a common facility for garbage containers and passive recycling containers that shall:
 - (1) be of sufficient size to meet the following minimum standards: 1 garbage container for every 20 units, based on a 4 cubic yard container size; 1 recycling cart for every 10 units; and 1 cardboard container for every 40 units, based on a 4 cubic yard container size;
 - (2) be accessible by collection vehicles; and
 - (3) be enclosed within a building or structure.

36-310 Landscaping

- 310.01 All portions of a lot not occupied by buildings, parking areas, driveways and pedestrian ways shall be landscaped, and this landscaping shall be maintained.

SCHEDULE B – Map



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SCHEDULE C

Legal Description of Properties, all or part of which are subject to the CD3 zone

PID No.	LEGAL DESCRIPTION
010-059-903	LOT 9, BLOCK B, DISTRICT LOT 888, PLAN 2056
010-059-946	LOT 10, BLOCK B, DISTRICT LOT 888, PLAN 2056
010-059-989	LOT 11, BLOCK B, DISTRICT LOT 888, PLAN 2056
010-060-014	LOT 12, BLOCK B, DISTRICT LOT 888, PLAN 2056
010-060-049	LOT 13, BLOCK B, DISTRICT LOT 888, PLAN 2056
010-060-456	LOT 14, EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499, BLOCK C, DISTRICT LOT 888, GROUP 1 NEW WESTMINSTER DISTRICT PLAN 2056
010-060-472	LOT 15, EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; BLOCK C, DISTRICT LOT 888, GROUP 1 NEW WESTMINSTER DISTRICT PLAN 2056
010-060-529	LOT 16, BLOCK C, DISTRICT LOT 888, PLAN 2056
005-179-815	THAT PART OF GROUP 1 DISTRICT LOT 888 LYING TO THE EAST OF BLOCKS B AND C PLAN 2056, EXCEPT: PLANS 21009, 21528 AND BCP386
015-845-664	LOT E, (REFERENCE PLAN 1160), EXCEPT PORTIONS IN: (1) PLAN LMP12499; (2) PLAN LMP32819; (3) PLAN LMP43012; (4) PLAN BCP20797; GROUP 1 NEW WESTMINSTER DISTRICT
010-086-366	THE EAST $\frac{3}{4}$ OF THE EAST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF DISTRICT LOT 793 EXCEPT: (1) PART IN PLAN LMP12499; (2) PART IN PLAN LMP31079; (3) PART IN PLAN LMP43012; (4) PART IN PLAN LMP46365; (5) PART IN PLAN LMP52165; (6) PART IN PLAN BCP20797; GROUP 1 NEW WESTMINSTER DISTRICT
015-845-788	LOT F (EXPLANATORY PLAN 3383) EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; OF THE WEST QUARTER OF THE EAST HALF OF THE WEST HALF OF DISTRICT LOT 793 GROUP 1 NEW WESTMINSTER DISTRICT
010-086-285	THE WEST $\frac{1}{4}$ OF THE EAST $\frac{1}{2}$ OF WEST $\frac{1}{2}$ OF DISTRICT LOT 793 EXCEPT PORTIONS IN: (1) EXPLANATORY PLAN 3383; (2) PLAN 22444; (3) PLAN LMP31079; (4) PLAN BCP20797; GROUP 1 NEW WESTMINSTER DISTRICT
004-775-350	LOT 5, DISTRICT LOTS 793 AND 816 PLAN 1598

PID No.	LEGAL DESCRIPTION
014-537-320	LOT 6, DISTRICT LOTS 793 AND 816 PLAN 1598
005-764-483	LOT 7, DISTRICT LOTS 793 AND 816 PLAN 1598
014-535-581	BLOCK 8 EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOTS 793 AND 816 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-599	BLOCK 9 EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOTS 793 AND 816 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-602	LOT A, (REFERENCE PLAN 1141) EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; OF BLOCKS 10 AND 11 DISTRICT LOTS 793 AND 816 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-611	BLOCK 11 EXCEPT PART IN LOT A (REFERENCE PLAN 1141) DISTRICT LOTS 793 AND 816 PLAN 1598
014-535-629	BLOCK 12, DISTRICT LOTS 793 AND 816 PLAN 1598
014-535-637	BLOCK 13, DISTRICT LOTS 793 AND 816 PLAN 1598
014-535-645	BLOCK 14 EXCEPT: PART SUBDIVIDED BY PLAN LMP14079, DISTRICT LOTS 793 AND 816 PLAN 1598
014-537-419	LOT 24, DISTRICT LOTS 793 AND 816 PLAN 1598
014-537-427	LOT 25, DISTRICT LOTS 793 AND 816 PLAN 1598
014-537-435	LOT 26, DISTRICT LOTS 793 AND 816 PLAN 1598
014-537-443	LOT 27, EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOT 793 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-157	THE EAST ½ OF THE EAST ½ OF BLOCK 8 EXCEPT, PART ON HIGHWAY PLAN 169 DISTRICT LOT 817 PLAN 1598
014-535-165	BLOCK 9, EXCEPT: PART ON HIGHWAY PLAN 169 DISTRICT LOT 817 PLAN 1598
014-535-173	BLOCK 10 DISTRICT LOT 817 PLAN 1598
014-535-181	BLOCK 11 DISTRICT LOT 817 PLAN 1598
014-535-190	BLOCK 12 EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOT 817 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598

PID No.	LEGAL DESCRIPTION
014-535-203	BLOCK 13 EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOT 817 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-211	BLOCK 14 DISTRICT LOT 817 PLAN 1598
014-535-220	BLOCK 15 EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOT 817 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-319	BLOCK 16 EXCEPT: PART ON STATUTORY RIGHT OF WAY PLAN LMP12499; DISTRICT LOT 817 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1598
014-535-335	BLOCK 17 DISTRICT LOT 817 PLAN 1598
014-535-360	BLOCK 18 DISTRICT LOT 817 PLAN 1598
014-535-386	BLOCK 19 DISTRICT LOT 817 PLAN 1598
014-535-726	BLOCK 20 DISTRICT LOT 817 PLAN 1598
014-535-416	BLOCK 21, EXCEPT: PART ON HIGHWAY PLAN 169 DISTRICT LOT 817 PLAN 1598

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