

First Shaughnessy  
Official Development Plan

BY-LAW NO. 5546

A By-law to Adopt an  
Official Development Plan

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

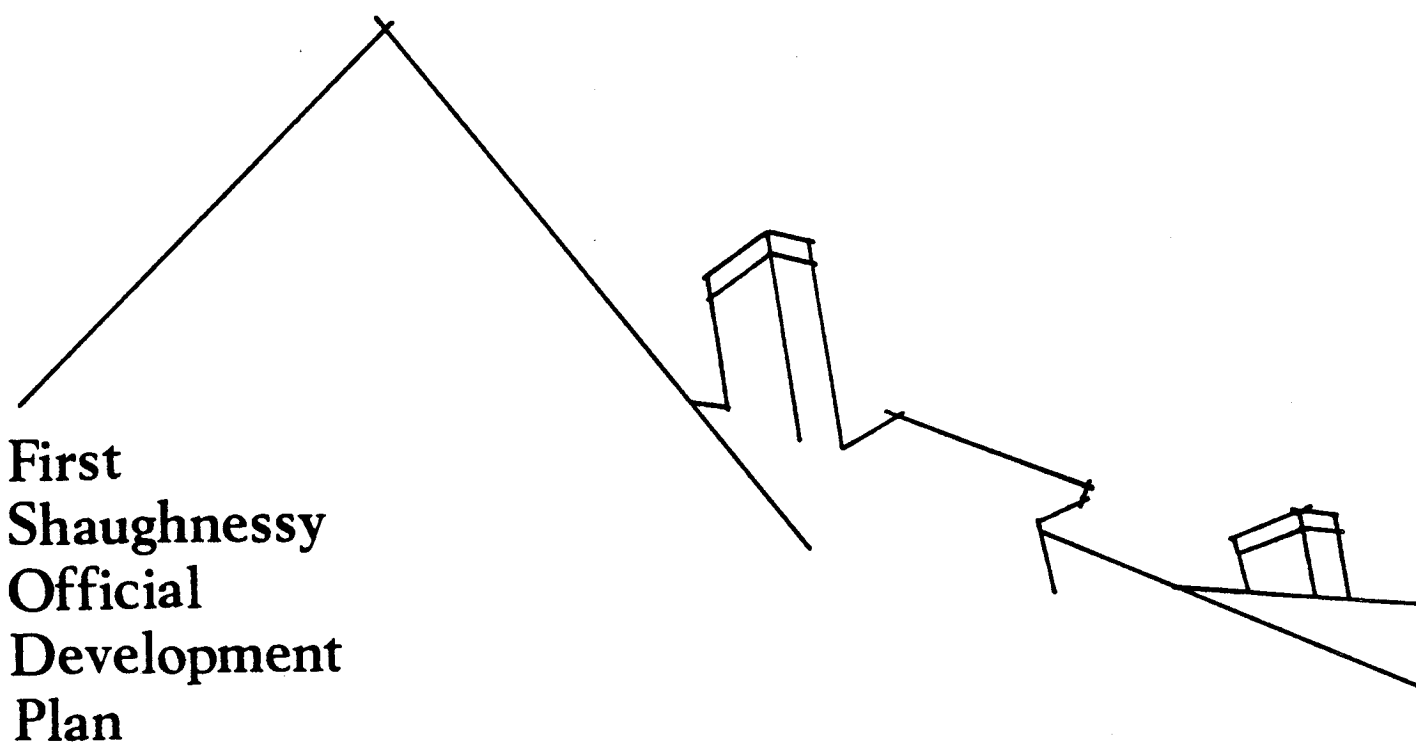
1. The document entitled "First Shaughnessy Official Development Plan", which is annexed hereto as Schedule "A" and is part of this By-law, is hereby adopted as an Official Development Plan.

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

DONE AND PASSED in open Council this 11th day of  
May , 1982.

M. Hancock  
Mayor

R. Henry  
City Clerk

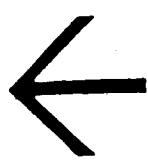
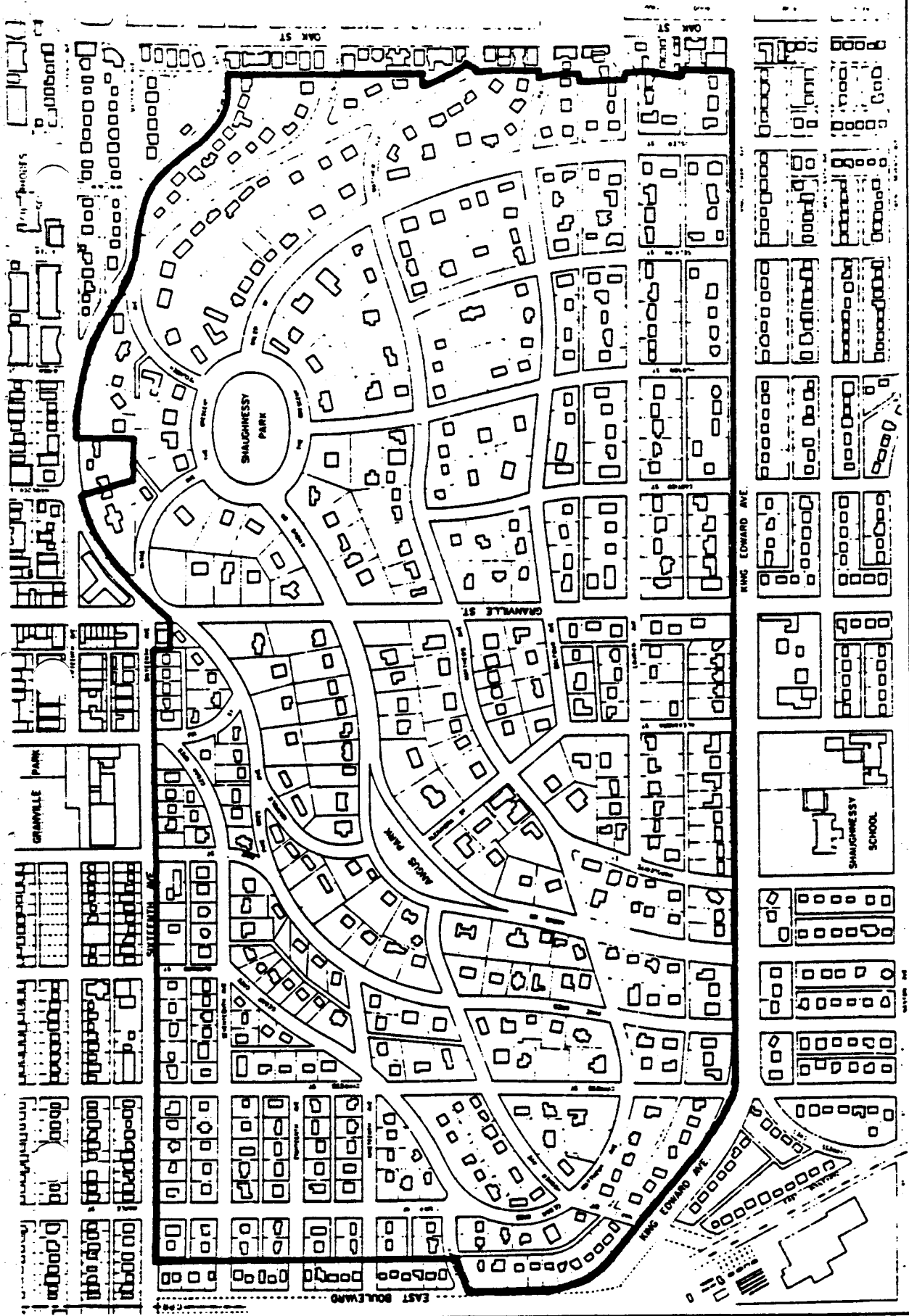


**First  
Shaughnessy  
Official  
Development  
Plan**

May 1982  
Vancouver City Planning Department

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FIRST SHAUGHNESSY DISTRICT

VANCOUVER CITY PLANNING DEPARTMENT

FIRST SHAUGHNESSY PLANNING STUDY

FIRST SHAUGHNESSY  
OFFICIAL DEVELOPMENT PLAN

1. APPLICATION AND INTENT

1.1 GOALS

The prime intent of the Official Development Plan is to preserve and enhance First Shaughnessy's unique character, without compromising its estate image and single-family character. The Plan also attempts to stabilize the economic viability of the area by permitting some flexibility in development. Some large properties may qualify for infill development and certain large pre-1940 dwellings may be granted a conditional permit to convert to multiple conversion dwellings.

The following set of goals provides the basis for the planning and development of the "First Shaughnessy District". These goals reflect the points of view of residents and property owners as well as the broader interests of the City as a whole. They provide general planning direction and a context for private and public decision making regarding future development by addressing social, physical, economic, cultural, architectural and historical issues related to First Shaughnessy.

The broad goals for the First Shaughnessy District are as follows:

Heritage

1. To strengthen civic pride in a unique architectural and historical area.
2. To preserve, protect and enhance the cultural, social, economic, architectural and historical elements of First Shaughnessy.
3. To enhance the visual and aesthetic character, diversity and interest of the City.
4. To promote excellence in architectural design and construction that is compatible with the character and quality of most pre-1940 houses in First Shaughnessy.
5. To preserve and improve the public and private streetscape.
6. To discourage demolition and promote conservation and restoration of meritorious pre-1940 homes.

Housing

7. To retain First Shaughnessy as a predominantly single-family residential community.
8. To promote and encourage continued private ownership and use of Shaughnessy dwellings.
9. To limit subdivision in First Shaughnessy.
10. To reinforce the economic stability of First Shaughnessy through a controlled increase in density.

Circulation

11. To discourage commuter and through traffic in First Shaughnessy.
12. To minimize on-street parking in First Shaughnessy.

Community Services/Parks

13. To retain the Shaughnessy Elementary School.
14. To improve the maintenance standards for existing parks and to retain their predominantly passive function.

Community Involvement

15. To provide residents and property owners an opportunity to continue their participation in the planning and future development of First Shaughnessy.

## 1.2 THE OFFICIAL DEVELOPMENT PLAN

The Official Development Plan for the "First" or "Old" Shaughnessy area is intended to control and guide the development of all uses in that part of the City of Vancouver for which the Zoning District is described as "First Shaughnessy District (FSD)".

The Official Development Plan is intended to be used in conjunction with any plans, guidelines and policies which Council may from time to time establish, including design guidelines.

The Plan provides a framework within which the planning goals are expanded into various policies. These City Policies reflect the goals and recommendations of the Shaughnessy Heights Property Owners Association, residents and representatives of the Heritage Advisory Committee.

To provide appropriate guidance for the longer-term development of the First Shaughnessy area, this Plan should be reviewed from time to time to ensure that it accurately reflects Community and City goals.

Section 1 contains goals and describes procedures for using this Development Plan for the First Shaughnessy District.

Section 2 contains definitions specific to this Development Plan.

Section 3 contains development guidelines that provide general guidance for all development in the First Shaughnessy District.

Section 4 contains regulations that refer to the uses and development parameters relating to principal and secondary buildings in the First Shaughnessy District.

The development guidelines and regulations, together with all other policies and guidelines, provide the necessary guidance for the preparation of a development proposal within the "First Shaughnessy District (FSD)".

### 1.3 INTERPRETATION

The Official Development Plan is subject to interpretation by the Development Permit Board or the Director of Planning.

The overall goals contained in Section 1, together with other policies approved by Council, represent the basic planning philosophy for the "First Shaughnessy District (FSD)". These goals and policies have been discussed with the property owners and their comments have been incorporated in this Plan.

The development guidelines contained in Section 3 represent general development criteria relating to new development in the "First Shaughnessy District (FSD)". These guidelines are not mandatory but are strongly recommended as they will be taken into consideration by the Development Permit Board or the Director of Planning, as the case may be.

The mandatory regulations contained in Section 4 represent the land uses that may be permitted in the "First Shaughnessy District - (FSD)" subject to regulations for siting, height, site coverage, floor space ratio, unit density and off-street parking, and any other policies and guidelines that Council may approve from time to time.

### 1.4 DEVELOPMENT PERMIT APPLICATIONS

Development Permit Applications shall be made and reviewed in compliance with the provisions set out in the Zoning and Development By-law, No. 3575, and all provisions relating to Development Permits in that By-law shall apply.

Subject to all provisions of the Zoning and Development By-law, No. 3575, including Section 3.2.6, and subject to the provisions of this Official Development Plan, the Development Permit Board or the Director of Planning, as the case may be, may by discretion either approve, approve subject to conditions, or refuse applications for development permits based on a review of the related goals, development guidelines, regulations, and any other policies or guidelines which Council may from time to time determine, including design guidelines.

## 2. DEFINITIONS

The definitions contained in Section 2 of the Zoning and Development By-law, No. 3575, shall apply to this plan, except as varied or supplemented by the following:

Impervious Area means all portions of the surface of the site covered by structures and pavement.

Infill Development means development which results in or from the addition of any number of secondary buildings on an existing lot on record in the Land Title Office for Vancouver prior to November 7, 1980 and which contains a pre-1940 principal building that will be retained on this lot.

Principal Building means the building with the largest total floor area on the site.

Secondary Building means a building situated on the same site as the principal building and which is used for one or more dwelling units independent of the principal building.

Site Coverage means the percentage figure obtained when the projected area of the outside of the outermost walls, excluding steps, eaves, cantilevered balconies and sundeck, of all principal, secondary and accessory buildings on the site are divided by the area of the site.

3. DEVELOPMENT GUIDELINES

3.1 INTENT

The development guidelines in this section provide general guidance with respect to the conservation and future development of the 'First Shaughnessy District' relative to:

- Built form
- Siting
- Landscaping/Streetscape
- Views

3.2 INTERPRETATION

The development guidelines are subject to the interpretation of the Development Permit Board or the Director of Planning, as the case may be.

3.3 GUIDELINES

Built Form

1. The massing of new principal buildings should be at least two storeys in height to provide some physical prominence to the structure as viewed in a landscaped setting.
2. The roof treatment in the design of new buildings must be a significant feature.
3. Service function aspects of the design such as garages should not be visually prominent when viewed from the street.
4. The detailing of new development should reinforce the archetypal residential character of the area. Features such as roofs, windows and entranceways must be prominently developed.
5. New secondary buildings should be complementary in architectural style and subordinate in size to the principal building on the site.

Siting

6. New principal buildings must be prominently sited as viewed from the street.
7. New development should present an estate image character that respects front yard setbacks, neighbouring buildings and siting in a landscaped setting.

8. New development should be carefully sited to retain as many mature trees and existing vegetation on the property as possible.
9. New secondary buildings should be carefully sited to minimize shadowing onto adjacent private outdoor areas such as patios, swimming pools, etc.
10. New secondary buildings must be located to the side or rear of the principal building on the site and should also reinforce the prominent character of the principal building.

#### Landscaping/Streetscape

11. The landscaping treatment should complement new development.
12. Landscaping should be designed to reinforce the entranceway to the development.
13. The long uninterrupted stretches of landscaped streetscape must be preserved.
14. New development should strive to create an estate image character through landscaped screening, stone or rock walls to form an enclosure around the property.
15. Wherever possible existing driveways should be retained for access purposes to preserve the existing character of the streetscape.

#### Views

16. The location, height and massing of new development should respect existing or potential views of the central business district, harbour or North Shore mountains from neighbouring properties and the street.

#### Servicing

17. New development should not further strain the adequacy of the present public sewers in handling stormwater.

### 4. REGULATIONS

#### 4.1 INTENT

The regulations set out in this Official Development Plan provide detailed guidance with respect to development in the First Shaughnessy District. These regulations take into consideration:

- (a) existing land use and form of development;
- (b) relationship to adjacent areas with regard to land use, form of development, major roads and other special features;
- (c) projected future land use and development objectives;
- (d) special architectural, historical and landscaping characteristics of the area; and
- (e) stormwater drainage.

The objective of this Plan is to protect and preserve Shaughnessy's unique character. First Shaughnessy is intended to remain a predominantly single-family community. However, several bonusing provisions are set out in this Plan to encourage the conservation of older pre-1940 buildings. One option permits certain large pre-1940 buildings and non-conforming uses to be converted into multiple conversion dwellings provided the standard of redevelopment meets established criteria. Also, certain large sites may be more intensively utilized with new infill development separate from the principal building or the use of existing secondary building(s) for housing accommodation, provided the principal building on the site was constructed prior to 1940 and an agreement is obtained to protect the building from future demolition. The infill option provides an alternative to subdivision and in some cases permits more intensive use of large lots that are not otherwise subdividable. The design and siting of all new development, however, must be in keeping with the character of the area.

#### 4.2 INTERPRETATION

The regulations are intended to apply within the boundaries shown on the Plan title "First Shaughnessy District (FSD)".

All development permit applications for this District shall be evaluated on the basis of the regulations set out in this Official Development Plan. The approval of all development permit applications shall be subject to the built form, location and any other special characteristics being in conformity with the intent of this Plan, and any plans, guidelines and policies which Council may from time to time establish, including design guidelines. Discretion is also given to the Development Permit Board or the Director of Planning, as the case may be, in the interpretation of all relevant policies and guidelines.

#### 4.3 PRINCIPAL BUILDINGS

##### 4.3. 1. Intent

First Shaughnessy is intended to remain a low density residential area that is predominantly single-family in character. Provision is also made to allow some large pre-1940 houses and existing nonconforming uses to be redeveloped as multiple conversion dwellings. This option is intended to provide an incentive to encourage the retention and restoration of buildings that are generally not suited as one-family dwellings because of excessive floor area, layout or previous conversion to multiple residential use. Other social, recreational and public uses are also permitted in this District.

##### 4.3. 2. Uses

The following uses may be permitted as principal buildings within this District, together with accessory buildings and accessory uses customarily ancillary to any of the uses listed in this section, subject to the following conditions and regulations and any other conditions as may be prescribed by the Development Permit Board or the Director of Planning, as the case may be.

## Residential Uses

- (a) One-family Dwelling
- (b) Special Needs Residential Facility
- (c) Multiple Conversion Dwelling resulting from the conversion of a principal building which was in existence prior to December 31, 1939, having a gross floor area (including basement, first and second storeys only) prior to November 7, 1980, equal to or exceeding 650.3 m (7,000 sq. ft.) or the further conversion of a non-conforming use in existence prior to November 7, 1980, provided that before making a decision the Development Permit Board or the Director of Planning, as the case may be, consider the quality and livability of the resulting units, and the effect of the conversion on the appearance of the principal building, adjacent properties, and the character of the area, and notifies such adjacent property owners and residents as deemed necessary, and considers recommendations from any advisory groups approved by Council for the area; and further subject to the following:
  - (i) the maximum site coverage for the existing principal building shall be 35 percent of the site area on record in the Land Title Office for Vancouver prior to November 7, 1980;
  - (ii) dwelling units only shall be permitted in any multiple conversion dwelling;
  - (iii) a multiple conversion dwelling shall contain a maximum of 4 dwelling units;
  - (iv) the average gross floor area for each dwelling unit in a multiple conversion dwelling shall not be less than 167.22 m<sup>2</sup> (1,800 sq. ft.) and in no case shall a dwelling unit have less than 92.9 m<sup>2</sup> (1,000 sq. ft.) in gross floor area;
  - (v) a dwelling unit shall not have more than 50 percent of its gross floor area in the basement and attic of a multiple conversion dwelling;
  - (vi) wherever possible, dwelling units shall be located at or near grade to provide direct ground access to each unit except that approval may be given to placing units one above the other where it is demonstrated, to the satisfaction of the Development Permit Board or the Director of Planning, as the case may be, that direct ground access for each unit is either impractical or will adversely affect the character of the building; and
  - (vii) approval shall be subject to the owner(s) entering into an agreement with the City to register a covenant against the title of the land to ensure that the existing pre-1940 principal building on the site shall not be demolished without prior approval of Vancouver City Council.

Social, Recreational, Public Uses

- (a) Church.
- (b) Park or Playground.
- (c) Public Authority building or use essential in this district.
- (d) Public Utility, essential in this district.
- (e) School (private or public), kindergarten, child daycare facility and day nursery.
- (f) Any other use which the Development Permit Board or the Director of Planning, as the case may be, considers comparable in nature to the above having regard to the intent of this Plan.

4.3.3 Conditions of Use - not applicable.

4.3.4 Regulations

(a) Floor Space Ratio

The floor space ratio shall not exceed 0.45.

(b) Height

The maximum height of a principal building shall be the lesser of 10.668m (35 ft.) or 2½ storeys plus basement.

(c) Site Coverage

The maximum site coverage for buildings shall be 35 percent of the site area.

(d) Front Yard

A front yard with a minimum depth of 9.144 m (30 ft.) shall be provided.

(e) Side Yard

A side yard with a minimum width of 4.572 m (15 ft.) shall be provided on each side of the principal building.

(f) Rear Yard

A rear yard with a minimum depth of 10.608 m (35 ft.) shall be provided for a principal building.

(g) Stormwater Storage

No permit shall be issued for any development which:

- increases the impervious area of a site as of May 11, 1982, by more than one percent of the site area; or
- creates a special needs residential facility, a multiple conversion dwelling, a two-family dwelling or a secondary building;

until the property owner has entered into a covenant or other instrument satisfactory to the Director of Legal Services to ensure compliance with the following, prior to undertaking the development:

- (i) a stormwater storage system shall be constructed on the site which:
    - provides a minimum storage capacity equal to the depth of 15 millimeters over the entire site; and
    - includes a device to restrict the maximum stormwater flow from the site into the public sewer to 17.5 litres per second per hectare;
  - (ii) the stormwater storage system shall be designed and inspected by a Professional Engineer registered in the Province of B.C. who shall certify that the system is designed and constructed in accordance with the minimum standards set out in clause (i) of this subsection (g);
  - (iii) maintenance of the stormwater storage system shall be the responsibility of the property owner;
  - (iv) the property owner shall enter into a release and indemnity agreement with the City, to the satisfaction of the Director of Legal Services, regarding the stormwater storage system; and
  - (v) the property owner shall acknowledge that he has received a copy of the stormwater storage system design guidelines approved by Council for this area.
- (h) Off-Street Parking

A minimum of two off-street parking spaces shall be provided and maintained for each dwelling unit on the site in accordance with the provisions of Section 12 of the Zoning and Development By-law, No. 3575.

All other uses permitted in this District shall be subject to the off-street Parking and Loading Regulations set out in Section 12 of Zoning and Development By-law, No. 3575.

#### 4.3.5 Relaxation of Regulations

In cases of exemplary design, the Development Permit Board or the Director of Planning, as the case may be, may relax the front, side and rear yard regulations for principal buildings provided consideration is given to:

- (a) the intent of this Official Development Plan;
- (b) the recommendations of any advisory groups, policies and guidelines approved by Council for the area; and
- (c) the comments of adjacent property owners and residents, as deemed necessary.

#### 4.4 SECONDARY BUILDINGS

##### 4.4. 1. Intent

Provision is made to allow some infill development on sufficiently large sites that are presently developed with pre-1940 residential buildings. Infill development may include either the conversion of an existing secondary building or the development of a new secondary building(s) for residential use provided that the existing pre-1940 principal building is retained on the site. The intent of this provision is to encourage the conservation and restoration of old meritorious houses, preserve the traditional character of First Shaughnessy, increase the development potential of eligible large sites and discourage further subdivision in the area.

New secondary buildings must complement the design of pre-1940 principal residential buildings. However, innovative design and more flexible siting is encouraged for secondary buildings provided the proposed development respects the estate like appearance of large properties, the integrity of the streetscape and the livability of adjacent properties.

##### 4.4. 2. Uses

The following uses may be permitted as secondary buildings within the District, together with accessory buildings and accessory uses, customarily ancillary to any of the uses listed in this section, subject to the following conditions and regulations and any other conditions as may be prescribed by the Development Permit Board or the Director of Planning, as the case may be:

- (a) One-family Dwelling
- (b) Two-family Dwelling

##### 4.4. 3. Conditions of Use

- (a) Secondary buildings shall only be permitted on large sites on record in the Land Title Office for Vancouver prior to November 7, 1980 and which are currently occupied by a pre-1940 principal building.
- (b) Where the principal building is non conforming with respect to use, secondary buildings shall only be permitted where the use of the principal building has been changed to conform with Section 4.3.2. of this Plan.
- (c) The siting and design of new secondary buildings shall complement the pre-1940 principal building on the site.
- (d) In deciding whether or not to approve the development, the Development Permit Board or the Director of Planning, as the case may be, shall consider the following:
  - (i) the intent of this Official Development Plan;

- (ii) the recommendations of any advisory groups, policies and guidelines approved by Council for the area; and
  - (iii) the comments of adjacent property owners and residents, as deemed necessary.
- (e) Approval of the development shall be subject to the owner(s) of the infill site development entering into an agreement with the City to register a covenant against the title of the land to ensure that the existing pre-1940 principal building on the site shall not be demolished without prior approval of Vancouver City Council.

#### 4.4. 4. Regulations

##### (a) Density

The maximum number of residential dwelling units in a secondary building that shall be permitted on any site shall be computed as follows:

- (i) Each residential dwelling unit in a secondary building shall require a minimum of 929.0 m<sup>2</sup> (10,000 sq. ft.) of site area, over and above the site area assigned to the principal building as follows:
  - where the gross floor area of the principal building is equal to or less than 543.47 m<sup>2</sup> (5,850 sq. ft.) the required site area shall be 1 207.7 m<sup>2</sup> (13,000 sq. ft.); or
  - where the gross floor area of the principal building exceeds 543.47 m<sup>2</sup> (5,850 sq. ft.) the required site area shall be calculated by dividing the gross floor area by 0.45.
- (ii) In computing dwelling unit density, the rounding of fractions shall not apply and the number taken shall be the next lower whole number (e.g. 2.8 equals 2 units), and the gross floor area shall only include the basement, first and second storey of the principal building on the site.

##### (b) Floor Space Ratio

The maximum floor space ratio for secondary buildings shall not exceed 0.30, based on a site area that is over and above the site for the principal building as assigned pursuant to Clause 4.4.4.(a), except that the Development Permit Board or the Director of Planning, as the case may be, may assign a lower maximum floor space ratio for secondary buildings where it is deemed necessary to achieve exemplary design, protect the livability of adjacent properties, or to preserve the estate image character of the property.

(c) Height

The height of a secondary building shall be the lesser of 7.62 m (25 ft.) or 2 storeys.

(d) Siting

- (i) A new secondary building shall be located to the rear or the side of an existing principal building on the site.
- (ii) Secondary buildings shall not be located closer than 6.10 m (20 ft.) to any principal building or any other secondary building on the site.
- (iii) The rear yard and side yard for a secondary building shall not be less than 1.52 m (5 ft.) but may be relaxed or required to exceed this minimum figure provided the Development Permit Board or the Director of Planning, as the case may be, are satisfied that the siting of a secondary building will not adversely effect the appearance or livability on this site or adjacent properties.
- (iv) The Development Permit Board, or the Director of Planning, as the case may be, may relax the siting regulations for secondary buildings provided consideration is given to the intent of this Official Development Plan, the recommendations of any advisory groups, policies and guidelines approved by Council for the area, and the comments of adjacent property owners and residents, as deemed necessary.

(e) Stormwater Storage

No permit shall be issued for any development which:

- increases the impervious area of a site as of May 11, 1982, by more than one percent of the site area; or
- creates a special needs residential facility, a multiple conversion dwelling, a two-family dwelling or a secondary building;

until the property owner has entered into a covenant or other instrument satisfactory to the Director of Legal Services to ensure compliance with the following, prior to undertaking the development:

- (i) a stormwater storage system shall be constructed on the site which:
  - provides a minimum storage capacity equal to the depth of 15 millimeters over the entire site; and
  - includes a device to restrict the maximum stormwater flow from the site into the public sewer to 17.5 litres per second per hectare;
- (ii) the stormwater storage system shall be designed and inspected by a Professional Engineer registered in the Province of B.C. who shall certify that the system is designed and constructed in accordance with the minimum standards set out in clause (i) of this subsection (e);
- (iii) maintenance of the stormwater storage system shall be the responsibility of the property owner;

(iv) the property owner shall enter into a release and indemnity agreement with the City, to the satisfaction of the Director of Legal Services, regarding the stormwater storage system; and

(v) the property owner shall acknowledge that he has received a copy of the stormwater storage system design guidelines approved by Council for this area.

(f) Off-Street Parking

A minimum of two off-street parking spaces shall be provided for each dwelling unit on the site in accordance with the provisions of Zoning and Development By-law, No. 3575.