

File No. 04-1000-20-2016-326

October 7, 2016

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of August 30, 2016 for:

From January 1, 2011 to August 30, 2016:

- 1) **Records from Development Services relating to the City of Vancouver's interpretation of the term "kitchen" as used in the Zoning and Development by-law;**
- 2) **Records relating to decision-making criteria that is used to enforce the Zoning and Development by-law.**

The Development Review Branch informed us that information pertaining to your first point can be found on the City's public website, and provided the following resources:

Zoning and Development By-law: <http://vancouver.ca/your-government/zoning-development-bylaw.aspx>

The Zoning & Development By-law:

- has a definitions section, but "kitchen" is not a defined item; see <http://former.vancouver.ca/commsvcs/BYLAWS/zoning/sec02.pdf>
- has both general sections and zone-specific district schedules. Commercial and Residential are very different.
- General regulations:
<http://former.vancouver.ca/commsvcs/BYLAWS/zoning/sec10.pdf> mentions kitchens, and is very clear on kitchens in housing: "10.21.4 There shall not be more than one kitchen contained within a dwelling unit."

Land Use Development and Policies Information: <http://vancouver.ca/home-property-development/land-use-and-development-policies-and-guidelines.aspx>

In response to your second point the department confirmed that they work on a basis where each application is considered on its own merit against the applicable zoning, policies, and guidelines for the site.

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2016-326); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at foi@vancouver.ca if you have any questions.

Yours truly,

Cobi Falconer, FOI Case Manager, for
Barbara Van Fraassen



Barbara J. Van Fraassen, BA
Director, Access to Information
City Clerk's Department, City of Vancouver

Encl.

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