



# **City of Vancouver** *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060

[planning@vancouver.ca](mailto:planning@vancouver.ca)

## CD-1 (82)

### *St. Vincent's Hospital (749 West 33rd Avenue)*

### *By-law No. 4671*

*(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)*

***Effective December 5, 1972***

*(Amended up to and including By-law No. 9674, dated June 24, 2008)*

1 [Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]

2 Uses

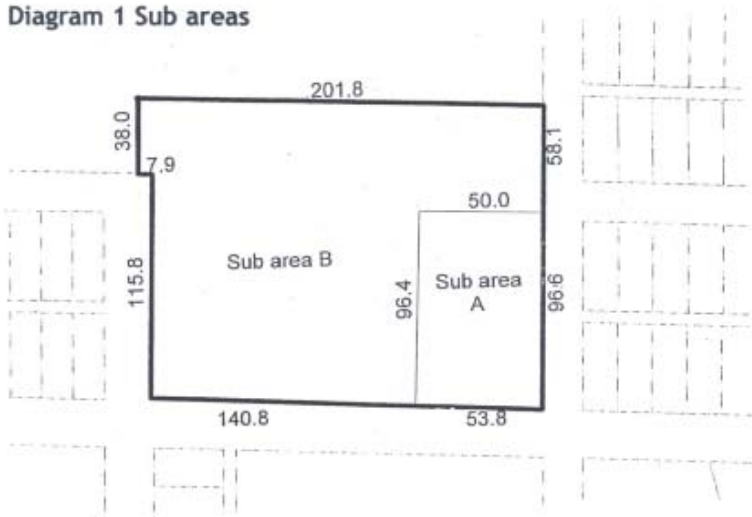
2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (82).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (82) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Institutional Uses, limited to Hospital, Community Care Facility - Class B and Group Residence; [9674; 08 06 24]
- (b) Dwelling Uses, limited to Seniors Supportive or Assisted Housing; and
- (c) Accessory Uses customarily ancillary to any use permitted by this section 2.2.

3 Sub-areas

The site is to consist of Sub-areas A and B illustrated in Diagram 1.



4 Density

4.1 The floor space ratio must not exceed:

- (a) 1.0 for the entire site; or
- (b) 1.24 for Sub-area A, and 0.95 for Sub-area B.

4.2 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross-sectional areas and included in the measurements for each floor at which they are located.

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 4671 or provides an explanatory note.

#### 4.3 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating or mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) areas of undeveloped floors located:
  - (i) above the highest storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (f) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

#### 4.4 Computation of floor space ratio may exclude, at the discretion of the Director of Planning:

- (a) enclosed residential balconies if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
  - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
  - (ii) enclosure of the excluded balcony floor area must not exceed 50%; and
- (b) amenity areas accessory to dwelling use, including recreation facilities and meeting rooms, to a maximum of 10% of the residential floor area being provided.

### 5 Height

The building height, measured above the base surface, calculated from the four corners at the boundaries of Sub-area A, must not exceed 19.8 m or four storeys.

### 6 Yards

**6.1** The front yard along Heather Street must be at least 17 m.

**6.2** The exterior side yard along West 33rd Avenue must be at least 9 m.

### 7 Parking, loading, passenger and bicycle spaces

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that:

- (a) for units containing living accommodation, the following parking requirements apply:
  - (i) one parking space for each four units less than 70 m<sup>2</sup> of gross floor area, and
  - (ii) one parking space for each unit 70 m<sup>2</sup> or more of gross floor area; and

- (b) the Director of Planning, in consultation with the General Manager of Engineering Services, on conditions that are satisfactory to them, may allow the provision of scooter storage spaces in lieu of bicycle parking spaces.

8 Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

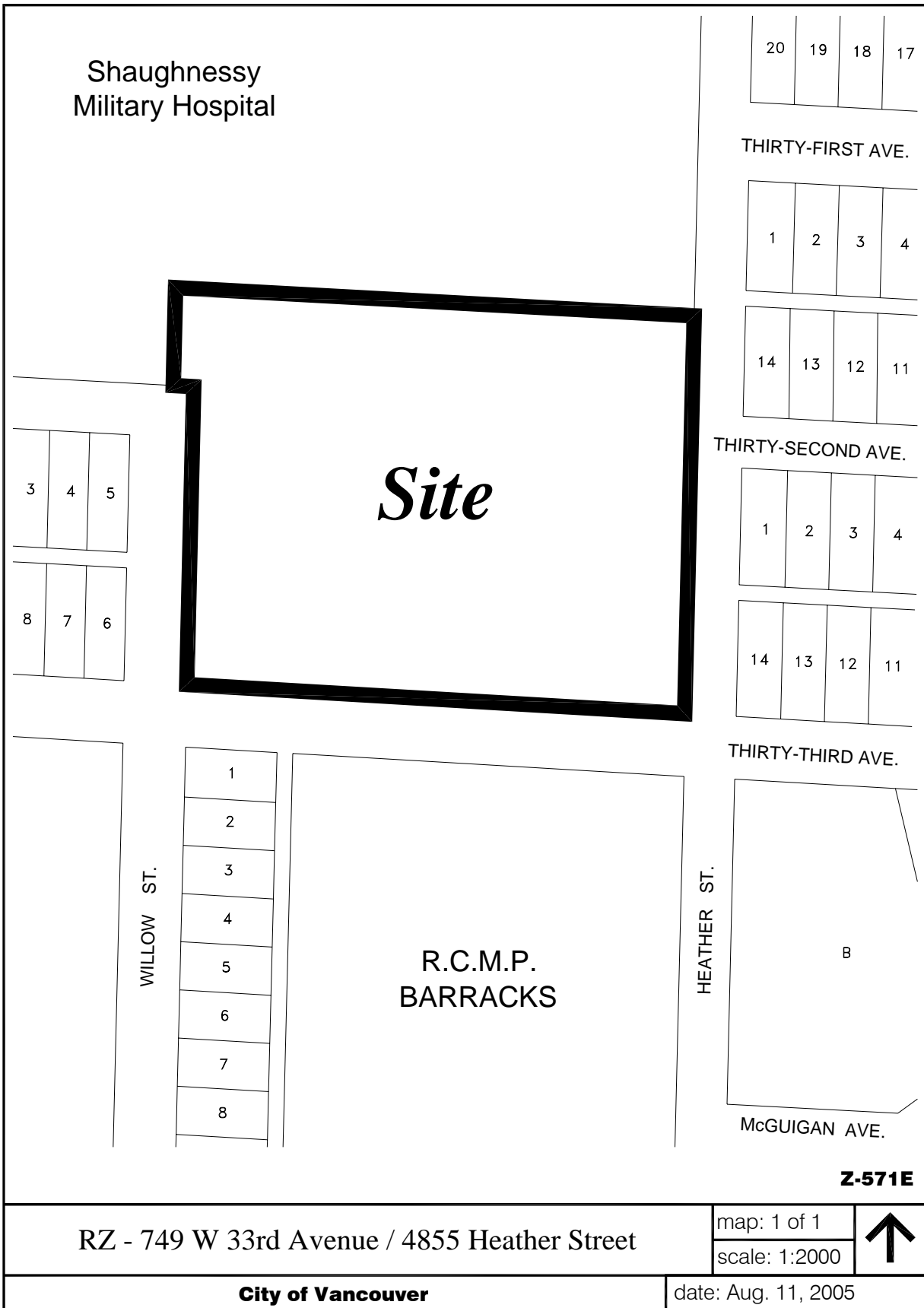
<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

9 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

- 10 *[Section 10 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

[9203; 05 11 23]



RZ - 749 W 33rd Avenue / 4855 Heather Street

map: 1 of 1

scale: 1:2000



**City of Vancouver**

date: Aug. 11, 2005

North Side of West 33rd Avenue between  
Willow and Heather Streets (St. Vincent's Hospital)

This is an application by Gardiner, Thornton, Gathe & Associates to rezone Block 818 and portion of Block 1009, D.L. 526 situated on the north side of West 33rd Avenue between Willow and Heather Streets

FROM: RT-2 Two Family Dwelling District and  
RS-1 One Family Dwelling District  
TO: CD-1 Comprehensive Development District

The Technical Planning Board and the Town Planning Commission recommended approval of the application subject to prior compliance by the owners to 5 conditions.

The Director of Planning elaborated on the proposal with the aid of maps and sketches.

Several delegations were heard and although not objecting to the application, indicated their concern over the parking problems which would occur, particularly on 32nd Avenue west of Willow Street, if access were permitted to the development at 32nd Avenue and Willow Street. A petition was filed from a number of residents in the general area protesting the proposed rezoning unless adequate provision was made to protect the remaining single family dwellings along 32nd and 33rd Avenues from the view and activity of the proposed parking lot in the scheme.

A communication was also received from Mr. John G. Mackay, 4830 Laurel Street, objecting to the application for a number of stated reasons.

1. North Side of West 33rd Avenue between  
Willow and Heather Streets (cont'd)

Representatives of the applicants and the St. Vincent's Hospital Board of Management spoke in support of the application and elaborated further on the proposed scheme of development. The representatives indicated they have no objections to the closure of 32nd Avenue at Willow to vehicular traffic entering the parking lot. Mr. Hughes, representing St. Vincent's Hospital, also stated that there will be a charge for parking and stickers will be provided for the staff to ensure on-site parking.

Local Improvements - Oak  
Street to Willow Street

During consideration of the application to rezone the north side of West 33rd Avenue between Willow and Heather Streets, Council was of the opinion that certain local improvements made would improve parking problems on 32nd Avenue.

MOVED by Ald. Broome,  
SECONDED by Ald. Adams,

THAT the City Engineer be instructed to proceed with the installing of curbs and gutters on the Initiative on 32nd Avenue from Oak Street to the limit of the proposed parking lot at St. Vincent's Hospital.

- CARRIED.

Development in Certain  
RM-3 Areas

MOVED by Ald. Broome,  
~~SECONDED by Ald. Wilson,~~

~~THAT the Director of Planning report to Council with regard to the property available in RM-3 areas in the South Granville and Kitsilano areas on which a development of 200 ft. or more would be possible.~~

- LOST.

Traffic on Heather Street

Reference was made during the Public Hearing, to the traffic problems in the general area of St. Vincent's Hospital, and it was suggested that these conditions would be improved if Heather Street became a through street from 41st Avenue to 25th Avenue.

MOVED by Ald. Wilson,  
SECONDED by Ald. Linnell,

THAT the question of making Heather Street a through street be referred to the Official Traffic Commission for consideration and recommendation to City Council.

- CARRIED.

MOVED by Ald. Broome,

THAT the application by Gardiner, Thornton, Gathe & Associates to rezone the area described above from RT-2 Two Family Dwelling District and RS-1 One Family Dwelling District to CD-1 Comprehensive Development District be approved subject to the prior compliance by the owners with the following conditions:

- (a) Each stage of the detailed scheme of development to be first approved by the Technical Planning Board after advice from the Design Panel with such scheme of development not to be materially different from the plans submitted by Gardiner, Thornton, Gathe and Associates, and marked "Received City Planning Office, March 2, 1967". The Technical Planning Board to have special regard to the design of the building in relation to the surrounding one family dwellings and to the provision of 24' landscaped setbacks to the off-street parking areas, with suitable screening, planting and landscaping of all open portions of the site, including appropriate tree planting within the parking area.
- (b) All points of vehicular ingress and egress to the site to be first approved by the City Engineer and the Director of Planning but that no vehicular access be permitted from 32nd Avenue to parking area.
- (c) The floor space ratio shall not exceed a maximum of 1.00 at any time. The floor space ratio to include all floors of all buildings both above and below ground, measured to the extreme outer limits of the buildings in accordance with the method of floor space ratio measurement of the RT-2 Two Family Dwelling District Schedule of the Zoning and Development By-law.
- (d) Off-street parking facilities shall be provided at the rate of one parking space for every 1000 sq. ft. of gross floor area in the building.
- (e) The site, including the former southeast portion of the Shaughnessy Military Hospital site and the closed portion of West 32nd Avenue, to be first consolidated into one parcel and so registered in the Land Registry Office.

- (carried) \*

MOVED by Ald. Linnell in AMENDMENT,

THAT condition (b) in the motion of Alderman Broome be changed to read

"All points of vehicular ingress and egress to the site to be first approved by the City Engineer and the Director of Planning but that no access be permitted from 32nd Avenue to parking area."

The Motion of Alderman Broome was put and

- LOST

MOVED by Ald. Broome,

THAT the letter from Mr. Mackay be received

- CARRIED. \*

- CARRIED.



BY-LAW NO. 4671

A By-law amend By-law No. 3575, being the  
the Zoning and Development By-law

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

1. The plan attached to and forming an integral part of By-law No. 3575 and designated as the "Zoning District Plan" and marked as Schedule "D" to said By-law is hereby amended according to the plan marginally numbered Z - 116 - A annexed to this By-law and marked as Schedule "D" hereto, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited and specified in particularity shown upon said plan annexed hereto; and the various boundaries and districts shown upon the plan hereto annexed respectively are an amendment of and in substitution for the respective districts, designated and marked on said Schedule "D" of said By-law No. 3575 insofar as the same are changed, modified or varied thereby, and the said Schedule "D" annexed to said By-law No. 3575 shall be deemed to be and is hereby declared to be amended accordingly and the said Schedule "D" attached to this By-law is hereby declared to be and shall form an integral part of said plan marked as Schedule "D" to said By-law No. 3575, as if originally incorporated therein, and shall be interpreted accordingly.

2. The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area and the only uses for which development permits will be issued are:

a hospital and customary ancillary uses  
including off-street parking and loading,

subject to the approval of the Council to the form of the development and subject to such conditions as Council may by resolution prescribe.

3. This By-law shall come into force and take effect on and after the date of the final passing hereof.

DONE AND PASSED in open Council this 5th day of  
December, 1972.

(sgd) Thomas J. Campbell  
MAYOR

(sgd) Ronald Thompson  
CITY CLERK

I hereby certify that the foregoing is a correct copy of a By-law duly passed by the Council of the City of Vancouver on the 5th day of December, 1972, and numbered 4671.

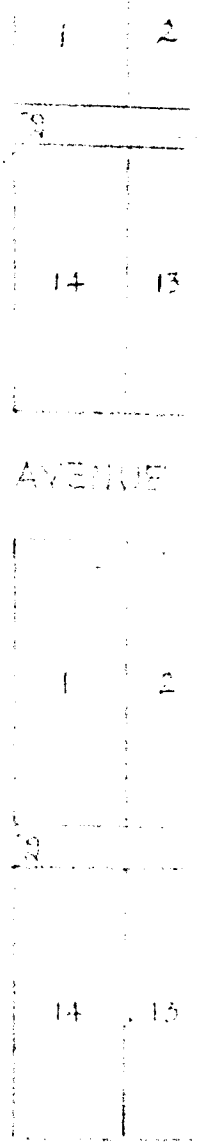
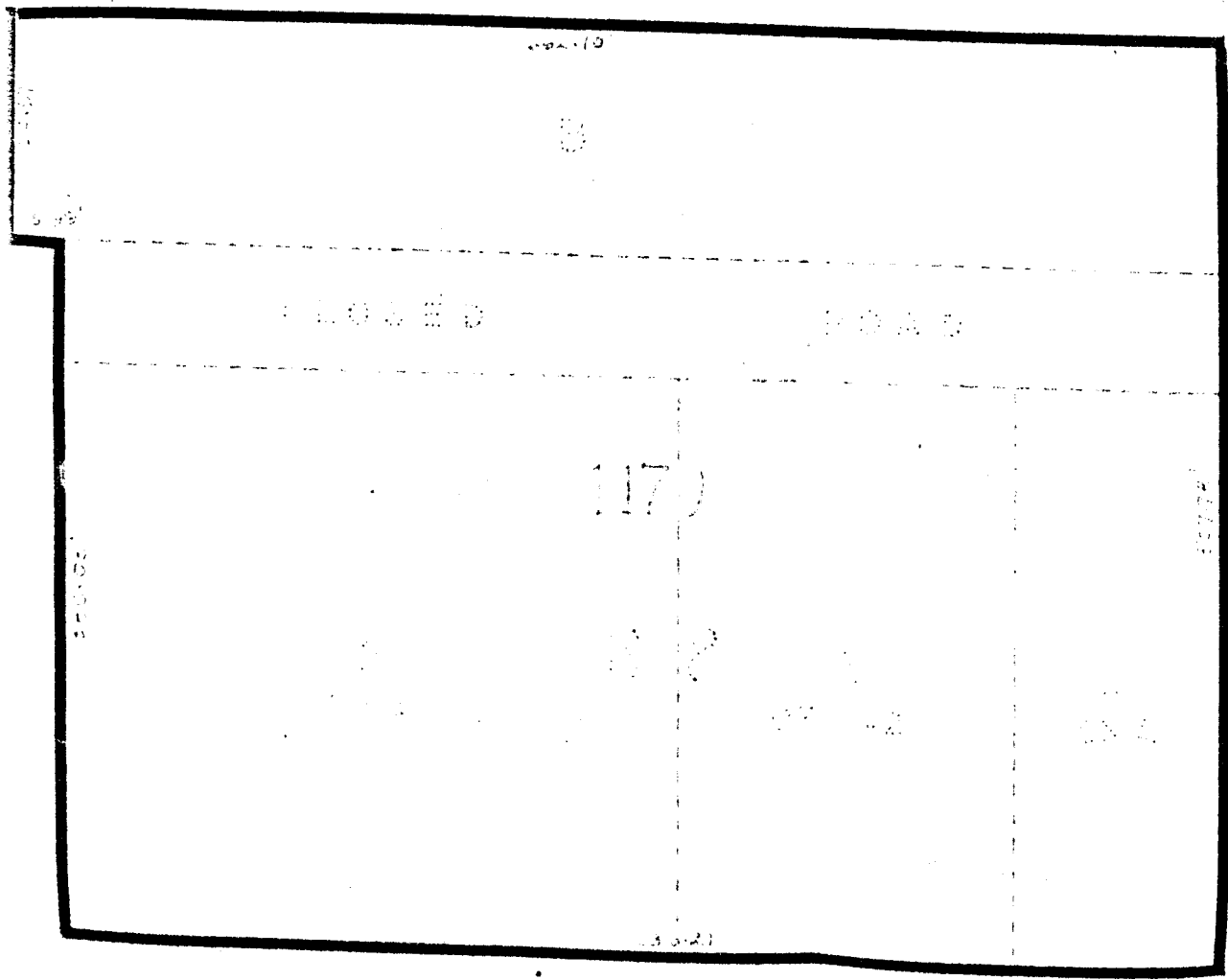
CITY CLERK

0 4071 BEING A BY-LAW TO AMEND BY-LAW  
 BEING THE ZONING AND DEVELOPMENT BY-LAW

SCHEDULE

THE PROPERTY SHOWN BELOW (OUTLINED IN BLACK)  
 IS REZONED FROM RS-1 ONE FAMILY DWELLING DISTRICT AND  
 RT-2 TWO FAMILY DWELLING DISTRICT TO CD-1 COMPREHENSIVE  
 DEVELOPMENT DISTRICT.

D.L. 526



33 RD AVENUE

838

8



## ADMINISTRATIVE REPORT

Date: April 30, 2002  
Author/Local: J. Baxter/6656

RTS No. 02666

CC File No. 2609

Council: May 14, 2002

TO: Vancouver City Council  
FROM: Director of Current Planning  
SUBJECT: Form of Development: 749 West 33rd Avenue (St. Vincent's Hospital)

### **RECOMMENDATION**

*THAT the revised form of development for the CD-1 zoned site known as 749 West 33rd Avenue be approved generally as illustrated in the Development Application Number DE406305, prepared by Unecon - Architecture Design Planning and stamped "Received, Community Services, Development Services April 18, 2002" provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of this site or adjacent properties.*

### **GENERAL MANAGER'S COMMENTS**

*The General Manager of Community Services RECOMMENDS approval of the foregoing.*

### **COUNCIL POLICY**

*There is no applicable Council policy except that Council did approve the original form of development for this site when the rezoning was approved, following a Public Hearing.*

### **PURPOSE**

In accordance with *Charter* requirements, this report seeks Council's approval for the revised form of development for the above-noted CD-1 zoned site.

### **BACKGROUND AND SITE DESCRIPTION**

At a Public Hearing on April 13, 1967, City Council approved a rezoning of this site from RT-2 (Two-Family Dwelling District) and RS-1 (One-Family Dwelling District) to CD-1 (Comprehensive Development District). Council also approved in principle the form of development for these lands. CD-1 By-law No. 4671 was enacted on December 5, 1972.

Since enactment of the rezoning, a number of additions have been made to the original hospital building, the largest being in 1973 under Development Permit Number DE55000, which added approximately 6 038 m<sup>2</sup>, and the most recent in 1975 under Development Permit Number DE70469, which added approximately 510 m<sup>2</sup>.

The site is located at the northwest corner of West 33rd Avenue and Heather Street. The site and surrounding zoning are shown on the attached Appendix A.

Subsequent to Council's approval of the CD-1 rezoning, the Director of Planning approved Development Application Number DE406305. This approval was subject to various conditions, including Council's approval of the form of development. The latter condition is one of the few outstanding prior-to permit issuance.

## DISCUSSION

The proposal involves exterior alterations to provide seismic upgrading consisting of infill slabs, a concrete sheer wall on the west elevation, and security screens on the north and south elevations of the existing St. Vincent's Hospital building. The proposed development has been assessed against the CD-1 By-law and responds to the stated objectives. The current proposal would bring the hospital building up to floor space ratio (FSR) of 0.61 (18 568 m<sup>2</sup>), still well within the maximum permitted of 1.0 FSR (30 232 m<sup>2</sup>). The currently provided 181 off-street parking spaces on the site will also be maintained. Simplified plans, including a site plan and elevations of the proposal, and a photograph of the existing north elevation have been included in Appendix B.

## CONCLUSION

The Director of Planning has approved Development Application Number DE406305, subject to various conditions to be met prior to the issuance of the development permit. One of these conditions is that the revised form of development first be approved by Council.

[Link to Appendices A and B](#)

\* \* \* \* \*



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Comments or questions? You can send us [email](#).

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[COMMUNITIES](#)

[SEARCH](#)

(c) 1998 City of Vancouver



..... ZONING BOUNDARY

749 WEST 33 AVENUE DE 406305

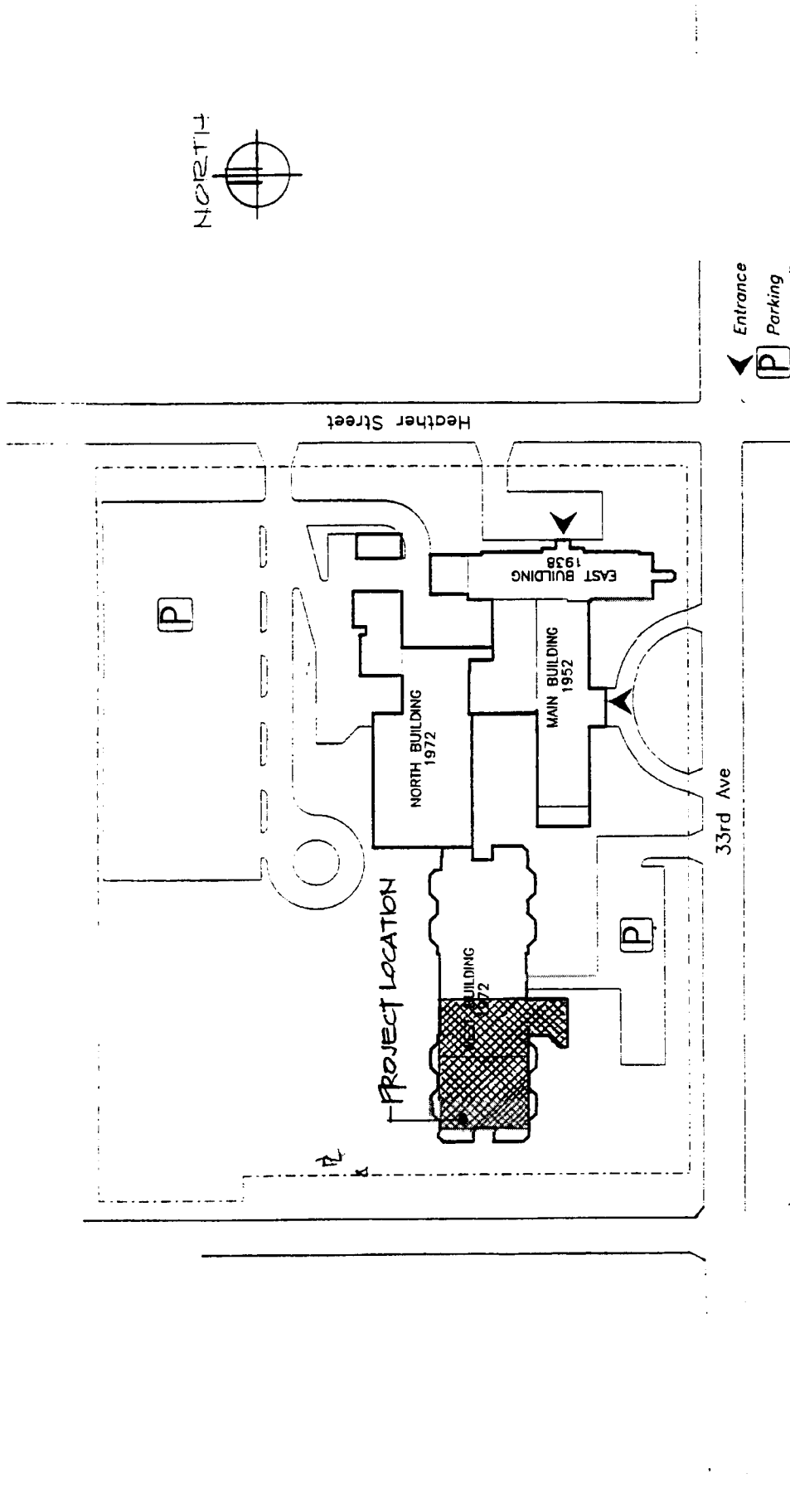
DATE 2002 04 18

DRAWN WGS & DY



CITY OF VANCOUVER PLANNING DEPARTMENT

FILENAME :F:\FRMDEV\2002 FRMDEV.749W33AVE.DWG



740 WEST 33<sup>RD</sup> AVE - V5Z 2K4

SITE & LOCATION PLAN

PROVIDENCE  
St. Vincent's Heather Hospital  
Site Area : 30,500 sqm

SCALE  
1 : 1000 [01 Jul 00]

Existing North Elevation

(Open Areas on Lower Level to Be Seismically Upgraded and Partially Enclosed)





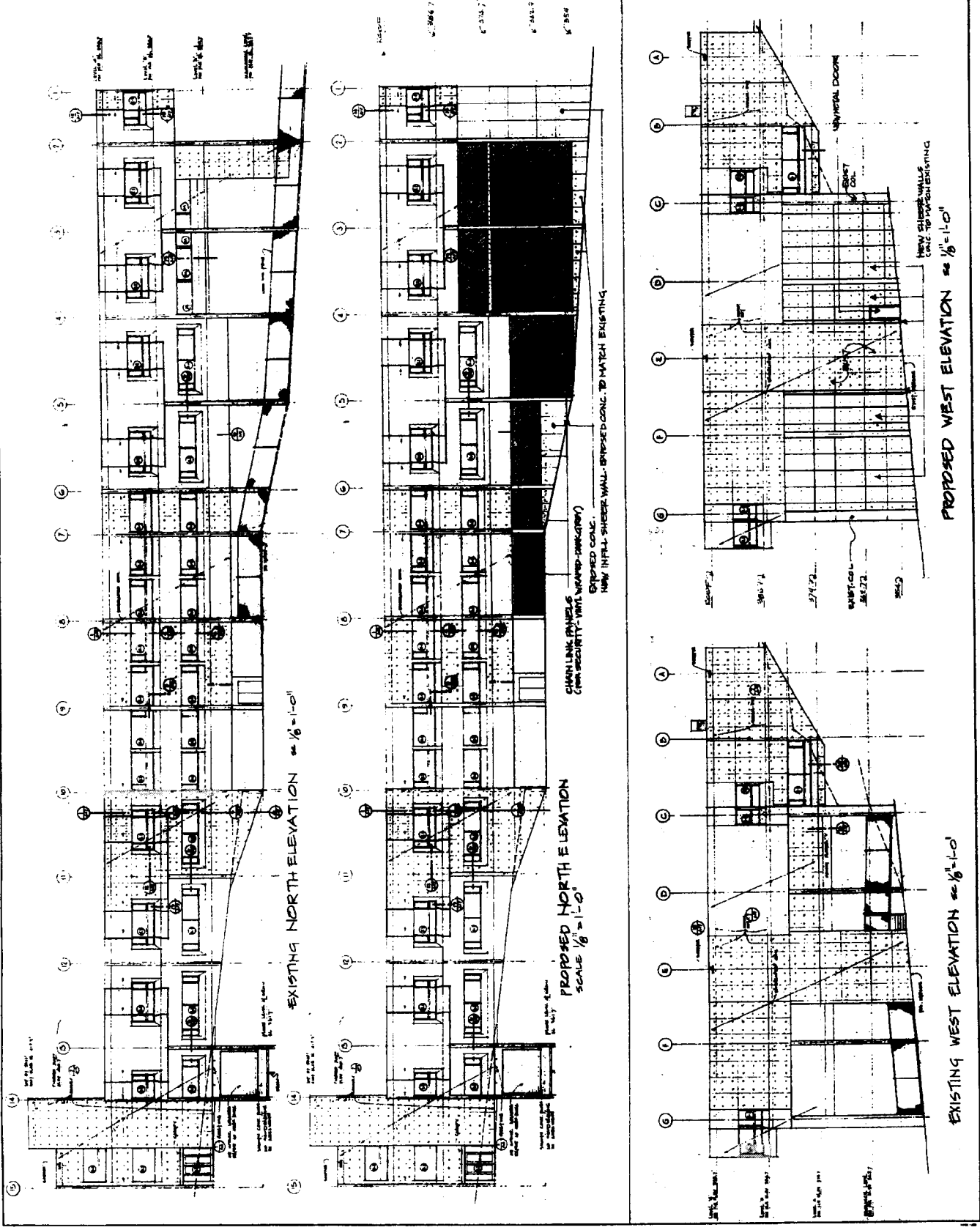
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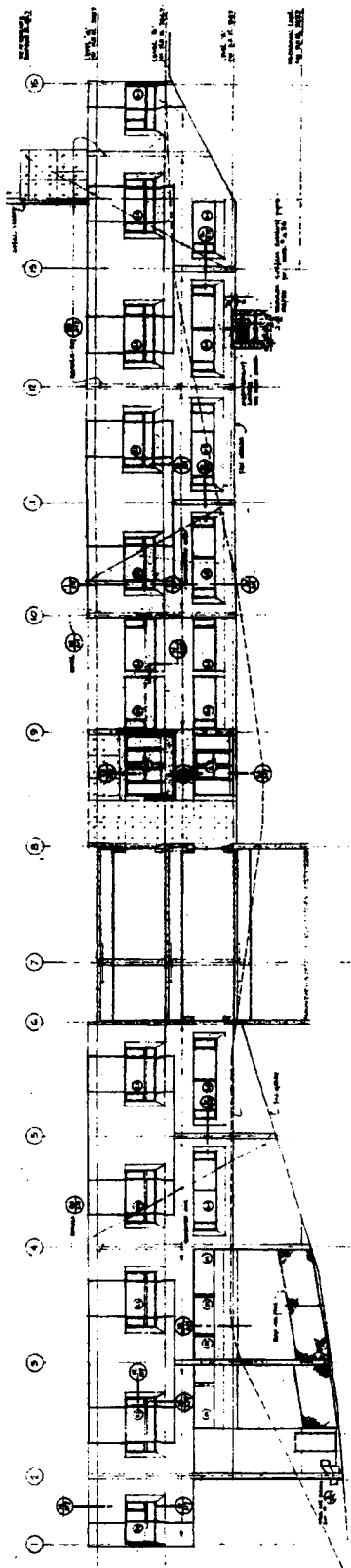
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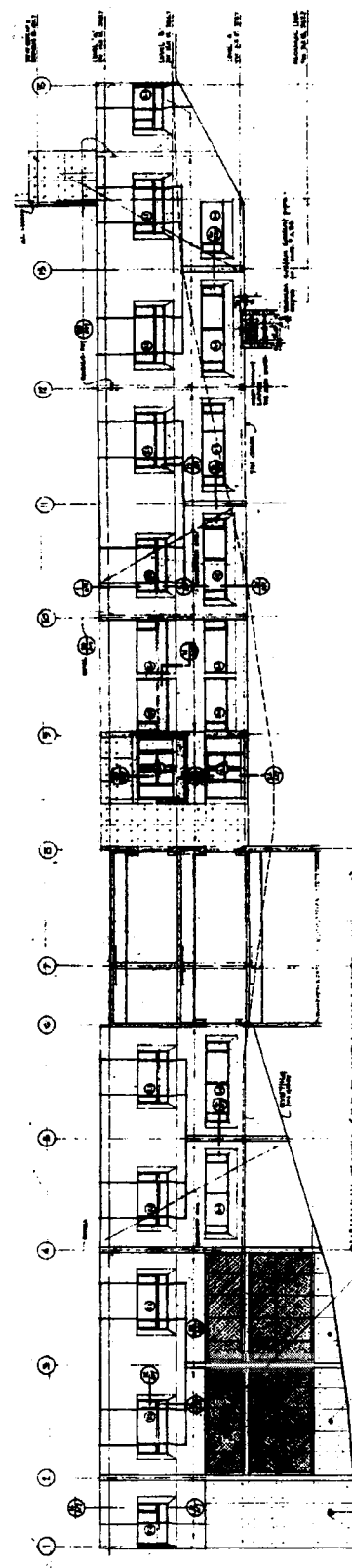
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ARCHITECTURAL  
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<p><b>UNECON</b> UNIVERSITY OF NEBRASKA ENGINEERING 1000 S. 10th Street Lincoln, NE 68508 Tel: 402-472-5000</p>	<p>PROJECT NO. UNIVERSITY COMMUNITY CENTER RENOVATION</p>	<p>DATE NOV 17 2011 BY J. L. HARRIS CHECKED M. J. HARRIS</p>	<p>SCALE 1/8" = 1'-0"</p>
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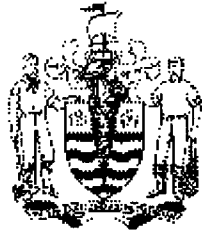


EXISTING SOUTH ELEVATION  
SCALE 1/8" = 1'-0"



PROPOSED SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

1507 2  
1507 2  
1507 2  
1507 2



**CITY OF VANCOUVER**

**REGULAR COUNCIL MEETING MINUTES**

**MAY 14, 2002**

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 14, 2002, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Mayor Philip Owen  
Councillor Fred Bass

\*Councillor Jennifer Clarke

Councillor Lynne Kennedy  
Councillor Daniel Lee  
Councillor Don Lee  
Councillor Tim Louis  
Councillor Sandy McCormick  
Councillor Gordon Price  
Councillor George Puil

\*Councillor Sam Sullivan

**CITY MANAGER'S OFFICE:** Judy Rogers, City Manager

**CITY CLERK'S OFFICE:** Syd Baxter, City Clerk  
Tarja Tuominen, Meeting Coordinator

\* Denotes presence for a portion of the meeting.

**CITY MANAGER'S ADMINISTRATIVE REPORTS**

**1. Form of Development: 749 West 33<sup>rd</sup> Avenue (St. Vincent's Hospital)**

**April 30, 2002** (File: 2609)

MOVED by Councillor Puil

THAT the revised form of development for the CD-1 zoned site known as 749 West 33rd Avenue be approved generally as illustrated in the Development Application Number DE406305, prepared by Unecon - Architecture Design Planning and stamped "Received, Community Services, Development Services April 18, 2002" provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of this site or adjacent properties.

CARRIED UNANIMOUSLY

749 West 33<sup>rd</sup> Avenue  
(St. Vincent's)

**BY-LAW NO. 9203**

**A By-law to amend CD-1 By-law No. 4671**

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

1. This By-law amends the indicated provisions of By-law No. 4671.
2. Council:
  - (a) repeals sections 1 and 2; and
  - (b) re-numbers section 3 as section 10.
3. Before section 10, Council inserts:

**"Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-571E attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

**Uses**

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (82).

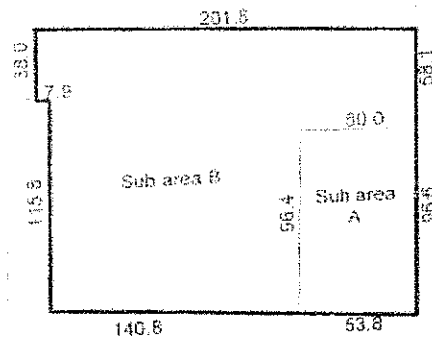
2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (82) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Institutional Uses, limited to Hospital, Special Needs Residential Facility - Community Care - Class B, and Special Needs Residential Facility - Group Living;
- (b) Dwelling Uses, limited to Seniors Supportive or Assisted Housing; and
- (c) Accessory Uses customarily ancillary to any use permitted by this section 2.2.

## Sub-areas

3. The site is to consist of Sub-areas A and B illustrated in Diagram 1.

Diagram 1 Sub areas



## Density

- 4.1 The floor space ratio must not exceed:
- (a) 1.0 for the entire site; or
  - (b) 1.24 for Sub-area A, and 0.95 for Sub-area B.
- 4.2 Computation of floor area must include:
- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building; and
  - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross-sectional areas and included in the measurements for each floor at which they are located.
- 4.3 Computation of floor space ratio must exclude:
- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
  - (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;

- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating or mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) areas of undeveloped floors located:
  - (i) above the highest storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (f) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

4.4 Computation of floor space ratio may exclude, at the discretion of the Director of Planning:

- (a) enclosed residential balconies if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
  - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
  - (ii) enclosure of the excluded balcony floor area must not exceed 50%; and
- (b) amenity areas accessory to dwelling use, including recreation facilities and meeting rooms, to a maximum of 10% of the residential floor area being provided.

## Height

5. The building height, measured above the base surface, calculated from the four corners at the boundaries of Sub-area A, must not exceed 19.8 m or four storeys.

## Yards

6.1 The front yard along Heather Street must be at least 17 m.

6.2 The exterior side yard along West 33<sup>rd</sup> Avenue must be at least 9 m.

## Parking, loading, passenger and bicycle spaces

7. Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that:

- (a) for units containing living accommodation, the following parking requirements apply:
  - (i) one parking space for each four units less than 70 m<sup>2</sup> of gross floor area, and
  - (ii) one parking space for each unit 70 m<sup>2</sup> or more of gross floor area; and
- (b) the Director of Planning, in consultation with the General Manager of Engineering Services, on conditions that are satisfactory to them, may allow the provision of scooter storage spaces in lieu of bicycle parking spaces.

## Acoustics

8. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of units containing living accommodation	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45



**Severability**

9. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.”

4. Schedule A attached to this By-law is to be Schedule A to By-law No. 4671.

ENACTED by Council this 23<sup>rd</sup> day of November, 2005



Deputy Mayor



City Clerk

**Schedule A**

Shaughnessy  
Military Hospital

*Site*

R.C.M.P.  
BARRACKS

20	19	18	17
----	----	----	----

THIRTY-FIRST AVE.

1	2	3	4
---	---	---	---

14	13	12	11
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THIRTY-SECOND AVE.

1	2	3	4
---	---	---	---

14	13	12	11
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THIRTY-THIRD AVE.

8
---

McGUIGAN AVE.

3	4	5
---	---	---

8	7	6
---	---	---

WILLOW ST.

1
2
3
4
5
6
7
8

HEATHER ST.

**Z-571E**

RZ - 749 W 33rd Avenue / 4855 Heather Street

map: 1 of 1  
scale: 1:2000



**City of Vancouver**

date: Aug. 11, 2005

satisfaction of the Director of Legal Services prior to enactment of the by-law provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult with other city officials and City Council.

- B. THAT the Draft By-law for the rezoning of 6650 Arbutus Street from RS-5 to CD-1 be amended as follows:

Section 7, (a) should read as follows (*italics denotes added words*):

- (a) there should be at least 1.1 parking spaces for each dwelling unit and *one additional space for each 200 square metres of gross floor area.*

CARRIED  
(Councillor Bass opposed)

#### 5. Text Amendment: 749 West 33<sup>rd</sup> Avenue

An application by Tony Gill, IBI Group/Henriquez, was considered as follows:

Summary: The proposed amendment to the existing CD-1 By-law would permit 60 units of Seniors Supportive or Assisted Housing and eight units of housing for young disabled adults to be built on the southeast portion of the site.

The Director of Current Planning recommended approval subject to conditions set out in the Agenda of the Public Hearing.

#### Summary of Correspondence

No correspondence was received on this application since the date it was referred to Public Hearing.

#### Speakers

Frances Lin expressed concern regarding the vibrations which will result from this new construction and the large heavy trucks which will be passing by and the effects they will have on her nearby house. She noted she already experienced cracks in her house during the two-month demolition of St. Vincent's Hospital.

## Council Decision

MOVED by Councillor Woodsworth

THAT the application by Tony Gill, IBI Group/Henriquez, to amend CD-1 By-law No. 4671 for 749 West 33<sup>rd</sup> Avenue (Block 1170, DL 526, Plan 14699) to permit a four storey assisted living project generally as outlined in Appendix A of the Policy report dated July 5, 2005 entitled "CD-1 Rezoning - 749 West 33<sup>rd</sup> Avenue (St. Vincent's Heather Site)" be approved subject to the following conditions:

### FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Tony Gill, IBI Group/Henriquez, Architect, and stamped "Received Planning Department (Rezoning Centre), May 24, 2005", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:
  - (i) design development to lessen the institutional image of the building by providing more articulation to break down the scale into smaller increments;
  - (ii) inclusion and reconciliation of this project with the overall "Campus of Care" master planning to the extent this work is proceeding at the time of development permit processing;
  - (iii) consideration of the special outdoor needs of occupants and ensuring an identifiable, high quality public realm treatment;
  - (iv) provision of a "Tree Retention Management Plan" outlining methods for the retention of existing trees;
  - (v) provide a landscaped and specialty treated paving area within the required 17 m. (55.8 ft.) building setback from Heather Street, and a landscaped area within the 9 m. (29.5 ft.) building setback from West 33<sup>rd</sup> Avenue;
  - (vi) design development to be consistent with principles of universal accessibility design; (note to applicant: Ease of access to first floor decks from individual units is an identified issue and the use of French doors should be considered)

- (vii) design development to integrate principles of sustainable landscape design into the overall Plant List and Irrigation Scheme;
- (viii) design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design);
- (ix) Exploration of "green strategies" for the project; and
- (x) Written confirmation shall be supplied by the applicant that soil contamination has been evaluated and remedial measures adopted to the satisfaction of the Ministry of Environment.

#### AGREEMENTS

- (c) That, prior to enactment of the CD-1 amending by-law, the registered owner shall make arrangements to the satisfaction of the Director of the Housing Centre and Director of Legal Services for provision of a housing agreement for this subsidized project;
- (d) That, prior to enactment of the CD-1 amending by-law, the registered owner shall make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:
  - (i) clarification if subdivision is intended and if so, subdivision registration prior to issuance of any related development permit will be required;
  - (ii) prior to any development permit being issued for the site, provide details regarding the storm and sanitary sewer needs for the site and make arrangements for any upgrading of the sewers to serve the site;
  - (iii) undergrounding of all new utility services from the closest existing suitable service point. All serviced, and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged; and
  - (iv) Provision of street trees adjacent to the Heather Street frontage of the site where space permits.
- (e) That, prior to the enactment of the CD-1 amending by-law, the registered owner shall make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services to provide for the following requirements prior to any future rezoning application or related development application or master plan approval process:

- (i) Provision of a street treatment adjacent to the Heather Street frontage of the site to reinforce the function of Heather Street as an established bikeway and as a local residential street which may include, but not be limited to, a landscaped median on Heather Street, corner or mid-block bulges and other related treatments consistent with typical bikeways throughout the City;
- (ii) Provision of curb, gutter, street trees and pavement to the centreline of the West 33rd Avenue frontage of the site at a width to provide for a parking lane, a bicycle lane and a single moving vehicle lane; (Note to applicant: Sidewalk relocation may be necessary to accomplish the necessary road width.)
- (iii) Submission of a Transportation Impact Study of potential development options that may be pursued on the full St. Vincent's site, and to be implemented as requirements of any master plan approvals; and
- (iv) Consultation with the Bicycle Advisory Committee regarding development and transportation aspects of a fully redeveloped St. Vincent's site prior to submission of any related development application for the site.

**CARRIED UNANIMOUSLY**  
(Mayor Campbell excused from voting)

**6. Rezoning and Text Amendment: 1835 West 75<sup>th</sup> Avenue  
(south half of 1850 SW Marine Drive)**

An application by Robert Barrs, Holland Barrs Planning Group was considered as follows:

Summary: The rezoning from Limited Agriculture District (RA-1) to Comprehensive Development District (CD-1) By-law No. 6063 of the southern portion of the property, and an amendment to the CD-1 By-law, would permit four one-family dwellings, subject to design guidelines and regulations similar to the development on either side of the subject site.

The Director of Current Planning recommended approval subject to conditions set out in the Agenda of the Public Hearing.

**Staff Opening Comments**

Dave Thomsett, Senior Rezoning Planner, Rezoning Centre, provided an overview of the application and explained the difference between recommendation A which would allow four houses on the subject site as desired by the applicant and supported by staff, and the alternative to A put forward for consideration which would reduce that number to three, as supported by the neighbours. Mr. Thomsett also provided clarification on the issue of

## CITY OF VANCOUVER



## SPECIAL COUNCIL MEETING MINUTES

SEPTEMBER 15, 2005

A Special Meeting of the Council of the City of Vancouver was held on Thursday, September 15, 2005, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development, Sign and Noise Control By-laws.

**PRESENT:** Mayor Larry Campbell  
 Councillor Fred Bass  
 Councillor David Cadman  
 Councillor Jim Green  
 Councillor Peter Ladner  
 Councillor Raymond Louie  
 Councillor Tim Stevenson  
 Councillor Sam Sullivan  
 Councillor Ellen Woodsworth

**ABSENT:** Councillor Tim Louis (Leave of Absence)  
 Councillor Anne Roberts (Leave of Absence - Civic Business)

**CITY CLERK'S OFFICE:** Laura Kazakoff, Meeting Coordinator

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
 SECONDED by Councillor Woodsworth

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development, Sign and Noise Control By-laws.

**CARRIED UNANIMOUSLY****1. Rezoning: 1750 Davie Street**

An application by Henriquez Partners Architects was considered as follows:

**Summary:** The proposed rezoning would permit a one-storey addition to the front of this existing building. Consequential amendments to the Sign and Noise Control By-laws are also required.

The Director of Current Planning recommended approval, subject to the conditions set out in the agenda of the Public Hearing.

10. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 1133 West Georgia Street) (By-law No. 9195)  
(Councillors Louis and Roberts ineligible to vote)
11. A By-law to amend Sign By-law No. 6510 (re 1133 West Georgia Street)  
(By-law No. 9196)  
(Councillors Louis and Roberts ineligible to vote)
12. A By-law to amend CD-1 By-law No. 5407 (re 1155 East Broadway) (By-law No. 9197)  
(Councillors Green, Louie and Louis ineligible to vote)
13. A By-law to amend Sign By-law No. 6510 (re 1155 East Broadway) (By-law No. 9198)  
(Councillors Green, Louie and Louis ineligible to vote)
14. A By-law to amend Subdivision By-law No. 5208 (re 6650 Arbutus Street)  
(By-law No. 9199)  
(Councillors Louis and Roberts ineligible to vote)
15. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 6650 Arbutus Street) (By-law No. 9200)  
(Councillors Louis and Roberts ineligible to vote)
16. A By-law to amend False Creek North Official Development Plan By-law No. 6650  
(re 505 - 600 Abbott Street) (By-law No. 9201)  
(Councillor Cadman and Mayor Campbell ineligible to vote)
17. A By-law to amend CD-1 By-law No. 6747 (re 505 - 600 Abbott Street)  
(By-law No. 9202)  
(Councillor Cadman and Mayor Campbell ineligible to vote)
18. A By-law to amend CD-1 By-law No. 4671 (re 749 West 33<sup>rd</sup> Avenue)  
(By-law No. 9203)  
(Councillors Louis and Roberts and Mayor Campbell ineligible to vote)
19. A By-law to amend Zoning and Development By-law No. 3575 by rezoning a certain area to CD-1 (re 969 Burrard Street and 1017 - 1045 Nelson Street)  
(By-law No. 9204)  
(Councillor Cadman ineligible to vote)
20. A By-law to amend CD-1 By-law No. 6063 (re 1835 West 75<sup>th</sup> Avenue)  
(By-law No. 9205)  
(Councillors Louis and Roberts ineligible to vote)
21. A By-law to amend Miscellaneous Fees By-law No. 5664 and Vehicles for Hire By-law No. 6066 regarding housekeeping matters (By-law No. 9206)

The Council adjourned at 3:40 p.m.

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Special needs residential facilities

BY-LAW NO. 9674

A By-law to amend CD-1 By-law No.'s 3869, 3897, 4271, 4580, 4634, 4671, 5343, 6041, 6070 6072, 6919, 7114, 7193, 7196, 7204, 7210, 7461, 7647, 7679, 7682, 7723, 7852, 8055, 8088, 8111, 8326, 8369, 8457, 8479, 8546, 8880, 9190, 9204, 9454, 9463, 9573, 9594, and 9600

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

- From each of the CD-1 by-laws listed in Column 1 of Table 1, Council strikes out, from each of the sections listed in Column 2, the words set out in Column 3, and variations of those words, and substitutes the words set out in Column 4:

Table 1

Column 1	Column 2	Column 3	Column 4
3869	2 (b) 5.1 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
3897	2 (c) 6 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
4271	2 (a)	special needs residential facility (Community Care Facility)	Community Care Facility
4580	3.1	Special Needs Residential Facility: Community Care Facility	Community Care Facility
4634	2 (e)	special needs residential facility (community care facility)	community care facility
	3 Table A	Special Needs Residential Facilities (Community Care Facilities)	Community Care Facilities
	4(c)	special needs residential facility	community care facility
4671	2.2 (a)	Special Needs Residential Facility - Community Care - Class B, and Special Needs Residential Facility - Group Living	Community Care Facility - Class B and Group Residence
5343	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

6041	2 (c)	Special needs residential facility - community care - Class B	Community care facility - class B
6070	2 (a) (iii)	special - needs residential facility	community care facility or group residence
6072	2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
6919	2 (a)	Special Needs Residential Facility (Community Care Facility)	Community Care Facility
7114	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7193	2 (a)	Special Needs Residential Facility - Community Care	Community Care Facility
7196	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7204	10 (b) (iv)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7210	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7461	6.4 (b)	and special needs residential uses	community care facilities and group residences
7647	2.1 (a)	Special Needs Residential Facilities	of the following: Community Care Facilities or Group Residences
7679	4.1 (d)	and Special Needs Residential Facility	, Community Care Facility and Group Residence
7682	2 (e)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
	10 (d)	Special Needs Residential Facility	Community Care Facility
7723	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7852	2.1 (b)	Special Needs Residential Facility - Class B	Community Care Facility - Class B
	5	Special Needs Residential Facility	Community Care Facility
8055	2 (a)	Special Needs Residential Facility	Community Care Facility and Group Residence
8088	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

8111	2 (a) 5.1	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8326	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8369	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8457	2 (b)	Special Needs Residential Facility - Community care - Class B	Community Care Facility - Class B
8479	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8546	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
8880	3	Special Needs Residential Facility	Community Care Facility, Group Residence
9190	3 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9204	3 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9454	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9463	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9573	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9594	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9600	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence

2. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

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

ENACTED by Council this 24<sup>th</sup> day of June, 2008

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Mayor

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City Clerk

## EXPLANATION

### **A By-law to amend certain CD-1 By-laws re special needs residential facilities**

After the public hearing on June 10, 2008, Council resolved to amend certain CD-1 By-laws to refer to community care facilities rather than special needs residential facilities. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
June 24, 2008

17. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 2978 West 5<sup>th</sup> Avenue) (By-law No. 9687)**  
(Councillors Ball, Cadman and Louie ineligible to vote)
18. **A By-law to designate certain real property as protected heritage property (re 2978 West 5<sup>th</sup> Avenue) (By-law No. 9688)**  
(Councillors Ball, Cadman and Louie ineligible to vote)

MOVED by Councillor Lee  
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 3 to 7, 9, 10 and 16, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

3. **A By-law to amend Zoning and Development By-law No. 3575 (re special needs residential facilities) (By-law No. 9673)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
4. **A By-law to amend certain CD-1 By-laws re special needs residential facilities (By-law No. 9674)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
5. **A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re special needs residential facilities) (By-law No. 9675)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
6. **A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re special needs residential facilities) (By-law No. 9676)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
7. **A By-law to amend By-law No. 9488 Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts (re special needs residential facilities) (By-law No. 9677)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
9. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 125 Boundary Road) (By-law No. 9679)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
10. **A By-law to designate certain real property as protected heritage property (re 125 Boundary Road) (By-law No. 9680)**  
(Councillors Anton, Ball, Capri and Louie ineligible to vote)

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Lee  
SECONDED by Councillor Deal

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

**BY-LAWS**

MOVED by Councillor Anton  
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1, 2, 8, 11, 12, 14, 15, 17 and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

1. A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$5,722.78 for certain local improvement lane lighting projects, and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9671)
2. A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$554,777.99 for certain local improvement street work projects, including pavement, curbs, trees and bulges, and lane pavement and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9672)
8. A By-law to amend Parking By-law No. 6059 (re special needs residential facilities) (By-law No. 9678)
11. A By-law to amend Subdivision By-law No. 5208 regarding miscellaneous amendments (By-law No. 9681)
12. A By-law to amend Parking By-law No. 6059 (re bicycle spaces) (By-law No. 9682)
14. A By-law to amend Subdivision By-law No. 5208 (re 5475 Dunbar Street and 3625 and 3641 West 39<sup>th</sup> Avenue) (By-law No. 9684)
15. A By-law to amend CD-1 By-law No. 8131 (re Great Northern Way Campus) (By-law No. 9685)

#### **4. TEXT AMENDMENT: SNRF ZONING AND DEVELOPMENT BY-LAW REVISIONS**

An application by the Director of Planning was considered as follows:

**Summary:** To amend the definitions of Special Need Residential Facilities (SNRF) in the Zoning & Development By-law and make consequential changes to the Zoning & Development By-law and relevant CD-1 By-laws; amend references in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws; and amend the Parking By-law. These are housekeeping amendments to update the definitions.

The Directors of Social Planning, Planning, Development Services, Housing Centre, Legal Services, and General Manager of Engineering Services recommended approval.

Also before Council was a memorandum from Anne Kloppenborg, Social Planning, dated May 20, 2008, which noted an addition to Appendix B of the Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines" dated April 15, 2008, in order to conform with the draft By-laws prepared by staff.

#### **Staff Opening Comments**

Anne Kloppenborg, Social Planning, reviewed the application, including the memo distributed with the agenda package for the Public Hearing.

#### **Summary of Correspondence**

No correspondence had been received on this application since referral to Public Hearing.

#### **Speakers**

Sister Elizabeth Kelliher and Johnn Olldym spoke in opposition to the application.

#### **Council Decision**

MOVED by Councillor Chow

- A. THAT the application to:
  - i) amend the definitions of Special Needs Residential Facilities in section 2 of the Zoning and Development By-law, and make the necessary consequential changes to the Zoning and Development By-law and to the CD-1 By-laws listed in Appendix A; and
  - ii) amend references to "Special Needs Residential Facilities" in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws,



generally in accordance with Appendix A and B to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008, be approved with the following changes to Appendix B noted in the Memorandum dated May 20, 2008, from Anne Kloppenborg, Social Planning:

In Section 1.1 of the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts, delete *special needs residential facility* and substitute *community care facility or group residence*; and in Section 2.5, delete the reference to *Special Needs Residential Facility Guidelines* and substitute *Community Care Facility and Group Residence Guidelines*.

- B. THAT Council approve amendments to the Parking By-law, generally in accordance with Appendix C to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.
- C. THAT if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the Community Care Facilities and Group Residences Guidelines and the Application Procedures for Development Permits for Community Care Facilities and Group Residences, as outlined in Appendix D to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

CARRIED UNANIMOUSLY