

CD-1 (312)
Back-up Notes Summary Page
300 Cardero Street

BY-LAWS

CD-1 (312) - By-law No. 7200 and any subsequent amending by-laws

http://app.vancouver.ca/bylaw_net/Report.aspx?bylawid=7200

http://app.vancouver.ca/bylaw_net/Report.aspx?bylawid=11578

http://app.vancouver.ca/bylaw_net/Report.aspx?bylawid=12060

Consequential By-laws

Sign No. 7200 (B) (DD) <https://bylaws.vancouver.ca/sign/schede.pdf>

POLICIES and GUIDELINES

Coal Harbour Official Development Plan <https://bylaws.vancouver.ca/odp/ch.pdf> Marina

Neighbourhood CD-1 Guidelines for Land Development (300 Cardero Street) -
<http://guidelines.vancouver.ca/CD-1/M001.pdf>

Marina Neighbourhood CD-1 Guidelines for Marina Development (300 Cardero Street) -
<http://guidelines.vancouver.ca/CD-1/M002.pdf>

CD-1 (312) [http://cd1-bylaws.vancouver.ca/CD-1\(312\).pdf](http://cd1-bylaws.vancouver.ca/CD-1(312).pdf)

PUBLIC HEARINGS - Minutes, Reports, Posted By-laws, etc.

PH Date December 11, 1991

Summary – from CWD Central Waterfront District to CD-1 (312) to permit a maximum of 850 dwelling units within a maximum total of 85 110m² of residential floor area.

By-law enacted October 19, 1993

PH Date February 23, 2016 - <http://council.vancouver.ca/20160223/phea20160223ag.htm>

Summary – to amend CD-1 (312) to substitute Diagram 1

TA enacted on July 26, 2016

PH Date February 20, 2018 - <http://council.vancouver.ca/20180220/phea20180220ag.htm>

Summary – to amend CD-1 (312) to replace table 1 and 2 to enable retail to office conversion

TA enacted on March 13, 2018

Backup Notes

CO-1 BOK

CITY OF VANCOUVER

MEMORANDUM

Date: December 19, 1991

From: CITY CLERK

To: City Manager
 Director of Planning
 Director of Legal Services
 Associate Director, Central Area Projects (cc: Mike Kemble)
 → Associate Director, Land Use & Development
 City Engineer
 Medical Health Officer
 Director of Housing & Properties
 Director of Social Planning
 General Manager, Parks & Recreation
 Director of Vancouver Public Library

RECEIVED
PLANNING DEPARTMENT
DEC 20 1991
NUMBER M 8853
RECEIVED FAS
COPY TO THF
ANSWER COPY

Subject: Public Hearing - December 11, 1991

I wish to advise you of the attached Minutes of the Special Council (Public Hearing) meeting of December 11, 1991, respecting the rezonings of 300 Cardero Street (Marathon Site 1A) and 301 Jervis Street (Marathon Site 1B).

Please note any items contained therein for your attention.

CITY CLERK
81

JT:ci
Att.

Also sent to: Mr. Jim Cox
 Director of Planning & Development
 Marathon Realty Co. Ltd.
 #2100 - 200 Granville Street
 Vancouver V6C 1S4

Mr. Alick Patterson
 Secretary-Treasurer
 Vancouver School Board
 1595 West 10th Avenue
 Vancouver V6J 1Z8

First Narrows Floating Co-op
 #704 - 1755 Robson Street
 Vancouver V6G 3B7

CITY OF VANCOUVER

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SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Wednesday, December 11, 1991, in the Council Chamber, Third Floor, City Hall, at approximately 7:40 p.m., for the purpose of holding a Public Hearing to amend the Zoning & Development By-law.

PRESENT: Mayor Campbell
Aldermen Bellamy, Chan, Davies,
Eriksen, Owen, Price, Puil,
Rankin and Wilson

ABSENT: Alderman Yorke (Leave of Absence)

CLERK TO THE COUNCIL: J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Puil,
SECONDED by Ald. Davies,

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning & Development By-law.

- CARRIED UNANIMOUSLY

Items 1 and 2 were considered concurrently and are so minuted.

1. Rezoning: 300 Cardero Street - (Marathon Site 1A)
2. Rezoning: 301 Jervis Street - (Marathon Site 1B)

Two applications by Marathon Realty Company Ltd. were considered as follows:

REZONING: 300 CARDERO STREET - (MARATHON SITE 1A)

Present Zoning: CWD Central Waterfront District
Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved the draft by-law would rezone those properties zoned CWD, shown on the following map, and incorporate the site into a new CD-1 by-law, which would accommodate use and development generally as follows:

- maximum of 850 dwelling units within a maximum total of 85 110 m² of residential floor area;

Clause Nos. 1 and 2 cont'd

REZONING: 301 JERVIS STREET - (MARATHON SITE 1B)

Present Zoning: CWD - Central Waterfront District

Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved the draft by-law would rezone those properties zoned CWD, shown on the map above, and incorporate the site into a new CD-1 by-law, which would accommodate use and development generally as follows:
- maximum of 170 dwelling units within a maximum total of 19 485 m² of residential floor area;
 - provisions for social housing;
 - provisions for family housing;
 - retail, office and service uses, limited to a maximum total of 1 060 m²;
 - institutional, cultural and recreational uses, including a community centre, elementary school, and child daycare facilities, and approximately 1.01 ha of park;
 - accessory uses customarily ancillary to the above;
 - maximum height set out on a sub-area basis, ranging from 30 m to 65 m;
 - acoustical provisions; and
 - provisions regarding off-street parking and loading.
- (ii) Amend the Coal Harbour Official Development Plan, Sub-Area Boundaries.
- (iii) Amend Sign By-law, No. 6510.
- (iv) Any consequential amendments.

The Director of Planning recommended approval, subject to the following conditions as proposed for adoption by resolution of Council:

- (a) THAT the proposed form of development for sites 1A and 1B be approved by Council, in principle, generally as shown on the plans stamped "Received City Planning Department July 4, 1991, and October 18, 1991", having specific regard to the siting of the buildings, development of the ground plane, general building heights and massing, providing that the Director of Planning may allow alterations to this form of development when approving the detailed scheme of development with guidance from (b) and (c) below;

Clause Nos. 1 and 2 cont'd

- (b) THAT, prior to approval by Council development, the applicant shall obtain the approval of the Director of Planning of any development with particular regard to the following:
- reducing the height of the two towers on Broughton Streets to a maximum of 5 stories to provide access to adjacent public and private streets and provide more skyline height variation between towers between Cardero and Broughton Streets;
 - further refining tower massing to better integrate with the low-rises;
 - reconsidering the low-rise base and the rental housing tower at Pender and Cardero to provide better views and the building's street relationship;
 - refining the design of the neighbourhood at the intersection of Jervis and Hastings to provide a more integrated concept, respond better to its context and address parking access concerns;
 - reviewing the locations and number of children's play areas to meet the needs of the surrounding housing units;
 - further refining street tree planting and landscaping and adjacent uses to accommodate for grade-oriented units, street frontage and neighbourhood edges;
 - development of shoreline and park system concepts in accordance with the City's policies and standards and
 - provision of bicycle parking facilities and their development as determined by the Director of Planning in consultation with the City Engineer.
- (c) The approval in principle of the "Marina Neighbourhood CD-1 Guideline for final approval at the time of enactment";

Clause Nos. 1 and 2 cont'd

- (d) THAT, prior to the enactment of each of the site 1A and site 1B CD-1 By-laws the property owner shall, for both sites, at no cost to the City:
- (i) Execute an agreement or agreements, satisfactory to the Director of Legal Services, amending those agreements made, prior to enactment of the Coal Harbour Official Development Plan, between Marathon and the City, and dated October 30, 1990, to provide that the obligations contained therein will not become automatically void in the event the Coal Harbour ODP is successfully challenged.
 - (ii) Obtain and submit to the City a copy of all soils studies and the consequential remediation plan, approved by the Ministry of Environment, Environment Canada and Department of Fisheries and Oceans, and acceptable to the City. Execute agreements satisfactory to the Director of Legal Services and the City Manager, in consultation with appropriate Department Heads, the General Manager of Parks and Recreation, and Superintendent of Schools, to:
 - a) provide for the remediation of any contaminated soils on the subject sites in accordance with a remediation plan approved by the Ministry of Environment, Environment Canada and the Department of Fisheries and Oceans, and acceptable to the City; and
 - b) indemnify the City, the Approving Officer, the Park Board and the School Board against any liability or costs which may be incurred as a result of the presence of contaminants on the subject sites or any failure to carry out the aforementioned approved remediation plan;
 - (iii) Submit to the City a remediation plan for all on and off-site streets and rights-of-way required to serve the subject sites, including utility construction plans compatible with the accepted remediation plan; together with any agreements deemed necessary by the City Engineer providing for the construction and installation of: remedial works; special utility designs; and monitoring systems for, among other things, water discharges and ground water flows; and any other systems considered advisable by the City Engineer, all to the satisfaction of the City Engineer and Director of Legal Services;

Clause Nos. 1 and 2 cont'd

- (iv) Execute a Section 215 agreement, satisfactory to the Director of Legal Services, that there will be no occupancy of any buildings or improvements on the subject sites constructed pursuant to these rezonings until the contaminated soils on the subject sites have been remediated to the satisfaction of the City, the Ministry of Environment and all relevant Federal authorities, in accordance with a remediation plan approved by the Ministry of Environment, Environment Canada, the Department of Fisheries and Oceans, and acceptable to the City;
- (v) Execute an agreement, satisfactory to the Directors of Legal Services and Housing and Properties, ensuring that the property owner will convey to the City at a cost acceptable to the City, sufficient numbers of parcels at locations acceptable to the Directors of Planning and Housing and Properties to achieve the social housing components identified for these sites, and also that:
 - a) this agreement may require the property owner to build the social housing when a social housing project is approved; and
 - b) the social housing sites may only be developed under the core-need program of the British Columbia Housing Management Commission or other housing programs for those in need, approved by the City, or for park or community uses, but not for market housing or market commercial space;
- (vi) Execute an agreement, providing that occupancy or possession of dwelling units shall not be denied to families with children with the exception of units which may be designated as senior citizens' housing;
- (vii) Execute a Section 215 agreement, satisfactory to the Director of Legal Services and the Director of Housing and Properties, prohibiting stratification of units developed under the rental incentive;

Clause Nos. 1 and 2 cont'd

- (viii) Execute an agreement satisfactory to the Directors of Legal Services, Housing and Properties, and Social Planning ensuring that the property owner will:
 - a) pay a portion of the cost of an Arts Complex facility (to include a theatre or theatres) to be developed in a later phase in the commercial development at the east end of the Marathon Coal Harbour property, with pro-rated payments according to a schedule approved by the City, and
 - b) establish the timing and provision by the owner of a site for the Arts Complex at no cost to the City;
- (ix) Execute an agreement satisfactory to the Directors of Legal Services and Social Planning for the provision of:
 - a) public art, the value of which shall be based on the calculation of \$1 per revenue producing sq.ft. (as determined by the Director of Social Planning) of improvements to be constructed pursuant to these rezonings; or
 - b) a payment in lieu of public art calculated on the basis of \$1 per revenue producing sq.ft. (as determined by the Director of Social Planning); or
 - c) a combination of a) and b);
- (x) Execute agreements, satisfactory to the Director of Legal Services, that there will be no occupancy of any building or improvements on the subject sites constructed pursuant to these rezonings until the requisite park and open space are constructed to the satisfaction of the General Manager of Parks and Recreation, the soils thereof have been remediated to the satisfaction of the City, the Ministry of Environment, Environment Canada and the Department of Fisheries and Oceans, and the park and open spaces have been dedicated or conveyed to the City;

Clause Nos. 1 and 2 cont'd

- (xi) Execute a service agreement, satisfactory to the City Engineer and the Director of Legal Services, incorporating, without limitation, the terms contained in that agreement made between Marathon and the City, dated October 30, 1990, known as the Utility and Roadworks Phasing Agreement: to ensure that all on-site and off-site works and services (collectively called the 'Services') necessary or incidental to the servicing of the subject sites are designed, constructed, and installed; and to provide for the grant of all necessary street dedications and rights-of-way for these Services; at no cost to the City, and to the satisfaction of the City Engineer and the Director of Legal Services. Without limiting the discretion of the said City officials, this agreement shall include provisions that:
- a) the property owner fund a pedestrian signal on Pender at Broughton, if subsequently determined by Council to be necessary;
 - b) no Development Application in respect of any improvements to be constructed on the subject sites pursuant to these rezonings shall be applied for until the design of all the Services is completed to the satisfaction of the City Engineer;
 - c) the design of all the Services will be completed to the satisfaction of the City Engineer prior to: (i) tendering for the construction of any of the Services; or (ii) any construction of the Services if the Property Owner decides not to tender the construction of the Services; and
 - d) no occupancy of any buildings or improvements constructed pursuant to these rezonings shall be permitted until all the Services are completed to the satisfaction of the City Engineer;
 - e) obtain all necessary approvals and permits under the Navigable Waters Protection Act (Canada) and any ocean dumping permits which may be required by Federal authorities;

Clause Nos. 1 and 2 cont'd

(xii) Execute agreements, satisfactory to the City Engineer and Director of Legal Services, related to the shoreline and waterfront pedestrian/bicycle system, incorporating without limitation, the terms contained in that agreement made between Marathon and the City, dated October 30, 1990, known as the Shoreline and Waterfront Walkway Phasing Agreement, obligating the registered Property Owner at no cost to the City, to:

- a) design and construct the shoreline works including a waterfront pedestrian/bicycle system (collectively called the 'Shoreline Works'), to the satisfaction of the City Engineer, and the General Manager of Parks and Recreation where such improvements encroach on park areas. This agreement will include provisions that: i) the design of the Shoreline Works will be completed to the satisfaction of the City Engineer prior to tendering for the construction of these works, or commencement of construction of the Shoreline Works if the Property Owner decides not to tender the construction of the Shoreline Works; ii) no Development Application in respect of any improvements to be constructed on the subject sites pursuant to these rezonings shall be applied for until the design of the Shoreline Works is completed to the satisfaction of the City Engineer; and iii) no occupancy of any buildings or improvements constructed pursuant to these rezonings shall be permitted until the relevant portions of the Shoreline Works are completed to the satisfaction of the City Engineer;
- b) grant all requisite rights over lands containing the Shoreline Works and access thereto, to the satisfaction of the City Engineer and Director of Legal Services, provided however, the lands containing the Shoreline Works are to be transferred in fee simple to the City;
- c) assure access to, and support of, the Shoreline Works from both the uplands and the water lots, and grant rights-of-way therefor as required by the City Engineer, including a right-of-way over the water lots for access to the Shoreline Works for maintenance and repair purposes;

Clause Nos. 1 and 2 cont'd

- d) maintain the water lots in such a manner as to preserve the amenity value inherent in the Shoreline Works; including provisions that the water lots are to remain unfilled and undeveloped;
 - e) provide such services (including parking facilities) on the upland portions of the sites as may be required by the Director of Planning and the City Engineer for any development (whether existing or planned) of the waterlot portions of the sites. In the event that the Property Owner is unable to provide requisite parking under the Jervis park site, to service the marina, the Property Owner must make alternate arrangements for such parking to the satisfaction of the City Engineer;
 - f) obtain all necessary approvals and permits under the Navigable Waters Protection Act (Canada) and any ocean dumping permits which may be required by Federal authorities; and
 - g) construct and maintain all off-site temporary walkways to connect to the permanent system on-site, as set out in the aforesaid agreement dated October 30, 1990, and grant all necessary rights-of-way in respect thereof;
- (xiii) Execute an agreement, satisfactory to the Director of Legal Services and the City Engineer incorporating, without limitation, the terms contained in that agreement made between Marathon and the City, dated October 30, 1990, known as the Saltwater Pumping Stations Agreement, and obligating the property owner to:
- a) provide land for the salt water pump station nearest to Cardero Street at no cost to the City;
 - b) contribute 50% of the cost of the salt water pump station nearest to Cardero Street, including all equipment required for the operation of the pumping station and all valves, connections, water intakes and components appurtenant thereto. The locations of all such equipment, including the water intakes, shall be determined by the City Engineer;

Clause Nos. 1 and 2 cont'd

- c) contribute 50% of the cost of the distribution mains including all valves, couplings, hydrants and connections appurtenant thereto extending from the pumping stations to terminate approximately at the north side of Georgia Street; and
- d) fund 100% of the cost of the distribution pipes including all pipes, valves, couplings and connections appurtenant thereto installed and connected to the distribution mains solely to provide service to individual properties within the site.
- e) obtain all necessary approvals and permits under the Navigable Waters Protection Act (Canada) and any ocean dumping permits which may be required by Federal authorities;

A contribution from the Bayshore development is to be credited to Marathon's contribution obligations, if paid within five years of the completion of the salt water pump station;

- (xiv) Execute agreements, satisfactory to the Director of Legal Services and the City Engineer, obligating the property owner at no cost to the City to provide land for a sewage pump station, at a location satisfactory to the City Engineer; and to design, construct and install the sewage pump station (including all equipment required for the operation of the pump station and components appurtenant thereto) to the satisfaction of the City Engineer. Without limiting the discretion of the said City Officials, this agreement shall include provisions that:
 - a) the design of all the works and services will be completed to the satisfaction of the City Engineer prior to: (i) tendering for the construction of any of these works and services; or (ii) any construction of the works and services if the Property Owner decides not to tender the construction;
 - b) no Development Application in respect of any improvements to be constructed on the subject sites pursuant to these rezonings shall be applied for until the design of all of the works and services is completed to the satisfaction of the City Engineer; and

Clause Nos. 1 and 2 cont'd

- c) no occupancy of any buildings or improvements constructed pursuant to these rezonings shall be permitted until all works and services are completed to the satisfaction of the City Engineer;
- (xv) Execute agreements, satisfactory to the City Engineer and the Director of Legal Services, incorporating, without limitation, the terms contained in that agreement made between Marathon and the City, dated October 30, 1990, known as the Transit Corridor Agreement, and securing all necessary rights-of-way in favour of the City for transit corridors and public open spaces, considered necessary by the City Engineer at no cost to the City;
- (xvi) Execute an agreement, satisfactory to the City Engineer and Director of Legal Services, for integration of the marina entrance ramps to the Shoreline Works at those locations satisfactory to the City Engineer, in consultation with the Director of Planning, at no cost to the City;
- (xvii) Execute a flood plain covenant, satisfactory to the Director of Legal Services and the Ministry of Environment;
- (xviii) Obtain approval and registration of a subdivision plan consistent with the Coal Harbour Street System approved by Council on May 31, 1990, and the proposed rezonings;
- (xix) Re-evaluate and revise and/or release all existing covenants and rights-of-way to address the proposed redevelopments;
- (xx) Make arrangements with the owner of the Bayshore site, satisfactory to the City Engineer and the Director of Legal Services, to acquire land, comprising a 20m wide road, at the north foot of Cardero Street to facilitate dedication and construction of the street system and Shoreline Works thereon at no cost to the City;
- (xxi) Submit to the City a noise attenuation plan, satisfactory to the Medical Health Officer and the Director of Planning, for sites 1A and 1B.

Clause Nos. 1 and 2 cont'd

- (e) The preceding agreements are to be tendered, at the option of the Director of Legal Services, for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-laws; such agreements are to have priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services;
- (f) The preceding agreements shall provide security to the City, including equitable charges and letters of credit, as deemed necessary by and in a form satisfactory to the Director of Legal Services;
- (g) The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council;
- (h) THAT prior to enactment of the site 1A CD-1 By-law, the property owner shall, at no cost to the City:
 - (i) Execute an agreement, satisfactory to the Director of Legal Services and the Chairman of the Library Board, requiring the payment of a portion of the extra costs associated with providing service for the residents of the entire Marathon site, based on the average per capita operating cost of library services in the City at the time of the agreement, payable upon occupancy of the first residential dwelling unit in site 1A;
 - (ii) Execute an agreement, satisfactory to the Director of Legal Services and the General Manager of Parks and Recreation, to ensure that the portion of park required to service site 1A be conveyed at no cost to the City. The open space shall be designed and constructed to the satisfaction of the General Manager of Parks and Recreation and shall be delivered prior to occupancy of residential dwelling units on site 1A;

Clause Nos. 1 and 2 cont'd

- (iii) Execute agreements, satisfactory to the Director of Legal Services, the General Manager of Parks and Recreation, the Director of Social Planning and the Superintendent of Schools, to ensure that should the development of site 1B not proceed within a time limit mutually agreed by the aforesaid officials, that sufficient park space, temporary school facilities and temporary daycare facilities be provided (by way of Conveyance or otherwise) in a location and amount, and tied to the development phasing, to satisfy the needs of site 1A residents;
- (iv) Execute an agreement to lease, (with the form of lease attached), satisfactory to the Directors of Legal Services and Housing and Properties by which the Property Owner commits to lease a water lot to the City for the foreseeable future at nominal rent for the entire term. The water lot shall be of a size and location to accommodate two Police Marine Squad vessels and their berths and boat sheds as well as 100 m² floating office space. This agreement may require the owner to build the office space, in which case, the City shall pay a reasonable rent but shall have the option of supplying the office space or renewing same when timely replacement is necessary, and in such case, the City will not pay office space rent. The agreement shall contain such other terms and conditions as the Directors approve including an option to purchase the water lot at nominal cost if the same can be subdivided as a separate lot;
- (v) Execute a Section 215 agreement, satisfactory to the Director of Legal Services, providing for the removal of all existing boat sheds, except those provided for in the site 1A CD-1 by-law, within a maximum of 3 years from the date of enactment of the aforementioned by-law;
- (vi) Conditions (e), (f) and (g) on page 12* shall apply to the preceding site 1A agreements;

*(page 12 of agenda package)

Clause Nos. 1 and 2 cont'd

- (j) THAT prior to enactment of the site 1B CD-1 By-law, the property owner shall, at no cost to the City:
 - (i) Execute a legal agreement, satisfactory to the Director of Legal Services and the Superintendent of Schools, to ensure:
 - a) that a site satisfactory to the School Board and the City is conveyed to the City at no cost, for school and community uses;
 - b) that the Property Owner pay for the parking podium on which the school will sit, the required parking and loading areas and all other school construction costs and programmatic costs (including those required to incorporate the childcare programs into the school facility) over and above those typical of the lands elementary schools are ordinarily constructed upon; and
 - c) the timing of the provision of the school site, and if the School Board proceeds with the school, the City will convey the site required for school purposes to the School Board; however, if the School Board decides not to build the school, the entire site will be for community uses including childcare and park uses. The agreement shall provide for public access to school parking during non-school hours;
 - (ii) Execute an agreement, satisfactory to the Director of Legal Services and the General Manager of Parks and Recreation, to ensure that a 750m² share (8,075 sq. ft.) of the total 1,800 m² (19,375 sq. ft.) of fully finished community space (i.e. ready for immediate occupancy) underneath the Jervis park site including a new gymnasium and ancillary space, and surrounding open space and underground parking, and that portion of park required to service site 1B and additional park required to service site 1A beyond that provided for in agreement (h)(ii), be conveyed at no cost to the City. These facilities and open spaces shall be designed and constructed to the satisfaction of the General Manager of Parks and Recreation and the completed facilities shall be conveyed to the City prior to issuance of a development permit for market residential dwelling units on site 1B;

Clause Nos. 1 and 2 cont'd

- (iii) Execute an agreement, satisfactory to the Director of Legal Services, the Superintendent of Schools, and General Manager of Parks and Recreation, to ensure that the Property Owner pays for the capital, operating and maintenance costs of flood protection systems implemented for the protection of facilities and improvements constructed or installed below the flood construction level;
- (iv) Execute an agreement, satisfactory to the Directors of Legal Services, Social Planning, and Housing and Properties, to ensure that fully finished, furnished and equipped (i.e. ready for immediate occupancy) daycare, after-school care and family place facilities including outdoor play space and required underground parking, be provided and conveyed to the City at no cost. These facilities and outdoor spaces shall be included as part of the school and community centre facilities to be developed on the school and Jervis park sites, or, if that is not possible, at a location acceptable to the City, and shall comprise a minimum of 650 m² (7,000 sq.ft.) of fully finished indoor space and 650 m² (6,997 sq. ft.) of immediately adjacent fenced and equipped outdoor play space for the daycare and preschool facilities, and 186 m² (2,000 sq.ft.) of fully finished indoor space for the after-school care and family place facility, and must meet all requirements for community care and daycare facilities and the licensing thereof, and be satisfactory to the Directors of Social Planning, Housing and Properties and the Superintendent of Schools. Delivery of the completed facilities shall be accomplished within the time limited by the City;
- (v) Execute an agreement, satisfactory to the Directors of Legal Services and Social Planning, to provide for an on-going operating subsidy by the Property Owner for the daycare facility, if so required by Council, and on such terms as it may establish, from time to time (which may be or include a lump-sum payment prior to enactment);
- (vi) Conditions (e), (f) and (g) on page 12* shall apply to the preceding site 1B agreements.

*(page 12 of agenda package)

Clause Nos. 1 and 2 cont'd

The agenda package included the following summary of the proposed changes:

SUMMARY OF PROPOSED CHANGES

300 Cardero (Marathon Sites 1A and 1B)

	Current Status	Proposed Amendment (if approved)
Zone	CWD	CD-1
Use	port uses; transportation uses; marine uses; commercial, including office; institutional; light industrial; parks and open spaces; public uses and facilities	multiple dwellings; retail and service, including marine servicing uses; office; institutional; cultural and recreational (including marina); parks and open spaces; public utility
Density	0.5 gross FSR, approx. 6 800 m ² office 27 190 m ² other commercial 33 990 m ² TOTAL (365,900 sq.ft.)	104 595 m ² residential 9 839 m ² retail, office + service 1 200 m ² marine service 115 634 m ² TOTAL (1,244,715 sq.ft.)
Height	37 m (120 ft.), but relaxable by DPB to 91 m (300 ft.)	73 m (240 ft.)

Clause Nos. 1 and 2 cont'd

A staff presentation by Mr. Larry Beasley, Associate Director of Planning, Central Area Projects, provided a general overview of the two applications. Mr. Mike Kemble, Planner with the Coal Harbour Group, narrated a slide presentation depicting the site and context, neighbourhood structure, residential neighbourhood and the marina.

Mr. Beasley referred to a memorandum dated December 10, 1991 from the Director of Planning (precirculated to Council members and made available to members of the public at the Public Hearing) proposing the following minor amendments:

- 1) A boundary change to delete the area initially earmarked for a saltwater pumping station site on the south side of the 1400 Block West Hastings Street, adjacent to Nicola Street.

Mr. Beasley noted it had been subsequently determined the site was not the best location and the pumping station can be placed at a preferred location without a zoning change.

- 2) A boundary change to delete a portion of property that is integral to the Norwich Union Life Insurance office building site at the corner of Cardero and Georgia, and deletion of all references to the Norwich building from the zoning by-law.

Mr. Beasley advised recent correspondence between Marathon and their tenants, Norwich, indicated a separate zoning by-law is needed to tie down the existing building and appropriate future development rights for the Norwich site. Until further discussions come to a consensus, it was felt advisable to keep the existing zoning and rights on the Norwich area. Marathon had requested this change and staff were in agreement.

Clause Nos. 1 and 2 cont'd

- 3) The following amendments to wording are proposed for conditions (d) and (j) - (underlining denotes amendment):
- (d)(xii)(b) "grant all requisite rights over lands containing the Shoreline Works and access thereto, to the satisfaction of the City Engineer and Director of Legal Services, provided however, the lands containing the Shoreline Works are to be transferred in fee simple to the City or such other form of ownership as the City may determine in its sole discretion;"
- (d)(xii)(d) "maintain the water lots in such a manner as to preserve the amenity value inherent in the Shoreline Works; including provisions that the water lots are to remain unfilled;"
- (d)(xiii) "Execute an agreement, satisfactory to the Director of Legal Services and the City Engineer incorporating, without limitation, the terms contained in that agreement made between Marathon and the City, dated October 30, 1990, known as the Saltwater Pumping Stations Agreement, and obligating the property owner to do the following or such other conditions as Council may decide prior to enactment;"
- (j)(iii) "Execute an agreement, satisfactory to the Director of Legal Services, the Superintendent of Schools, and General Manager of Parks and Recreation, to ensure that the Property Owner pays for the capital, operating and maintenance costs of flood protection systems implemented for the protection of facilities and improvements constructed or installed below the flood construction level, or, with respect to operating and maintenance costs, to provide such arrangements as the General Manager of Parks may determine to be suitable;"

Clause Nos. 1 and 2 cont'd

Mr. Beasley noted the revised wording would provide flexibility with respect to policy changes and design refinements that might affect public amenities required before zoning enactment.

- 4) A consequential amendment to the ODP policy on fill (ODP Figure 2, Shoreline Cut and Fill).

Mr. Beasley noted two options were submitted for consideration: to approve in principle, or not approve, a fixed commercial pier structure. The Director of Planning recommended approval of the fixed commercial pier as this would be consistent with the ODP's intent to create a diverse working waterfront and provide for the efficient operation of needed marine repair facilities.

Mr. Beasley described the public consultation process which included over 30 public meetings and discussions with different interest groups and individuals. A number of issues had been resolved in this way but staff were still working on issues respecting liveboards, artists live/work accommodation, edge conditions and buildings design. The question of soil conditions had been dealt with and the senior levels of government had provided the necessary favourable comment on the soils remediation plan for the site.

The proposal presented to the Public Hearing had full staff endorsement.

Mr. Kemble, in his slide presentation, made particular reference to issues on which Council requested a report back, i.e.:

- rail relocation: For rezoning purposes the overall site had been separated into two parcels, Sites 1A and 1B, because of the rail conditions currently existing. A commitment has been received from CP Rail that the tracks east of Broughton Street (Site 1A) would be removed by 1993. If, after that, the commercial area goes ahead, the entire railyard will have to be relocated east of Jervis Street and this would probably occur in 1995.

Clause Nos. 1 and 2 cont'd

- building heights: this is a big issue and care has been taken to avoid overshadowing and view obstruction impacts on neighbouring buildings. The heights being recommended represent a good balance between private and public objectives and would permit 20 storeys. The developer's request for some flexibility for higher but thinner towers had been studied, and it had been concluded for three of the six towers this would be possible. The proposed by-law will permit a 10% increase, subject to Urban Design criteria and Development Permit Board approval. However, the other towers would remain limited as proposed.

- building at the foot of Jervis Street: the scenarios for the height of this important building represented two points of view: the building could act as a landmark structure providing a fulcrum between the marina area and the buildings to the east; the other view was that the tower should be comparable to other towers nearby, decreasing in height to the west. Staff supported the second view, believing the tower does not merit being significantly higher than proposed. The developer was comfortable with the limited 10% flexibility provided in the zoning.

Mr. Kemble concluded civic staff, the Urban Design Panel and the Vancouver City Planning Commission support the proposal and the design concept, which maximizes public access to the waterfront and meets the objectives of the ODP. Subject to the adoption of the comprehensive design guidelines and the conditions proposed, staff were confident the developer will deliver what the City has asked for in terms of housing, schools, parks, day care and other public amenities and services.

Following their presentation, Mr. Beasley and Mr. Kemble responded to questions from Council members dealing with the social housing component, density, the Jervis Street tower, the proposed 10% height increase, and provision of liveboards and floating homes in the marina.

Mr. J. Cox, Director of Planning and Development for Marathon Realty Co. Ltd., reviewed the history of the development proposal and described the public information process, which, from Marathon's point of view, had been an important and productive one with 30 public meetings, 30 design workshops and model displays, as well as discussions with groups and individuals.

Clause Nos. 1 and 2 cont'd

Mr. Cox specifically addressed three major issues as follows:

Traffic and transportation system: Marathon has worked on a detailed plan for the Marina Neighbourhood. Over the years it has been refined and will meet all of the City's requirements in dealing with traffic in the neighbourhood and protect the West End.

Views: Throughout the process Marathon has worked hard and undertaken a great deal of analysis to produce a plan that will respect public and private views. All of the 5° view corridors are protected and kept open.

Marina: Based on the large number of letters received by Council members and the people present at the Public Hearing, the future of liveaboards and floating homes in the marina is a concern. Marathon has sought to deal with those already living in the marina in a fair and equitable way, and has made a commitment in writing that all of the current marina users will be given first priority to come into the Coal Harbour Marina. The same opportunity has been offered to the First Narrows Floating Co-op. Marathon has indicated to the Co-op it is willing to sit down with the organization and try to negotiate an acceptable arrangement so that the Co-op can become part of the Marina Neighbourhood.

Requested by the Mayor and Council members to further clarify his position with respect to First Narrows Floating Co-op, Mr. Cox advised there was a commitment to include floating homes and liveaboards in the marina, and he welcomed an opportunity to sit down with the Co-op and discuss terms and conditions on a priority basis.

Council members felt they needed assurance on this point. It was pointed out Council had earlier indicated its intent that the existing floating homes and liveaboards be permitted by agreement to remain in the marina.

The Mayor expressed disappointment that the issue had not been resolved prior to the Public Hearing, and with the agreement of Council members, directed staff to draft a resolution for Council's consideration later in the Public Hearing, that would have the effect of having the developer undertake negotiations with First Narrows Floating Co-op to establish the broad terms of an agreement prior to enactment of the zoning.

Clause Nos. 1 and 2 cont'd

Subsequently, prior to hearing delegations from the First Narrows Floating Co-op, the requested draft resolution was submitted, and it was

MOVED by Ald. Eriksen,

THAT Marathon undertake to negotiate with existing residents, through the First Narrows Floating Co-op, on a priority basis, for their inclusion in the Western Neighbourhood Marina; and that a proposal be reported back to Council prior to enactment of the Site 1A zoning.

- CARRIED UNANIMOUSLY

The 30 delegations who had registered to speak to the First Narrows Floating Co-op issue then left the Public Hearing.

The Mayor called for speakers and 24 delegations addressed the Public Hearing. Nineteen speakers expressed support for Marathon's proposals, noting the new Marina Neighbourhood would meet the requirements for diverse lifestyles, and offer a range of housing opportunities, including affordable rental, seniors, and social housing, as well as market units, liveboards and floating homes. They also cited the benefits to the community of the proposed park space, public art, school, child care facilities, community centre and waterfront promenade. Additional issues raised by the supportive delegations were:

- Marathon should guarantee the non-market housing will be provided quickly on the specifically earmarked sites;
- a new bus service should be provided linking downtown skytrain stations, the Bayshore property, Marina Neighbourhood and the West End Community Centre;
- traffic conditions must be monitored as the development proceeds to ensure no adverse impacts on the West End and Stanley Park;
- provision should be made on-site to display historic Locomotive 374;
- a major grocery store should be included on the site.

Clause Nos. 1 and 2 cont'd

The three speakers who opposed the application deplored the loss of marine-oriented business and activities away from the waterfront in what is the only effective year round port serving Western Canada. Boaters of the area will be denied essential moorage space, and when residents of the new neighbourhood move in it is probable there will be complaints about noise from commercial harbour and float plane activity.

The speakers were:

In favour

Jan MacDonald, 1800 Block Marine Drive
Renee Jensen, 1700 Block Haro Street
Muriel Loretto, 1900 Block Barclay Street
Len Stovold, 900 Block Gilford Street
Don Prittie, 400 Block Alexander Street
Bernard Magman, 6200 Block Nelson Avenue
Noreen Angus, 1800 Block West 19th Avenue
Graham Clarke, North Foot of Denman Street
Sam Carter, 3700 Block Cypress Street
Eleanor Hadley, 1500 Block Burnaby Street
Marilynne Abbott, 1900 Block Alberni Street
Fergus Dudley, 500 Block Cardero Street
Geni Ebert, 1800 Block Robson Street
William Stockmann, 1400 Block Barclay Street
Peter Ashmore, 3900 Block Main Street
Debora K.M., 2200 Block Trafalgar Street
Boge Babaki, Construction Engineer
Zoe Napier-Hemy, 1900 Block Alberni Street
Harold Kelke.

Opposed

R. Eriksen, 1100 Block Harwood Street
Don Manning, 3600 Block Sunnycrest Drive, North Vancouver
Don Morrison, 1900 Block West 62nd Avenue.

One speaker, Mr. Alec Pecton, advised he represented employees on strike against Lafarge Canada Ltd. He urged the Marathon representatives to not contract out concrete work to Lafarge.

Clause Nos. 1 and 2 cont'd

Mr. Boyd Pyper, Tenants Rights Action Coalition, felt the housing, even that described as "affordable", would be beyond the means of most tenants.

Correspondence received by the City Clerk and precirculated to Council is on file, together with a report dated December 6, 1991 from the Vancouver City Planning Commission generally supporting the application and submitting the following consensus:

"While the Commission appreciates the extent of the public realm provided by Marathon in proposals for the Coal Harbour project, they believe that a more comprehensive program for the public realm is required. This would include the role of the public realm in terms of ceremonies and festivals, experiential values, cultural and historic issues including a major emphasis on the site's significance as the railroad terminus to the building of the 'Canadian Dream' and support facilities for these various activities.

The Commission believes that this programming responsibility includes the role of the City and the Park Board as well as the developer and consultants, and hopes that the City and Park Board will put more effort into this programming.

The Commission believes that this public realm is one of the more critical areas in the creation of a long term vision and image for Vancouver's harbour. Commission support for the first phase of the Marathon Coal Harbour project is based on the hope and expectation that the aforementioned concerns can be, and will be, revisited in the planning, design and programming for Phases Two and Three."

Mr. Beasley and Mr. Kemble responded to some of the issues raised by the speakers.

Clause Nos. 1 and 2 cont'd

MOVED by Ald. Puil,

THAT the applications for Marathon Sites 1A and 1B be approved subject to the conditions proposed by the Director of Planning, as set out in this Minute of the Public Hearing, except that conditions (d) and (j) be amended to read as follows:

- (d)(xii)(b) "grant all requisite rights over lands containing the Shoreline Works and access thereto, to the satisfaction of the City Engineer and Director of Legal Services, provided however, the lands containing the Shoreline Works are to be transferred in fee simple to the City or such other form of ownership as the City may determine in its sole discretion;"
- (d)(xii)(d) "maintain the water lots in such a manner as to preserve the amenity value inherent in the Shoreline Works; including provisions that the water lots are to remain unfilled;"
- (d)(xiii) "Execute an agreement, satisfactory to the Director of Legal Services and the City Engineer incorporating, without limitation, the terms contained in that agreement made between Marathon and the City, dated October 30, 1990, known as the Saltwater Pumping Stations Agreement, and obligating the property owner to do the following or such other conditions as Council may decide prior to enactment:"
- (j)(iii) "Execute an agreement, satisfactory to the Director of Legal Services, the Superintendent of Schools, and General Manager of Parks and Recreation, to ensure that the Property Owner pays for the capital, operating and maintenance costs of flood protection systems implemented for the protection of facilities and improvements constructed or installed below the flood construction level, or, with respect to operating and maintenance costs, to provide such arrangements as the General Manager of Parks may determine to be suitable;"

Clause Nos. 1 and 2 cont'd

Further,

- That the proposed saltwater pumping station site on the south side of the 1400 Block West Hastings Street, adjacent to Nicola Street, be deleted from the area of rezoning.
- That the Norwich Union office site at the corner of Cardero and Georgia (Lot 2) be deleted from the area of the rezoning and all references to the Norwich building be deleted from the zoning by-law.
- That the tower located at the foot of Jervis Street, on parcel 1.6, be referenced in the design guidelines as a landmark building.
- That Figure 2 of the Coal Harbour ODP (Shoreline Cut and Fill) be amended to allow a fixed pier in the marina bay as proposed in this rezoning.

- CARRIED UNANIMOUSLY

Underlining denotes amendment

MOVED by Ald. Davies,

THAT condition (v)(b) be approved following amendment to read as follows:

- (v)(b) the social housing sites may only be developed under the core-need program of the British Columbia Housing Management Commission or other housing programs for those in need, approved by the City, or for park or community use as interim uses, but not for market housing or market commercial space;

- CARRIED UNANIMOUSLY

Underlining denotes amendment

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,
SECONDED by Ald. Eriksen,
THAT the report of the Committee of the Whole be adopted,
and the Director of Legal Services be instructed to prepare and
bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

* * * * *

The Special Council adjourned at 11:00 p.m.

BY-LAW NO. 7200

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

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

1. The "Zoning District Plan" annexed to By-law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-398(a) and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this by-law, and Schedule "A" of this by-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.

2. Intent

The intent of this By-law is to permit the development of the district with primarily residential use, and with some local retail, service and marina uses in a form which complements and is compatible with the character of adjacent areas.

3. Definitions

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law, except as provided below.

Boatshed means a covered, floating structure that is fixed in position on the water, either totally enclosed or open on the sides, and used for the storage and protection of boats.

Core-need Household means a household which would have to spend more than 30 percent of its annual gross income on shelter (including utilities) in order to live in an average market rental unit which is adequate and suitable for its basic needs.

Floating Home means a floating building or marine vessel used principally for residential purposes, that relies heavily on shore-based facilities, and is not primarily intended for navigation.

Live-aboard means a marine vessel used primarily for navigation and only incidentally for residential purposes.

4. The only uses permitted within the area outlined in black on Schedule "A", which area shall be more particularly described as

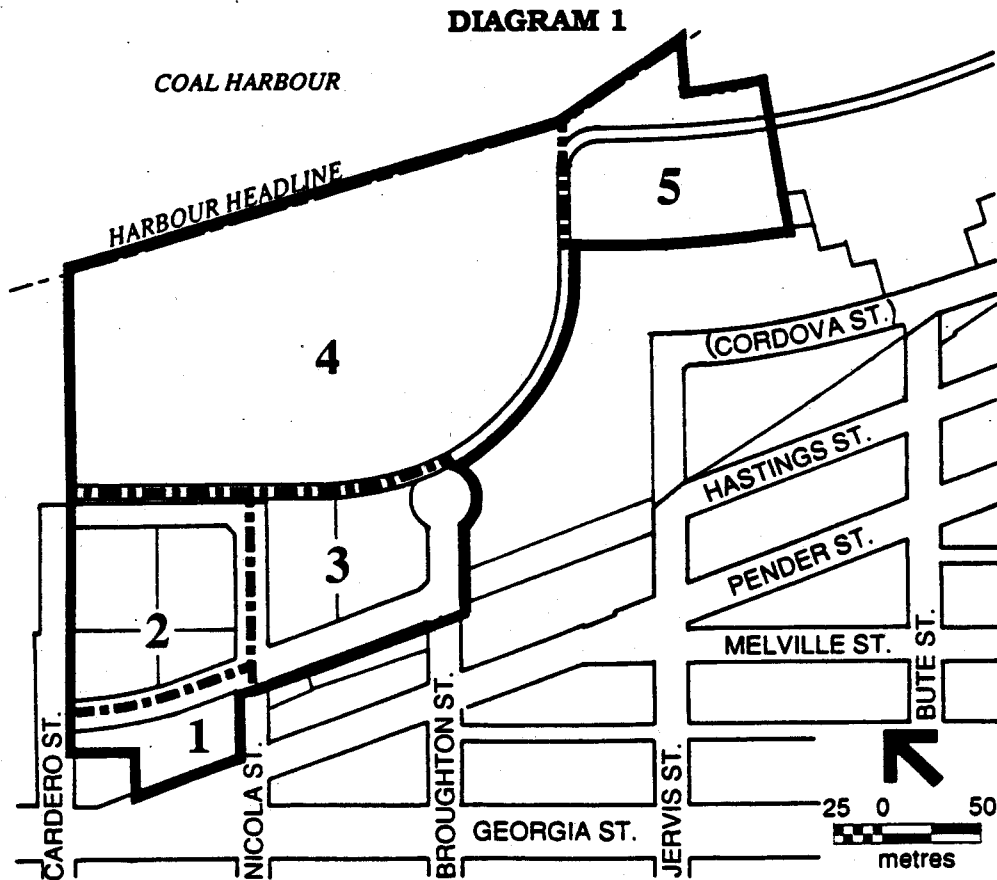
CD-1(312), subject to approval by Council of the form of development and to such conditions, guidelines and policies adopted by Council, and the only uses for which development permits will be issued are:

- (a) multiple dwellings, not exceeding 70 108 m² in total gross floor area, provided separately or in conjunction with any of the uses listed below, provided that:
 - (i) a minimum of 97 units (but not including the units provided under clause (ii) below) shall be for family housing, all of which shall be designed in accordance with the Council-adopted "High-Density Housing for Families with Children Guidelines";
 - (ii) a minimum of 41 units shall be provided through government funded programs targeted for core-need households and shall be designed for family housing consistent with clause (i) above; and
 - (iii) a minimum of 81 units shall be provided through government funded programs targeted for core-need households, but need not be designed consistent with clause (i) above;
- (b) multiple dwellings not exceeding 15 000 m² in total gross floor area, each dwelling unit having a net floor area of less than 70 m², provided they are for rental use only and secured by an agreement acceptable to the City;
- (c) retail uses, but not including gasoline station - full serve, gasoline station - split-island, and vehicle dealer;
- (d) service uses, but not including hotel, animal clinic, auction hall, bed and breakfast accommodation, body-rub parlour, drive-through service, funeral home, laundry or cleaning plant, motor vehicle repair shop, motor vehicle wash, photofinishing or photography laboratory, production studio, restaurant - drive-in, school - business, school - vocational or trade, and sign painting shop;
- (e) office uses;
- (f) cultural and recreational uses including a marina having a maximum of 400 berths of which a maximum of 100 are for live-aboards and a maximum of 25 are for floating homes, except that any boatsheds in the marina shall be limited to those required for temporary use by a marine repair business approved under clause (g) of this section, or those needed for a public authority use;
- (g) repair shop - class A, provided it is located within a marina;
- (h) public authority use;

- (i) public utility;
- (j) parking uses; and
- (k) accessory uses customarily ancillary to the above uses.

5. Sub-areas

The district shall comprise 5 sub-areas, approximately as illustrated in Diagram 1 below.



6. Floor Area and Density

6.1 The total floor area for the uses listed in Table 1 shall not exceed the totals set opposite such uses, and any use permitted by section 4 but not listed in Table 1 is not limited by this sub-section 6.1.

TABLE 1

USE	MAXIMUM FLOOR AREA
Residential Uses	85 108 m ²
Retail and Service Uses	5 728 m ²
Office Uses	3 051 m ²

6.2 The following shall be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, to be measured to the extreme outer limits of the building.

6.3 The following shall be excluded in the computation of floor area:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (d) the portion of a floor used for off-street parking and loading that, for each parking area, is at or below the base surface;
- (e) undeveloped floor areas located above the highest storey or half-storey with a ceiling height of less than 1.2 m and to which there is no permanent means of access other than a hatch;
- (f) residential storage space provided that where space is located at or above the base surface, the maximum exclusion shall be 3.7 m² per dwelling unit; and
- (g) amenity areas accessory to residential use, including the requirement of section 8.3, provided that the total area excluded does not exceed 3 000 m².

6.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, and provided further that the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
- (b) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 560 m²;
 - (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

6.5 The total floor area in each sub-area for the uses listed in Table 2 shall not exceed the applicable totals set opposite such uses, and any use permitted by section 4 but not listed in Table 2 is not limited by this sub-section 6.5.

TABLE 2

MAXIMUM FLOOR AREA (in square metres)

USE	SUB-AREA (from Diagram 1)				
	1	2	3	4	5
Residential Uses	15 000	37 108	33 000	---	
Retail and Service Uses	---	2 458	1 570	1 700	N/A
Office Uses	2 951	---	---	100	

6.6 The maximum number of units in each sub-area shall be as set out in Table 3.

TABLE 3

MAXIMUM NUMBER OF DWELLING UNITS

	SUB-AREA (from Diagram 1)				
	1	2	3	4	5
Maximum Number of Units	206	364	280	---	N/A

7. Height

7.1 The maximum building height measured above the base surface, but excluding the mechanical penthouse and roof, shall be as set out in Table 4.

TABLE 4

MAXIMUM HEIGHT (in metres)

	SUB-AREA (from Diagram 1)				
	1	2	3	4	5
Maximum Height	73	62	65	6	N/A

7.2 Notwithstanding Section 7.1, the Development Permit Board may permit an increase in the maximum height in sub-areas 2 and 3 by up to 10 percent, providing that it first considers:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential and commercial areas; and
- (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and open space, the waterfront walkway, streets and existing views.

8. Residential Component

8.1 Any development which combines residential with any other use shall have separate and distinct means of pedestrian access to the residential component from streets and on-site parking.

8.2 Private, semi-private and public outdoor spaces shall be defined and distinguished from each other.

8.3 In every building intended to contain core-need households a community room shall be provided.

9. Parking

Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except as follows:

- (a) retail uses shall provide a minimum of 1 space for each 100 m² of gross floor area up to 300 m², then 1 space for each 50 m² of gross floor area, subject to a maximum number of spaces of 10% greater than the minimum calculated using this clause;
- (b) restaurant uses shall provide a minimum of 1 space for each 50 m² of gross floor area up to 100 m², then 1 space for each 10

m² of gross floor area for the next 400 m² to a total of 500 m² of gross floor area, and thereafter 1 space for each 20 m² over 500 m² of gross floor area, subject to a maximum number of spaces of 10% greater than the minimum calculated using this clause;

- (c) multiple dwelling uses, not including units designated for the rental incentive, core-need or seniors housing, shall provide a minimum of 0.9 spaces for each dwelling unit plus 1 space for each 200 m² of gross floor area, with a maximum of 1.1 spaces for each dwelling unit plus 1 space for each 125 m² of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided;
- (d) rental incentive dwelling uses shall provide a minimum of 0.4 spaces for each dwelling unit plus 1 space for each 100 m² of gross floor area, with a maximum of 0.6 spaces for each dwelling unit plus 1 space for each 100 m² gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided;
- (e) live-aboard residential dwelling uses shall provide a minimum of 1.2 spaces for each live-aboard to a maximum of 1.4 spaces for each live-aboard;
- (f) floating home residential dwelling uses shall provide a minimum of 1.4 spaces for each floating home to a maximum of 1.6 spaces for each floating-home;
- (g) office uses shall provide a minimum of 1 space for each 93 m² of gross floor area with a maximum of 1 space for each 80 m² of gross floor area;
- (h) recreational and cultural uses shall provide parking as determined by the Director of Planning in consultation with the City Engineer;
- (i) the visitor component of residential use parking, 0.2 spaces per dwelling unit, may be located off-site provided it is located no further than 150 m away from the site containing the dwelling units; and
- (j) commercial, live-aboard and floating home uses located within the marina shall provide parking at locations as determined by the Director of Planning in consultation with the City Engineer.

10. Loading

Off-street loading shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law except that one loading bay shall be provided for every 200 dwelling units.

11. Acoustics

All development permit applications shall 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 shall 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 will be defined simply as noise level in decibels.

<u>PORTIONS OF DWELLING UNITS</u>	<u>NOISE LEVELS (DECIBELS)</u>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45
terraces, patios, balconies	60

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

DONE AND PASSED in open Council this 19th day of
October, 1993.

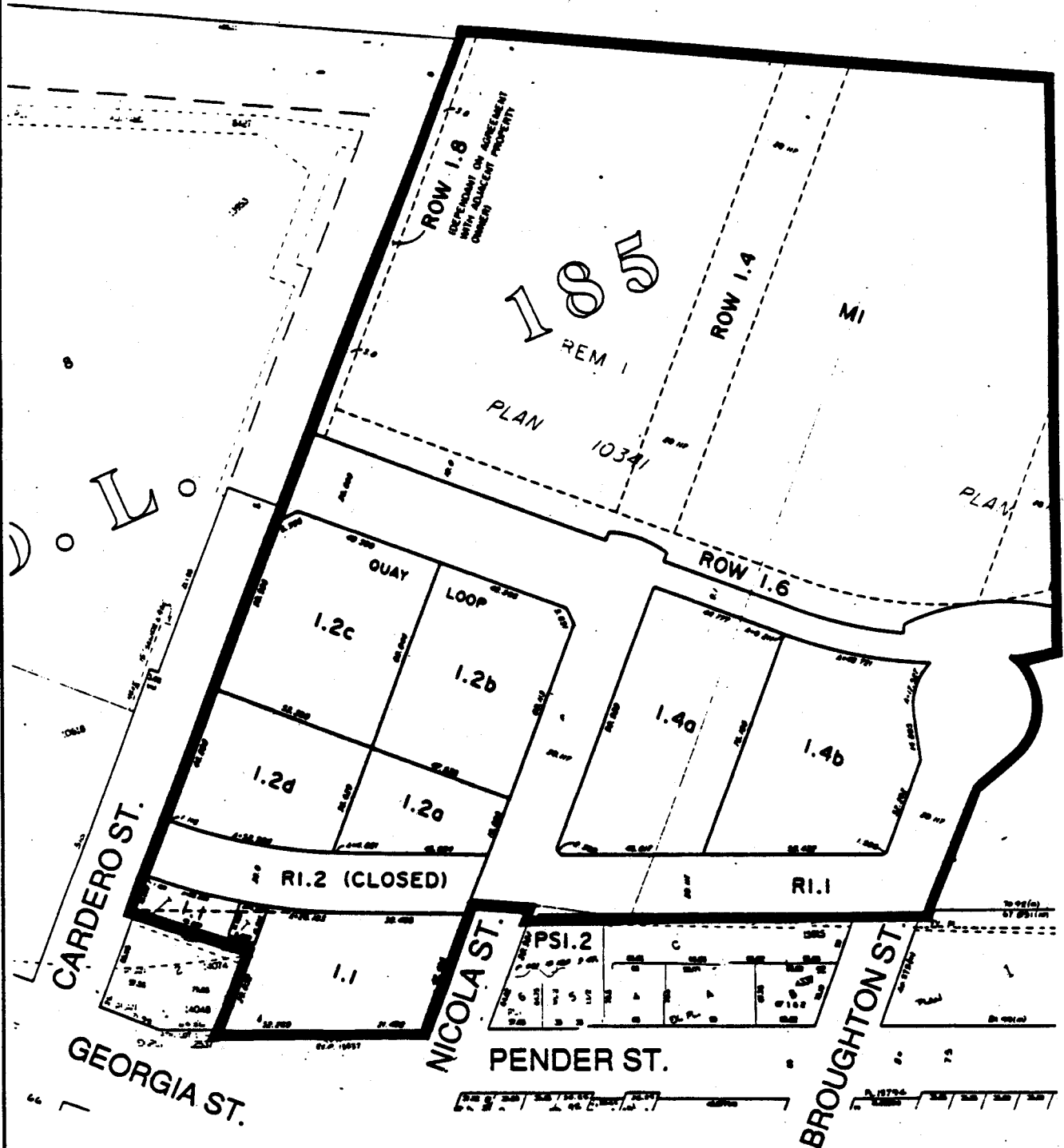
(signed) Gordon Campbell
Mayor

(signed) Maria C. Kinsella
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 19th day of October 1993, and numbered 7200.

CITY CLERK"

BY-LAW No. 7200 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (**█**) is rezoned:
From **CWD** To **CD-1**

Z-398 (a)

RZ-84/91 300 Cardero Street (site 1A)

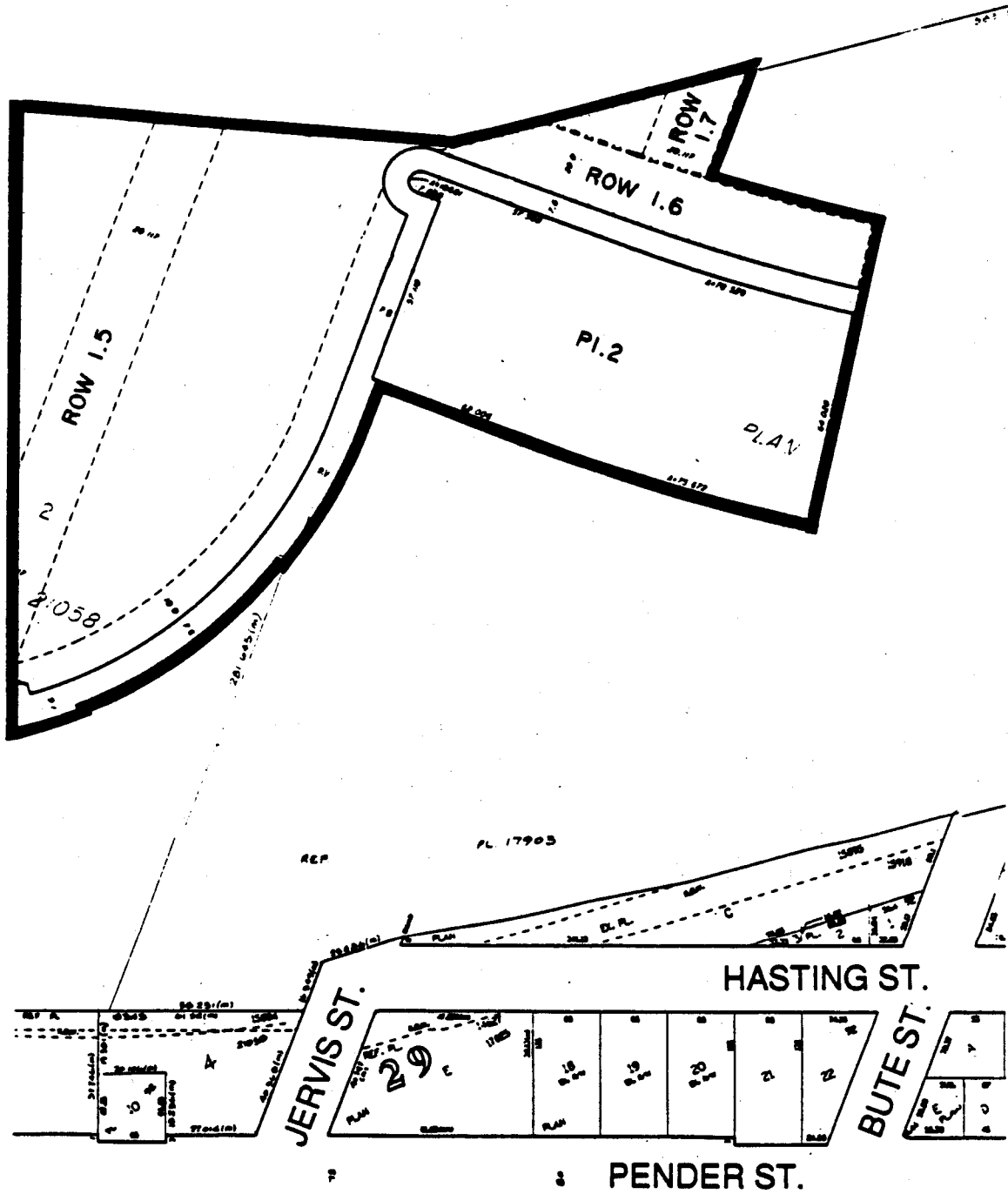
map: 1 of 2

City of Vancouver Planning Department

scale: 1:2000



BY-LAW No. 7200 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (**█**) is rezoned:
From **CWD** To **CD-1**

Z-398 (a)

RZ-84/91 300 Cardero Street (site 1A)

City of Vancouver Planning Department

map: 2 of 2

scale: 1:2000



MOTIONS (CONT'D)

C. Marina Neighbourhood (300 Cardero Street)
Guidelines for Land and Marine Development

MOVED by Cllr. Davies,
SECONDED by Cllr. Rankin,

THAT the documents entitled "Marina Neighbourhood (300 Cardero Street) CD-1 Guidelines for Land Development" and "Marina Neighbourhood (300 Cardero Street) CD-1 Guidelines for Marina Development" be adopted by Council for use by applicants and staff for development applications in the Marina Neighbourhood.

- CARRIED UNANIMOUSLY

D. Comprehensive Development District
Form of Development
150 Pacific Boulevard (Canucks Arena)

MOVED by Cllr. Davies,
SECONDED by Cllr. Rankin,

THAT the approved form of development for the CD-1 zoned site known as 150 Pacific Boulevard be approved generally as illustrated in DA 215539, prepared by Brisbin Brook Beynon, Architects, and stamped "received, Planning Department (Land Use and Development Division), September 14, 1993", and "Received, Planning Department (Land Use and Development Division), September 28, 1993", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

- CARRIED UNANIMOUSLY

E. Comprehensive Development District
Form of Development
(490 Commercial Drive)

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Chan,

THAT the approved form of development for the CD-1 zoned site known as 490 Commercial Drive be approved generally as illustrated in DA214716, prepared by Morton Ramsey Associates, and stamped "Received, Planning Department (Land Use and Development Division), May 26, 1993", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY

150 Pacific Boulevard North
300 Cardero Street ✓

BY-LAW NO. 7205

A By-law to amend
By-law No. 6510, being the
Sign By-law

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

1. Schedule E to By-law No. 6510 is amended by adding the
following:

"150 Pacific Boulevard North CD-1(311) 7201 B(DD)"

"300 Cardero Street CD-1(312) 7200 B(DD)" ✓

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

DONE AND PASSED in open Council this 2nd day of
November , 1993.

(signed) Gordon Campbell
Mayor

(signed) Maria C. Kinsella
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed
by the Council of the City of Vancouver on the 2nd day of November 1993,
and numbered 7205.

CITY CLERK"

5. Text Amendment: Kent Avenue South Building Line

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

TEXT AMENDMENT: KENT AVENUE SOUTH BUILDING LINE (Between the Easterly limit of Lot A, Blocks V & W, D.L. 327, Plan 18761 and the Westerly limit of Block V in Highway Plan H116, D.L. 327, Plan 3402)

The proposed amendment, to Schedule E of the Zoning and Development By-law, would amend the existing building line requirement along that portion of Kent Avenue South lying between the easterly limit of Lot A, Blocks V and W, District Lot 327, Plan 18761 and the westerly limit of Block V in Highway Plan H116, District Lot 327, Plan 3402.

The Director of Planning recommended approval.

There was no correspondence received on this matter.

Mayor Owen called for speakers for and against the application, and none were present.

MOVED by Cllr. Bellamy,
THAT the application be approved.

- CARRIED UNANIMOUSLY

6. Text Amendment: Affordable Housing Amendments

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

TEXT AMENDMENT; AFFORDABLE HOUSING AMENDMENTS

These proposed amendments to the False Creek North and Coal Harbour Official Development Plans and to various CD-1 Comprehensive Development District Zoning By-laws, all of which control major projects, would implement City Council's recently revised 20% affordable housing policy. Essentially this would allow Council to consider non-market housing programs which serve households other than those in "core-need".

cont'd..

Clause No. 6 (cont'd)

The Director of Planning recommended approval.

There was no correspondence received on this matter.

Mr. Cameron Gray, Housing & Properties Department, advised in 1992, the Federal Government commenced withdrawing money for social housing. In April 1993, Council approved a revised policy for the 20% sites. The policy continues to be based on the non-profit core-need housing program, and core-need remains Council's priority. For major project rezonings, 20% of all units must still be designated non-profit housing. Twenty percent sites that become available must first be made available for core-need housing, if units are available or forthcoming. If units are unavailable, then Council can consider other alternatives if it wishes, with pay-in-lieu being a last resort.

This revised policy allows Council to respond to changing programs, and provides flexibility to meet needs as they arise, while still keeping core-need housing the highest priority.

Mayor Owen called for speakers for and against the application and the following delegations were heard:

Mr. Thomas Ivanore, on behalf of Integrated Housing (brief on file), spoke in favour of the application.

Mr. Joffre Pomerleau, on behalf of Innovative Housing, advised his group is an advocate of mixed-income housing, but have been in favour of the 20% core-need social housing that has been part of City policy. Concerns were expressed with the erosion of the core-need housing.

Ms. Leslie Stern, on behalf of B.C. Women's Housing Coalition, opposed the application as it would erode the City's ability to insist on low-income housing. Also, there is not enough information available about the definition of non-market housing. A bigger strategy is required where affordable housing should be seen as a community asset, and not a burden to the developer.

Ms. Barb Daniel, Downtown Eastside Residents Association (DERA), opposed the application.

cont'd..

Clause No. 6 (cont'd)

Ms. Laura Stannard, Downtown Granville Tenants Association, encouraged the City to look at innovative housing alternatives and suggested the City encourage moderate-income housing be built out of of the 80% of market housing, and not the 20% non-market housing.

MOVED by Cllr. Puil,
THAT the application be approved.

- CARRIED

(Councillor Kwan opposed)

7. Text Amendment: Insufficient Quorum -
Outstanding Rezoning Applications

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

TEXT AMENDMENT: INSUFFICIENT QUORUM - OUTSTANDING REZONING APPLICATIONS

This proposed amendment to Section 13 of the Zoning and Development By-law, would address the problem of outstanding rezoning applications which cannot obtain final approval as a result of civic elections and the resulting insufficient Council quorums.

The Director of Planning recommended approval

There was no correspondence received on this matter.

Mayor Owen called for speakers for or against the application, and none were present.

MOVED by Cllr. Bellamy,
THAT the application be approved.

- CARRIED UNANIMOUSLY

Revised 20% Affordable
Housing Policy - CD(264),
(265), (266), (297), (312)
and (321)

BY-LAW NO. 7324

A By-law to amend
By-laws Numbered
6744, 6747, 6757, 7156, 7200 and 7232 being
By-laws which amended the Zoning and Development By-law
by rezoning areas to CD-1

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

1. By-law No. 6744 is amended:
 - (a) in section 3 by deleting the word "Core-needy" and substituting the word "Core-need";
 - (b) by deleting section 4(a)(ii) and substituting the following:

"(ii) a minimum of 20% of the total number of units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, and at least half of the non-market housing units shall be designed for family housing consistent with and comprising part of the requirement of section 4(a)(i) of this By-law;"
 - (c) in section 9.4 by deleting the word "core-needy" and substituting the word "core-need".
2. By-law No. 6747 is amended:
 - (a) in section 3 by deleting the word "Core-needy" and substituting the word "Core-need";
 - (b) by deleting section 4(a)(ii) and substituting the following:

"(ii) a minimum of 20% (twenty percent) of the total number of dwelling units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council approve, and at least half of the non-market housing shall be designed for family housing consistent with and comprising part of the requirement of section 4(a)(i) of this By-law;"

- (c) in section 9.3 by deleting the word "core-needy" and substituting the word "core-need".
3. By-law No. 6757 is amended:
- (a) in section 3 by deleting the word "Core-needy" and substituting the word "Core-need";
 - (b) by deleting section 4(a)(ii) and substituting the following:
 - "(ii) a minimum of 20 percent of the total number of units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, and at least 25 percent of the non-market housing units shall be designed for family housing consistent with and comprising part of the requirement of section 4(a)(i) of the By-law;" and
 - (c) in section 10.3 by deleting the word "core-needy" and by substituting the word "core-need".
4. By-law No. 7156 is amended:
- (a) by deleting section 4(a)(ii) and substituting the following:
 - "(ii) a minimum of 136 units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, and shall be designed for family housing consistent with clause (i) above; and"; and
 - (b) by deleting section 4(a)(iii) and substituting the following:
 - "(iii) a minimum of 70 units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, but need not be designed consistent with clause (i) above;"
5. By-law No. 7200 is amended:
- (a) by deleting section 4(a)(ii) and substituting the following:
 - "(ii) a minimum of 41 units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, and shall be designed for family housing consistent with clause (i) above; and"; and

(b) by deleting section 4(a)(iii) and substituting the following:

"(iii) a minimum of 81 units shall be provided through government funded programs targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, but need not be designed consistent with clause (i) above;"

6. By-law No. 7232 is amended by deleting section 4(a)(ii) and substituting the following:

"(ii) of the units remaining, deducting those provided in accordance with (i) above:

- a minimum of 21 percent shall be for family housing, all of which shall be designed in accordance with the Council-adopted "High-Density Housing for Families with Children Guidelines";
- a minimum of 20 percent shall be provided through government funded programs, targeted for core-need households or through such other non-market housing programs or initiatives as Council may approve, and at least 50 percent of the non-market housing units shall be designed for family housing consistent with and comprising part of the requirement above;"

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

1994. DONE AND PASSED in open Council this 26th day of July

"(signed) Philip W. Owen"
Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 26th day of July 1994, and numbered 7324.

CITY CLERK"

Clause 1(a) and (b) (cont'd)

This development is also in keeping with Council's strategy of reducing traffic congestion by encouraging residential development in this area and reducing commuters. The application also provides for a substantial amount of bicycle parking within the new residential complex.

Staff Closing Comments

Staff offered no additional comments.

Council Decision

Prior to making a decision, several members of Council expressed the view that staff need to reconsider their approach when notifying residents about rezoning applications, as well as other City-related issues. Members of Council also referred to a previously requested report on waterfront tower height and Council expressed a desire to see this report as soon as possible.

MOVED by Cllr. Bellamy,

THAT this application be approved, subject to the conditions as set out in this minute of the Public Hearing.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Price,

THAT the City Manager ensure that when the anticipated report from the Housing Centre on housing affordability comes back, it deals with the issues related to Triangle West and new neighbourhoods.

- CARRIED UNANIMOUSLY

2. Balcony Enclosures and Acoustic Requirements /

An application by the Director of Land Use and Development was considered as follows:

The proposed amendments to various zoning District Schedules, Official Development Plans and CD-1 Comprehensive Development District By-laws, would either:

- not allow any of the permitted residential floor area to be excluded from Floor Space Ratio (FSR) for enclosed balconies except in buildings existing prior to April 23, 1985 in which case the present regulations would apply; or

cont'd....

Clause No. 2 (cont'd)

- continue to permit a maximum of 8 percent of permitted residential floor area to be excluded form Floor Space Ratio (FSR) for balconies BUT to permit no more than half of excluded floor area to be enclosed; or
- permit no more than 8 percent of permitted residential floor area to be excluded from Floor Space Ratio (FSR) for enclosed balconies.

The proposed acoustic amendments would delete the acoustic requirement for balconies, terraces, patios, etc.

Amended Balcony Enclosure Guidelines and Policies are also proposed.

The Director of Land Use and Development recommended approval of this application.

Staff Opening Comments

Mr. Ralph Segal, Planner, provided background on this issue and introduced the options before Council this evening.

In 1964, in order to improve livability in higher density multiple dwelling developments, open balconies were excluded from FSR to a maximum of eight percent of residential floor area. In the early 1980s, the City received numerous requests from owners of units in existing buildings to enclose their balconies for reasons of poor insulation and acoustics, air drafts and other interior problems. In response, Council in 1985 adopted balcony enclosure guidelines by which enclosed balconies would continue to be excluded from FSR.

Subsequently, in response to the development industry's request for equity, Council permitted this exclusion to apply to new construction, subject to adherence to the guidelines. Since then, new buildings have, to an increasing degree, incorporated enclosed balconies as additional interior space displacing the private open space, the open balconies, for which the FSR exclusion had been originally provided.

Since enclosed balcony space has been successfully marketed at the full per square foot price of the rest of the dwelling unit, many developers have been more and more aggressive in seeking the full eight percent exclusion for enclosed balconies. This differs from a mix of open and enclosed balconies that were anticipated when the exclusion was first put in place.

cont'd....

Clause No. 2 (cont'd)

With the aid of photographs distributed to Council (on file in the City Clerk's Office), Mr. Segal explained that enclosure of most or all balconies bulks up buildings by filling in the volumes of open balconies and intends to create less residential, more office-like buildings. Exclusions from FSR are usually given to encourage developers to provide facilities that are considered important for livability but would likely not be provided without that incentive. In this case, bonuses are being permitted when they the negative affect of displacing the private open space for which the FSR exclusion was intended.

Recommendation A1 would eliminate the FSR exclusion for enclosed balconies except in the buildings existing prior to 1985, as per the original intent of the balcony enclosure provisions. Alternatively, should Council consider that enclosed balconies do have merit, A2 is offered which states that no more than half of the excluded balcony area may be enclosed. The third option, A3 is to simply allow outright the full eight percent exclusion to be enclosed.

This application also proposes an acoustic amendment. At present, acoustic requirements in many district schedules and CD-1 by-laws apply to standards in both rooms within the unit as well as exterior balconies and patios. As the current standard often requires balconies to be enclosed, even when this is not desired, the proposed amendment will delete this requirement. Mr. Segal also explained that amendments are proposed to the balcony enclosure guidelines which would delete provisions calling for easy conversion of enclosed balconies back to open balconies, as well as adding several additional clauses which will clarify the design intent in new construction.

Responding to a question from a member of Council, Mr. Segal advised of an error in the memorandum dated July 18, 1995 from the City Clerk, which referred this matter to Public Hearing. Recommendation A1 makes reference to excluding floor space ratio for enclosed balconies except in buildings existing prior to April 23, 1995. This should read April 23, 1985.

A member of Council enquired whether these guidelines would permit a style of balcony sometimes referred to a french balconies. Mr. Segal advised this style would not be permitted under the proposed guidelines.

Council members also enquired whether thresholds will still be required between the interior unit and the closed balconies. It was confirmed the proposed guidelines still contain this threshold requirement.

cont'd....

Clause No. 2 (cont'd)

Correspondence

All correspondence received prior to this matter being referred to Public Hearing was included as Appendix E in the Council report. One additional letter stressing the need for more open balconies in Vancouver and another favouring option A2, were also received.

Speakers

The Mayor called for speakers for and against the application, and the following addressed Council.

Mr. Hans Schmidt, representing the Society of Soundscape Preservation, expressed concern with the proposed deletion of acoustic requirements, on the grounds that if these requirements are deleted, the City is simply accommodating the noise which exists and not attempting to eliminate or reduce it. A greater emphasis should be directed towards elimination of the source of noise.

Mr. Dugal Purdie, on behalf of the Urban Development Institute (UDI), indicated his support for option A2 as it represents an appropriate compromise. The UDI is strongly opposed to A1 as this would affect proformas upon which construction was predicated upon. Mr. Purdie urged Council to support recommendation A2 with an amendment to exclude the applicability of the guidelines to enclosed space, as the Institute believes the total design of the building should be left with the architects and reviewed through the existing development permit process, without the addition of guidelines.

Mr. Stuart Howard, on behalf of the Architectural Institute of British Columbia (AIBC), lent his support to option A2, as it represents a compromise position. AIBC would ultimately prefer option 5 as stated in its May 30, 1995 brief to Council, but is willing to accept the compromise position. Mr. Howard suggested the Planning Department is naive in its support of option A1 because apartments are now significantly smaller in size and the continued requirement of an open balcony would result in a small, unusable space.

cont'd....

Clause No. 2 (cont'd)

MOVED by Cllr. Kennedy,

THAT the City continue to permit a maximum of eight percent of permitted residential floor area to be excluded from Floor Space Ratio (FSR) for balconies, but to permit no more than half of excluded floor area to be enclosed;

FURTHER THAT the requirement that thresholds be included in enclosed balconies be removed.

- CARRIED

Councillors Chiavario, Kwan and Price opposed)

MOVED by Cllr. Kennedy,

THAT those District Schedules and CD-1 by-laws containing an acoustic regulation be amended, to delete the acoustic requirement for on-site open space (i.e., balconies, terraces, patios, etc.), generally as outlined in Appendix A of the Policy Report dated June 6, 1995.

- CARRIED

(Councillor Sullivan opposed)

MOVED by Cllr. Kennedy,

THAT the Balcony Enclosure Guidelines and Policies, amended as noted in Appendix B of the Policy Report dated June 6, 1995, to reflect more practical utilization by residents, be approved.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Kennedy,

THAT Council advise the Planning Department that it supports "French Balconies" where appropriate and that language be incorporated in the balcony regulations and/or guidelines that would encourage their provision.

- CARRIED UNANIMOUSLY

Balcony Exclusions
Option A.2

BY-LAW NO. 7512

A By-law to amend By-law Nos.
6421, 6688, 6710, 6731, 6757, 6787, 6817, 7006,
7156, 7173, 7193, 7204, 7209, 7223,
7224, 7232, 7246, 7248, 7317, 7337, 7340, 7381,
7431 and 7461, being by-laws which amended the Zoning
and Development By-law by rezoning areas to CD-1

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

1. The following By-laws are each amended by deleting section 3.4
and by substituting the following new section 3.4:

"3.4 The Director of Planning may permit the following to be excluded in
the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of
Planning first considers all applicable policies and guidelines
adopted by Council and approves the design of any balcony enclosure
subject to the following:

(i) the total area of all open and enclosed balcony or sundeck
exclusions does not exceed eight percent of the residential
floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor
area may be enclosed."

6688	7006	7337
6710	7173	7340
6731	7189	7381
6787	7223	7431
6817	7224	

2. By-law Nos. 6421, 7193 and 7209 are each amended in section 3.4 by
deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of
Planning first considers all applicable policies and guidelines
adopted by Council and approves the design of any balcony enclosure
subject to the following:

(i) the total area of all open and enclosed balcony or sundeck
exclusions does not exceed eight percent of the residential
floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

3. By-law No. 7246 is amended in section 3.5 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

4. By-law Nos. 7156, 7232 and 7248 are each amended in section 6.4 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

5. By-law No. 7317 is amended in section 6.4 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed."

6. By-law No. 7461 is amended in section 6.4 of Schedule "B" by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed."

7. By-law No. 6757 is amended in section 7.4 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

8. By-law No. 7204 is amended in section 7.4 of Schedule "B" by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

9. 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
January, 1996.

"(signed) Jennifer Clarke"
Deputy Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 11th day of January 1996, and numbered 7512.

CITY CLERK"

Acoustic Requirements

BY-LAW NO. 7515

A By-law to amend
By-law Nos. 3712, 4037, 4049, 4397, 4677, 5381,
5836, 5852, 6272, 6310, 6312, 6313, 6314, 6315,
6316, 6317, 6318, 6319, 6320, 6321, 6322, 6323,
6325, 6361, 6362, 6363, 6421, 6425, 6429, 6475,
6489, 6528, 6533, 6564, 6582, 6597, 6663, 6688,
6710, 6713, 6714, 6715, 6730, 6731, 6738, 6739,
6740, 6744, 6747, 6757, 6768, 6779, 6787, 6817,
6827, 6965, 7006, 7087, 7092, 7101, 7114, 7135,
7155, 7156, 7157, 7158, 7163, 7166, 7173, 7174,
7175, 7180, 7189, 7193, 7198, [REDACTED], 7204, 7209,
7223, 7224, 7230, 7232, 7246, 7248, 7317, 7337,
7340, 7381, 7425, 7431, 7434 and 7461, being
by-laws which amended the Zoning and Development
By-law by rezoning areas to CD-1

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

1. By-law Nos. 6429, 6597, 7092, 7101, 7224 and 7340 are each amended in section 5 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

2. The following By-laws are each amended in section 6 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column:

4037	6688	7087	7180
4397	6710	7155	7189
4677	6713	7157	7209
5852	6731	7163	7246
6272	6738	7166	7381
6363	6768	7173	7425
6421	6787	7174	7431
6582	6827	7175	7434
6663			

3. By-law No. 6730 is amended in section 6.1 by deleting the words "Terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

4. The following By-laws are each amended in section 7 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

5836	6321	6564	7114
6310	6322	6739	7135
6312	6323	6740	7158
6315	6325	6817	7223
6319	6528	6965	7230
6320			

5. By-law Nos. 6313, 6314, 6316, 6317, 6318 and 6361 are each amended in section 7.1 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
6. By-law Nos. 3712, 4049, 6362, 6425, 6489, 6714, 6715, 7193 and 7337 are each amended in section 8 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
7. By-law No. 6779 is amended in section 9 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
8. By-law No. 7198 is amended in section 10 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
9. By-law Nos. 7156, 7200, 7232 and 7248 are each amended in section 11 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
10. By-law No. 6744 is amended in section 12 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
11. By-law Nos. 6747 and 6757 are both amended in section 13 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
12. By-law No. 5381 is amended in section 4.8.1 by
 - (a) deleting clause (d), and
 - (b) relettering clauses (e) and (f) as (d) and (e), respectively.
13. By-law No. 6533 is amended in section 5.6.1 by deleting clause (d).
14. By-law No. 6475 is amended in section 5.8.1 by deleting clause (d).
15. By-law No. 7006 is amended in section 7 by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

16. By-law No. 7317 is amended in section 9 by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

17. By-law No. 7461 is amended in section 9 of Schedule "B" by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

18. By-law No. 7204 is amended in section 12 of Schedule "B" by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

19. 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
January , 1996.

"(signed) Jennifer Clarke"
Deputy Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 11th day of January 1996, and numbered 7515.

CITY CLERK"

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING

8

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 18, 1996, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

The meeting subsequently reconvened at 7:30 p.m. on Tuesday, February 6, 1996, in the Council Chamber.

PRESENT: Mayor Owen
Councillors Chiavario, Clarke, Hemer, Ip,
Kwan, Price, Puil and Sullivan

ABSENT: Councillor Bellamy (Civic Business)
Councillor Kennedy (Civic Business)

CLERK TO THE COUNCIL: Gary MacIsaac

COMMITTEE OF THE WHOLE

MOVED by Cllr. Hemer,
SECONDED by Cllr. Puil,

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Zoning and Development By-law.

- CARRIED UNANIMOUSLY

1. Text Amendment: 300 Cardero Street
(Coal Harbour, Marina Neighbourhood)

An application by the Director of Land Use and Development was considered as follows:

The proposed amendment to CD-1 Comprehensive Development District by-law No. 7200 would permit a 99-unit mixed-income family housing co-operative, in lieu of 122 designated dwelling units, 41 of which were family units and 81 of which were non-family. This would consequently reduce the overall maximum number of dwelling units allowed in the Coal Harbour Marina Neighbourhood from 850 to 827.

The Director of Land Use and Development recommended approval of this application.

cont'd....

Clause No. 1 (cont'd)

Staff Opening Comments

Mr. Cameron Gray, Manager of Housing Centre, and Mr. Ian Smith, Central Area Planner, advised they were available to respond to questions from members of Council.

Correspondence

There was no correspondence received on this application.

Speakers

Mayor Owen called for speakers for and against the application.

Ms. Gillian Watson-Donald, on behalf of the Special Advisory Committee on Seniors, advised the Committee is concerned with the loss of non-family or seniors housing units. Ms. Watson-Donald stressed the Committee is not opposed to the addition of family units, but rather is concerned with the lack of provision for seniors now and in the future. Also, the existing housing stock does not permit seniors to age in place, so unless more housing is available, seniors will be forced to leave their neighbourhoods.

Responding to questions from members of Council, Mr. Cameron Gray confirmed that Provincial funding allocations give a higher priority to family housing, on the belief there is a greater sense of urgency for family housing rather than seniors housing. The City is in agreement with the point of view.

Discussion

During discussion, members of Council acknowledged the concerns of the Seniors Committee, but agreed with the view that single family housing is a greater priority at this time.

MOVED by Cllr. Hemer,
THAT the application be approved.

- CARRIED UNANIMOUSLY

Items 2(a) and 2(b) were read into the record and considered concurrently.

2(a). Text Amendment: RS-6 One-Family Dwelling District

An application by the Director of Land Use and Development was considered as follows:

This proposed amendment to the text of Zoning and Development By-law No. 3575 would:

- Establish an RS-6 District Schedule. The intent of the proposed RS-6 zoning is to provide more flexibility for designers and builders by enlarging the current RS-1 building envelope, establishing some minimum standards for landscape development through impermeability regulations and design guidelines, establishing some standards for selected design items through external design regulations, and providing additional relaxations from regulations for renovations/additions to existing houses. RS-6 also permits more floor area for new and existing buildings, on a conditional approval basis, up to 0.24 Floor Space Ratio plus 130 m² above grade, provided a minimum of 0.04 FSR is located above the second storey under a pitched roof and minimum standards for site landscaping are met. An option to exclude basement floor area from floor space ratio to permit full basements for houses on small lots with a proportional reduction of above basement FSR is put forward for Council's consideration; and
- Require consequential amendments, including the Sign, Parking and Subdivision By-laws.

The Director of Land Use and Development recommended approval, subject to the condition that if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the "RS-6 Design Guidelines" to be adopted by resolution of Council for the RS-6 District.

cont'd....

2(b) Rezoning: South Shaughnessy/Granville RS-6

An application by the Director of Land Use and Development was considered as follows:

Rezone the area generally bounded by Granville Street, West 57th Avenue, East Boulevard, West 42nd Avenue, Maple Street, West 41st Avenue, Cypress Street and West 49th Avenue from RS-1 One-Family Dwelling District to RS-6 One-Family Dwelling District.

The Director of Land Use and Development recommended approval.

Also before Council was a memorandum dated January 5, 1996 from Mr. Bob McGilvray, Planner, which recommended a proposed revision to the Council Option "A" section 4.7.4 of the draft RS-6 zoning which allows basement floor space to be excluded from FSR calculations provided that an area 1/3 times the excluded basement area is deducted from the floor area allowed on the first and second storeys.

Mr. McGilvray recommended that section 4.7.4(a)(i) be amended to read:

"(1) an amount equal to one-half times the basement and cellar area excluded shall be deducted from the area allowed on the first and second storeys as defined by section 4.7.1; and".

Staff Opening Comments

Ms. Jacquie Forbes-Roberts, Director of Community Planning, advised the application before Council applies to the South Shaughnessy/Granville West sub-area only. There has been some discussion about the possibility of RS-6 serving as an interim zoning measure to deal with character issues in single-family neighbourhoods until the Neighbourhood Centre planning can get underway as part of Cityplan, but this will be the subject of a separate report to Council.

In addition, Planning staff will report to Council later this Spring on broader issues which have been raised, such as the complexity and the administration of the RS schedules generally. Staff are proposing to look at a revised format for the RS schedule so a more user-friendly and flexible organization can be created.

cont'd....

Clause 2(a) and (b) (cont'd)

Mr. Bob McGilvray, Planner, advised the proposed RS-6 zoning responds to the objectives identified and debated by a Working Group which includes residents of varying ages, family status, cultural backgrounds, and planning concerns as well as design professionals. In addition to the working group, the consultation process has included public information meetings, a mail survey, and meetings with trade and professional groups.

In preparing this draft by-law, the Working Group defined five major objectives:

- . No significant alterations to property values;
- . Encourage landscaping and tree retention;
- . Foster a wider variety of house designs and improved external design standards;
- . Foster the retention and renovation of existing housing stock;
- . Minimize zoning complexity, permitting cost and time.

Mr. McGilvray explained that a typical RS zone has a district schedule which regulates quantitative issues and some have design guidelines which address the external design objectives or qualitative issues of the project. The proposed RS-6 is slightly different in that design control is primarily achieved using mandatory external design regulations rather than through design guidelines. Using this approach the working group accepted that RS-6 would be more specific and less flexible than if they used a discretionary design guideline approach in return for more predictability and shorter processing times.

In an attempt to address this less flexible nature of this zoning approach, the Working Group supported developing design guidelines. These guidelines establish criteria for Director of Planning relaxations of external design regulations where an application proposes an element that is determined to meet the general intent of the RS-6 by-law but is, nevertheless, contrary to a specific regulation. This somewhat innovative use of design guidelines will allow, in some cases, a broader palette of design options while insuring the Working Groups' objectives are met.

Landscaping is addressed solely in the design guidelines. These guidelines are flexible and are applicable where an application seeks an allowable discretionary increase to floor area under RS-6.

With the aid of a slide presentation, Mr. McGilvray summarized the proposed RS-6 zoning and highlighted the major differences from other RS schedules.

cont'd....

Clause 2(a) and (b) (cont'd)

Summary of Correspondence

A review of the correspondence received over the course of the two evenings indicated the following:

- . 8 letters in favour of the application;
- . 1 letter in favour of the application, subject to amending Section 4.43 of the draft by-law which deals with front-yard setbacks;
- . 1 letter (containing 15 signatures) requesting extension of RS-6 zoning to another area;
- . 1 letter requesting deferral;
- . 7 letters opposing the application;
- . 1 letter expressing concern with detailed design control and neighbourhood design panels;
- . 1 letter urging that architects design all buildings.

Speakers

Mayor Owen called for speakers for and against the application, and a total of 21 speakers addressed Council over the course of the two evenings.

The following individuals spoke in favour of the application:

- . Mr. James Brailey, 1900 Block West 42nd Avenue
- . Mr. Bill Farish, 5900 Block Trafalgar Street
- . Ms. Betty Anderson, 6800 Block Laburnum Street
- . Ms. Robbie McKenzie, 5900 Block Maple Street
- . Ms. Patricia Daum, 6500 Block Maple Street
- . Mr. Eric Watt, 6200 Block Adera Street
- . Ms. Claire Hurley.

The foregoing supported the application on one or more of the following grounds:

- . The Working Group members were selected from a large community meeting, and the membership of the group reflected the diversity of the neighbourhood;

cont'd....

Clause 2(a) and (b) (cont'd)

- . The Working Group engaged in a consensus building project. Not all members of the Group are completely satisfied with every aspect of the new zoning, but RS-6 is a good compromise that has majority support from the Working Group;
- . The present RS-1 zoning is inadequate and is not meeting the needs of the neighbourhood. There is wide dissatisfaction with the status-quo. RS-6 is reflective of the wishes of the neighbourhood;
- . Many people were attracted to this neighbourhood because of characteristics such as historical houses and good landscaping, but the area is losing these valuable features;
- . The Working Group does not support neighbourhood design panels, either in a decision-making or advisory capacity;
- . It was noted that a survey advanced by the Architectural Institute of B.C., which differs from the City survey, may be misleading. Of the nine Working Group members, only one member was contacted for the AIBC survey, and it was observed that the architectural student conducting the survey provided a biased slant on the questions;
- . Council should listen to the voice of the neighbourhood on this issue, rather than the voice of special interest groups from outside the neighbourhood;
- . The objectives identified by the Working Group were laudable, and the draft RS-6 by-law fulfills these objectives.

Mr. Harley Rothstein, 3800 Block West 21st Avenue, supported the application, but suggested a preference that "box-like" houses should not be permitted at all. Mr. Rothstein favoured neighbourhood design panels.

The following speakers opposed the application because of the negative impact it would have on B.C glass artists:

- . Mr. Robert Studer, B.C Glass Arts Association;
- . Mr. Brian Baxter, B.C. Glass Arts Association
(brief on file).

cont'd....

Clause 2(a) and (b) (cont'd)

The foregoing speakers opposed the application on the following grounds:

- . This application will unfairly limit business opportunities for B.C. glass artists;
- . The proposed by-law will not result in a display of good taste. As written, it will produce safe, mediocrity in glass work, if indeed glass is used at all;
- . The present proposal is punitive in that applicants wanting to use art glass will have to go through a separate approval scheme which will result in increased processing time and higher permit fees. Rather than bother with the time and expenses associated with this stream, applicants will not bother with art glass;
- . This proposal would require glass artists to design windows before a building begins, and clients to pay design fees for windows before construction begins;
- . The submitted designs would be judged by staff at City Hall who do not have this expertise;
- . A listing of approved artists promotes favouritism.

The following speakers, who are members of the Architectural Institute of B.C., were opposed to the application:

- . Mr. Robert Turecki (survey results on file)
- . Ms. Patricia Bourque
- . Mr. Stuart Howard
- . Mr. Joe May.

The foregoing opposed the application on one or more of the following grounds:

- . This by-law is another band-aid solution for single-family zoning in the City, and does not address the issue of neighbourhood control, but instead leaves control with the Planning Department;

cont'd....

Clause 2(a) and (b) (cont'd)

- . AIBC conducted its own survey in the area which resulted in findings that a substantial number of residents do not agree or did not know about the proposed zoning;
- . The Planning Department prefers to write new by-laws rather than fix the existing ones. Also, this by-law is similar to ones the Planning Department tried to bring forward on previous occasions. RS-6 is a new twist on an old theme;
- . This proposed by-law will increase the cost of new homes as well as the length of time necessary to obtain permits;
- . The by-law will be administered by the least experienced Planning staff who will "play it safe", and be governed by the principles of precedent. This will stifle creativity and innovation and encourage all houses to look alike;
- . The process used by the Planning Department to arrive at this stage did not include adequate public and professional consultation, and too much credibility was given to individuals and groups who were not representative of the entire neighbourhood;
- . The AIBC survey also included results indicating that 64% of respondents support local residents having greater influence over the design of houses in their residential area through a neighbourhood-based design panel;
- . A fundamental change is required in the manner in which permits are processed. The City should move to a system which allows neighbourhood control through residential design panels which have approving authority;
- . Neighbourhood design panels are an effective form of neighbourhood control because they are not governed by consistency or precedent, as are Planning staff, and are able to support applications which may be innovative and a good fit with the community.

The following speakers representing the Greater Vancouver Homebuilders Association opposed the application:

- . Mr. Dan Funaro
- . Mr. Gordon Tait.

cont'd....

Clause 2(a) and (b) (cont'd)

The foregoing speakers opposed the application on the following grounds:

- . The City already has too many regulations for housing construction, and this by-law will only worsen the situation;
- . RS-6 will result in increased housing costs. In Vancouver, administrative costs have risen faster than building costs;
- . The by-law should be rejected outright because zoning by-laws should not legislate taste. Creativity and innovation will be stifled;
- . This by-law will be difficult to enforce;
- . The Greater Vancouver Homebuilders Association was not adequately consulted about this draft by-law.

Mr. James Horwood, 2000 Block West 45th Avenue, opposed the application on the grounds that no zoning of any kind is necessary because it is expensive and represents an infringement on human rights.

Mr. Phil Spicer, 2000 Block West 47th Avenue, stated a preference for RS-5 rather than RS-6. In addition the City should amend its RS-1 guidelines to allow for a 40% building depth, rather than the 35% building depth which is currently permitted.

Ms. Karin Hung, 2000 Block West 43rd Avenue, presented a brief (on file) on behalf of Ms. Lillian Lim, who was a member of the RS-6 Working Group. Ms Lim opposed the current RS-6 draft by-law because the changes in the by-law meant to address the issues of "ugly" houses will instead lead to further decline in the quality of house design in neighbourhoods. If Council does proceed with RS-6, amendments should be made to allow architects greater freedom in design after consultation with the inhabitants of the affected neighbourhood.

Mr. Kingsley Lo, 6700 Block Montgomery Street (briefs on file), advised he was a member of the RS-6 Working Group, and identified errors which exist in the current draft by-law which need to be corrected, or the by-law should not be adopted. Mr. Lo also submitted another option (on file), for Council's consideration which incorporated these amendments. Responding to

cont'd....

Clause 2(a) and (b) (cont'd)

questions from a member of Council, Mr. Lo stated that in his opinion, the Working Group was not truly representative of the neighbourhood.

Mr. Lo also reported on the results of the most recent meeting of the RS-6 Working Group which had been held after the conclusion of the first evening of the Public Hearing. On behalf of the Working Group Mr. Lo advised:

"In response to the heavy protest of the glass artist in the last Public Hearing, Planning Department called another meeting with the RS-6 Working Group on Tuesday, January 30, 1996. At the end of the meeting I was delegated by the Group to report to Council as follows: that when the matter of the stained glass was actually put to formal vote, the true result was that the Group unanimously wanted to allow stained glass in house design. Council is also hereby further advised that the majority of the RS-6 Working Group members actually voted to have Section 4.17.33 regarding windows be entirely deleted."

Mr. Charles Dobson, on behalf of the Vancouver Citizens Committee, urged Council to adopt neighbourhood design panels with approving authority. Consultation and citizen involvement does take more time, but it is worth the effort as citizens feel there are some issues best dealt with at the neighbourhood level. The present application before Council which recommends new rules and additional staff resources to enforce these rules is out of context with the City's Better City Government approach.

Conclusion

At the conclusion of the hearing of the speakers, Mayor Owen advised that a final decision on this application would be made at a future Regular Council meeting.

NOTE FROM CLERK: This item is scheduled for the February 27, 1996 Regular Council Meeting as Unfinished Business.

cont'd....

Clause 2(a) and (b) (cont'd)

Staff were requested to provide additional information on enforcement issues associated with this draft by-law, as well as information on the number of Designated Heritage houses in this neighbourhood as well as the number of houses on the heritage inventory. Staff were also requested to provide information on the heritage designation process.

RISE FROM COMMITTEE OF THE WHOLE

Moved by Cllr. Hemer,
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Hemer,
SECONDED by Cllr. Ip,
THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

* * *

The Special Council Meeting adjourned on February 6, 1996
at 10:50 p.m.

BY-LAW NO. 7520

A By-law to amend
By-law No. 7200,
being a By-law which amended
the Zoning and Development By-law
by rezoning an area to CD-1

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

1. By-law No. 7200 is amended
 - (a) in clause (a) of section 4 by
 - (i) deleting the figure "70 108 m²" and substituting the figure "70 568 m²",
 - (ii) deleting the figure "41" in subclause (ii) and substituting the figure "99",
 - (iii) deleting the word "and" which follows the semi-colon in subclause (ii), and
 - (iv) deleting all of subclause (iii),
 - (b) in TABLE 1 by deleting the figures "85 108 m²" and "5 728 m²" and by substituting the figures "85 568 m²" and "5 268 m²" respectively,
 - (c) in clause (g) of section 6.3 by inserting immediately after the word "that" the following:

"for all uses, except the family housing described in section 4(a)(ii) and the units described in section 4(b) above,"
 - (d) in column 2 of TABLE 2 by deleting the figures "37 108" and "2 458" and substituting the figures "37 568" and "1 998" respectively, and
 - (e) in column 2 of TABLE 3 by deleting the figure "364" and substituting the figure "341".

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

DONE AND PASSED in open Council this 20th day of February, 1996.

"(signed) Philip W. Owen"
Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 20th day of February 1996, and numbered 7520.

CITY CLERK"

Extract from the Minutes of the Special Council Meeting
(Public Hearing) of September 10, 1996

5. CD-1 Text Amendment: 1599 Coal Harbour Quay

An application by Busby & Associates Architects Ltd. was considered as follows:

The proposed text amendment would permit a 1.0 m (3 ft.) height increase to a waterfront commercial building for a restaurant use.

The Director of Land Use and Development recommended approval of the application.

Staff Comments

Staff offered no additional comments on this application.

Applicant Comments

The applicant offered no comments on this application.

Summary of Correspondence

Council was advised one letter was received supporting the application.

Speakers

Mayor Owen called for speakers for and against the application and none were present.

MOVED by Cllr. Bellamy,
THAT the application be approved.

- CARRIED UNANIMOUSLY

B. P.

1599 Coal Harbour Quay

BY-LAW NO. 7632

A By-law to amend
By-law No. 7200,
being a By-law which amended
the Zoning and Development By-law
by rezoning an area to CD-1

312

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

1. Section 7.2 of By-law No. 7200 is amended by inserting immediately
after the words "10 percent" the following:

"and in sub-area 4 by up to 1.0 m for a fixed restaurant structure".

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

DONE AND PASSED in open Council this 8th day of
October, 1996.

"(signed) Philip W. Owen"
Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of By-law passed by the Council of the
City of Vancouver on the 8th day of October 1996, and numbered 7632.

CITY CLERK"

ADMINISTRATIVE REPORT

Date: November 14, 1997
Author/Local: B. Boons/7678
CC File No. 2608

TO: Vancouver City Council

FROM: Director of Community Planning on behalf of Land Use and
Development

SUBJECT: Form of Development - 1529 West Pender Street
DE402351 - CD-1 By-law Number 7200
Owner of Development - Canadian Pacific Properties Inc.

CD-1 (312)

RECOMMENDATION

THAT the approved form of development for this portion (Sub-Area 1, Lot 1.1a) of the CD-1 zoned site known as 300 Cardero Street (1529 West Pender Street being the application address) be generally approved as illustrated in Development Application Number DE402351, prepared by Reid Crowther & Partners Ltd. and stamped "Received, City Planning Department September 26, 1997", provided that the Director of Planning may 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 in principle the form of development for this site when rezoning was approved, following a Public Hearing.

PURPOSE

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

SITE DESCRIPTION AND BACKGROUND

At a Public Hearing on December 11, 1991, City Council approved a rezoning of this site from CWD Central Waterfront District to CD-1 Comprehensive Development District. Council also approved in principle the form of development for these lands. CD-1 By-law Number 7200 was enacted on October 19, 1993. Companion Guidelines (Marina Neighbourhood CD-1 Guidelines for Land Development) were also adopted by Council resolution at that time.

The site and surrounding zoning are shown on the attached Appendix 'A'.

The Director of Planning has now approved Development Application Number DE402351. This approval was subject to various conditions, including Council approval of the form of development. The latter condition is one of the few outstanding prior to permit issuance.

DISCUSSION

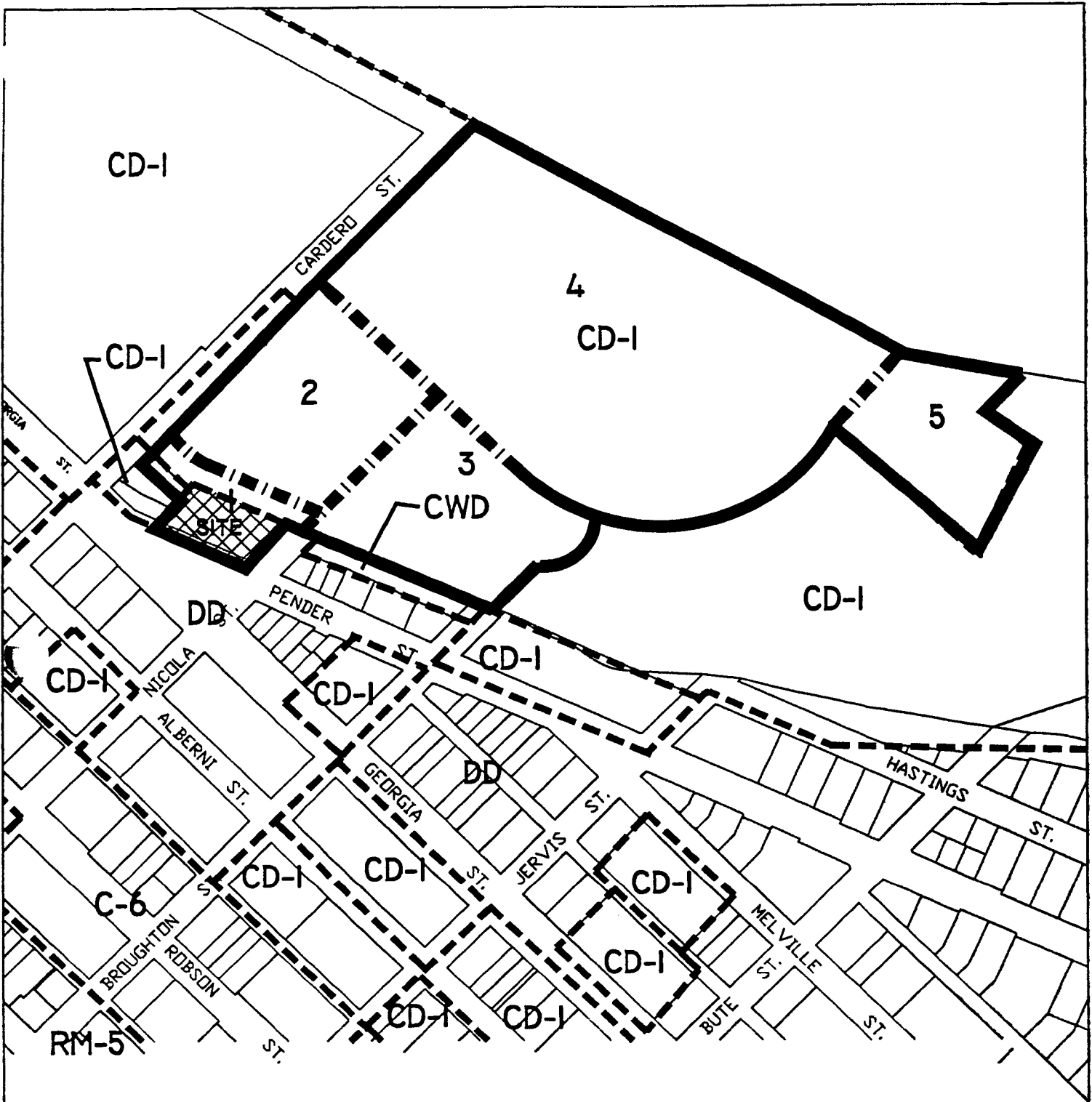
The proposal involves the use of Lot 1.1a as a surface parking lot, providing a total of 69 parking spaces. It is expected that the site will be developed in the near future with a permanent structure, in accordance with the CD-1 By-law provisions. Therefore, it is intended that development permit approval for the surface parking lot would be limited in time to a one-year period, unless extended in writing by the Director of Planning.

Simplified plans, including a site plan and landscape plan of the proposal, have been included in Appendix 'B'.

CONCLUSION

The Director of Planning has approved Development Application Number DE402351, subject to various conditions to be met, prior to the issuance of the development permit. One of these conditions is that the form of development first be approved by Council.

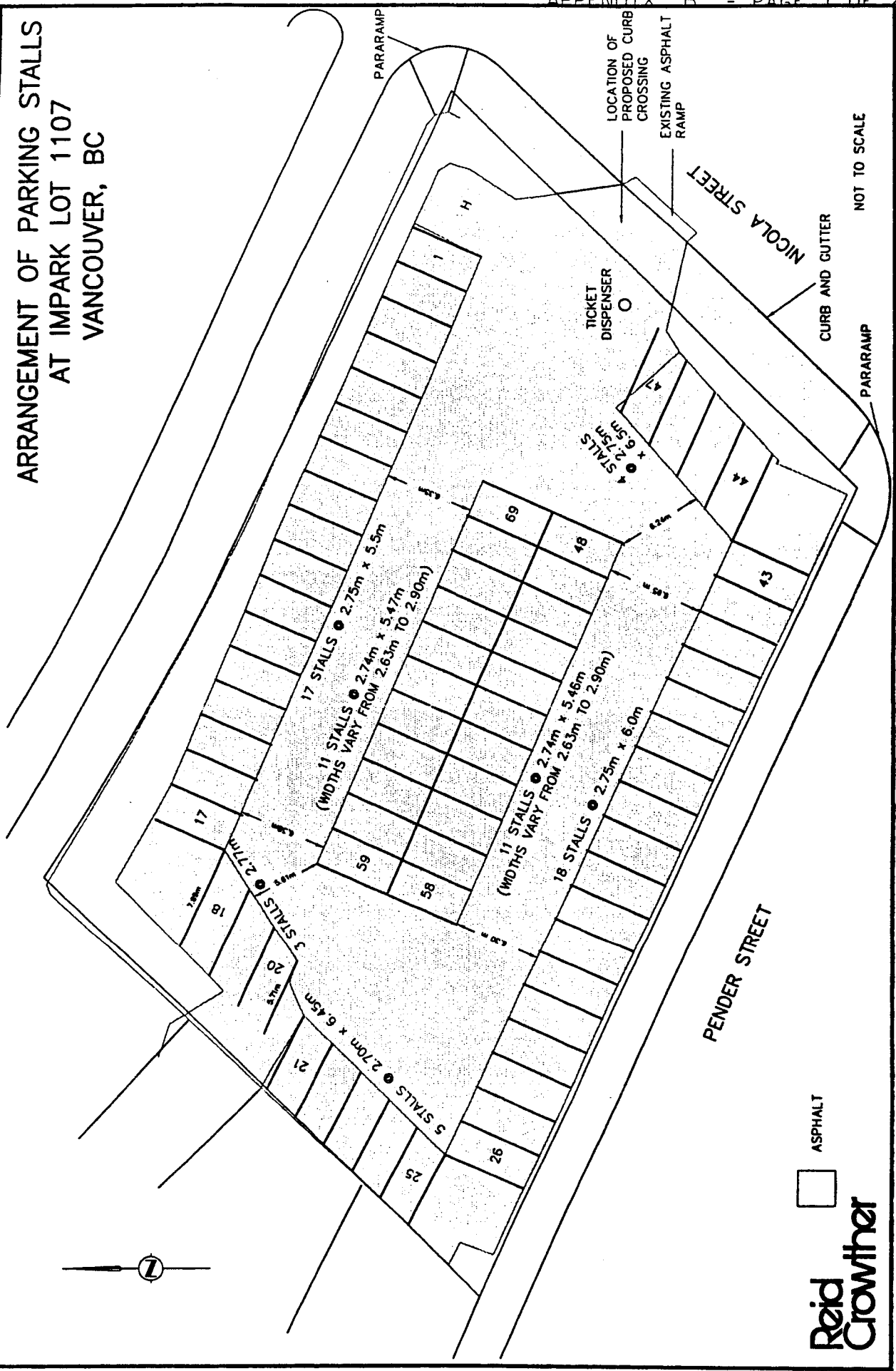
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ZONING BOUNDARY
 SUB-AREA BOUNDARY

1529 W. PENDER ST. DE 402351 CITY OF VANCOUVER PLANNING DEPARTMENT	DATE	1997 11 12	
	DRAWN	WGKS	
	SCALE	1:3600	

ARRANGEMENT OF PARKING STALLS AT IMPARK LOT 1107 VANCOUVER, BC

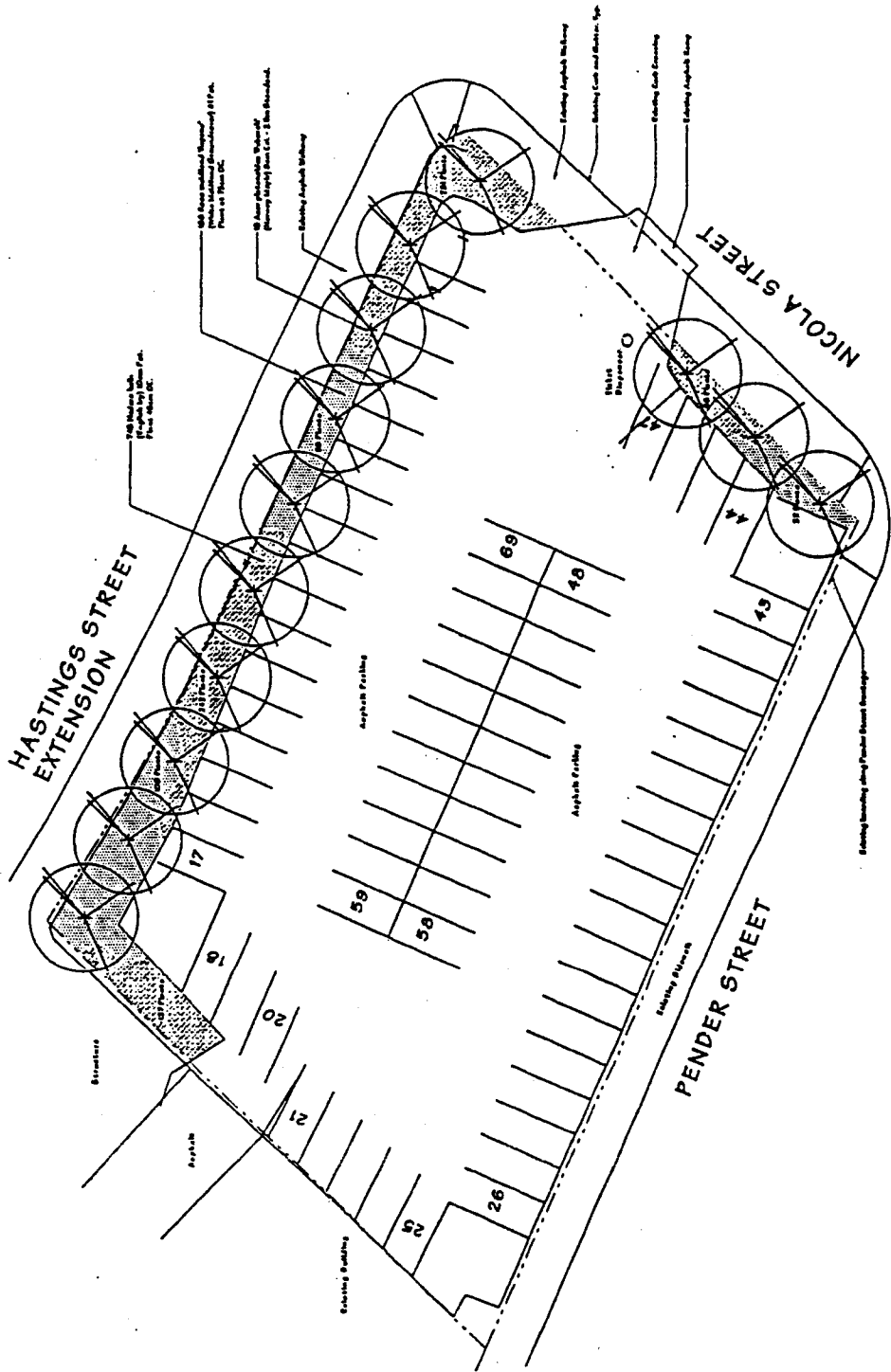
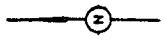


NOT TO SCALE

ASPHALT



<p>Aug 1987 Survey on Civil Engineer Aug 1987 Survey on Surveyor Aug 1987 Survey on Surveyor Aug 1987 Survey on Surveyor</p>	<p>Philip Wood and Associates 100 Peachtree Street, N.E. Atlanta, Georgia 30309 Phone: 404-525-1111</p>	<p>IMPARK PARKING LOT 1107 Peachtree, GA</p>	<p>LANDSCAPE PLAN</p>
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1. All trees included provided to customer with this drawing.
 2. Existing trees to be removed are to be replaced with similar trees.
 3. Existing trees to be removed are to be replaced with similar trees.
 4. Existing trees to be removed are to be replaced with similar trees.
 5. Existing trees to be removed are to be replaced with similar trees.

CITY MANAGER'S ADMINISTRATIVE REPORTS (CONT'D)

6. **Extension of Building Permit No. BU402436 -
3496 Wellington Avenue
November 18, 1997** **File: 2609**

MOVED by Cllr. Herbert,
THAT City Council approve an extension of Building Permit No. BU402436 until
May 1, 1998, subject to the site being maintained in a tidy condition.

- CARRIED UNANIMOUSLY

7. **Form of Development - 1529 West Pender Street
DE402351 - CD-1 By-law Number 7200
Owner of Development - Canadian Pacific Properties Inc.
November 14, 1997** **File: 2608**

MOVED by Cllr. Herbert,
THAT the approved form of development for this portion (Sub-Area 1, Lot 1.1a) of
the CD-1 zoned site known as 300 Cardero Street (1529 West Pender Street being the
application address) be generally approved as illustrated in Development Application
Number DE402351, prepared by Reid Crowther & Partners Ltd. and stamped "Received,
City Planning Department September 26, 1997", provided that the Director of Planning may
approve design changes which would not adversely affect either the development character
of this site or adjacent properties.

- CARRIED UNANIMOUSLY

1529 West Pender Street

BY-LAW NO. 7956

A By-law to amend By-law No. 7200,
being a By-law which amended the
Zoning and Development By-law
by rezoning an area to CD-1

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

1. Section 4 of By-law No. 7200 is amended
 - (a) in clause (a) by deleting the figure "70 568" and substituting the figure "71 794", and
 - (b) in clause (b) by deleting the figure "15 000" and substituting the figure "13 905".
2. Section 6.5 is deleted and the following substituted:

"6.5 The total floor area in each sub-area for the uses listed in Table 2 shall not exceed the applicable totals set opposite such uses, except that

 - (a) in sub-area 1, the Development Permit Board or Director of Planning may permit any combination of office, retail and service uses, provided that the total floor space for office, retail and service uses does not exceed 2 820 m²,

and any use permitted by section 4 but not listed in Table 2 is not limited by this sub-section 6.5."
3. Table 1 is amended by deleting the figures "85 568", "5 268" and "3 051" and substituting the figures "85 699", "6 678" and "1 510" respectively.

4. Table 2 is amended in the column headed by the number 1
 - (a) by deleting the figures "15 000" and "2 951" and substituting the figures "15 131" and "1 410" respectively, and
 - (b) by deleting the symbol "---" and substituting the figure "1 410".
5. Table 3 is amended in the column headed by the number 1 by deleting the figure "206" and substituting the figure "281".
6. Table 4 is amended in the column headed by the number 1 by deleting the figure "73" and substituting the figure "84".
7. Section 9 is amended
 - (a) by deleting clause (c) and substituting the following new clause (c):

"(c) multiple dwelling units larger than 52 m² (gross floor area), not including units in sub-area 1 or units designated for the rental incentive, core-need or seniors housing, shall provide a minimum of 0.9 spaces for each dwelling unit plus 1 space for each 200 m² of gross floor area, with a maximum of 1.1 spaces for each dwelling unit plus 1 space for each 125 m² of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided;"
 - (b) by deleting clause (d) and substituting the following new clause (d):

"(d) multiple dwelling units larger than 52 m² (gross floor area) in sub-area 1, not including units designated for the rental incentive, core-need or seniors housing, shall provide a minimum of 0.3 spaces for each dwelling unit plus 1 space for each 100 m² of gross floor area, with a maximum of 0.5 spaces for each dwelling unit plus 1 space for each 100 m² of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided;"

(c) by relettering clauses (e), (f), (g), (h), (i) and (j) as clauses (f), (g), (h), (i), (j) and (l) respectively,

(d) by inserting the following new clause (e):

"(e) multiple dwelling units less than or equal to 52 m² gross floor area shall provide a minimum of 0.5 space per dwelling unit, subject to a maximum of 1.0 space per dwelling unit;"

(e) in relettered clause (j)

(i) by inserting after the words "residential use parking" the words "in all sub-areas except sub-area 1", and

(ii) by deleting the word "and" after the semi-colon, and

(f) by inserting the following new clause (k):

"(k) a maximum visitor component of 0.2 space per dwelling unit shall be provided in sub-area 1, except that the Director of Planning, in consultation with the City Engineer, taking into account the time varying demand of uses, may reduce the visitor component to a minimum of 0.05 space per dwelling unit; and".

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

DONE AND PASSED in open Council this 8th day of December
1998.

(SGD) Philip W. Owen

Mayor

(SGD) Ulli S. Watkiss

City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 8th day of December 1998, and numbered 7956.

CITY CLERK"

Parking & Loading Relaxations (CD-1s)

BY-LAW NO. 8011

A By-law to amend By-laws No.
6744, 6747, 6757, 7156, 7200, 7232,
7248, 7675, 7677 and 7681, being
by-laws which amended the Zoning and
Development By-law by rezoning areas to CD-1

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

1. By-law No. 6744 is amended
 - (a) in section 10 by adding the following new subsections:

"10.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of off-street parking and passenger spaces required.

10.3 The Director of Planning, before granting any relaxation pursuant to section 10.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

10.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

10.5 Parking Space Requirement Exemptions

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.", and

- (b) in Section 11 by adding the following new subsections:

"11.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.

11.3 The Director of Planning, before granting any relaxation pursuant to section 11.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

11.4 Multiple-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

11.5 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use."

2. By-law No. 6747 is amended

- (a) in section 11 by adding the following new subsections:

"11.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of off-street parking and passenger spaces required.

11.3 The Director of Planning, before granting any relaxation pursuant to section 11.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

11.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

11.5 Parking Space Requirement Exemptions

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.", and

(b) in section 12 by numbering the existing text as "12.1" and adding the following new subsections:

"12.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.

12.3 The Director of Planning, before granting any relaxation pursuant to section 12.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

12.4 Multiple-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

12.5 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use."

3. By-law No. 6757 is amended
 - (a) in section 11 by numbering the existing text as "11.1" and adding the following new subsections:

"11.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of off-street parking and passenger spaces required.

11.3 The Director of Planning, before granting any relaxation pursuant to section 11.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

11.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

11.5 Parking Space Requirement Exemptions

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.", and

- (b) in section 12 by numbering the existing text as "12.1" and adding the following new subsections:

"12.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.

12.3 The Director of Planning, before granting any relaxation pursuant to section 12.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

12.4 Multiple-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

12.5 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use."

4. By-laws Nos. 7156, 7200, 7232 and 7248 are each amended

- (a) in section 9 by numbering the existing text as "9.1" and adding the following new subsections:

"9.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in

unnecessary hardship relating to the number of off-street parking and passenger spaces required.

9.3 The Director of Planning, before granting any relaxation pursuant to section 9.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

9.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

9.5 Parking Space Requirement Exemptions

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.", and

- (b) in section 10 by numbering the existing text as "10.1" and adding the following new subsections:

"10.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.

10.3 The Director of Planning, before granting any relaxation pursuant to section 10.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

10.4 Multiple-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer,

taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

10.5 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use."

5. By-laws Nos. 7675, 7677 and 7681 are each amended
- (a) in section 8 by renumbering the existing text as "8.1" and adding the following new subsections:

"8.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of off-street parking and passenger spaces required.

8.3 The Director of Planning, before granting any relaxation pursuant to section 8.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

8.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

8.5 Parking Space Requirement Exemptions

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.", and

- (b) in section 9 by numbering the existing text as "9.1" and adding the following new subsections:

"9.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.

9.3 The Director of Planning, before granting any relaxation pursuant to section 9.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

9.4 Multiple-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

9.5 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use."

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

DONE AND PASSED in open Council this 13th day of April ,
1999.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 13th day of April 1999, and numbered 8011.

CITY CLERK"



ADMINISTRATIVE REPORT

Date: December 13, 2000
Author/Local: Bill Boons/7678

RTS No.01790

CC File No. 2607

Council: January 9, 2001

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: Form of Development: 500 Nicola Street

RECOMMENDATION

THAT the form of development for this portion of the CD-1 zoned site known as 300 Cardero Street (500 Nicola Street being the application address) be approved generally as illustrated in the Development Application Number DE404521, prepared by James K. M. Cheng Architects Inc. and stamped "Received, City Planning Department June 5, 2000", provided that the Director of Planning may 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 in principle the 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 form of development for the above-noted CD-1 zoned site.

SITE DESCRIPTION AND BACKGROUND

At a Public Hearing on December 11, 1991, City Council approved a rezoning of this site from CWD Central Waterfront District to CD-1 Comprehensive Development

District Council also approved, in principle, the form of development for these lands. CD-1 By-law Number 7200 was enacted on October 19, 1993. Companion Guidelines (Marina Neighbourhood CD-1 Guidelines for Land Development) were also adopted by Council at that time.

A further amendment (By-law Number 7324) was approved by Council and enacted on July 26, 1994 following a Public Hearing on June 23, 1994, amending the Affordable Housing Policy.

At a Public Hearing on September 12, 1995, Council approved an amendment to balcony enclosure and acoustic requirements. This amendment (By-law Number 7512 and 7515) was enacted on January 11, 1996.

On January 18/February 6, 1996 at a Public Hearing, Council approved a reduction to the overall maximum number of dwelling units allowed from 850 to 827. CD-1 By-law Number 7520 was enacted on February 20, 1996.

At a Public Hearing on March 24, 1998, Council approved amendments to increase number of dwelling units and height and reduce the number of parking spaces. CD-1 By-law Number 5956 was enacted on December 8, 1992.

At a subsequent Public Hearing on February 23, 1999, Council approved amendments to various CD-1 By-laws to include parking and loading relaxation clauses. CD-1 By-law Number 8011 was enacted on April 13, 1999.

The site and surrounding zoning are shown on the attached Appendix `A`.

Subsequent to Council's approval of the CD-1 rezoning, the Development Permit Board approved Development Application Number DE404521. 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 the construction of a commercial and residential development on the subject site. The development comprises of: two residential towers at 20- and 25-storeys, over a three-storey and four-storey townhouse podium, respectively, containing a total of 209 dwelling units; a three-storey townhouse building along East Hastings Street containing seven dwelling units; and a three-storey commercial/townhouse building along the waterfront, with the commercial use at grade and a total of 29 dwelling units, fronting onto the waterfront. The proposal will also provide a total of 486 off-street parking spaces.

The proposed development has been assessed against the CD-1 By-law and Council-approved guidelines and responds to the stated objectives.

Simplified plans, including a site plan and elevations of the proposal, have been included in Appendix `B`.

CONCLUSION

The Development Permit Board has approved Development Application Number DE404521, subject to various conditions to be met prior to the issuance of the development permit. One of these conditions is that the form of development first be

approved by Council.

* * * * *



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

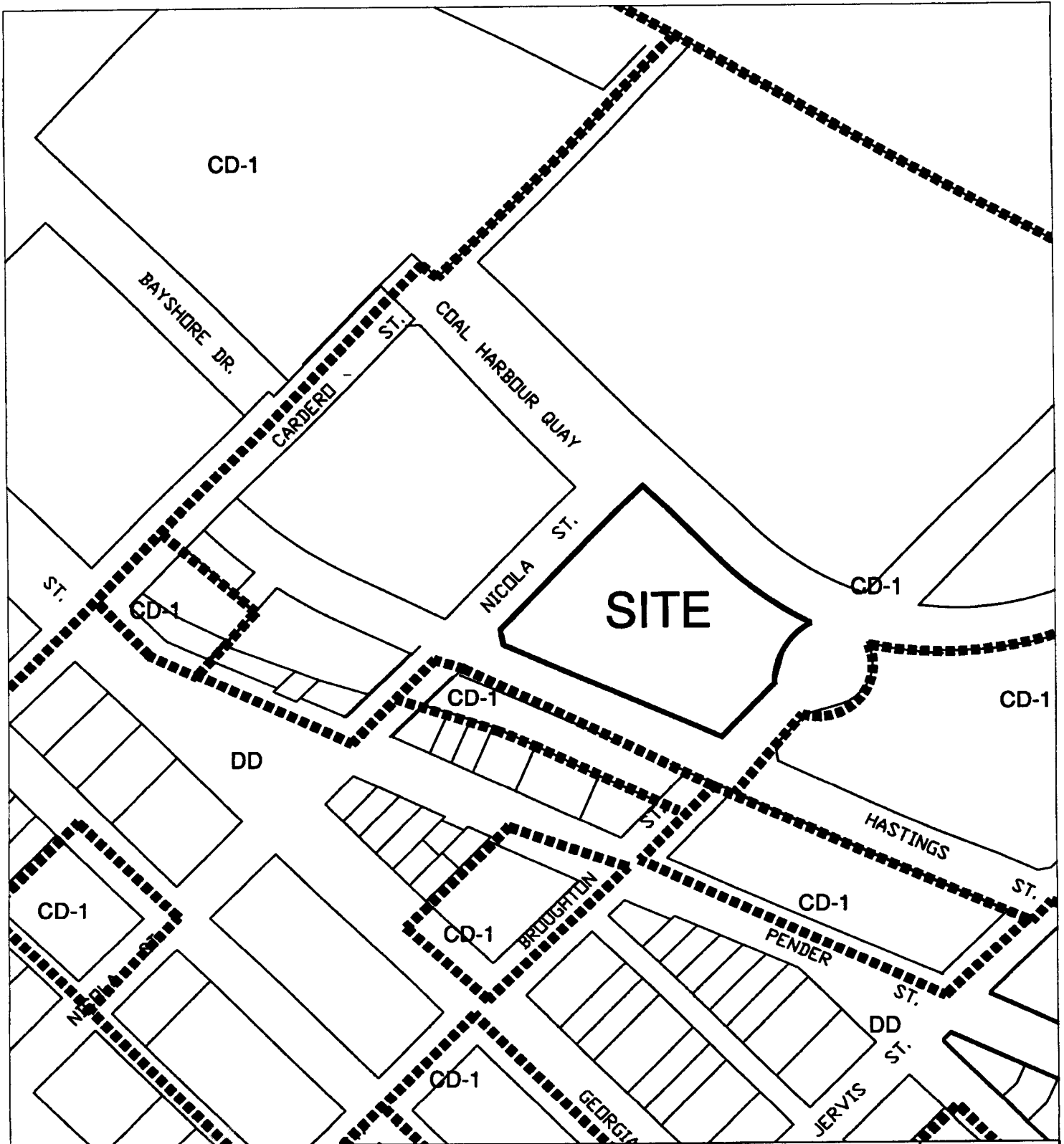
[CITY HOMEPAGE](#)


[GET IN TOUCH](#)

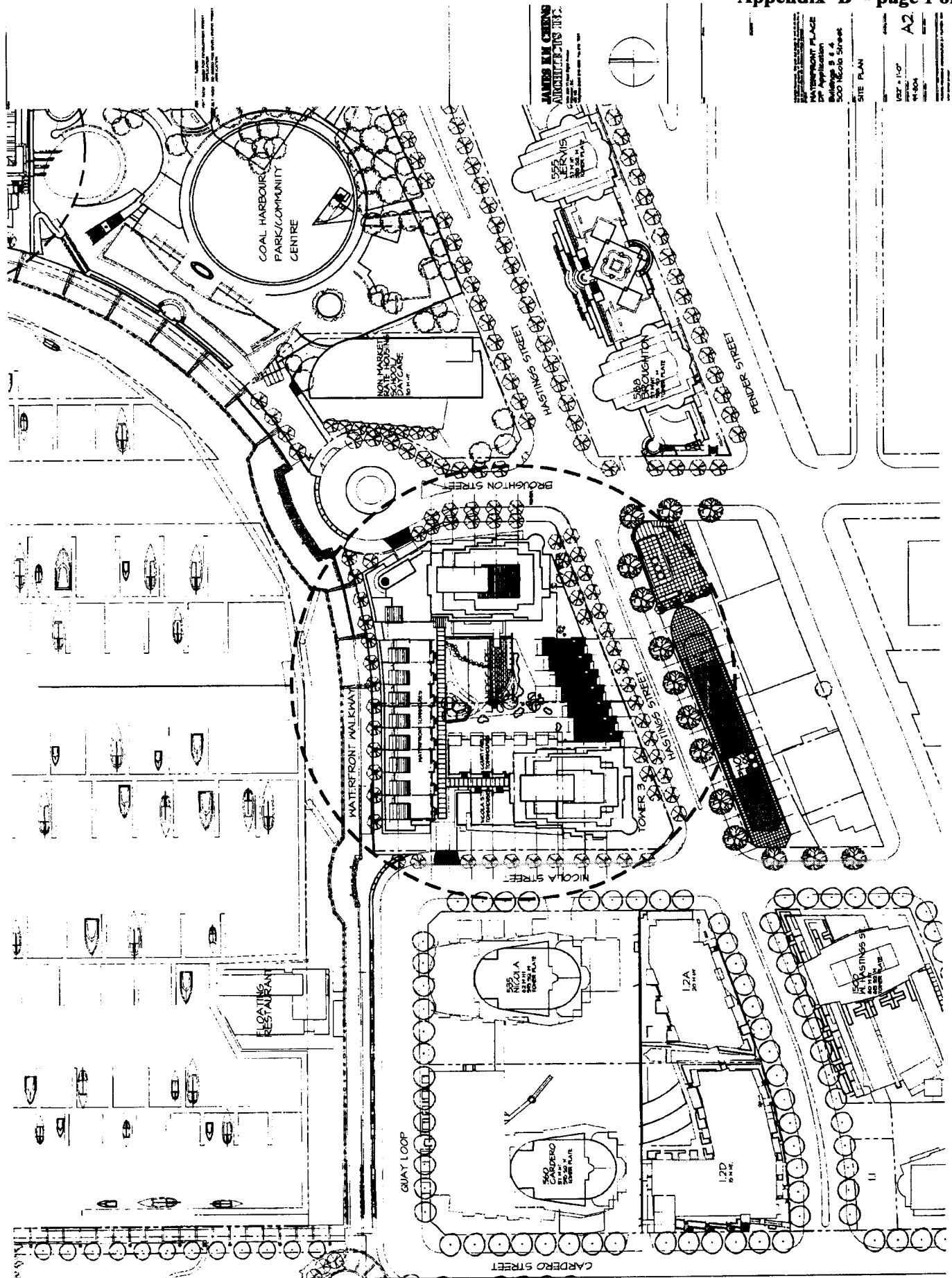
[COMMUNITIES](#)

[SEARCH](#)

(c) 1998 City of Vancouver



500 NICOLA ST. DE 404521	DATE 2000 11 30	
	DRAWN WGKS	
CITY OF VANCOUVER PLANNING DEPARTMENT	FILENAME :F:\FRM0FDEV\500NICOLA.DWG	



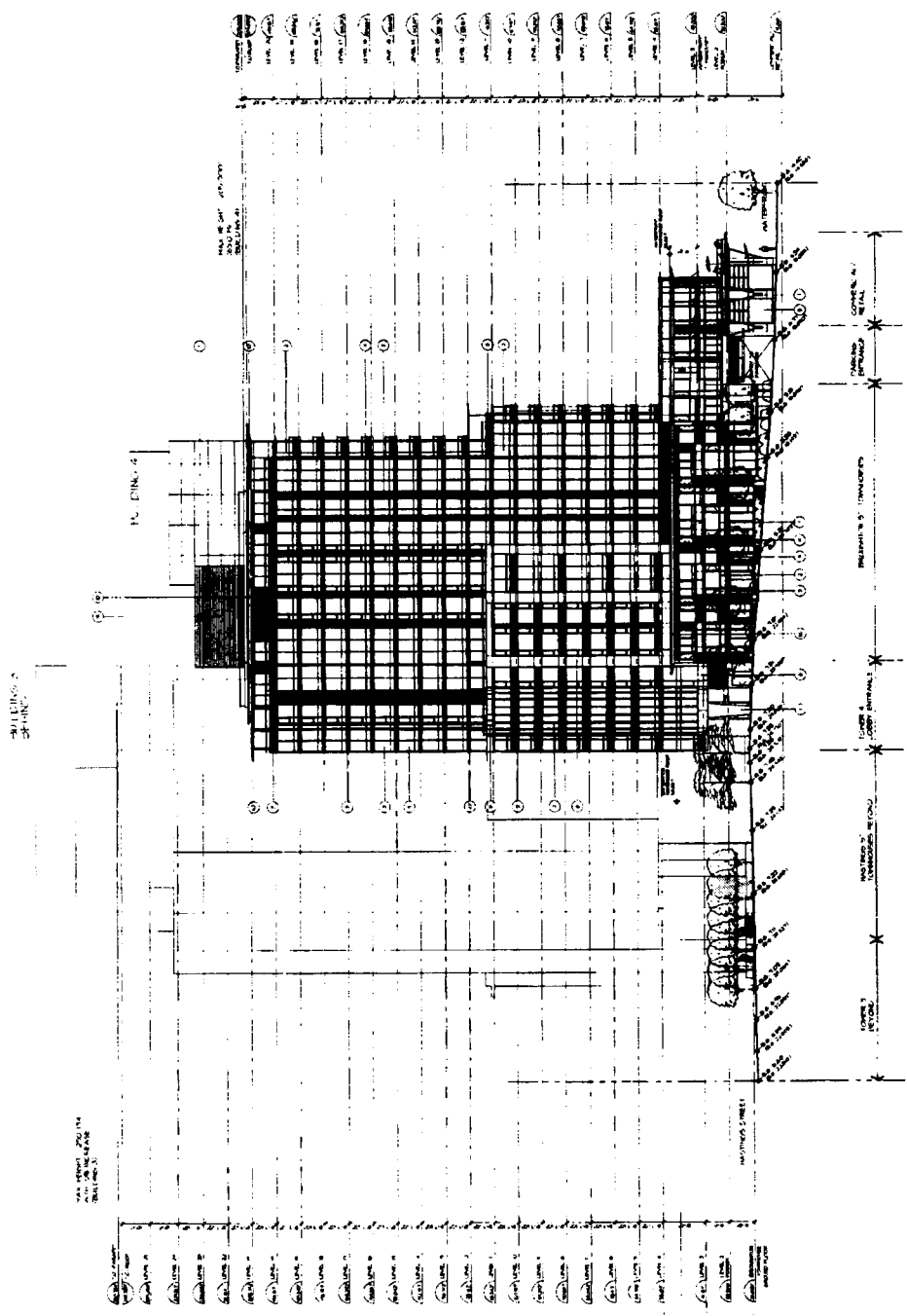
APPROVED FOR THE CITY OF AUCKLAND
 PROJECT: WATERFRONT PLACE
 BUILDINGS 3 & 4
 500 NICOLA STREET
 SITE PLAN
 DATE: 11/07
 DRAWN: 11/04
 A2

- MATERIAL LEGEND:**
- 1. CONCRETE
 - 2. REINFORCING STEEL
 - 3. STEEL DECKING
 - 4. STEEL JOISTS
 - 5. STEEL TRUSS
 - 6. STEEL BRACING
 - 7. STEEL BEAMS
 - 8. STEEL COLUMNS
 - 9. STEEL WALLS
 - 10. STEEL FLOORING
 - 11. STEEL ROOFING
 - 12. STEEL CLADDING
 - 13. STEEL GLAZING
 - 14. STEEL MECHANICAL
 - 15. STEEL ELECTRICAL
 - 16. STEEL PIPING
 - 17. STEEL STRUCTURAL
 - 18. STEEL FINISHES
 - 19. STEEL PAINTS
 - 20. STEEL ACCESSORIES

JAMES KH CHENG ARCHITECTS INC.
 100-10000 JAMES KH CHENG ARCHITECTS INC.
 100-10000 JAMES KH CHENG ARCHITECTS INC.

WATERMOUNT PLACE
 DP Application
 Building 9 & 4
 500 Nicola Street
 EAST ELEVATION
 BRIMINGTON ST.

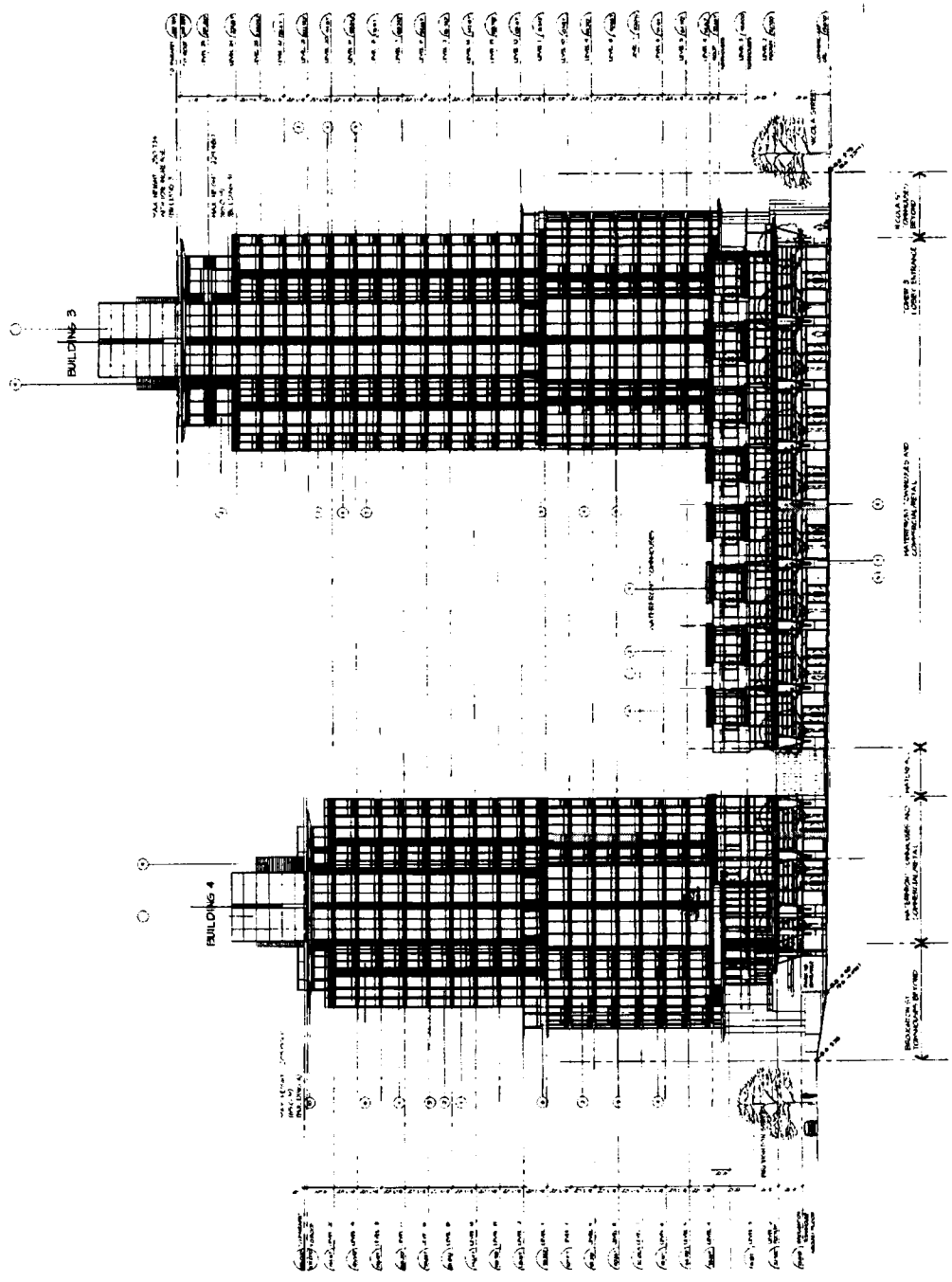
DATE: 10/10/2014
 DRAWN BY: A52
 CHECKED BY: [Signature]



- MATERIAL LEGEND**
- 1. CONCRETE
 - 2. BRICK
 - 3. GLASS CURTAIN WALL
 - 4. METAL PANELS
 - 5. TERRAZZO
 - 6. GRANITE
 - 7. MARBLE
 - 8. STAINLESS STEEL
 - 9. ALUMINUM
 - 10. COPPER
 - 11. BRASS
 - 12. POLYURETHANE
 - 13. POLYURETHANE
 - 14. POLYURETHANE
 - 15. POLYURETHANE
 - 16. POLYURETHANE
 - 17. POLYURETHANE
 - 18. POLYURETHANE
 - 19. POLYURETHANE
 - 20. POLYURETHANE

JAMES HUI CHEUNG ARCHITECTURE INC.
 1000 10th Street, Suite 1000
 San Francisco, CA 94103
 Tel: 415.774.1111 Fax: 415.774.1112

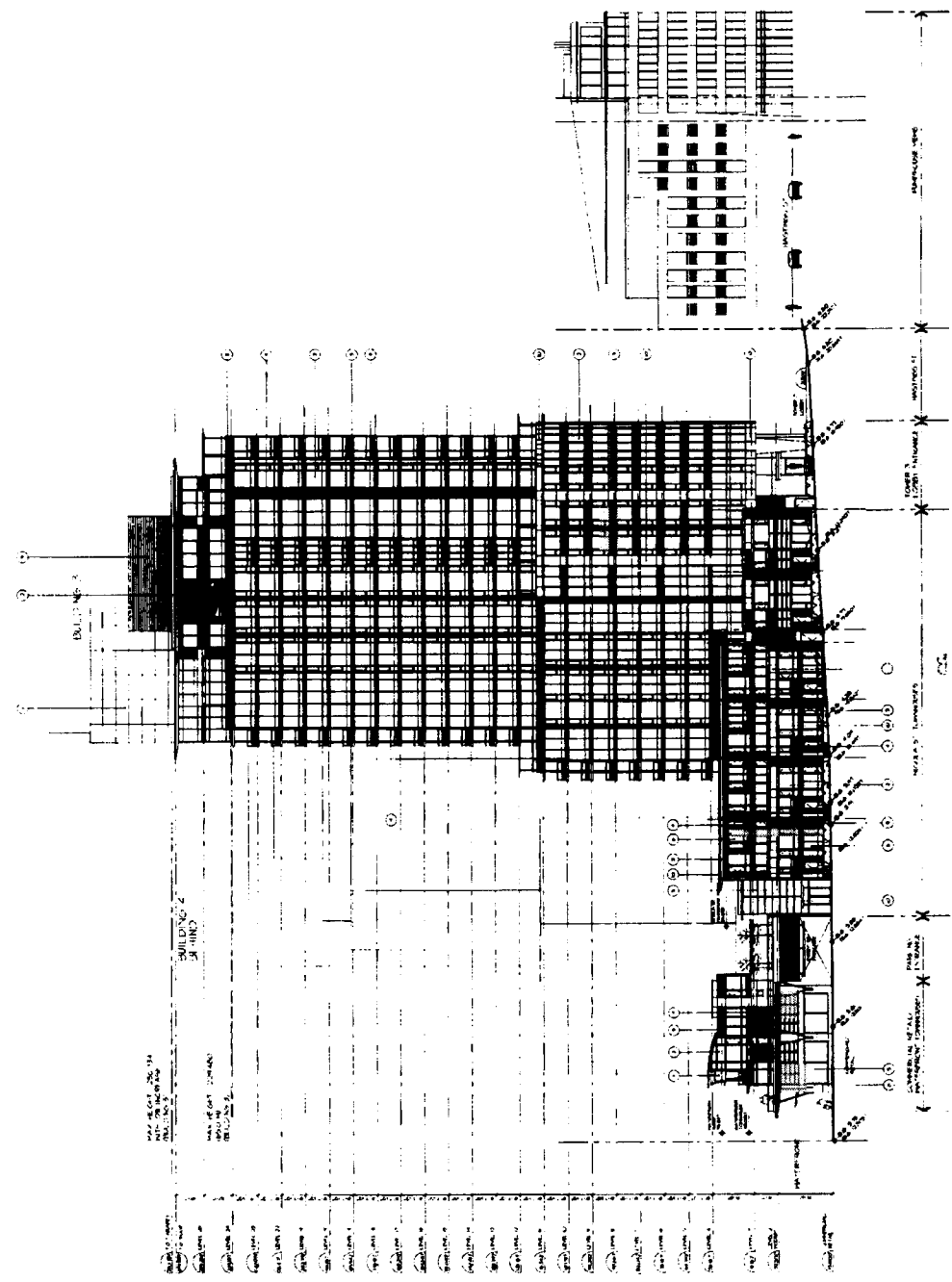
PROJECT INFORMATION
 MATHEWSON PLACE
 BUILDING 3 & 4
 500 Market Street
 SAN FRANCISCO, CA 94102
 NORTH ELEVATION
 MATHEWSON ELEVATION
 DATE: 10/1/07
 DRAWING NO.: A53
 SCALE: AS SHOWN



- 1. GENERAL NOTES
- 2. ARCHITECTURAL
- 3. STRUCTURAL
- 4. MECHANICAL, ELECTRICAL & PLUMBING
- 5. CIVIL
- 6. LANDSCAPE ARCHITECTURE
- 7. INTERIOR DESIGN
- 8. SPECIALTY TRADES
- 9. SIGNAGE
- 10. FURNITURE
- 11. LIGHTING
- 12. AUDIO VISUAL
- 13. SECURITY
- 14. ACCESSIBILITY
- 15. SUSTAINABILITY
- 16. OTHER

JAMES KM CHENG
 ARCHITECTURE INC.
 100-10000
 100-10000

PROJECT: **WATERFRONT PLACE**
 200 Nicola Street
 Vancouver, B.C. V6G 1K4
 PROJECT NO.: **A54**
 DATE: **10/10/2014**





4

**CITY OF VANCOUVER****SPECIAL COUNCIL MEETING MINUTES****OCTOBER 22, 2002**

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 22, 2002, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Heritage, Zoning and Development, Sign and Parking By-laws, the False Creek North and Granville Slopes Official Development Plans, and enter into Heritage Revitalization Agreements.

PRESENT: Deputy Mayor Sandy McCormick
Councillor Fred Bass
Councillor Jennifer Clarke
Councillor Lynne Kennedy
Councillor Daniel Lee
Councillor Don Lee
Councillor Tim Louis
Councillor Sam Sullivan

ABSENT: Mayor Philip Owen (Leave of Absence)
Councillor Gordon Price (Leave of Absence)
Councillor George Puil

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Clarke
SECONDED by Councillor Don Lee

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor McCormick in the Chair, to consider proposed amendments to the Heritage, Zoning and Development, Sign and Parking By-laws, the False Creek North and Granville Slopes Official Development Plans, and enter into Heritage Revitalization

B. THAT the Director of Legal Services bring forward for enactment an amendment to the Heritage By-law.

CARRIED UNANIMOUSLY

4. Text Amendment: CD-1 By-laws Text Amendments

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

Summary: To amend several CD-1s with respect to floor area exclusion for passenger pick up and drop off.

The Director of Current Planning recommended approval.

Staff Comments

Dave Thomsett, Senior Planner, Rezoning Centre, was present to answer questions.

Summary of Correspondence

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

Speakers

The Deputy Mayor called for speakers for and against the application and none came forward.

Council Decision

MOVED by Councillor Sullivan

THAT the application by the Director of Current Planning to amend the CD-1 By-laws in False Creek North, City Gate, Coal Harbour and Bayshore Gardens, with respect to parking and loading exclusion clauses generally in accordance with Appendix A of the Policy Report dated August 22, 2002, titled "Text Amendments to CD-1 By-law in False Creek North, City Gate, Coal Harbour Complex and Bayshore Gardens" be approved.

CARRIED UNANIMOUSLY

5. Text Amendment: Miscellaneous Text Amendments

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

Summary: Housekeeping amendments to the Zoning and Development By-law (including a CD-1) and the Sign By-law.

The Director of Current Planning recommended approval.

3. A By-law to designate heritage property, and to amend Heritage By-law No. 4837 (1145 Union Street) (By-law No. 8562)

4. A By-law to designate heritage property, and to amend Heritage By-law No. 4837 (570 West 7th Avenue) (By-law No. 8563)

5. A By-law to amend By-law No. 7654 which amended Zoning and Development By-law No. 3575 by rezoning a certain area to CD-1 (By-law No. 8564)

6. A By-law to amend Zoning and Development By-law No. 3575 (Miscellaneous text amendments) (By-law No. 8565)

7. A By-law to amend By-law No's. 6744, 6747, 6757, 7156, 7200, 7232, 7677, 7681, and 8109 which amended Zoning and Debelopment By-law No. 3575 be rezoning certain areas to CD-1 (Miscellaneous text amendments) (By-law No. 8566)

8. A By-law to amend Sign By-law No. 6510 (Miscellaneous text amendments) (By-law No. 8567)

9. A By-law to amend Zoning and Development By-law No. 3575 (Miscellaneous text amendments to IC-1, ICI-2, IC-3, I-1, and I-3 District Schedules) (By-law No. 8568)

10. A By-law to amend Zoning and Development By-law No. 3575 (Miscellaneous text amendments to I-2 District Schedule) (By-law No. 8569)

11. A By-law to amend Zoning and Development By-law No. 3575 (Wedding chapel) (By-law No. 8570)

12. A By-law to amend Parking By-law No. 6059 (Wedding chapel) (By-law No. 8571)

13. A B-law to amend License By-law No. 4450 (Wedding chapel) (By-law No. 8572)

14. A By-law to amend Zoning and Development By-law No. 3575 (District Schedules - Gasoline Stations) (By-law No. 8573)

15. A By-law to amend By-law No. 8131 which amended Zoning and Development By-law No. 3575 by rezoning a certain area to CD-1 (655 Great Northern Way) (By-law No. 8574)

The Special Council adjourned at 10:25 p.m

* * * * *

BY-LAW NO. 8566

**A By-law to amend By-law No's. 6744, 6747, 6757,
7156, 7200, 7232, 7675, 7677, 7681, and 8109
which amended Zoning and Development By-law No. 3575
by rezoning certain areas to CD-1**

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

1. From By-law No. 6744, delete section 6.5(d), and substitute:

“(d) the floors or portions of floors used for off-street parking and loading, taking on or discharging passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the lowest official established building grade;”.
2. From By-law No. 6747, delete the first portion of section 7.3(e) that appears before subparagraphs (i) and (ii), and substitute:

“(e) the floors or portions of floors used for off-street parking and loading, and bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that is:”.
3. From By-law No. 6757, delete section 7.3(d), and substitute:

“(d) the floors or portions of floors used for off-street parking and loading, taking on or discharging passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the base surface;”.
4. From By-law No's. 7156, 7200, and 7232, delete section 6.3(d), and substitute:

“(d) the floors or portions of floors used for off-street parking and loading, taking on or discharging passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the base surface;”.

5. From By-law No's. 7675, 7677, 7681, and 8109, delete section 5.3(d), and substitute:

“(d) the floors or portions of floors used for off-street parking and loading, taking on or discharging passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the base surface;”.

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

ENACTED by Council this 22nd day of October, 2002

(Signed) "Philip W. Owen"
Mayor

(Signed) "Syd Baxter"
City Clerk

I certify that this is a true copy of By-law No. 8566 enacted by the Council of the City of Vancouver on October 22, 2002.

CITY CLERK



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 27, 2003

A Special Meeting of the Council of the City of Vancouver was held on Thursday, February 27, 2003, 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 By-law CD-1 Bylaws, ODPs, and to enter into Heritage Revitalization Agreements and to designate heritage property.

PRESENT: Mayor Larry Campbell
Councillor David Cadman
Councillor Raymond Louie
Councillor Tim Louis
Councillor Anne Roberts
Councillor Tim Stevenson
Councillor Sam Sullivan

ABSENT: Councillor Fred Bass (Leave of Absence)
Councillor Jim Green (Leave of Absence)
Councillor Peter Ladner (Leave of Absence)
Councillor Ellen Woodsworth (Leave of Absence)

CITY CLERK'S OFFICE: Lori Isfeld, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
SECONDED by Councillor Stevenson

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development, CD-1 and Heritage By-laws, ODPs, and Heritage Revitalization Agreements.

CARRIED UNANIMOUSLY

4. Text Amendment: CD-1s and ODPs - Affordable Housing

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

Summary: To amend certain Official Development Plans and CD1s to change the term "non-market housing" to "affordable housing".

The Director of the Housing Centre, in consultation with the Director of Current Planning recommended approval.

Staff Comments

Cameron Gray, Director, Housing Centre, was present to respond to questions.

Summary of Correspondence

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

Speakers

The Mayor called for delegations for and against the application and none were present.

Council Decision

MOVED by Councillor Stevenson

THAT the application by the Director of Current Planning to amend the False Creek North ODP, the Coal Harbour ODP, the CD-1 By-laws for sites located within these ODPs, the CD-1 By-law for CityGate and the CD-1 By-law for Bayshore Gardens to replace all occurrences of the term "non-market housing" with the term "affordable housing", be approved.

CARRIED UNANIMOUSLY



CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

MARCH 11, 2003

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, March 11, 2003, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT:

Mayor Larry Campbell
Councillor Fred Bass
Councillor David Cadman
Councillor Jim Green
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Tim Louis
Councillor Anne Roberts
Councillor Tim Stevenson
Councillor Sam Sullivan
Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE:

Judy Rogers, City Manager

CITY CLERK'S OFFICE:

Marg Coulson, Deputy City Clerk
Tarja Tuominen, Meeting Coordinator

BY-LAWS

MOVED by Councillor Louis
SECONDED by Councillor Cadman

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 to 13 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Encroachment By-law No. 4243 to regulate certain encroachment fees (By-law No. 8645)

2. A By-law to amend Building By-law No. 8057 to increase re-occupancy fees (Subject to approval of A7) (By-law No. 8646)

3. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (5055 Connaught Drive) (By-law No. 8647)
(Councillors Bass, Green, Ladner and Woodsworth excused from voting on By-law 3)

4. A By-law to designate certain real property as protected heritage property (5055 Connaught Drive) (By-law No. 8648)

(Councillors Bass, Green, Ladner and Woodsworth excused from voting on By-law 4)

5. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (2162 Parker Street) (By-law No. 8649)

(Councillors Bass, Green, Ladner and Woodsworth excused from voting on By-law 5)

6. A By-law to designate certain real property as protected heritage property (2162 Parker Street) (By-law No. 8650)

(Councillors Bass, Green, Ladner and Woodsworth excused from voting on By-law 6)

7. A By-law to amend By-law No. 6744, By-law No. 6747, By-law No. 6757, By-law No. 7156, By-law No. 7200, By-law No. 7232, By-law No. 7248, By-law No. 7675, By-law No. 7677, By-law No. 7681, By-law No. 8109, and By-law No. 8587 (CD-1 By-laws - Affordable Housing) (By-law No. 8651)

(Councillors Bass, Green, Ladner and Woodsworth excused from voting on By-law 7)

8. A By-law to amend By-law No. 8043 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1(1005 Beach Avenue) (By-law No. 8652)

(Councillors Bass, Green, Ladner and Woodsworth excused from voting on By-law 8)

9. A By-law to amend By-law No. 8131 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1 (655 Great Northern Way) (By-law No. 8653)

CD-1 By-laws (Affordable housing)

BY-LAW NO. 8651

A By-law to amend By-law No. 6744, By-law No. 6747, By-law No. 6757, By-law No. 7156, By-law No. 7200, By-law No. 7232, By-law No. 7248, By-law No. 7675, By-law No. 7677, By-law No. 7681, By-law No. 8109, and By-law No. 8587

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

1. In section 4(a)(ii) of each of By-law No. 6744, By-law No. 6747 and By-law No. 7248, in section 4(a)(iii) of By-law No. 7248, in section 3(a)(ii) of By-law No. 7677, and in each of section 3(a)(ii) and section 3(a)(iii) of each of By-law No. 7675, By-law No. 8109, By-law No. 8587 and By-law No. 7681, Council:

- (a) deletes "non-market", each time it appears, and substitutes "affordable"; and
- (b) after the second reference to "time", inserts ", which housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operative units".

2. In section 4(a)(ii) of each of By-law No. 6757, 7200, and 7232, and in each of section 4(a)(ii) and section 4(a)(iii) of By-law No. 7156, Council:

- (a) deletes "non-market", each time it appears, and substitutes "affordable"; and
- (b) after "approve", inserts ", which housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operative units".

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

ENACTED by Council this 11th day of March, 2003

(Signed) "Larry W. Campbell"
Mayor

(Signed) "Marg Coulson"
Deputy City Clerk

I certify that this is a true copy of By-law No. 8651 enacted by the Council of the City of Vancouver on March 11, 2003.

CITY CLERK



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 20, 2003

A Special Meeting of the Council of the City of Vancouver was held on Thursday, November 20, 2003, 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 By-law, Official Development Plans, Sign By-law and to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

PRESENT: Mayor Larry Campbell
Councillor David Cadman
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Tim Louis
Councillor Anne Roberts
Councillor Tim Stevenson
*Councillor Sam Sullivan
Councillor Ellen Woodsworth

ABSENT: Councillor Fred Bass (Leave of Absence - Civic Business)
Councillor Jim Green (Civic Business)

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law, to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

1. Text Amendment: Zoning and Development By-law, CD-1s, and Official Development Plans

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

Summary: Housekeeping amendments to the Zoning and Development By-law, including CD-1s and Official Development Plans.

The Director of Current Planning recommended approval.

Staff Comments

Dave Thomsett, Senior Planner, Rezoning Centre, was present to respond to questions.

Summary of Correspondence

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

Speakers

The Mayor called for speakers for and against the application and none were present.

Council Decision

MOVED by Councillor Louis

THAT the application by the Director of Current Planning to amend the Zoning & Development By-law, CD-1 By-laws and Official Development Plans generally as set out in Appendices A & B of the Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws, and Official Development Plans, Zoning and Development Fee By-law and Policies and Guidelines" dated September 23, 2003, be approved.

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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 to 11 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments) (By-law No. 8758)
2. A By-law to amend By-law Nos. 6180, 6320, and 8587 which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (By-law No. 8759)
3. A By-law to amend miscellaneous CD-1 By-laws (re miscellaneous text and residential storage amendments) (By-law 8760)

(Councillors Bass, Green and Sullivan excused from voting)

4. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text and residential storage amendments) (By-law 8761)

(Councillors Bass, Green and Sullivan excused from voting)

5. A By-law to amend Downtown District Official Development Plan By-law No. 4912, Downtown-Eastside/Oppenheimer District Official Development Plan By-law No. 5532, and Southeast Granville Slopes Official Development Plan By-law No. 5752 (By-law 8762)

(Councillors Bass, Green and Sullivan excused from voting)

6. A By-law to amend Solid Waste and Recycling By-law No. 8417 to regulate certain 2004 utility fees and miscellaneous amendments (By-law 8763)

7. A By-law to amend Water Works By-law No. 4848 (2004 Fees and miscellaneous amendments) (By-law 8764)

8. A By-law to authorize the borrowing of certain sums of money from January 8, 2004 to January 7, 2005 pending the collection of real property taxes (By-law No. 8765)

9. A By-law to amend By-law No. 8093, being the Sewer and Watercourse By-law (Establishment of 2004 Sewer Use and Connection Rates) (By-law No. 8766)

10. A By-law to amend License By-law No. 4450 re 2004 marina operator fee increases

(By-law No. 8767)

11. A By-law to amend Impounding By-law No. 3519 (2004 Charges re Towing Service Contract) (By-law 8768)