



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060
planning@city.vancouver.bc.ca

CD-1 (323)

750 Burrard Street

By-law No. 7246

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

Effective November 30, 1993

(Amended up to and including By-law No. 8169, dated March 14, 2000)

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

2 **Uses**

2.1 The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(323) and the only uses permitted within the outlined area, subject to Section 2.2 and to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Office Uses;
- (b) Retail Uses;
- (c) Service Uses, except Restaurant — Drive-in;
- (d) Dwelling Uses;
- (e) Institutional Uses;
- (f) Cultural and Recreational Uses;
- (g) Parking Uses; and
- (h) Accessory Uses customarily ancillary to the above uses.

2.2 Notwithstanding Section 2.1 the only use permitted on the ground floor of that part of the development facing and within 10.0 m of the south (Robson Street) property line are:

- (a) retail; and
- (b) entrances to any other use, provided that total amount of space occupied by all such entrances does not exceed 7.7 m measured along the frontage.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 6.07.

[7765; 97 07 08] [7813; 97 10 28] [7821; 97 11 18] [7925; 98 07 21] [7926; 98 07 21]
[7969; 99 01 26] [7970; 99 01 26]

3.2 Notwithstanding the above, in no case will the density of residential use exceed a floor space ratio of 3.00.

3.3 The following will be included in the computation of floor space ratio:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.4 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies, sundecks, porches 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 provided residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7246 or provides an explanatory note.*

- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, including recreation facilities and meeting rooms, provided that the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted residential floor space or 1 000 m²;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a 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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) residential storage space, provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.7 m² per dwelling unit; and
- (h) the following ancillary facilities to non-residential uses provided that the total area of such excluded facilities does not exceed 20 percent of allowable non-residential floor space ratio or 1 000 m², whichever is the lesser:
 - (i) saunas;
 - (ii) tennis courts;
 - (iii) swimming pools;
 - (iv) squash courts;
 - (v) gymnasiums and workout rooms;
 - (vi) games rooms and hobby rooms;
 - (vii) day care centres;
 - (viii) libraries (public); and
 - (ix) other uses of a public service, social or recreational nature which, in the opinion of the Director of Planning, are similar to the above;
- (i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

3.5 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. [7512; 96 01 11]
- (b) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area does not exceed the lesser of 10 percent of the permitted floor area or 600 m²;
 - (ii) the excluded area is 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.

4 Height

The maximum building height measured above the base surface is 100.0 m.

5 **Off-street Parking and Loading**

Off-street parking and loading spaces must be provided, developed and maintained in accordance with the Parking By-law, except that for a building existing on the site as of November 30, 1993, together with any approved additions provided they do not exceed in aggregate 1 672.2 m², the number of spaces required for the off-street parking of motor vehicles shall be 0 (zero). A minimum of one off-street loading space shall be provided.

6 **Acoustics**

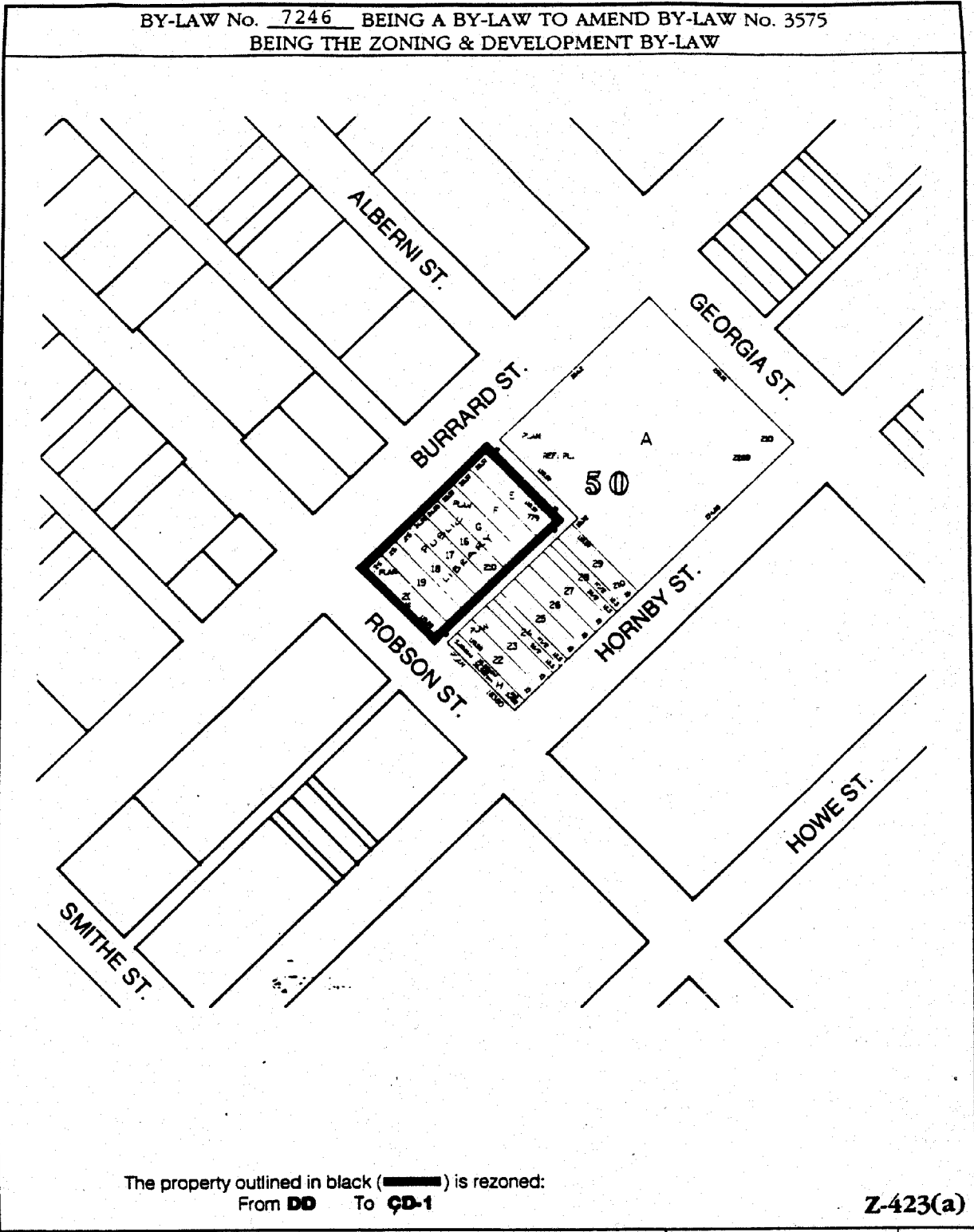
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below must not exceed the noise level 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.

Portions of Dwelling Units	Noise Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7515; 96 01 11]

7 *[Section 7 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*

**BY-LAW No. 7246 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW**



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

Z-423(a)

RZ 750 Burrard Street

City of Vancouver Planning Department

map: 1 of 1

scale: 1:2000



CITY OF VANCOUVER



MEMORANDUM

RECEIVED
PLANNING DEPARTMENT
OCT 21 1993
NUMBER: 19378
REFERRED TO: PAS
COPY TO: (THE)
ANSWER REQ'D

From: CITY CLERK

Date: ~~October 20, 1993~~

Refer File: 5303-3

To: Ken Dobell, City Manager
Victoria Garland, Director of Housing & Properties
Tom Fletcher, Director of Planning
John Mulberry, Director of Legal Services
Madge Aalto, Director of Vancouver Public Library
Dave Rudberg, City Engineer
Bruce Maitland, Manager, Real Estate & Housing
Marnie Cross, Clerk, Vancouver Heritage Advisory Committee

Subject: Rezoning of 750 Burrard Street:
Existing Vancouver Public Library Main Branch

On October 19, 1993, Vancouver City Council approved the following recommendations contained in an October 14, 1993 Policy Report (P1):

- A. THAT the application by the Manager of Real Estate and Housing, Housing and Properties Department of the City of Vancouver, to rezone 750 Burrard Street (Lots E, F and G of Lots 8 to 15, Plan 779, and Lots 16, 17, 18 and 20, Plan 210, all of Block 50, D.L. 541) from DD Downtown District to CD-1 Comprehensive Development District to provide a heritage density bonus for the retention of the existing main Public Library, be referred to a Public Hearing, together with the recommendation of the Director of Planning to approve the application generally in accordance with the draft by-law provisions contained in Appendix A and conditions of approval contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law for consideration at the Public Hearing, including an amendment to the Sign By-law to establish sign regulations for the new CD-1 in accordance with Schedule B (DD); and

- B. THAT the applicant make arrangements, to the satisfaction of the Director of Planning and the Director of Legal Services, to list the main Public Library on the Vancouver Heritage Inventory and to obtain municipal heritage designation in conjunction with enactment of the rezoning of the property from DD Downtown District to CD-1 Comprehensive Development District.

The Director of Housing & Properties is requested to notify the affected parties.

M Kinsella
CITY CLERK
ds

DSalmon:dmy

750 Burrard Street

BY-LAW NO. 7246

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

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-423(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. Uses

2.1 The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(323) and the only uses permitted within the outlined area, subject to section 2.2 and to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Office Uses;
- (b) Retail Uses;
- (c) Service Uses, except Restaurant - Drive-in;
- (d) Dwelling Uses;
- (e) Institutional Uses;
- (f) Cultural and Recreational Uses;
- (g) Parking Uses; and
- (h) Accessory Uses customarily ancillary to the above uses.

2.2 Notwithstanding section 2.1 the only use permitted on the ground floor of that part of the development facing and within 10.0 m of the south (Robson Street) property line are:

- (a) retail; and

- (b) entrances to any other use, provided that total amount of space occupied by all such entrances does not exceed 7.7 m measured along the frontage.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 13.17.

3.2 Notwithstanding the above, in no case will the density of residential use exceed a floor space ratio of 3.00.

3.3 The following will be included in the computation of floor space ratio:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.4 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies, sundecks, porches 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 provided residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, including recreation facilities and meeting rooms, provided that the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted residential floor space or 1 000 m²;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a 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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) residential storage space, provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.7 m² per dwelling unit; and
- (h) the following ancillary facilities to non-residential uses provided that the total area of such excluded facilities does not exceed 20 percent of allowable non-residential floor space ratio or 1 000 m², whichever is the lesser:
 - (i) saunas;
 - (ii) tennis courts;
 - (iii) swimming pools;
 - (iv) squash courts;
 - (v) gymnasiums and workout rooms;
 - (vi) games rooms and hobby rooms;
 - (vii) day care centres;
 - (viii) libraries (public); and
 - (ix) other uses of a public service, social or recreational nature which, in the opinion of the Director of Planning, are similar to the above.

3.5 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 provided residential floor area;
- (b) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area does not exceed the lesser of 10 percent of the permitted floor area or 600 m²;
 - (ii) the excluded area is 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.

4. Height

The maximum building height measured above the base surface is 100.0 m.

5. Off-Street Parking and Loading

Off-street parking and loading spaces must be provided, developed and maintained in accordance with the Parking By-law, except that for a building existing on the site as of November 30, 1993, together with any approved additions provided they do not exceed in aggregate 1 672.2 m², the number of spaces required for the off-street parking of motor vehicles shall be 0 (zero). A minimum of one off-street loading space shall be provided.

6. Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below must 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.

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

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

DONE AND PASSED in open Council this 30th day of November 1993.

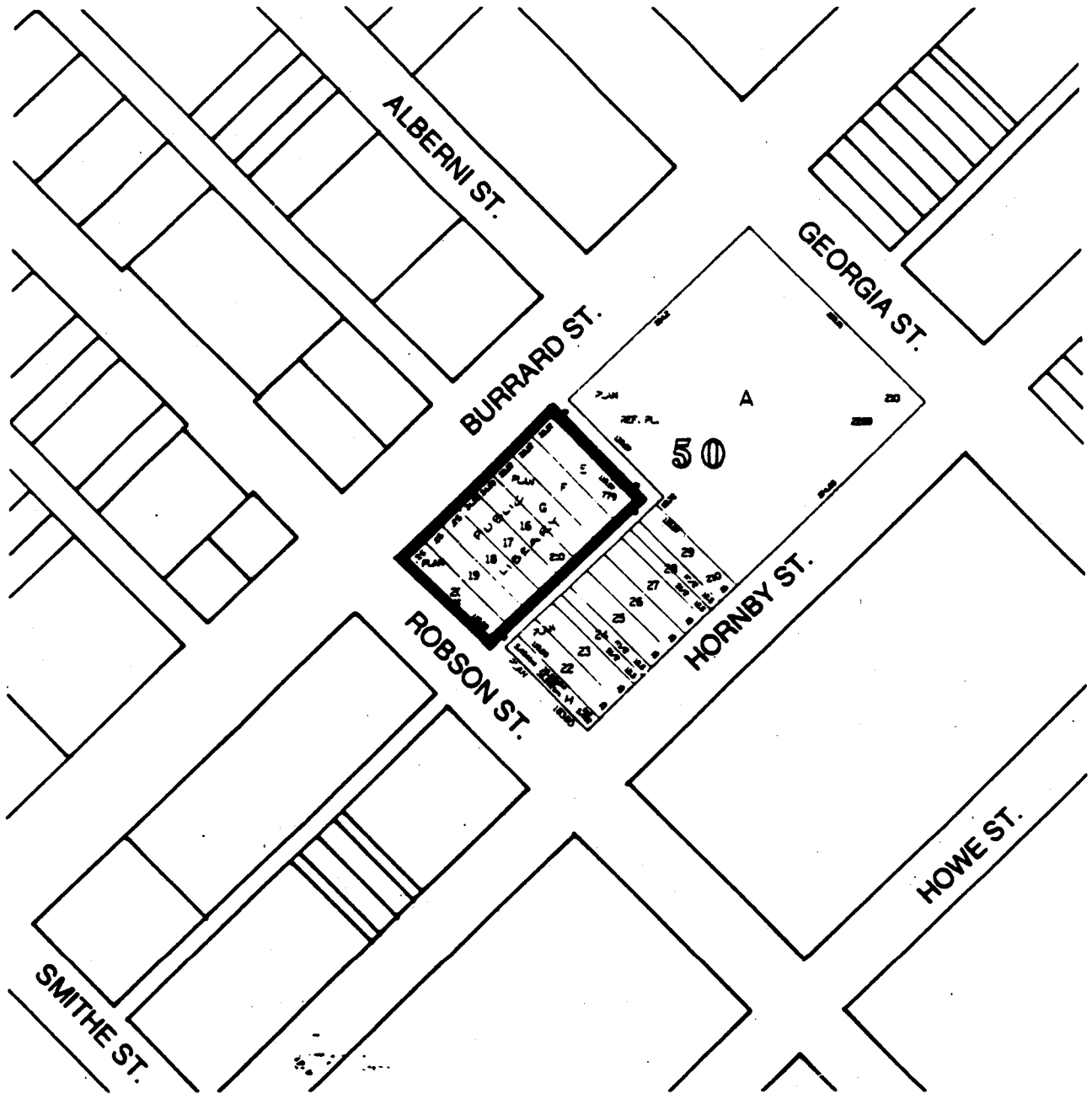
(signed) Gordon Campbell
Mayor

(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 30th day of November 1993, and numbered 7246.

CITY CLERK"

BY-LAW No. 7246 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



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

Z-423(a)

RZ 750 Burrard Street

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK

Date: November 18, 1993

Refer File: PH 281

To: Bruce Maitland, Manager, Real Estate & Housing
Rick Scobie, Deputy Director of Planning

Subject: Public Hearing - November 9, 1993

RECEIVED	
PLANNING DEPARTMENT	
NOV 19 1993	
NUMBER	P10122
REFERRED TO	FRS
COPY TO	(TAE)
ANSWER REQ'D	

Attached are the minutes of the Special Council meeting (Public Hearing) of November 9, 1993.

M Kinsella

CITY CLERK

Gmrc

GMAC:det

Attachment

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, November 9, 1993, at 2:05 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.

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

CLERK TO THE COUNCIL: Gary MacIsaac

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Wilson,

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.

- CARRIED UNANIMOUSLY

1. Rezoning: 750 Burrard Street (Existing Main Branch Library)

An application by the Director of Housing & Properties was considered as follows:

REZONING: 750 BURRARD STREET (Existing Main Branch Library)
(Lots E, F and G of Lots 8 to 15, Plan 779, and Lots 16 to 20,
Plan 210, all of Block 50, D.L. 541.

Present Zoning: DD Downtown District
Proposed Zoning: CD-1 Comprehensive Development District.

- (i) If approved, the rezoning would permit the use and development of the site generally as follows:
- retail, office and other uses now permitted in the Downtown District;
 - accessory uses;
 - maximum overall floor space ratio of 13.17, which incorporates a heritage density bonus for preservation of the existing building;
 - maximum residential floor space ratio of 3.00;
 - maximum height of 100 m (328 ft.); and
 - provisions regarding off-street parking and loading.

Clause No. 1 continued

- (ii) Amend Sign By-law No. 6510.
- (iii) Any consequential amendments.

Rezoning to CD-1 was originally approved at Public Hearing, October 5, 1993. This amended proposal would exempt a potential penthouse addition, of up to 1 672 m² (18,000 sq. ft.) of floor area, from a requirement to provide parking.

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

- (a) That, the proposed form of development for 750 Burrard Street (existing Vancouver Public Library Main Branch) be approved in principle by Council, as represented by the existing building, plus a potential penthouse addition of up to 1 672 m² (18,000 sq. ft.), provided that the Director of Planning may allow or require minor alterations to the existing building, as outlined in condition (b) below.
- (b) That, prior to the final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Development Permit Board.
- (c) That, prior to enactment of the amending by-law, the registered owner shall:
 - (i) consolidate the site; and
 - (ii) make suitable arrangements, to the satisfaction of the City Engineer and the Director of Legal Services, for the acquisition of the southerly 7 feet of the site for road. This could be in the form of an option to purchase (for \$1.00) and a statutory right-of-way for road purposes, including public access and utilities, to be exercised at a future date.
- (d) That, prior to enactment of the amending by-law, an agreement satisfactory to the Directors of Legal Services and Planning, limiting development on the site to a maximum 9.0 FSR as defined in the CD-1 By-law be executed.

Clause No. 1 continued

- (e) That, prior to enactment of the amending by-law, an agreement satisfactory to the Director of Legal Services be entered into:
 - (i) providing for the designation of the building as a heritage building; and
 - (ii) providing that the designation cannot be challenged should the rezoning of the library site or a potential receiver site be successfully challenged and that the City shall not be liable and the owner has no cause of action for any loss of value or damages of any nature should such zonings be successfully challenged.

- (f) That, the building be designated a heritage building if required by the City Manager..

There was no correspondence received in this matter.

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

MOVED by Cllr. Bellamy,

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

- CARRIED UNANIMOUSLY

2. Text Amendment: Section 10.12 (Demolition Provisions)

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

TEXT AMENDMENT: SECTION 10.12 (Demolition Provisions)

- (i) If approved, this amendment to Zoning and Development By-law No. 3575 would delete provisions which are no longer required as a result of the enactment of By-law No. 6895, a By-law to establish a notice period for demolition of residential premises, pursuant to the Residential Tenancy Act.
- (ii) Any consequential amendments.

The Director of Planning recommended approval.

There was no correspondence received in this matter.

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

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

- CARRIED UNANIMOUSLY

* * * * *

The Special Council adjourned at 2:15 p.m.

* * * * *

BY-LAW NO. 7250

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:

"605-695 S.E. Marine Drive	CD-1(99)	4238 and 4860 B (C-1)
✓750 Burrard St.	CD-1(323)	7246 B(DD)
800-1100 Pacific Boulevard	CD-1(324)	7248 B(DD)
800 Beatty Street	CD-1(325)	7249 B(DD)"

2. Schedule E is further amended by:

- (a) deleting the lines commencing with the words "1601 W. Georgia and 549 Cardero Sts." and "1701-1799 W. Georgia St."; and
- (b) adding the following:

"1601-1799 W. Georgia and 549 Cardero Sts. CD-1(321) 7232 B(DD)"

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

DONE AND PASSED in open Council this 14th day of
December, 1993.

(signed) Philip 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 14th day of December 1993, and numbered 7250.

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, 7189, 7193, 7200, 7204, 7209, 7223,
7224, 7232, [REDACTED], 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, 7200, 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, 7200, 7204, 7209, 7223, 7224, 7230, 7232, [REDACTED], 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.

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

750 Burrard (Density Transfer for 1001 Hornby)

BY-LAW NO. 7765

A By-law to amend
By-law No. 7246,
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 3.1 of By-law No. 7246 is amended by deleting the figure "13.17" and substituting the figure "12.93".
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 July
1997.

"(signed) Philip W. Owen"

Mayor

"(signed) Maria C. Kinsella"

"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 July 1997, and numbered 7765.

CITY CLERK"

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Puil,
THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

BY-LAWS

1. **A By-law to amend By-law No. 7246, being a By-law which amended the Zoning and Development By-law by rezoning an Area to CD-1 (750 Burrard [Density Transfer for 1001 Hornby])**

MOVED by Cllr. Kennedy,
SECONDED by Cllr. Bellamy,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Kennedy,
SECONDED by Cllr. Bellamy,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

COUNCILLORS PRICE AND PUIL EXCUSED FROM VOTING ON BY-LAW 1

Clause No. 1 (cont'd)

MOVED by Cllr. Bellamy,

THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, and subject to the amendments to the CD-1 By-law proposed in the memorandum from Dave Thomsett dated September 25, 1997, and set out in this minute of the Public Hearing.

FURTHER THAT the Draft CD-1 By-law be amended as follows:

- 6.1 A minimum setback of 6.0 m will be provided from Elliott and Clarendon Streets and Waverley Avenue, but this may be relaxed to 5.0 m for the provision of bay windows and bay projections, porches, stairs, balconies and similar projections.

- CARRIED UNANIMOUSLY

(Note: underlining denotes amendment)

2. Text Amendment: CD-1 - 750 Burrard Street

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

Summary: The proposed amendment to comprehensive Development District By-law No. 7426 would permit the transfer of density rights, in the amount of 384.6 m², from the former Vancouver Public Library heritage building at 750 Burrard Street, to a development site at 1128 West Hastings Street. The maximum floor space ratio would thereby be reduced to 12.77.

(Note: A similar density transfer from 750 Burrard to 1762 Davie Street was approved May 7, 1997, but the related by-law amendment has not yet been enacted. Should that by-law also be enacted, the maximum floor space ratio for 750 Burrard would be further reduced, from 12.77 to 12.36).

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

Staff Opening Comments

Staff offered no additional comments on this application.

cont'd...

Clause No. 2 (cont'd)

Summary of Correspondence

There was no correspondence received on this 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

RISE FROM COMMITTEE OF THE WHOLE

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

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Clarke ,
SECONDED by Cllr. Bellamy,
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 9:30 p.m.

BY-LAWS (CONT'D)

- 4. **A By-law to amend By-law No. 7246, being a By-law which amended the Zoning and Development By-law by rezoning an Area to CD-1 (750 Burrard Street [former Vancouver Public Library] Transfer of Density for 1762 Davie Street)**

MOVED by Cllr. Kennedy,
SECONDED by Cllr. Clarke,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Kennedy,
SECONDED by Cllr. Clarke,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

COUNCILLORS PRICE AND PUIL EXCUSED FROM VOTING ON BY-LAW 4

750 Burrard (Density Transfer for 1762 Davie)

BY-LAW NO. 7821

A By-law to amend
By-law No. 7246,
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 3.1 of By-law No. 7246 is amended by deleting the figure "12.77" and substituting the figure "12.36".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 18th day of November, 1997.

"(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 18th day of November 1997, and numbered 7821.

CITY CLERK"

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

June 25, 1998

A Special Meeting of the Council of the City of Vancouver was held on Thursday, June 25, 1998, at 7:30 p.m. in the Council Chamber, Third Floor, City Hall, to consider proposed amendments to the Zoning and Development By-law.

PRESENT: Mayor Philip Owen

Councillor Don Bellamy
Councillor Nancy A. Chiavario
Councillor Alan Herbert
Councillor Daniel Lee (Items 3 - 6)
Councillor Don Lee
Councillor Gordon Price (Items 1, 2 and 4 - 6)
Councillor George Puil
Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Civic Business)

Councillor Lynne Kennedy (Sick Leave)

**CLERK TO THE
COUNCIL:**

Nancy Largent

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Price ,

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: Arbutus Industrial Lands

(Vine & Arbutus Streets, 10th & 11th Avenues: Loading Bays)

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

Summary: The proposed text amendment would permit the Director of Planning, with advice from the City Engineer, to determine the required number of loading bays for

BY-LAWS (CONT'D)

6. **A By-law to amend By-law No. 7246, being a By-law which amended the Zoning and Development By-law by rezoning an Area to CD-1 [750 Burrard Street (former Vancouver Public Library)] - Transfer of Density for 1000 Robson Street**

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Don Lee,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Don Lee,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

COUNCILLORS CLARKE AND KENNEDY EXCUSED FROM VOTING
ON BY-LAW 6

BY-LAWS (CONT'D)

7. **A By-law to amend By-law No. 7246, being a By-law which amended the Zoning and Development By-law by rezoning an Area to CD-1 - 750 Burrard Street (former Vancouver Public Library) - Transfer of Density for 1200 Hamilton Street**

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Don Lee,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Don Lee,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

COUNCILLORS CLARKE AND KENNEDY EXCUSED FROM VOTING
ON BY-LAW 7

EXPLANATION

Amendment to By-law No. 7246
750 Burrard Street (former Vancouver Public Library)
Transfer of Density for 1000 Robson Street

Enactment of the attached by-law will implement Council's resolution of June 25, 1998 respecting the above described matter. As explained at the Public Hearing, the figures in this by-law differ from those in the copy posted at the hearing because of an earlier by-law which amends the same figures but has not yet been enacted. The reduction in the figures is, however, the same.

Director of Legal Services
21 July 1998

750 Burrard
(Density Transfer for 1000 Robson)

BY-LAW NO. 7925

A By-law to amend
By-law No. 7246,
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 3.1 of By-law No. 7246 is amended by deleting the figure "12.36" and substituting the figure "12.34".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 21st day of July
1998.

(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 21st day of July 1998, and numbered 7925.

CITY CLERK"

EXPLANATION

Amendment to By-law No. 7246
750 Burrard Street (former Vancouver Public Library)
Transfer of Density for 1000 Robson Street

Enactment of the attached by-law will implement Council's resolution of June 25, 1998 respecting the above described matter. As explained at the Public Hearing, the figures in this by-law differ from those in the copy posted at the hearing because of an earlier by-law which amends the same figures but has not yet been enacted. The reduction in the figures is, however, the same.

Director of Legal Services
21 July 1998

750 Burrard
(Density Transfer for ^{808 BOTE} ~~1200 Hamilton~~)

BY-LAW NO. 7926

A By-law to amend
By-law No. 7246,
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 3.1 of By-law No. 7246 is amended by deleting the figure "12.34" and substituting the figure "12.27".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 21st day of July
1998.

(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 21st day of July 1998, and numbered 7926.

CITY CLERK"

developments at 2790 Vine Street, 2725 Arbutus Street, and 2111-2197 West 11th Avenue/2176 West 10th Avenue.

The Director of Central Area Planning, on behalf of Land Use and Development, recommended approval of the application.

Staff Comments

Dave Thomsett, Planner, advised that the flexibility of the loading bay requirement is supported by both the Engineering and Planning Departments.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

The Mayor called for speakers for and against the application and no one came forward.

MOVED by Cllr .Bellamy,

THAT the application be approved.

- CARRIED UNANIMOUSLY

2. Text Amendment: 800-1100 Pacific Boulevard (Quayside)

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

Summary: The proposed text amendments would allow the transfer of floor space between non-market sites, exclude floor space for child daycare facilities and amend the parking requirement for family non-market housing.

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

Staff Comments

Jonathan Barrett, Planner, advised that the application is non-controversial, and offered to answer any questions.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

Mayor Owen called for speakers for and against the application and no one came forward.

MOVED by Cllr. Don Lee,

THAT the application be approved.

- CARRIED UNANIMOUSLY

(Councillor Lee arrived at this point in the proceedings.)

3. Rezoning: 1200 Hamilton Street

Councillor Price declared conflict of interest on item 3, due to his having purchased a condominium in the vicinity. Councillor Price then left the meeting at 7:43 p.m., and did not participate in the discussion or the vote.

An application by Hancock Brückner Eng and Wright Architects was considered as follows:

Summary: The proposed rezoning from HA-3 to CD-1 would allow for the construction of a hotel with ground floor commercial space, including the importation of heritage density.

The Director of Central Area Planning, on behalf of Land Use and Development, recommended approval of the application, subject to the following conditions as proposed for adoption by resolution of Council:

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Hancock Brückner, Architects, and stamped "Received City Planning Department, December 12, 1997", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

(b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

(i) Design development to more effectively reflect a contemporary form, compatible with the heritage vernacular within the area, through refinements to exterior detailing and finishes;

(ii) Design development to take into consideration the principles of Crime Prevention Through Environmental Design (CPTED) having particular regard to reducing opportunities for:

Theft in the Underground Parking. Note: Theft from and of auto is very prevalent in the downtown area. This can be alleviated by providing full separation of commercial and hotel users including separate gating, elevator and stair use. The use of the third level as area for valet parking would not be considered positive. An alternative is to use the first level as valet parking, and move the security gate to the entrance of the second level.

Break and Enter. Note: This can be achieved by routing commercial underground users directly outside rather than into the hotel lobby (in coordination with the fire department). Access from the elevator to the hotel floors must be limited to hotel patrons only. The

Applicant Comments

Paul Merrick, Architect, reviewed particulars of the application with references to the Yaletown context. Design, shape, size and materials of the building are sympathetic to Yaletown buildings and their warehouse origins.

Mr. Merrick also read a letter from Robert Lemon, former City Heritage Planner, indicating that the project has the unanimous support of the Vancouver Heritage Commission.

Summary of Correspondence

A review of the correspondence on this application indicated the following:

- eight letters in favour of the application;
- one letter opposed to the application.

Speakers

The Mayor called for speakers for and against the application and two speakers were heard.

Paul McCrea, area businessman, supported the application for a first-class building.

Ian Hallam, 200 Block Davie Street, was concerned that this primarily residential area is already noisy, and should not be made worse by development. The Bar None Cabaret in this vicinity already causes noise problems, and there are difficulties in enforcement. Although the applicant has agreed to delete the cabaret use, a Class 2 Restaurant, which permits dancing and amplified music, will still be permitted. Mr. Hallam enquired whether this would be any different than a cabaret. Mr. Hallam also objected to the height of the building.

In response to Mr. Hallam's query, the Mayor explained that Class 2 Restaurants have earlier closing hours than cabarets, and fewer performers are permitted.

Bernice Klaudt, 1000 Block Burrard Street, declined the opportunity to speak when called upon.

The Mayor ascertained that no other people present wished to speak.

Staff Closing Comments

Larry Beasley, Director of Central Area Planning, answered questions about the use of payment-in-lieu of parking funds. Mr. Beasley advised that payments go into the Parking Reserve, and are usually used in the area from which the money came, for projects to address parking needs there. However, Council could consider other uses.

Council Discussion

Council was prepared to support this application. Noise was not considered a factor, because there have been no noise complaints concerning Class 2 Restaurants in a hotel for many years. Also, the restaurant is not expected to open directly onto the street. Council

was also prepared to accept payment-in-lieu of parking, as recommended by staff, but was inclined to consider putting it to broader use. Staff were asked to report back accordingly. A Council member requested that the report back include comments from the applicant regarding possible uses for payment-in-lieu of parking funds.

MOVED by Cllr. Herbert,

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

FURTHER THAT staff report back on broader uses to which payment in lieu of parking funds might be put, including transportation or greenways.

- CARRIED UNANIMOUSLY

(Councillor Price not present for the vote)

(Councillor Price returned to the meeting at 8:05 p.m.)

4. Text Amendment: 750 Burrard Street

(Transfer of Density to 1200 Hamilton Street)

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

Summary: The proposed text amendment would allow the transfer of heritage density to the rezoning site at 1200 Hamilton Street.

The Director of Central Area Planning, on behalf of Land Use and Development, recommended approval of the application.

Staff Comments

Dave Thomsett, Planner, explained the purpose of the transfer of density.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

Mayor Owen called for speakers for and against the application and no one came forward.

MOVED by Cllr. Bellamy,

THAT the application be approved.

- CARRIED UNANIMOUSLY

5. Text Amendment: 750 Burrard Street

(Transfer of Density to 1000 Robson Street)

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

Summary: The proposed text amendment would allow the transfer of heritage density to a development site at 1000 Robson Street.

The Director of Central Area Planning, on behalf of Land Use and Development, recommended approval of the application.

Staff Comments

Dave Thomsett, Planner, explained the purpose of the transfer of density.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

Mayor Owen called for speakers for and against the application and no one came forward.

MOVED by Cllr. Bellamy,

THAT the application be approved.

- CARRIED UNANIMOUSLY

6. Text Amendment: 750 Burrard Street

(Transfer of Density to 808 Bute Street)

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

Summary: The proposed text amendment would allow the transfer of heritage density to a development site at 808 Bute Street.

The Director of Central Area Planning, on behalf of Land Use and Development, recommended approval of the application.

Staff Comments

Dave Thomsett, Planner, explained the purpose of the transfer of density.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

Mayor Owen called for speakers for and against the application and no one came forward.

MOVED by Cllr. Bellamy,

THAT the application be approved.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED BY Cllr. Don Lee,

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 9:50 p.m.

* * * * *



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CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
SEPTEMBER 15, 1998

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, September 15, 1998, at approximately 7:35 p.m. in the Council Chamber, Third Floor, City Hall, to consider proposed amendments to the Zoning and Development By-law.

PRESENT: Mayor Philip Owen

Councillor Don Bellamy

Councillor Jennifer Clarke (Items 3 and 4)

Councillor Alan Herbert
Councillor Lynne Kennedy
Councillor Daniel Lee
Councillor Don Lee
Councillor Sam Sullivan

ABSENT: Councillor Chiavario (Sick Leave)
Councillor Gordon Price
Councillor George Puil (Civic Business)

**CLERK TO THE
COUNCIL:**

Nancy Largent

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Don Lee,

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. Rezoning: 1001 Hornby Street, 1050 Burrard Street,
and 1008 Burrard Street (Wall Centre)**

Before any discussion began on this item, Councillor Clarke stated she was in conflict of interest on items 1 and 2 because a family member has done work for the developer, and

withdrew at 7:40 p.m.

An application by Busby and Associates Architects was considered as follows:

Summary: The proposed rezoning from DD (Downtown District) to CD-1 (Comprehensive Development District) would permit heritage density transfers from 750 Burrard and 440 Cambie Street to increase the density of the previously approved Phase II of the Wall Centre development.

The Director of Central Area Planning, on behalf of Land Use & Development, recommended approval of the application, subject to the following conditions as proposed

for adoption by resolution of Council:

(a) THAT the form of development for Site 1 be approved by Council as illustrated in plans prepared by Bruno Freschi Architects and approved by the Director of Planning in Development Permit No. DE 213934 issued December 3, 1992 and as illustrated in plans prepared by Bruno Freschi Architects and approved by the Director of Planning in Development Permit No. DE 216143 issued June 9, 1994, and provided that the Director of Planning may allow minor alterations to this form of development as outlined in (c) below.

(b) THAT the proposed form of development for Site 2 be approved by Council in principle, generally as prepared by Busby and Associates, Architects, and stamped "Received City Planning Department, May 15, 1998", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (c) below.

(c) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

(i) design development to the podium to:

- pull it back from the Hornby/Nelson corner to expose more of the dynamic tower shape at this corner;
- consider incorporating weather protection at the Hornby/Nelson corner;
- more closely align it with the tower's curve on its northwest face, so as not to detract from the tower's dynamic shape; and
- increase its transparency to add vitality and activity to the surrounding streets and open spaces;

(ii) design development to the tower's cap to recapture the sculptural quality evident in the previous approval for what will be the tallest building in Vancouver; and

(iii) design development to the landscape architecture and perimeter uses at the edge of Volunteer Square to make this important space an inviting, active, highly integrated component of the Public Realm.

(d*) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:

(i) obtain approval of a compatible subdivision plan to alter a portion of the common boundary between LMS1689 and Lot 2, Plan LMP17390, to the satisfaction of the subdivision Approving Officer; and confirm full registration of the subdivision plan and any accompanying documents at the Land Title Office, to the satisfaction of the Director of Legal Services; and

(ii) execute a legal agreement satisfactory to the Director of Legal Services providing that owners will not discriminate against families with children in the sale of their property.

* This clause was erroneously referenced as a second "c" in the original report.

Staff Comments

Rob Whitlock, Rezoning Planner, reviewed the application, including locations and uses of the increased density. Changes to the form of development are minor, and overall height remains the same. Staff support the application because it is consistent with Council policy regarding transfer of heritage density.

Applicant Comments

Peter Busby, Busby and Associates, responded to questions regarding the form of development and signage, to which there has been no change.

Summary of Correspondence

Council received no correspondence on this application.

Speakers

Sean McEwen, 1900 Block West 14th Avenue, did not object to any features of the proposed development, but wished to address the issue of public amenities. This amount of additional density is a substantial benefit to the developer, and public amenity contribution should be levied accordingly. Revenue is needed to pay for housing and other incentives. Mr. McEwen questioned whether heritage preservation alone is a sufficient benefit, and requested a review of the financial analysis to ensure that the public is getting full benefit.

The Mayor called for any other speakers on the application, but none came forward.

Applicant Closing Comments

Mr. Busby reminded Council that the developer is purchasing this density at a cost of approximately \$ 4 million. The project is also absorbing a large part of the surplus density available for sale.

Staff Closing Comments

There were no staff closing comments.

Council Discussion

Council felt that the proposal constitutes an interesting addition to the development. The developer is not being given the density for free, but is paying for it. Viability of the transfer of heritage density program is a benefit to other heritage buildings. There are already other benefits provided, including additional parking and Volunteer Square.

MOVED by Cllr. Kennedy,

That the application be approved, with conditions as set out in the Minute of the Public Hearing.

- CARRIED UNANIMOUSLY

2. Text Amendment: 750 Burrard Street

(Transfer of Density to 1001 Hornby Street)

An application by the Co-Director of Planning, on behalf of Land Use & Development, was considered as follows:

Summary: The proposed text amendment would allow the transfer of heritage density to Phase II of the Wall Centre at 1001 Hornby Street.

(Note: A similar density transfer from 750 Burrard Street to 1200 Hamilton Street was approved June 25, 1998, but the related by-law amendment has not yet been enacted. Should that by-law also be enacted, the maximum floor space ratio for 750 Burrard Street would be further reduced.)

The Director of Central Area Planning, on behalf of Land Use & Development, recommended approval of the application.

Staff Comments

Rob Whitlock, Rezoning Planner, explained this application is an administrative follow-up to the previous application, amending the FSR for 750 Burrard Street, the former Main Library.

Summary of Correspondence

Council received no correspondence on this application.

Speakers

The Mayor called for speakers for or against the application, but none came forward.

Council Discussion

MOVED by Cllr. Don Lee,

THAT the application be approved.

- CARRIED UNANIMOUSLY

(Councillor Clarke returned after the vote had been taken on the foregoing, at 8:02 p.m.)

3. Text Amendment: 6184 Ash Street (Peretz Institute)

An application by Victor Tam, Nigel Baldwin Architects, was considered as follows:

Summary: The proposed amendment to CD-1 By-law No. 3907 would permit the replacement of the Peretz Institute and development of a maximum of 50 dwelling units.

The Director of Central Area Planning, on behalf of Land Use & Development, recommended approval, subject to the following conditions as proposed for adoption by resolution of Council:

a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Nigel Baldwin, Architect, and stamped "Received City Planning Department, April 21, 1998", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

(b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

(i) design development to incorporate CPTED principles (Crime Prevention Through Environmental Design), particularly to reduce opportunities for:

- graffiti on blank lane walls;
- mischief in lane alcoves;
- theft in underground parking; and
- break and enter to ground level residential units;

(ii) design development to achieve functional exterior access to 13 grade-level apartments;

(iii) submission of a detailed landscape plan, showing provision of a 0.6 m (2 ft.) landscape strip adjoining the cultural centre; and

(iv) deletion of the special paving shown in the laneway.

(c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:

(i) make arrangements to the satisfaction of the City Engineer and Director of Legal Services for provision of:

- a speed hump in the lane east of Ash Street south of the site, in consultation with the neighbourhood and all at the developer's expense; and
- a sidewalk, including handicapped sidewalk ramps on the east site of Ash Street adjacent the site, all at the developer's expense.

(ii) make arrangements for all new electrical and telephone services to be undergrounded within and adjacent the site from the closest existing suitable service point;

(iii) execute a legal agreement satisfactory to the Director of Legal Services providing that owners will not discriminate against families with children in the sale of their property; and

(iv) contribute \$11,500 towards traffic calming measures along West 45th Avenue and Ash Street.

[Note: Established as a condition of rezoning for 620 West 45th Avenue (former Vancouver Police Sub-station site) that cost of mitigation measures along West 45th Avenue and Ash Street would be shared with the St. John and Peretz sites, in a direct ratio to the amount of development on each site.]

Staff Comments

Rob Whitlock, Rezoning Planner, advised that this and the following application were undertaken in the context of the Oakridge-Langara Policy Statement. Both institutions have remained consistent in size for many years.

Mr. Whitlock then reviewed the application for replacement of the Peretz Institute and development of a maximum of 50 housing units with reference to a model. The proposal is consistent with the Oakridge-Langara Policy Statement, with a proposed FSR 14% higher than the existing floor space, less than could have been requested. There are community concerns

related to traffic arising for a number of projects being undertaken in this general location. The Engineering Department has costed traffic requirements, and these are included in the cost of the development.

Applicant Comments

Dale McClanaghan, VanCity Enterprises, noted that consistent with the Oakridge-Langara Policy Statement, a maximum of 50 housing units will be built to finance the redevelopment of the Peretz Institute. Such creative partnerships are required for the development of needed housing.

Nigel Baldwin, Architect, outlined measures undertaken to retain the development's compatibility with the neighbourhood. Child Daycare and Social Services Centre are proposed as uses; Mr. Baldwin requested Council specifically include these in the list of approved uses to ensure there is no future confusion.

Noting Social Service Centre may include some medical uses, Council sought clarification from the Planner. Mr. Whitlock read the applicable definition, and noted the extent to which the City would retain control if any major medical use were proposed. Messrs. Baldwin and McClanaghan clarified that dedicated space would not be available, precluding any uses requiring non-portable medical equipment.

Richard Rosenberg, Peretz Institute, referenced the Institute's more than fifty year history and benefits to the community, including social, educational and cultural programs. Membership is open to all, and outreach is carried out throughout the city, not just in the Oakridge-Langara area. A better facility is needed and can be financed through the associated housing. It is hoped the new building will see the Institute through its next fifty years.

Summary of Correspondence

Council received three letters and four form letters opposed to both this application and the following application (item 4).

Speakers

The following speakers addressed the rapid pace of development in the area and the issue of public benefits in connection with this and the following application:

Mrs. W. Lau (remarks read by an interpreter)

Mrs. Eileen Ng

Following are some of the comments made by the foregoing speakers:

- the Community Amenity Contribution for the Peretz Institute and St. John ambulancedevelopments should be used to expand the Oakridge Public Library and buy more books;

- Oakridge is the second busiest library in the system, and is often over-crowded or needed books are unavailable, requiring school children to be driven to other branches;

- the library is an equalizer, which children benefit from, thereby providing benefits to the community at large;

- it will be good for older residents to have these types of housing opportunities in their neighbourhood;

- area residents are extremely frustrated about the very rapid pace of development in this area;
- area residents want a neighbourhood meeting place as part of the Community Amenity Contribution; civic staff believe that there is sufficient space available, but much of it is frequently booked, or available at inconvenient times, or there are fees to be paid;
- the Engineering Department was asked to closely monitor the intersection at Cambie Street and 45th Avenue to ascertain whether it requires upgrading;
- Council should require developers to live up to their promises; for example, re-planted and new trees in Tisdall Park were allowed to die from lack of water;
- Council was requested to withhold approval of this application pending the outcome of development on the former Police Station site.

The Mayor called for any other speakers on the application, but none came forward.

Applicant Closing Comments

There were no closing comments by the applicant's representatives.

Staff Closing Comments

Mr. Whitlock advised the upgrading of Oakridge Library and a neighbourhood meeting place were not included in the priority uses for amenity contributions in the Oakridge-Langara Policy Statement. Mr. Whitlock reiterated that Engineering will be monitoring the traffic situation, including the Cambie and 45th intersection, in light of development in the area.

Council Discussion

It was noted that the Peretz Institute has a long history of service to the Jewish community, and has filled a niche not filled by organizations with a religious orientation. In addition, the application is respectful of architectural design and the neighbourhood's character.

MOVED by Cllr. Herbert,

That the application be approved, with conditions as set out in the Minute of the Public Hearing, subject to the addition of Child Daycare Facility and Social Service Centre to the list of permitted uses..

- CARRIED UNANIMOUSLY

4. TEXT AMENDMENT: 6111 Cambie Street (St. John Ambulance)

An application by Greystone Properties Ltd. was considered as follows:

Summary: The proposed amendment to CD-1 By-law No. 3907 would permit the replacement of the existing St. John Ambulance facility and development of a maximum of 56 dwelling units.

The Director of Central Area Planning, on behalf of Land Use & Development, recommended approval subject to the following conditions as proposed for adoption by resolution of Council, except that the FSR be reduced to 1.86 if the applicant is unwilling to provide the necessary City desired public benefit under condition (f):

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Hancock Brückner Eng & Wright Partners, Architects and stamped "Received City

Planning Department - May 4, 1998", provided the Director of Planning may allow minor changes to this form of development when approving the detailed scheme as outlined in (b) below; and

(b) THAT prior to the final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning. In considering the development application, the Director will have regard for the following considerations:

(i) design improvements to the Ash Street building, to provide a better residential scale and expression along West 45th Avenue and Ash Street, noting comments of the Urban Design Panel;

(ii) changes to meet Fire Department requirements (identified in Appendix F of the Manager's report);

(iii) retention or relocation of existing trees where possible;

(iv) design development to reduce opportunities for theft in the underground parking;

(v) design development to reduce opportunity for break and enter;

(vi) design development to reduce opportunities for graffiti; and

(vii) design development to reduce fear for residents and for vulnerable appellations in the neighbourhood, such as seniors.

Prior to enactment of the CD-1 by-law, the owner shall undertake the following, at no cost to the City:

(c) Make arrangements to the satisfaction of the General Manager of Engineering Services:

(i) for removal/relocation of the existing wood pole in the lane, and corresponding easement on Lot 1, which affects access to parking and loading;

(ii) for provision of concrete sidewalk on the east side of Ash Street from West 45th Avenue, south, to the south property-line of the site; and

(iii) for undergrounding of all services for this site to be from the closest suitable pole.

(d) Execute an agreement, satisfactory to the Director of Legal Services and Manager of the Housing Centre, providing that occupancy or possession of dwelling units shall not be denied to families with children, with the exception of units that may be designated as senior citizens' housing*; and

(e) Contribute \$21,000 towards traffic calming measures along West 45th Avenue and Ash Street; and

[Note: Established as a condition of rezoning for 620 West 45th Avenue (former Vancouver Police Sub-station site) that cost of mitigation measures along West 45th Avenue and Ash Street would be shared with St. John and Peretz sites, in a direct ratio to the amount of development on each site.]

(f) Pay to the City a Community Amenity Contribution to provide for City-desired public benefits in an amount to be determined by City Council in a separate report.

* NOTE: Senior citizens' housing is not presently part of proposal.

service elevator should only be accessible by key.

Mischief in Alcoves. Note: Exits on the lane should be designed so an alcove is not created. This can be achieved by moving the exit doors so they are flush with the building.

Fear in the underground by improving visibility and security in accordance with section 4.12 of the Parking By-law.

- (iii) Clarification is needed regarding where the stairs from Hamilton Street go up to;
 - (iv) Reference to Mainland Street adjacent to the site is to be deleted from the plans, as this is a City lane;
 - (v) The canopy proposed over the lane is to be deleted;
 - (vi) The canopy proposed on Davie Street adjacent the lane must be set back a minimum of 0.61 m (2 ft.) from the face of the curb, and the Hamilton Street canopy must provide a minimum 0.61 m (2 ft.) clearance from the existing power poles;
 - (vii) Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for encroaching cornices;
 - (viii) Arrangements to the satisfaction of the Director of Planning and the Director of Legal Services to ensure access to the amenity areas (game room/lounge, exercise room and steam room) by employees; and
 - (ix) If payment in lieu of parking is pursued, it will be supported based on the development being short a maximum of 18 parking spaces, noting that a provision of two sets of tandem valet parking spaces will be supported although the locked-in set of tandem spaces cannot be counted as part of the parking provision.
- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:
- (i) Make arrangements to the satisfaction of the General Manager of Engineering Services for provision of street trees adjacent the site;
 - (ii) Make arrangements for all electrical and telephone services to be undergrounded from the closest existing suitable service point; and
 - (iii) Provide a soils remediation plan in the form of an approval in principle from the Ministry of the Environment.

Staff Comments

Dave Thomsett, Planner, reviewed the application, and explained that a rezoning was required only to accommodate the additional density requested. The application otherwise meets the requirements of HA-3 and generally meets public objectives. Use and character fits Yaletown. In addition, the application is importing heritage density, and thereby supports the retention of heritage buildings.

Most area residents have been supportive. However, there have been concerns regarding cabaret as a possible use. In response, the applicant has agreed to exclude cabaret and pub use. Parking is also a concern, but there is parking available in the area, and Engineering supports payment-in-lieu of parking for up to 18 spaces.

Also before Council was a memorandum from R. Whitlock, Rezoning Planner dated September 15, 1998, advising that at its meeting of September 8, 1998 (In Camera), City Council established the amount of \$400,000 as the total combined charge for the Development Cost Levy (DCL) and Community Amenity Contribution (CAC) for this site. Accordingly, Council was requested to amend Condition of Approval (f) to read as follows:

(f) Pay to the City a Community Amenity Contribution of \$169,125.00, with expenditure of the funds to be determined at a future date through a report to Council.

Staff Comments

Rob Whitlock, Rezoning Planner, reviewed the St. John Ambulance application, noting the height is below that provided in the Policy Statement. The full extent of the emergency response centre is below grade, and the applicant has worked hard to reduce neighbourhood concerns about the original proposal. The project is fully consistent with the Oakridge-Langara Policy Statement, and now that the CAC/DCL has been settled, supported by staff. Mr. Whitlock requested that the record strike the clause " except that the FSR be reduced to 1.86 if the applicant is unwilling to provide the necessary City desired public benefit under condition (f)" from the foregoing recommendation of the Director of Central Area Planning.

Applicant Comments

Renee Rose, Greystone Properties, noted that enlargement of the St. John Ambulance facility will make possible better community service and training as well as emergency response capability. Funding derived from the housing component will enable St. John to redevelop while staying in this central location. Height and number of housing units, have been reduced, and the access to underground parking changed, in response to neighbour's concerns,

Lucille Johnston, St. John Ambulance, reviewed services provided on the site. There are over one thousand events per year, including youth programs and training and education for the broader community. Classes are provided in seven languages. The existing building is now insufficient for emergency response, and it is difficult to cope with the volumes.

Summary of Correspondence

Council received one letter and one e-mail opposed to this application. Council also received three letters and four form letters opposed to both this application and the former application (item 3).

Speakers

The Mayor called for speakers on this application, but none came forward. Speakers on item 3 addressed issues pertinent to this proposal, i.e. pace of development and use of CACs.

Applicant Closing Comments

There were no closing comments from the applicant's representatives.

Staff Closing Comments

Mr. Whitlock provided additional clarification with respect to CACs.

Council Discussion

Council noted the existing building is clearly sub-standard and in need of replacement. St. John Ambulance's significant record of service to the community and fine programs were cited. Public benefits are also being provided consistent with the Oakridge-Langara Policy Statement

public benefits strategy. It was noted that St. John also provides benefits to non-profit agencies, by providing a needed service to their events affordably.

MOVED by Cllr. Clarke,

THAT the application be approved, subject to the conditions set out in the Minute of the Public Hearing amended as follows (*italics denote amendment*):

Recommended Approval: By the Director of Central Area Planning, on behalf of Land Use & Development, subject to the conditions as proposed for adoption by resolution of Council [*wording deleted*]:

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Hancock Brückner Eng & Wright Partners, Architects and stamped "Received City Planning Department - May 4, 1998", provided the Director of Planning may allow minor changes to this form of development when approving the detailed scheme as outlined in (b) below; and

(b) THAT prior to the final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning. In considering the development application, the Director will have regard for the following considerations:

(i) design improvements to the Ash Street building, to provide a better residential scale and expression along West 45th Avenue and Ash Street, noting comments of the Urban Design Panel;

(ii) changes to meet Fire Department requirements (identified in Appendix F of the Manager's report);

(iii) retention or relocation of existing trees where possible;

(iv) design development to reduce opportunities for theft in the underground parking;

(v) design development to reduce opportunity for break and enter;

(vi) design development to reduce opportunities for graffiti; and

(vii) design development to reduce fear for residents and for vulnerable appellations in the neighbourhood, such as seniors.

Prior to enactment of the CD-1 by-law, the owner shall undertake the following, at no cost to the City:

(c) Make arrangements to the satisfaction of the General Manager of Engineering Services:

(i) for removal/relocation of the existing wood pole in the lane, and corresponding easement on Lot 1, which affects access to parking and loading;

(ii) for provision of concrete sidewalk on the east side of Ash Street from West 45th Avenue, south, to the south property-line of the site; and

(iii) for undergrounding of all services for this site to be from the closest suitable pole.

(d) Execute an agreement, satisfactory to the Director of Legal Services and Manager of the Housing Centre, providing that occupancy or possession of dwelling units shall not be denied to families with children, with the exception of units that may be designated as senior citizens' housing*; and

(e)Contribute \$21,000 towards traffic calming measures along West 45th Avenue and Ash Street; and

[Note: Established as a condition of rezoning for 620 West 45th Avenue (former Vancouver Police Sub-station site) that cost of mitigation measures along West 45th Avenue and Ash Street would be shared with St. John and Peretz sites, in a direct ratio to the amount of development on each site.]

(f)Pay to the City a Community Amenity Contribution of \$169,125.00, with expenditure of the funds to be determined at a future date through a report to Council.

* NOTE: Senior citizens' housing is not presently part of proposal.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

SECONDED BY Cllr. Clarke,

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 8:50 p.m.

* * * * *



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CITY HOMEPAGE

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BY-LAWS (CONT'D)

*CD-1(323)
750 Burrard
By-law 7969*

- 4. **A By-law to amend By-law No. 7246, being a By-law which amended the Zoning and Development By-law by rezoning an Area to CD-1(7246) [Burrard Street [former Vancouver Public Library] Transfer of Density for 1200 Hamilton Street]**

MOVED by Cllr. Bellamy,
 SECONDED by Cllr. Herbert,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Bellamy,
 SECONDED by Cllr. Herbert,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke and Kennedy were excused from voting on By-law 4)

750 Burrard Street
(Second Transfer of Density for 1001 Hornby)

BY-LAW NO. 7970

A By-law to amend By-law No. 7246,
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 3.1 of By-law No. 7246 is amended by deleting the figure "11.95" and substituting the figure "6.07".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 26th day of January ,
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 26th day of January 1999, and numbered 7970.

CITY CLERK"

EXPLANATION

Amendment to By-law No. 7246
750 Burrard Street (former Vancouver Public Library)
Transfer of Density for 1001 Hornby Street (Second Transfer for this Property)

Following a Public Hearing on September 15, 1998 Council approved an application to transfer density from the 750 Burrard Street site to a development at 1001 Hornby Street. The rezoning of 1001 Hornby Street is also before Council today and reflects the density transferred via this by-law. Although the figures in this by-law differ from those in the copy posted at the hearing (because of the by-law to be enacted before this one) the figures show the same corresponding reduction in density.

Director of Legal Services
26 January 1999

EXPLANATION

Amendment to By-law No. 7246
750 Burrard Street (former Vancouver Public Library)
Transfer of Density for 1200 Hamilton Street

Following a Public Hearing on June 25, 1998 Council approved an application to transfer density from the 750 Burrard Street site to a development at 1200 Hamilton Street. The text reference to By-law No. 7926, which was enacted by Council on July 21, 1998, purported to reflect the density transfer for this site but that reference was in error as the by-law, correctly, dealt with the reduction to reflect the density transfer for 808 Bute Street. Enactment of the attached by-law will therefore implement this resolution for 1200 Hamilton. Although the figures in this by-law differ from those in the copy posted at the hearing (because of a by-law considered at a later public hearing but enacted before this one) the figures show the same corresponding reduction in density.

Director of Legal Services
26 January 1999

750 Burrard
(Density Transfer for 1200 Hamilton)

BY-LAW NO. 7969

A By-law to amend
By-law No. 7246,
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 3.1 of By-law No. 7246 is amended by deleting the figure "12.27" and substituting the figure "11.95".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 26th day of January
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 26th day of January 1999, and numbered 7969.

CITY CLERK"

BY-LAWS (CONT'D)

- 5. **A By-law to amend By-law No. 7246, being a By-law which amended the Zoning and Development By-law by rezoning an area to CD-1 (750 Burrard Street [former Vancouver Public Library] Transfer of Density for 1001 Hornby Street [Second Transfer for this Property])**

MOVED by Cllr. Don Lee,
 SECONDED by Cllr. Kennedy,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
 SECONDED by Cllr. Kennedy,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

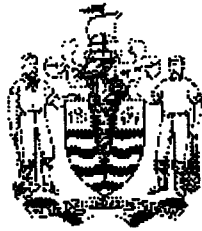
- CARRIED UNANIMOUSLY

EXPLANATION

Amendment to By-law No. 7246
750 Burrard Street (former Vancouver Public Library)
Transfer of Density for 1200 Hamilton Street

Enactment of the attached by-law will implement Council's resolution of June 25, 1998 respecting the above described matter. As explained at the Public Hearing, the figures in this by-law differ from those in the copy posted at the hearing because of an earlier by-law which amends the same figures but has not yet been enacted and the by-law also before Council today for enactment which also amends the same figures. The reduction in the figures is, however, the same.

Director of Legal Services
21 July 1998



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2000

A Special Meeting of the Council of the City of Vancouver was held on Thursday, February 24, 2000, at 7:35 p.m., in Council Chambers, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law and Official Development Plans.

PRESENT: Mayor Philip Owen
 Councillor Fred Bass
 Councillor Jennifer Clarke
 Councillor Daniel Lee
 Councillor Don Lee
 Councillor Sandy McCormick
 Councillor Sam Sullivan

ABSENT: Councillor Lynne Kennedy
 Councillor Tim Louis
 Councillor Gordon Price (Sick Leave)
 Councillor George Puil (Civic Business)

CITY CLERK'S OFFICE: Tarja Tuominen, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,
 SECONDED by Cllr. Daniel Lee,

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 and Official Development Plans.

- CARRIED UNANIMOUSLY

1. Text Amendments: District Schedules, Official Development Plans and

CD-1 By-laws - Floor Space Exclusions

[Barrett Commission]

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

Summary: The proposed text amendments would provide floor space exclusions to provide construction incentives to control building envelope leaks.

The Director of Current Planning recommended approval.

Staff Comments

Jacqui Forbes-Roberts, General Manager of Community Services, provided a brief introduction to the report, noting the proposed text amendments would affect new construction and repairs and restoration of existing buildings. Ms. Forbes-Roberts also requested an amendment to the proposed draft by-law to amend By-law 3575 to add RS1 to Section 4.7.3, (d).

Doug Watts, Building Envelope Specialist, with the aid of a slide presentation, described the specifics of the technical and different design issues of the proposed amendments, and explained what steps other municipalities have taken to address the recommendations arising from the Barrett Commission.

Summary of Correspondence

Council was advised the following correspondence was received since the date the application was referred to Public Hearing:

one letter in support of 'Option A'.

Speakers

Mayor Owen called for speakers for and against the application.

The following spoke in support of 'Option A':

John Fowler, Canadian Precast/Prestressed Concrete Institute
Bill McEwen, Masonry Institute of British Columbia (brief filed)
Peter Reese

The foregoing speakers supported 'Option A' based on one or more of the following points:

application of the current FSR calculations has prevented a wide-spread use of precast concrete exterior walls; there have been very few problems with the use of pre-cast concrete, which has proven to be a versatile and durable material;

thicker exterior walls are better walls, because they can include an airspace cavity behind the cladding which provides a "rainscreen" system, more efficient insulation, thicker, more durable cladding materials; current FSR calculations discourage the foregoing;

the proposed changes in FSR definitions will immediately encourage better wall design;

brick and stone-faced walls should be encouraged.

The following generally supported 'Option A' but felt the proposed text amendments should be referred back to staff for further study and discussion with the industry:

John O'Donnell, AIBC
Stuart Howard, Vancouver Planning Coalition

The following is a summary of the foregoing speakers' comments:

Option 'A' is supported in principle; however the text amendments also should address overhangs, balconies, elevated walkways, yard setbacks, and site coverage; staff should accept the electronic calculation of areas and the calculations of the Architect, given under seal; letters of assurance from a building envelope specialist are redundant at an early stage; the proposed text amendments should cover everything instead of the City issuing administrative bulletins to address further changes.

Staff Closing Comments

Ralph Segal, Planner; Eric Fiss, Planner; and Doug Watts responded to the issues raised by the speakers: the proposed text amendments are the result of a fair bit of consultation with the industry; a building envelope specialist is required to be involved in the process earlier as technical details are to be submitted at the development permit stage; staff are taking a further look at other issues, such as recesses, balconies and walkways.

Ms. Forbes-Roberts advised Council may proceed with the proposed amendments to the floor space exclusions and request staff to come back with additional amendments. Staff and the industry would prefer the FSR exclusions not be delayed.

MOVED by Cllr. Don Lee,

A. THAT the application by the Director of Current Planning to amend various District Schedules, Official Development Plans and CD-1 By-laws to provide floor space exclusions to provide construction incentives to control building envelope leaks be approved.

FURTHER THAT the draft By-law 3575, section 4.7.3, be amended as follows:

(d) as clause (h) in the following district schedules:

RS-1 and RS-1S RT-4, etc.

(Italics denote amendment)

B. THAT staff report back on other aspects affecting leakage of buildings, such as overhangs, protection of upper balconies, recesses, etc.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Clarke,
SECONDED BY Cllr. Don Lee,

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 9:20 p.m.

* * * * *



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EXPLANATION

**Zoning and Development
Various CD-1 by-laws**

Amendments re Exterior Wall Exclusion (Barrett Commission Recommendations)

Following a public hearing on February 24, 2000 Council approved an application, as noted above. There were no prior-to conditions and the Director of Current Planning has advised that the attached by-law can now be enacted to implement Council's resolution.

**Director of Legal Services
14 March 2000**

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Exterior Wall Exclusion

BY-LAW NO. 8169

A By-law to amend
By-laws Nos.

3568 3632 3706 3712 3865 3869 3885 3897 3907 3914 3983 4037 4049 4085 4131
4238 4271 4358 4397 4412 4559 4580 4597 4634 4674 4677 4775 4825 4829 4860
4861 4900 4918 4926 4928 4930 4940 4954 4958 4999 5009 5011 5014 5028 5060
5091 5145 5179 5184 5222 5224 5229 5376 5343 5381 5383 5407 5411 5416 5418
5477 5510 5548 5555 5579 5597 5683 5702 5717 5762 5773 5810 5836 5838 5852
5863 5890 5927 5937 5950 5975 5976 5997 6009 6039 6041 6057 6063 6064 6070
6072 6117 6155 6161 6169 6180 6221 6245 6246 6254 6260 6263 6272 6277 6297
6305 6307 6310 6312 6313 6314 6315 6316 6317 6318 6319 6320 6321 6322 6323
6325 6361 6362 6363 6394 6420 6421 6423 6425 6427 6428 6429 6448 6449 6475
6486 6489 6528 6533 6538 6564 6577 6582 6594 6597 6654 6663 6676 6688 6710
6713 6714 6715 6718 6730 6731 6738 6739 6740 6744 6747 6757 6759 6760 6768
6779 6787 6817 6819 6827 6838 6876 6883 6884 6911 6919 6953 6962 6963 6965
7006 7045 7087 7091 7101 7114 7135 7155 7156 7157 7158 7159 7163 7164 7173
7174 7175 7189 7193 7196 7198 7200 7201 7204 7208 7209 7210 7223 7224 7230
7232 7235 7246 7248 7249 7317 7325 7337 7340 7371 7381 7389 7405 7419 7425
7431 7434 7435 7459 7461 7476 7516 7519 7522 7531 7551 7552 7556 7592 7601
7602 7638 7639 7645 7647 7648 7649 7651 7652 7654 7655 7656 7672 7673 7675
7677 7679 7681 7682 7684 7705 7715 7723 7820 7829 7834 7835 7852 7853 7879
7904 7927 7932 7948 7958 7971 7995 7996 8016 8034 8043 8055 8073 8082 8088
8097 8109 8111 8116 8130 8131

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. 3907 is amended in Section 2 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

2. By-law No. 4412 is amended in Section 2 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3. By-law No. 5376 is amended in Section 2 by deleting the period from the end of subclause (iii) and substituting it with a semi-colon and by adding the following subclause:

"(iv) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

4. By-laws No. 4825 and 6325 are each amended in Section 3 by deleting the period from the end of subclause (ii) and substituting it with a semi-colon and by adding the following subclause:

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

5. By-law No. 5343 is amended in Section 3 by deleting the period from the end of clause (iii) and substituting it with a semi-colon and by adding the following clause:

"(iv) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000"

6. By-laws No. 4775, 4829, 5222, 5224, 5773 and 6039 are each amended in Section 3 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the

Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7. By-laws No. 4085, 5411, and 5416 are each amended in Section 3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

8. By-law No. 5407 is amended in Section 3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

9. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

3568 3712 3885 4271 4358 4634 4674 4861 4900 4918 4926 4928
4930 4940 4958 4999 5009 5011 5014 5028 5060 5145 5179 5184
5229 5418 5477 5836 5838 5863 5937 5950 5975 5976 4954 6041
6064 6072 6117 6155 6161 6180 6245 6246 6260 6263 6277 6297
6305 6307 6394 6420 6425 6427 6428 6429 6448 6449 6489 6538
6577 6594 6564 6654 6663 6759 6760 6779 6876 6911

10. By-laws No. 6314 and 6582 are each amended in Section 3.1 by deleting the period from the end of clause (ii) and substituting it with a semi-colon and by adding the following clause:

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

11. By-law No. 6272 is amended in Section 3.1 by deleting the word "and" from the end of subclause (c)(i), by deleting the period from the end of subclause (c)(ii) and substituting it with a semi-colon and by adding the following subclause:

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

12. By-law No. 4580 is amended in Section 3.2 by deleting the period at the end of the section and substituting it with a semi-colon, by relettering the existing text as clause (a) and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

13. By-law No. 6884 is amended in Section 3.1 by deleting the word "and" from the end of clause (a), by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

14. By-law No. 5683 is amended in Section 3.2 by deleting the period at the end of this section and substituting it with a semi-colon and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor

space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

15. By-law No. 8088 is amended in Section 3.2 by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

16. By-law No. 6009 is amended in Section 3.2 by deleting the period at the end of subclause (e)(vii) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

17. By-law No. 4677 is amended in Section 3.2 by deleting the period at the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

18. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.3 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

4238 4860 5579 5717 5810 5852 5890 6057 6070 6310 6312 6313
6316 6320 6361 6363 6423 6528 6714 6715

19. By-law No. 7684 is amended in Section 3.3 by deleting the period from the end of clause (a) and substituting it with a semi-colon and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

20. The By-laws listed below are each amended in Section 3.3 by deleting the and from clause (a) and by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7705 7459 7435 7434 7419 7389 6718

21. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

5458 5548 5597 6962 7045 7682

22. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3897 3983 5510 7144 7208 7476 7516 7820 7927 7996

23. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

" (f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

5091 6486 6676 6688 6713 6730 6787 6817 7159 7337 7531 7552
7556 7645 7652 7715 7835 7971 8111

24. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

4391 4049 4397 4597 6421 6710 6731 6738 6739 6740 6768
6827 6838 6919 6953 6963 6965 7006 7091 7092 7101 7135
7155 7157 7158 7163 7166 7175 7189 7193 7196 7198 7210
7223 7224 7230 7325 7340 7381 7519 7551 7602 7638 7639
7647 7651 7655 7723 7932 7948 8082

25. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3869 7173 7522 7601 7656 7672 7834 7852 7853 7904 7958

26. By-laws No. 4559, 7209, 7425 and 7431 are each amended in Section 3.3 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

27. By-laws No. 5997 and 7829 are each amended in Section 3.3 by deleting the period from the end of clause (i) and substituting it with a semi-colon and by adding the following clause:

"(j) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

28. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.4 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

5762 5927 6315 6317 6318 6319 6321 6323 6362

29. By-law No. 7980 is amended

(a) in Section 3.4 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000.", and

(b) in Section 3.7 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

30. By-laws No. 7087 and 7174 are each amended in Section 3.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

31. By-law No. 7246 is amended in Section 3.4 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

32. By-laws No. 8034, 8043 and 8116 are each amended in Section 3.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

33. By-laws No. 6322 and 6597 are each amended in Section 3 by adding the following section:

"3.5 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

34. By-law No. 8016 is amended in Section 3.5 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

35. By-law No. 8055 is amended in Section 3.5 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

36. By-law No. 8130 is amended in Section 3.6 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

37. By-law No. 7648 is amended in Section 3.6 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

38. By-laws No. 6063 and 6221 are each amended in Section 3 by adding the following section:

"4.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

39. By-law No. 5555 is amended in Section 4 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

40. By-law No. 5705 is amended in Section 4 by adding the following section:

"4.3 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

41. By-law No. 7371 is amended in Section 4.3 by deleting the period from the end of clause (a) and substituting it with a semi-colon and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

42. By-law No. 7249 is amended in Section 4.3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

43. By-laws No. 5702 and 7673 are each amended in Section 4.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

44. By-laws No. 6819 and 7238 are each amended in Section 4.3 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

45. The By-laws listed below are each amended in Section 4.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3632 3706 4131 7649 7995 8073 8097

46. By-law No. 5381 is amended in Section 4.3.3 by adding after the existing text the following:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

47. By-law No. 7592 is amended in Section 4.4 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

48. By-law No. 6883 is amended in Section 4.4 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

49. By-laws No. 4037 and 7405 are each amended in Section 4.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum

exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

50. By-law No. 7201 is amended in Section 4.5 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

51. By-law No. 5383 is amended in Section 5 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

52. By-law No. 6533 is amended in Section 5.2.4 by deleting the period at the end of the existing text and substituting it with a semi-colon and by adding the following:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

53. By-law No. 7654 is amended in Section 5.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

54. By-law No. 7677 is amended in Section 5.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum

exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

55. By-laws No. 7675, 7681 and 8109 are each amended in Section 5.3 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

56. By-laws No. 3865 and 6475 are each amended in Section 5.3.3 by deleting the period from the end of the existing text and substituting it with a semi-colon and by adding the following:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

57. By-law No. 7879 is amended in Section 5.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

58. By-law No. 8131 is amended in Section 5.4 by deleting the period from the end of clause (j) and substituting it with a semi-colon and by adding the following clause:

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

59. By-law No. 6169 is amended in Section 6 by adding the following section:

"6.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the

Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

60. By-law No. 7679 is amended in Section 6.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

61. By-law No. 7317 is amended in Section 6.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

62. By-laws No. 7156, 7200, and 7232 are each amended in Section 6.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

63. By-law No. 7461 is amended in Section 6.3 of Schedule B by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

64. By-law No. 7248 is amended in Section 6.3 by deleting the period from the end of clause (i) and substituting it with a semi-colon and by adding the following clause:

"(j) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

65. By-law No. 6744 is amended in Section 6.3 by deleting the period from the end of clause (j) and substituting it with a semi-colon and by adding the following clause:

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

66. By-laws No. 6747 and 7204 are each amended in Section 7.3 of Schedule B, by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

67. By-law No. 6757 is amended in Section 7.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

68. By-law No. 6254 is amended in Section 8 by deleting the period from the end of the second clause (a), which clause ends with the word "computation", and substituting a semi-colon and by inserting the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000;"

69.

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

DONE AND PASSED in open Council this 14th day of March , 2000.

(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 14th day of March 2000, and numbered 8169.

CITY CLERK"