



**City of Vancouver** *Zoning and Development By-law*  
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## **CD-1 (326)**

*2135 West 12th Avenue*

*By-law No. 7317*

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

**Effective June 21, 1994**

*(Amended up to and including By-law No. 8760, dated December 9, 2003)*

**Guidelines:**

*Arbutus /Vine Industrial Area*

*CD-1 Guidelines*

**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** **Intent**

The intent of this By-law is to permit the development of the site with residential uses, in a form which complements, and is compatible with, the character of adjacent areas.

Development on the site shall be consistent with the following objectives:

- (a) achieve a built form which is complementary to the form of development of adjacent areas of Kitsilano, which may include both residential and industrial character;
- (b) achieve housing consistent with the principles of livability and other social and environment objectives;
- (c) provide pedestrian links to adjacent areas; and
- (d) provide adequate on-site parking and loading spaces for all uses within the site.

**3** **Definitions**

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law, with the following addition:

Interim Use means any use not specifically listed in this By-law and intended to be of only temporary duration.

**4** **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (326), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Child Day Care Facility;
- (b) Cultural and Recreational Uses;
- (c) Dwelling Units (a maximum of 29% shall consist of 1 bedroom and bachelor units, and a minimum of 34% shall consist of 2 or more bedrooms);

The percentages outlined are to be applied to the entire site and not on a parcel by parcel basis. Further, the term 1 bedroom shall not include 1 bedroom plus a den;

[7773; 97 07 22]

- (d) Park or Playground;
- (e) School - Elementary or Secondary;
- (f) The following Uses, limited to a total floor area of 1 050 m<sup>2</sup> located at grade, fronting- Arbutus Street, on the parcel labelled 3 on Diagram 1:
  - (i) Office Uses;
  - (ii) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer,
  - (iii) Service Uses, but not including Bed and Breakfast Accommodation, Body-rub Parlour, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Repair shop - Class A, and Sign Painting Shop;
- (g) Accessory Uses customarily ancillary to the above uses; and

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7317 or provides an explanatory note.*

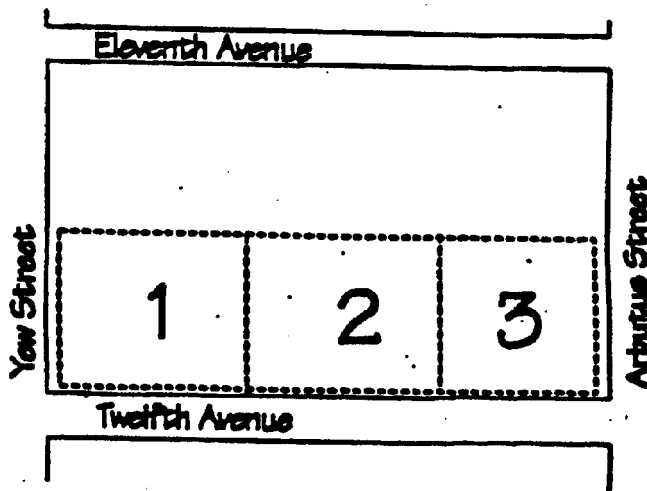
- (h) Interim Uses and Accessory Uses customarily ancillary thereto, provided that:
  - (i) the Development Permit Board considers that the use will be compatible with and not adversely affect adjacent development that either exists or is permitted by this By-law;
  - (ii) the Development Permit Board is satisfied that the use can be easily removed, and is of low intensity or low in capital investment;
  - (iii) the Development Permit Board is satisfied that there is no increase in risk to the public from contained soils either on or adjacent to the subject site; and
  - (iv) development permits are limited in time to periods not exceeding 3 years.

**5 Parcels**

The site will comprise a maximum of 3 development parcels, generally as illustrated in Diagram 1. The parcel boundaries and areas are, approximate only.

The Approving Officer may approve a non-development parcel having a minimum width of 3 m for future street or lanes purposes.

DIAGRAM 1



**6 Floor Space Ratio**

The Development Permit Board may permit a maximum floor space ratio of up to and including 2.3 for each parcel shown on Diagram 1, provided that it first considers:

- (a) all applicable policies and guidelines adopted by Council;
- (b) the bulk, location and overall design of a building and its effect on the site, surrounding buildings and streets;
- (c) the design and livability of any dwelling uses; and
- (d) the provision of open space, including private patios and balconies, and useable common areas.

For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 5 810 m<sup>2</sup>.

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

- (a) all floors, having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all open residential balconies or sundecks, and any other appurtenances does not exceed 8 percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) 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;
- (d) amenity areas, accessory to a residential uses, including recreation facilities and meeting rooms, provided that the total area being excluded shall not exceed 40 m<sup>2</sup> for each development parcel, except in the case of non-market housing where the area shall not exceed 100 m<sup>2</sup>;
- (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; and
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
- (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. [8169; 00 03 14]

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

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

## **7 Height**

The maximum building height, measured above the base surface, is 13.7 m, subject to the relaxation of limitations on building heights set out in Section 10.11.1 of the Zoning and Development By-law.

[7773; 97 07 22]

The Director of Planning may permit a decorative roof, which may include items referred to in Section 10.11.1 of the Zoning and Development Bylaw, to exceed the maximum height otherwise specified in this By-law, provided that:

- (a) the Director of Planning is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
- (b) the roof does not add to the floor area otherwise permitted; and
- (c) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

**8 Off-street Parking and Loading**

Off-street parking must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law as if the site is zoned RM-4.

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

**9 Acoustics**

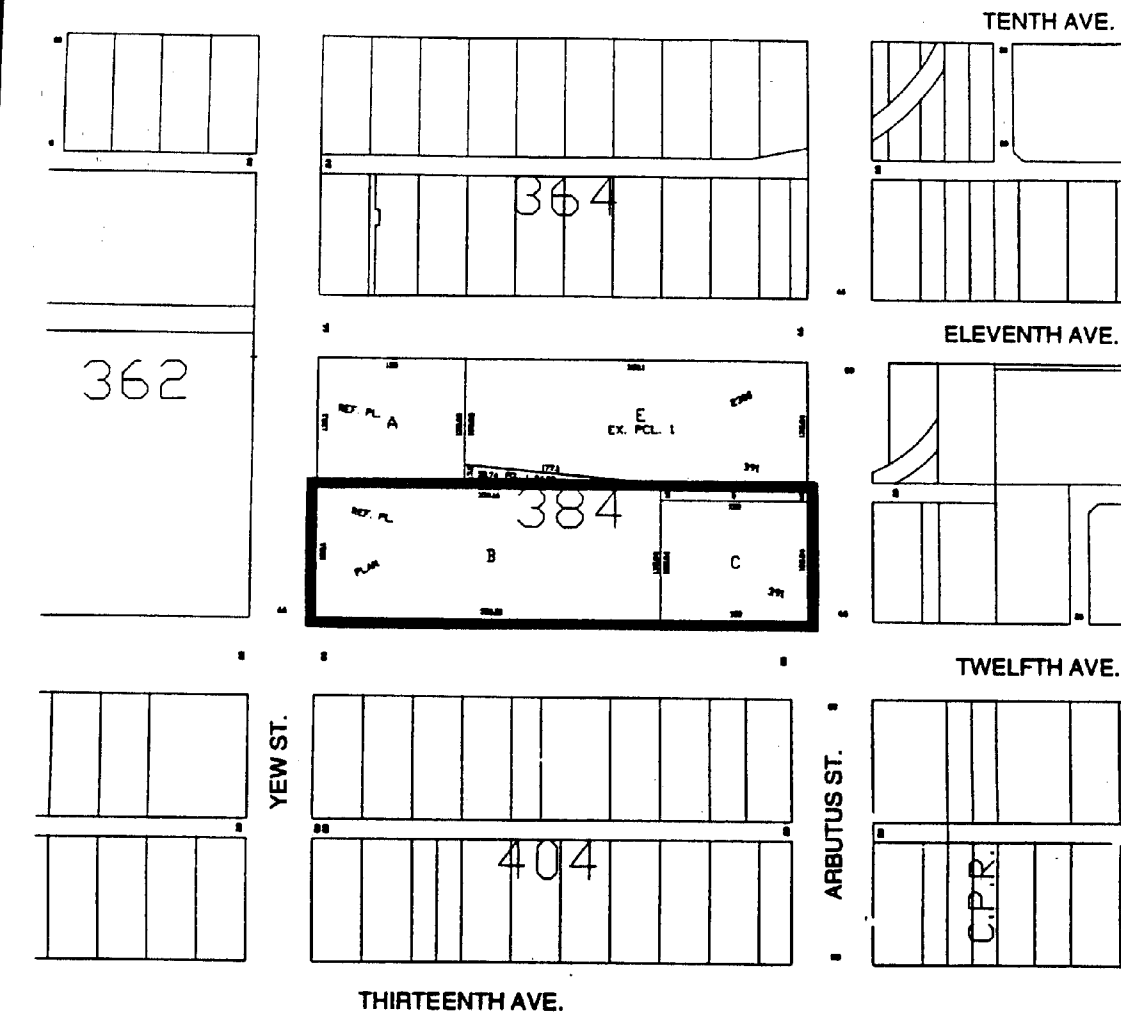
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level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

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

[7515; 96 01 11]

**10** *[Section 10 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. 7317 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW



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

**Z-425(a)**

<b>RZ 2135 W. 12th Ave.</b>	map: 1 of 1	
	scale: 1:2000	
<b>City of Vancouver Planning Department</b>		



CITY OF VANCOUVERSPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 22, 1994, at 7:30 p.m., at Kitsilano Secondary School Auditorium, 2250 West 10th Avenue, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law. Subsequently, the meeting reconvened at 7:30 p.m., on February 23, 1994, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Owen  
Councillors Bellamy, Chiavario, Clarke,  
Hemer, Ip, Kennedy, Kwan,  
Price and Pull

ABSENT: Councillor Sullivan  
(Absent for February 23 meeting only)

CLERK TO THE COUNCIL: Gary MacIsaac

For ease of reading, the Minutes represent a consolidated record of the proceedings over the two evenings.

All three items on the Public Hearing agenda were read into the public record at the start of the Public Hearing, and the three items were considered concurrently.

COMMITTEE OF THE WHOLE

MOVED by Cllr. Pull,

SECONDED by Cllr. Bellamy,

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: 2790 Vine Street (Former Carling Brewery Site)  
(Lot A, Block 363, D.L. 526, Plan 21395 and Portion of  
Block 362, D.L. 526, Plan 12593)

An application by The IBI Group was considered as follows:

REZONING: 2790 VINE STREET (Former Carling Brewery Site)  
(Lot A, Block 363, D.L. 526, Plan 21395 and Portion of  
Block 362, D.L. 526, Plan 12593)

Present Zoning: M-1 Industrial 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:

- approximately 620 residential units in eight buildings;
- accessory uses;
- the proposal is organized into two precincts, north and south of a greenway/park aligned on the 11th Avenue right-of-way;
- maximum height ranges from 4 to 8 stories;
- maximum floor space ratio is 2.29; and
- off-street parking.

- (ii) Fraser Academy Council will also consider amendments to the proposed CD-1 zoning for 2790 Vine Street to allow the Fraser Academy to remain in an existing building situated on the southeast corner of West 10th Avenue and Vine Street. The Fraser Academy is an independent, non-profit, co-educational school for dyslexic children. Provision may also be made for the school to redevelop the site in the future. These amendments may result in the reduction of monies paid to the City, by the applicant, for provision of community amenities or increased building height, or increased building density, or a combination of these measures.

- (iii) Any consequential amendments.

Clauses 1, 2 and 3 continued

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

- SCHEMATIC DEVELOPMENT (a) THAT the proposed schematic development be approved by Council in principle, generally as prepared by the IBI Group and stamped "Received City Planning Department - August 10, 1993" and dated August 6, 1993 specifically in relation to the siting of buildings, general building heights and massing, to be further articulated with design guidelines which will guide and adjudicate the scheme through the development permit process.
- DESIGN GUIDELINES (b) THAT the By-law be accompanied at the time of enactment by the "Arbutus Lands CD-1 Guidelines" to be adopted by resolution of Council.
- FORM OF DEVELOPMENT (c) THAT, prior to the final approval by Council of the form of development for each portion of the project, the applicant shall obtain approval of a development application by the Development Permit Board.
- (d) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
- DELAY OF DEVELOPMENT (i) enter into a covenant in favour of the City which the existing buildings may not be renovated or converted to uses permitted by the proposed rezoning by-law and by which development of the site is not permitted until the owner has entered into further agreements with the City by which the owner at his own cost shall be required to:
- FUTURE AGREEMENTS (1) remediate the soil and water of the site to the standards then required by the Ministry of the Environment or its successor in function and to the standards required to secure building permits; and remediate the soil and water of the parts (to be) transferred or dedicated or under right of way to the City as the City Engineer shall then require;
- Remediation

Clauses 1, 2 and 3 continued

- |                          |     |   |
|--------------------------|-----|---|
| On and off-site services | (2) | design, construct and install both on site and off site services and utilities as required by the City Engineer to the standards and specifications set by the City Engineer;   |
| Subdivision              | (3) | subdivide the site in a form suitable to the rezoning and the development proposed for the rezoning;  |
| Non-market               | (4) | convey to the City the east portion of housing the Fraser Academy site for a family non-market housing project of approximately 7060.4 m <sup>2</sup> (about 76 units), make applications to housing agencies and build the housing approved by any housing agency. The agreement may include provisions to permit other housing initiatives approved by Council; |
| Park                     | (5) | cause to be developed as park to the satisfaction of the General Manager of the Board of Parks and/or the City Engineer a parcel of approximately 4 236.2 m <sup>2</sup> in the approximate location of West 11th Avenue and convey same to the City at a nominal price;  |
| Family units             | (6) | ensure that the number of units two bedroom or larger to be built on the site shall be at least 25% of the units permitted on this site and the 2135 West 12th Avenue rezoning site AND that these units generally meet the City's guidelines for housing families at high density;   |
| Play areas               | (7) | provide and equip childrens' play areas;  |
| Access                   | (8) | provide an access right of way;   |
| Non-discrimination       | (9) | refrain from discriminating against the families with children in the sale or occupancy of the residential units.   |

Clauses 1, 2 and 3 continued

COMMUNITY (ii) pay to the City \$2,468,668 as a community  
AMENITY amenity contribution (@ \$4 per MBSF) or, as  
CONTRIBUTION the City Manager may approve, enter into an  
agreement with the City to pay such amount  
plus interest thereon from the date of the  
rezoning public hearing adopting this  
condition until paid at the per annum rate of  
prime plus 2% with principal and interest due  
and secured as the City Manager shall approve.  
To the extent that the City Manager deems  
appropriate, this payment shall be reduced by  
the non-market housing land contribution for  
this site and the 2135 West 12th Avenue site  
and shall be further reduced to compensate the  
owner for the City-approved cost of park  
development.

**DOCUMENTARY CONDITIONS AND REQUIREMENTS**

The owner shall bear all costs associated with preparation of legal agreements for this rezoning which will require additional consultant resources, including the future agreements, the necessity of which will be determined by the Director of Legal Services.

All agreements, including the future agreements, shall be written to the satisfaction of the Director of Legal Services in consultation with the appropriate City officials.

Where the Director of Legal Services deems appropriate, the agreements, including the future agreements, are to be drawn not only as personal covenants by the owner, but also as interests in land which shall be tendered for registration in the Land Title Office prior to enactment of the by-law, in priority over such liens, charges and encumbrances as is considered advisable by the Director of Legal Services.

As the Director of Legal Services deems appropriate, the agreements, including the future agreements, shall provide security to the City including indemnities, warranties, options to purchase, prohibitions on development, construction and or use and occupancy, equitable charges and letters of credit.

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

Clauses 1, 2 and 3 continued

Summary of Proposed Changes  
2790 Vine Street

	Current Status	Proposed Amendments
Zone	M-1	CD-1
Use	Manufacturing, Service, Transportation and Storage, Wholesaling, Cultural and Recreational, Institutional, limited Office and Retail	Dwelling Units, Child Day Care, Cultural and Recreational, School and Park, and Interim Uses
Maximum FSR	5.0	2.29
Maximum Height	30.5 m (100 ft.)	27.4 m (90 ft.) 8 storeys

2. Rezoning: 2750 Vine Street (Former Carling Brewery Site)  
(Portion of Block 362, D.L. 526, Plan 12593)

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

REZONING: 2750 VINE STREET (Former Carling Brewery Site)  
(Portion of Block 362, D.L. 526, Plan 12593)

Present Zoning: M-1 Industrial District  
Proposed Zoning: RS-1 One-Family Dwelling District

- (i) If approved, the rezoning would permit the use and development of a greenway/park of approximately 4 237 m<sup>2</sup> (45,604 sq. ft.) along the general alignment of 11th Avenue.
- (ii) Any consequential amendments.

The Director of Planning recommended approval of this application.

Clauses 1, 2 and 3 continued

3. Rezoning: 2135 West 12th Avenue (Former Carling Brewery Site)  
(Lots B, C and D, Block 384, D.L. 526, Plan 2300)

Present Zoning: M-1 Industrial District  
Proposed Zoning: CD-1 Comprehensive Development District

An application by The IBI Group was considered as follows:

REZONING: 2135 WEST 12TH AVENUE (Former Carling Brewery Site)  
(Lots B, C and D, Block 384, D.L. 526, Plan 2300)

- (i) If approved, the rezoning would permit the use and development of the site generally as follows:
  - approximately 150 residential units in three four-storey buildings;
  - maximum of 1 050.0 m<sup>2</sup> (11,302 sq. ft.) of office, retail and service commercial use;
  - accessory uses;
  - maximum height would be 4 storeys;
  - maximum floor space ratio would be 2.2; and
  - off-street parking.
- (ii) Amend Sign By-law No. 6510.
- (iii) Any consequential amendments.

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

- SCHEMATIC DEVELOPMENT (a) THAT the proposed schematic development be approved by Council in principle, generally as prepared by the IBI Group and stamped "Received City Planning Department - July 7, 1993" specifically in relation to the siting of buildings, general building heights and massing, to be further articulated with design guidelines which will guide and adjudicate the scheme through the development permit process.
- DESIGN GUIDELINES (b) THAT the By-law be accompanied at the time of enactment of the "Arbutus Lands CD-1 Guidelines" to be adopted by resolution of Council.
- FORM OF DEVELOPMENT (c) THAT, prior to the final approval by Council of the form of development for each portion of the project, the applicant shall obtain approval of a development application by the Development Permit Board.

Clauses 1, 2 and 3 continued

(d) THAT, prior to enactment of the CD-1 By-law, the owner shall, at no cost to the City:

SOILS  
REMEDICATION  
AND INDEMNITY

(i) obtain and submit to the City copies of all soils studies and the consequential Remediation Plan approved by the Ministry of Environment and acceptable to the City. Execute agreements satisfactory to the Director of Legal Services and the City Manager, in consultation with appropriate Department Heads obligating the property owner to:

(a) remediate to the satisfaction of the Ministry of Environment and, with respect to lands dedicated or transferred to the City, to the satisfaction of the City, any contaminated soils in accordance with a Remediation Plan approved by the Ministry of Environment and acceptable to the City; and

(b) indemnify the City, the Approving Officer and the Park Board and their employees against all liability and costs which may be incurred as a result of the presence of contaminated soils on each phase, including costs arising as a result of any failure to carry out the aforementioned approved Remediation Plan and provide such security for the indemnity as the Director of Legal Services deems necessary;

SOILS  
REMEDICATION

(ii) submit to the City a soil remediation plan for all newly dedicated streets, including the utility rights-of-way required to serve the site, including utility construction plans compatible with the accepted remediation plan, and execute any agreements deemed necessary by the City Engineer providing for the construction and installation of remedial works, including monitoring systems for, among other things, water discharges and groundwater flows; and any other remedial works or systems required by the City, all to the satisfaction of the City Engineer and the Director of Legal Services;

Clauses 1, 2 and 3 continued

- SOILS  
OCCUPANCY  
RESTRICTION
- (iii) execute an agreement, satisfactory to the Director of Legal Services, that there will be no occupancy of any buildings or improvements constructed pursuant to this rezoning on the subject site until the contaminated soils on the subject site have been remediated to the satisfaction of the Ministry of Environment (and all relevant Federal authorities to the extent that the same evaluate the remediation), and to the satisfaction of the City with respect to lands dedicated or transferred to the City;
- OCCUPANCY BY  
FAMILIES
- (iv) execute an agreement, satisfactory to the the Director of Legal Services and Director of Housing and Properties providing that occupancy or possession of dwelling units shall not be denied to families with children, with the exception of units which may be designated as senior citizens' housing:
- SERVICE  
AGREEMENT
- (v) execute a service agreement, satisfactory to the City Engineer and the Director of Legal Services, to ensure that all on-site and off-site works and services necessary or incidental to the servicing of all phases of the subject site (collectively called the "Services") are designed, constructed, and installed, and to provide for the grant of all necessary street dedications and rights-of-ways for access and services, all to the satisfaction of the City Engineer and the Director of Legal Services. Dates for completion of the services, and the length of the applicable warranty and indemnity periods shall be to the satisfaction of the City Engineer. Without limiting the discretion of the said City officials, this agreement shall include provisions that:
- (a) the servicing shall occur in accordance with a phasing plan, acceptable to the City Engineer;



Clauses 1, 2 and 3 continued

- (b) require from the north side of the site transfer to the City for road of a strip of land not less than 4.6 m or more than 7.62 m wide, and if less than 7.62 m, require the difference to be given over to access by a statutory right of way to the City AND require the design, construction and installation of the access and landscaping planned for this 7.62 m strip including removal of the railway tracks;
- (c) no development permit shall be issued until the design of the Services is completed to the satisfaction of the City Engineer;
- (d) the design of the Services shall be completed to the satisfaction of the City Engineer prior to:
  - (i) tendering for the construction of any of the Services; or
  - (ii) any construction of the Services if the property owner decides not to tender the construction.
- (e) no occupancy of any buildings or improvements shall be permitted until all Services are completed to the satisfaction of the City Engineer;
- (f) a warranty in respect of the Services shall be granted for a period of time designated by the City Engineer, and an indemnity shall also be given protecting the appropriate persons for a period of time designated by the City Engineer.

SUBDIVISION (vi) obtain approval and registration of a compatible subdivision plan, including necessary dedications or agreements to dedicate streets and lanes, as determined by the Approving Officer.

Clauses 1, 2 and 3 continued

COMMUNITY (vii) pay to the City \$550,240.00 as a community  
AMENITY amenity contribution (@ \$4 per MBSF) or, as  
CONTRIBUTION the City Manager may approve, enter into an  
agreement with the City to pay such amount  
plus interest thereon from the date of the  
rezoning public hearing adopting this condi-  
tion until paid at the per annum rate of prime  
plus 2% with principal and interest due and  
secured as the City Manager shall approve.

DOCUMENTARY CONDITIONS AND REQUIREMENTS

The owner shall bear all costs associated with preparation of legal agreements for this rezoning which will require additional consultant resources the necessity of which will be determined by the Director of Legal Services.

All agreements shall be written to the satisfaction of the Director of Legal Services in consultation with the appropriate City officials.

Where the Director of Legal Services deems appropriate, the agreements are to be drawn not only as personal covenants by the owner, but also as interests in land which shall be tendered for registration in the Land Title Office prior to enactment of the by-law, in priority over such liens, charges and encumbrances as is considered advisable by the Director of Legal Services.

As the Director of Legal Services deems appropriate, the agreements shall provide security to the City including indemnities, warranties, options to purchase, prohibitions on development, construction and or use and occupancy, equitable charges and letters of credit.

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

Clauses 1, 2 and 3 continued

Summary of Proposed Changes  
2135 West 12th Avenue

	Current Status	Proposed Amendments
Zone	M-1	CD-1
Use	Manufacturing, Service, Transportation and Storage, Wholesaling, Cultural and Recreational, Institutional, limited Office and Retail	Dwelling Units, Child Day Care, Cultural and Recreational, School and Park, and Interim Uses, plus a maximum of 1050 m <sup>2</sup> (11,300 sq. ft.) Office, Retail and limited Service Commercial Uses
Maximum FSR	5.0	2.2
Maximum Height	30.5 m (100 ft.)	12.2 m (40 ft.)

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

- two letters from the applicant;
- two letters supporting the application;
- one letter expressing conditional support for the application;
- four letters requesting the Fraser Academy be considered as part of the overall development;
- twelve letters opposing various aspects of the rezoning application;
- 70 form letters received in the Summer of 1993 opposing the rezoning application;
- 48 form letters received in 1994 opposing the rezoning application.

There were also several briefs submitted at the Public Hearing which are on file in the City Clerk's Office.

Clause 1, 2 and 3 continued

Mr. Rob Whitlock, Planner, reviewed the events leading up to this Public Hearing. In 1988, Council requested staff review industrial land in the City to determine areas which may be marginal in terms of industry and could be better used for other uses such as residential housing. The Arbutus industrial area was identified as an early "let go" area because of its small size, its isolation from other industrial areas in the City, and because it was surrounded by well-established residential and commercial areas. In November 1992, Council adopted the "Arbutus Neighbourhood Policy Plan" which endeavours to provide a set of general directions for the entire Arbutus industrial area. This policy plan did not set densities but left this for consideration at the rezoning stage.

Mr. Whitlock described the aspects of the "Arbutus Neighbourhood Policy Plan" including;

- densities
- traffic and movement in and around the site
- park space
- community amenity contributions
- development cost levies
- non-market and family housing
- Fraser Academy.

The application from IBI to rezone the sites before Council this evening was submitted in December 1992. Following extensive community consultation, major differences were identified in May/June of 1993, particularly with respect to height of the central buildings at 9 storeys, and the general inadequacy of the relationship between buildings and open space. A major rethink occurred in terms of the open space layout and a new approach and revised scheme was submitted in July. The revised submission involved a central greenway through the site with small parks next to Vine and Yew Street in place of the central park. The greenway concept is supported by all of the residents and the applicant.

Concerns continued to be expressed about the built form of the application, and a new design was developed in late July of 1993. This new design is supported by staff and the Urban Design Panel. In summary, the new plan achieves the following results:

- a more pedestrian environment is created while maintaining requirements for access and parking;

Clauses 1, 2 and 3 continued

- the existing buildings and other historic attributes will be integrated into the development;
- a residential design context will be achieved which allows the site to blend into the surrounding community;
- the building design will emphasize doors on the street and reinforce the pedestrian experience and safety;
- a public open space system will be integrated with private open space.

Mr. Whitlock went on to describe in details the three rezonings before Council this evening, and explained the two methods of calculating floor space ratio.

Upon instruction from Council, staff reviewed methods of accommodating the Fraser Academy on this site and recommend an option which adds approximately 6,000 sq. ft. to the West 12th Avenue site, and reduces the applicant's community amenity contribution to a \$750,000 requirement, which includes the development of the park greenway by the applicant.

In summary, Mr. Whitlock advised some disagreement still exists over building heights and density. Overall, staff support the project because viability and fit are achieved.

Mr. David Thom, on behalf of the applicant, advised the application before Council this evening is a combination of five years of work. It is a high quality project in terms of heritage preservation and enhancement, character, fit, park and green space, and construction quality.

In the summer of 1993, the project was reconceptualized resulting in a park space reconfiguration which is supported by the community working group. During the reconfiguration stage, the applicant met with staff, local architects and the community and agreed with City staff that density would be treated as an outcome, to be measured following a re-design that pulled together the many preferred attributes of urban living and activities that were articulated in the past by the working group. The Planning Department is supportive of the results of this reconceptualization, and the Urban Design Panel gave strong support to the new design.

With the aid of a slide presentation, Mr. Thom presented the new images which were created as a result of this process.

Clauses 1, 2 and 3 continued

The Molson Company has for the past five years provided the Fraser Academy with a home on an interim basis at no cost. The Molson Company is understanding of the necessity of the Fraser Academy remaining at this location. Its position on this matter is contained in a letter submitted by the applicant to City Council this evening (on file in the City Clerk's Office) which identifies Option 2 as the preferred approach.

The Mayor then called for speakers and 39 delegations addressed the Public Hearing over the two evenings. Those in support of the application were:

- Mr. Douglas Patterson, Vancouver City Planning Commission
- Mr. Mark Hornell
- Mr. Doug Fairly

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

- The application has improved over the past year and the scale of development is compatible with the neighbourhood;
- Vancouver must assume more density or development will be driven into the Fraser Valley and the City will be forced to deal with the regional problems associated with urban sprawl;
- The concept of urban villages was supported;
- The proposal has minimal impacts on the community.

Those opposed to the application were:

- Mr. Sean McEwan
- Mr. Mark Battersby,  
Kitsilano Arbutus Residents' Association
- Ms. Diana Davidson
- Mr. Kevin Thompson
- Mr. Bruce Murton
- Mr. John Kidder
- Mr. David Gray, Dunbar Residents' Association
- Mr. Scott Hein
- Ms. Sheila Jacobs

Clauses 1, 2 and 3 continued

- Mr. Tom Benjamin
- Mr. Ian Kennedy
- Ms. Isabel Minty
- Ms. Bernie Monaghan
- Mr. David Granirer
- Ms. Kriss Boggild
- Mr. Graham Laxton
- Mr. Rick Waters
- Ms. Diana Carsten
- Ms. Yvonne Grohmuller
- Mr. Tim Higgs
- Mr. Ron Monk
- Ms. Patti Tomasson
- Mr. Brendan McEwan
- Ms. Jan Pierce
- Mr. Fred Renk
- Mr. Mel Lehan
- Ms. Marilyn Kalman
- Mr. David Gardner
- Mr. Jeremy McCall

The foregoing speakers opposed the application on one or more of the following subject areas:

Density and Building Height

- The density proposed by Molson's is too high and is incompatible with the surrounding community;
- Molson's stands to make a big profit off this land regardless of the density;
- It is unfair and inconsistent to use proforma to assist in calculating densities, as it is difficult to assign numbers to unknown variables;
- The community has spent many hours over the past five years dealing with this project, and has negotiated in good faith with Molson. The most recent offer by the community groups was a density of 1.9 FSR. However, Molson's has not negotiated in good faith with the neighbourhood and has been unwilling to move from their current position. This has lead to a feeling of frustration and cynicism in the community due to the unwillingness of Molson to negotiate on this matter;

Clauses 1, 2 and 3 continued

- The density proposed in the application before Council will lead to more stress on the community, particularly in the area of schools, park and recreation facilities and traffic and parking;
- The City is operating under the assumption that it must develop land at a greater density in order to create housing. Instead the City should be concerned with preserving the attributes which makes it a livable place;
- A rezoning of this nature will not lead to more social housing. Rather, it will increase land prices in the neighbourhood and make non-market housing less viable;
- Densification will not protect the environment, as is being proposed by some parties;
- Concerns were expressed that Molson is seeking a higher density in order to increase the profitability of their land. It was proposed this land will ultimately be sold and will be developed by the new purchaser. Council was requested to develop strong guidelines which will ensure that future owners build a quality development;
- The people who will benefit from this density do not live in the neighbourhood;
- There is currently an over-supply of condominiums in the City, and more low-rise housing is required;
- Densification of this type is not in keeping with regional planning initiatives;
- The piece of land in question should not be considered in isolation, as it will become a part of the Kitsilano Neighbourhood;
- This issue has mobilized the entire community and the community is overwhelmingly opposed to the density being proposed.



Clauses 1, 2 and 3 continued

Community Infrastructure

- Ample services for new and existing residence should be the first issue considered when rezoning this land;
- An expansion of the Kitsilano Community Centre is required, but this will lessen the available park space and Connaught Park is already being used at its maximum;
- Parking is at a premium in the neighbourhood now, and this will only worsen upon approval of this rezoning application;
- Engineering studies have already proven that traffic flow in the neighbourhood is increasing;
- One delegation suggested the railroad right-of-way be used as a bicycle path, while another suggested that mass transit would be a more appropriate use;
- The method of calculating community amenity contributions is flawed, as it does not reflect the full cost of the development to the community. All costs should be determined and levelled upon the developers.
- Council was urged to support the development of the Bessborough Armoury for additional required community facilities.

Lord Tennyson School

- Council was advised this is a district school which provides French immersion for 290 children and English language education for 55 children from kindergarten to Grade 3. Fears were expressed the rezoning application would bring more children into the school and negatively impact on a very successful French immersion program.
- Clarification was requested on the total number of students anticipated as a result of this development, particularly in light of the fact so much family housing is proposed on the site.
- It was suggested that the Bessborough Armoury could be used as an Annex to Lord Tennyson School

Clauses 1, 2 and 3 continued

The following delegations spoke in support of maintaining the Fraser Academy at its present location;

- Mr. Peter Hammer
- Ms. Heather Redenbach
- Mr. Dean Harman
- Ms. Alyson Hay
- Mr. J. C. Palmieri
- Mr. Roc Walley

These delegations represented parents, teachers, administrators, graduates, and students on the Fraser Academy. They advised Council of the importance of this Academy for children who cannot cope with traditional school life.

Several other delegations referenced the Fraser Academy during their presentations to Council and almost all speakers supported the Fraser Academy remaining at this site, although it was suggested by one delegation that it should be more centrally located for the district it is serving. Council was also advised by several delegations that it was not appropriate for the City to compensate the applicant for allowing the Fraser Academy to remain on the site. The Academy serves the entire City and one neighbourhood should not have to pay for a City-wide service through the loss of community amenity contributions.

Greenspace

One delegation, Ms. Moura Quayle, outlined for Council the greenspace concept which was developed in the Summer of 1993, and is supported by most of the community.

Many of the delegations expressed support for the urban greenways concept being proposed for Kitsilano, but some concerns were raised with the existence of high density and tall buildings surrounding the park and greenways. Council was also advised Vancouver has a lower standard for park space than other Lower Mainland municipalities, and this development would only worsen the situation.

Mr. David Thom, provided a summary, and thanked Council, staff and the neighbourhood for their on-going discussions and consultation over the past several years. Mr. Thom reiterated the position of his client vis a vis the Fraser Academy, advising they are in favour of Option 2 in the Planning memorandum dated February 21, 1994, noting this would reduce the density to 2.05.

Clauses 1, 2 and 3 continued

Mr. Kolvane Yuh, on behalf of the Director of Housing and Properties, advised the Department is in support of this application because of the opportunity it presents for additional non-market housing. At present, non-market housing is difficult to find on the West Side, and this would provide an excellent site for this type of development. Council was advised that because of the lack of non-market housing in the City's western neighbourhoods, the site would have a high priority with BCMHC. It is most likely that a co-op would be developed.

A member of Council requested additional information on the calculation of community amenity contributions related to non-market housing. It was agreed staff would provide this information at a later date. Staff also agreed to provide more information relative to the timing for BCMHC to undertake such a project.

Mr. Rob Whitlock, Planner, advised staff recommend an option based on 2.10 FSR, provision for continuance of the Fraser Academy, 53,000 sq. ft. of non-market housing, and the provision of \$750,000 for park and related developments.

In supporting the application, staff have evaluated the proposal in-depth and in consultation with the community. Major revisions over the summer resulted in the best possible scheme resulting in a high quality development, a variety of building forms in open spaces, a new and creative approach to open space, and a workable economic threshold.

Mr. Whitlock also explained there were two viable options proposed for the Fraser Academy. The options presented by the applicant would allow the Fraser Academy to remain on site but would eliminate non-market housing for the project and allow market housing in these areas instead. The FSR would be set at 2.05 and would include provision for phased park development. The second option which is proposed by staff would include provision of the Fraser Academy, retention of the greater part of the non-market housing, and provision for \$750,000 for a full greenway development. The FSR under the recommended staff option would be 2.10. Staff recommend this option as more benefit to the neighbourhood would be realized.

Rise from Committee of the Whole

MOVED by Cllr. Puil,  
THAT the Committee of the Whole Rise and Report.

- CARRIED UNANIMOUSLY

Adopt Report of the Committee of the Whole

MOVED by Cllr. Bellamy,  
SECONDED by Cllr. Owen,  
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 meeting on February 22, 1994, recessed at 10:30 p.m., and  
reconvened on February 23, 1994. The meeting on February 23, 1994  
adjourned at 10:00 p.m.

\* \* \* \* \*

UNFINISHED BUSINESS

1. Rezoning: 2790 Vine Street, 2750 Vine Street  
2135 West 22th Avenue File: PH283

The Public Hearing for the rezoning of the former Carling Brewery site concluded on February 23, 1994. At that time, Council agreed to defer decision on the applications to the Regular Council meeting this day.

Mayor Owen drew Council's attention to the following communications which were circulated at the commencement of the meeting, as follows:

- letter dated March 7, 1994, from Dr. Mark Battersby, Kitsilano Arbutus Residents' Association;
- petition received requesting a density of no more than 1.9 FSR and buildings no higher than four-storeys, except where there is a building of historical interest;
- letter from Mr. Tony Monaghan.

Also before Council were a number of memoranda from Mr. Rick Scobie, Deputy Director of Planning, previously circulated to Council as follows:

- memorandum dated February 17, 1994, entitled "Arbutus/Vine Industrial Area CD-1 Guidelines: Public Open Space";
- memorandum dated February 21, 1994, concerning the Fraser Academy;
- memorandum dated February 22, 1994, concerning miscellaneous amendments - CD-1 by-laws for Molson's rezoning applications;
- memorandum dated March 4, 1994, concerning Fraser Academy options.

Following a discussion of the applications before Council, the following motions were put.

cont'd

UNFINISHED BUSINESS (CONT'D)

Rezoning: 2790 Vine Street, 2750 Vine Street  
2135 West 22th Avenue (cont'd)

MOVED by Cllr. Puil,

A. THAT the rezoning application for 2750 Vine Street (M1 to RS-1) for greenway/park development be approved.

B. THAT the rezoning application for 2135 West 12th Avenue (M1 to CD-1) be approved, subject to the following:

i) revisions to Sections 4(c), 4(f), 5 and 6.3(a) of the draft by-law, as outlined in the memorandum from the Deputy Director of Planning dated February 22, 1994;

ii) revision to Section 6.1 of the draft by-law to increase the maximum permitted floor space ratio from 2.2 to 2.3, in order to accommodate 6,242 sq. ft. of additional floor area as a partial off-set for the retention of the Fraser Academy building and site; and

iii) the conditions of approval outlined in the Public Hearing Agenda, including condition (vii) amended to read as follows:

Pay to the City \$575,212.00 as a community amenity contribution (@ \$4 per MBSF) or, as the City Manager may approve, enter into an agreement with the City to pay such amount plus interest thereon from the date of the rezoning Public Hearing adopting this condition until paid at the per annum rate of prime plus 2% with principal and interest due and secured as the City Manager shall approve.

cont'd

UNFINISHED BUSINESS (CONT'D)

Rezoning: 2790 Vine Street, 2750 Vine Street  
2135 West 22th Avenue (cont'd)

C. THAT the rezoning application for 2790 Vine Street (M-1 to CD-1 and then CD-1 to CD-1) be approved, subject to the following:

- i) revisions to Sections 3, 4 and 6 of Schedule "B" to the draft by-law, as outlined in the memorandum from the Deputy Director of Planning dated February 22, 1994;
- ii) revision to Section 3(e) of Schedule "B" to the draft by-law to add the words ",including the Fraser Academy" after the words "School - Elementary or Secondary";
- iii) revision to Section 6.3 of Schedule "B" to the draft by-law, to add an exclusion from floor space ratio computation of up to 2,787 m<sup>2</sup> (30,000 sq. ft.) of floor area where this space is primarily used by the Fraser Academy;
- iv) revision to Figures 1 through 6 in Schedule "B" to the draft by-law, to identify the Fraser Academy site at 10th Avenue and Vine Street and correspondingly reduce the areas of parcels 1 and 2;
- v) revisions to Table 1 in Section 6.1 of Schedule "B" to the draft by-law, to:
  - increase the maximum floor space ratio for parcel 8 (corner of 12th and Vine) from 1.80 to 2.2, in order to accommodate 6,000 sq. ft. of additional floor area as a partial off-set for retention of the Fraser Academy building and site;
  - decrease the maximum floor space ratio for parcel 1 (non-market housing site) from 3.65 to 3.35; and

cont'd

UNFINISHED BUSINESS (CONT'D)

Rezoning: 2790 Vine Street, 2750 Vine Street  
2135 West 22th Avenue (cont'd)

- decrease the maximum floor space ratio for parcel 2 from 2.30 to 2.20, and reduce the number of dwelling units with 2 or more bedrooms on this parcel from 29 to 13, to reflect the reduced parcel area to accommodate the Fraser Academy and deletion of 30,000 sq. ft. of proposed market housing;
- vi. The conditions of approval outlined in the Public Hearing Agenda, including:
  - condition (d)(i)(4) amended to read:  
"convey to the City the reduced parcel 1, having an area of approximately 15,800 sq. ft., for a non-market housing project of approximately 53,000 sq. ft. buildable, and enter into an agreement to make applications to housing agencies and build the housing approved by any housing agency. The agreement may include provisions to permit other housing initiatives approved by Council;"
  - a new condition (d)(i)(10) to read:  
"convey to the City the land and buildings presently occupied by the Fraser Academy, to enable continuation of this use or others as may be approved by Council"; and

cont'd



UNFINISHED BUSINESS (CONT'D)

Rezoning: 2790 Vine Street, 2750 Vine Street  
2135 West 22th Avenue (cont'd)

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- condition (d)(ii) amended to read:  
"pay to the City \$524,788.00 as a community amenity contribution or, as the City Manager may approve, enter into an agreement with the City to pay such amount plus interest thereon from the date of the Council adoption of this condition until paid, at the per annum rate of prime plus 2% with principal and interest due and secured as the City Manager shall approve. To the extent that the City Manager deems appropriate, this payment shall be reduced to compensate the owner for the City-approved cost of greenway/park space development, noting that the specific allocation of community amenity contributions for park design and development for the West 11th Avenue greenway, related park spaces and other community amenities shall be determined in future by Council."

D. THAT the draft "Arbutus/Vine Industrial Area CD-1 Guidelines" be revised as necessary to reflect the foregoing changes to the 12th Avenue and Vine Street Draft CD-1 By-laws, prior to presentation of the guidelines for adoption by Council resolution

- CARRIED

(Councillor Kwan opposed)

\*Underlining denotes amendment.

MOVED by Cllr. Clarke,

THAT the City Engineer proceed as expeditiously as possible to implement the traffic plan that has been prepared jointly by City Engineering staff and the neighbourhood adjacent to the development site in order to minimize the impact of this development on the neighbouring community.

- CARRIED UNANIMOUSLY

cont'd

UNFINISHED BUSINESS (CONT'D)

Rezoning: 2790 Vine Street, 2750 Vine Street  
2135 West 22th Avenue (cont'd)

MOVED by Cllr. Chiavario,

THAT Staff be requested to apply immediately to B.C. Housing Management Commission for an allocation of non-market housing units for this site.

- CARRIED UNANIMOUSLY

CIVIC MERIT AWARD

Mayor Owen, on behalf of Council, presented a Civic Merit award to Mr. Joe Average, in recognition of his many artistic achievements and the donation of his artistic gift to purchase comfort for children, the hungry, persons with AIDS and his fellow artists.

This was immediately followed by a reception in the foyer.

\* \* \* \* \*

Council recessed at 4:20 p.m., and following an In Camera meeting in the Mayor's Office, reconvened at 5:35 p.m. with all members present except Councillor Price.

\* \* \* \* \*

ITEMS ARISING FROM IN CAMERA

Mayor Owen advised that the following items were discussed at an In Camera meeting held earlier this day:

- Approval of the following individuals as Co-chairs of the Family Court/Youth Justice Committee:
  - Dr. Sydney Segal
  - Mr. Jim Siemens.
- An administrative item relative to the Vancouver Police Department.

2135 West 12th Avenue  
(Molson/IBI)

BY-LAW NO. 7317

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-425(a) and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.

2. Intent

The intent of this By-law is to permit the development of the site with residential uses, in a form which complements, and is compatible with, the character of adjacent areas.

Development on the site shall be consistent with the following objectives:

- (a) achieve a built form which is complementary to the form of development of adjacent areas of Kitsilano, which may include both residential and industrial character;
- (b) achieve housing consistent with the principles of livability and other social and environment objectives;
- (c) provide pedestrian links to adjacent areas; and
- (d) provide adequate on-site parking and loading spaces for all uses within the site.

3. Definitions

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law, with the following addition:

Interim Use means any use not specifically listed in this By-law and intended to be of only temporary duration.

#### 4. Uses

The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(326), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Child Day Care Facility;
- (b) Cultural and Recreational Uses;
- (c) Dwelling Units (a maximum of 25% shall consist of 1 bedroom and bachelor units, and a minimum of 34% shall consist of 2 or more bedrooms);  
  
The percentages outlined are to be applied to the entire site and not on a parcel by parcel basis. Further, the term 1 bedroom shall not include 1 bedroom plus a den;
- (d) Park or Playground;
- (e) School - Elementary or Secondary;
- (f) The following uses, limited to a total floor area of 1 050 m<sup>2</sup> located at grade, fronting Arbutus Street, on the parcel labelled 3 on Diagram 1:
  - (i) Office Uses;
  - (ii) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
  - (iii) Service Uses, but not including Bed and Breakfast Accommodation, Body-rub Parlour, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Repair Shop - Class A, and Sign Painting Shop;
- (g) Accessory Uses customarily ancillary to the above uses; and
- (h) Interim Uses and Accessory Uses customarily ancillary thereto, provided that:
  - (i) the Development Permit Board considers that the use will be compatible with and not adversely affect adjacent development that either exists or is permitted by this By-law;
  - (ii) the Development Permit Board is satisfied that the use can be easily removed, and is of low intensity or low in capital investment;

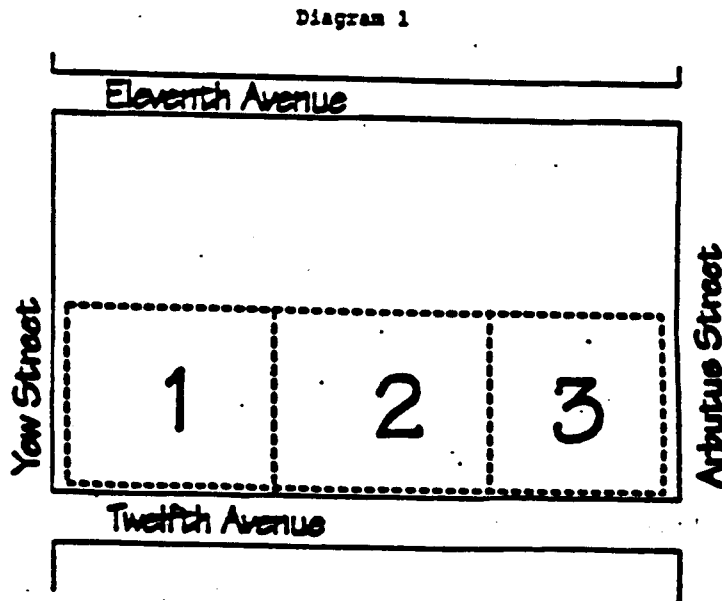
- (iii) the Development Permit Board is satisfied that there is no increase in risk to the public from contaminated soils either on or adjacent to the subject site; and
- (iv) development permits are limited in time to periods not exceeding 3 years.

5. Parcels

The site will comprise a maximum of 3 development parcels, generally as illustrated in Diagram 1. The parcel boundaries and areas are approximate only.

The Approving Officer may approve a non-development parcel having a minimum width of 3 m for future street or lanes purposes.

DIAGRAM 1



## 6. Floor Space Ratio

6.1 The Development Permit Board may permit a maximum floor space ratio of up to and including 2.3 for each parcel shown on Diagram 1, provided that it first considers:

- (a) all applicable policies and guidelines adopted by Council;
- (b) the bulk, location and overall design of a building and its effect on the site, surrounding buildings and streets;
- (c) the design and livability of any dwelling uses; and
- (d) the provision of open space, including private patios and balconies, and useable common areas.

For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 5 810 m<sup>2</sup>.

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

- (a) all floors, having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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.

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

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all open residential balconies or sun decks, and any other appurtenances does not exceed 8 percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) 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;
- (d) amenity areas, accessory to a residential use, including recreation facilities and meeting rooms, provided that the total

area being excluded shall not exceed 40 m<sup>2</sup> for each development parcel, except in the case of non-market housing where the area shall not exceed 100 m<sup>2</sup>;

- (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; and
- (f) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.7 m<sup>2</sup> per dwelling unit.

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

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, and provided further that the total area of all open and enclosed balcony or sundeck exclusions does not exceed 8 percent of the residential floor area being provided.

## 7. Height

The maximum building height, measured above the base surface, is 12.2 m, subject to the relaxation of limitations on building heights set out in Section 10.11.1 of the Zoning and Development By-law.

The Director of Planning may permit a decorative roof, which may include items referred to in Section 10.11.1 of the Zoning and Development By-law, to exceed the maximum height otherwise specified in this By-law, provided that:

- (a) the Director of Planning is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
- (b) the roof does not add to the floor area otherwise permitted; and
- (c) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

## 8. Off-Street Parking and Loading

Off-street parking must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law as if the site is zoned RM-4.

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

9. 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 will not exceed the noise level set opposite such portions. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

<u>PORTIONS OF DWELLING UNITS</u>	<u>NOISE LEVELS (DECIBELS)</u>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45
common-use roof decks and patios	55

10. 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 June ,  
1994.

"(signed) Philip W. Owen"  
Mayor

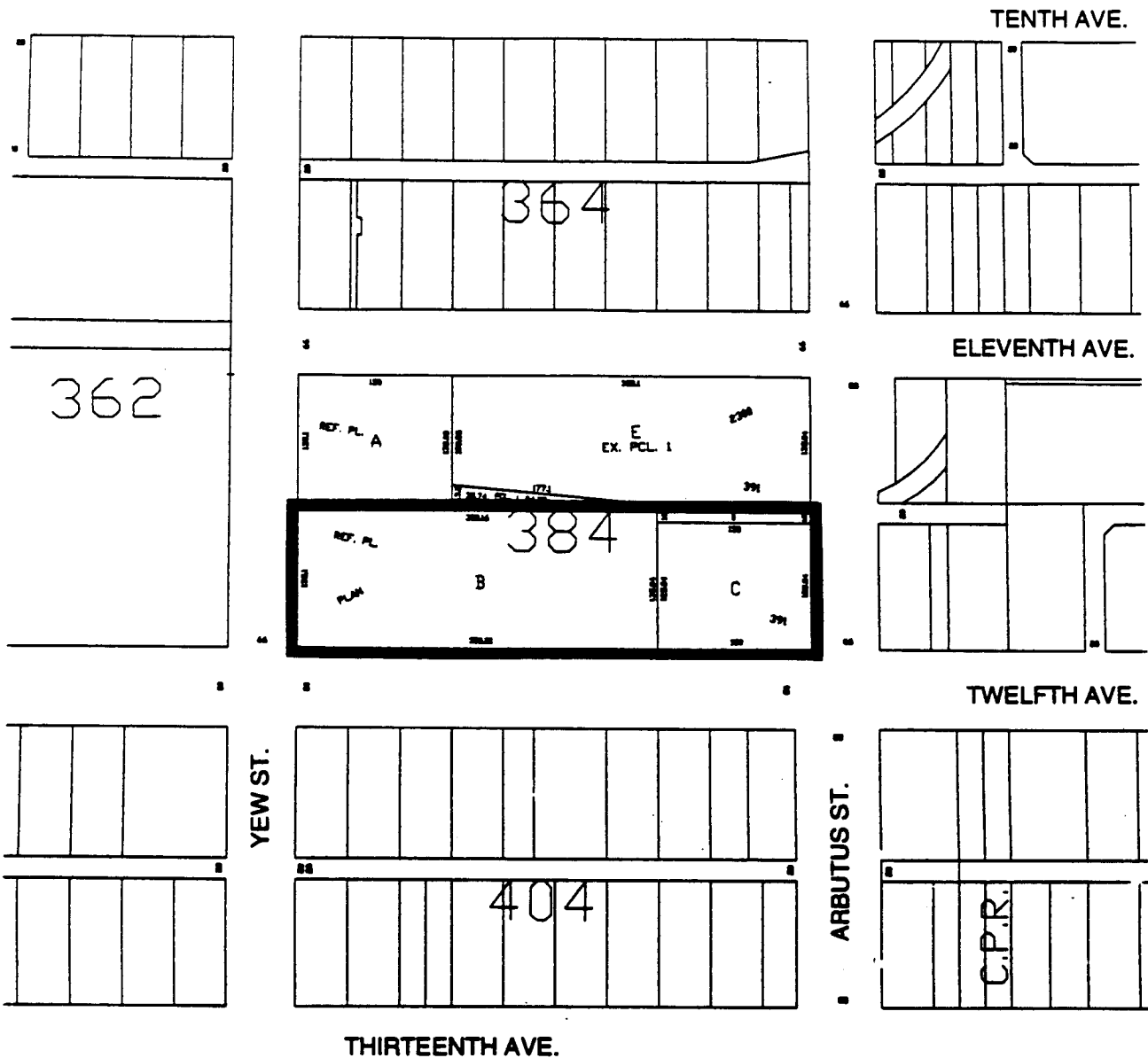
"(signed) Maria C. Kinsella"  
City Clerk

"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 21st day of June 1994, and numbered 7317.

CITY CLERK"



BY-LAW No. 7317 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW



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

**Z-425(a)**

**RZ 2135 W. 12th Ave.**

map: 1 of 1

**City of Vancouver Planning Department**

scale: 1:2000





MEMORANDUM

From: City Clerk

Date: June 28, 1994  
Refer File: 5308-1

To: Ken Dobell, City Manager  
Tom Fletcher, Director of Planning  
Rick Scobie, Associate Director, Land Use & Development  
Al Floyd, Manager, Development Applications Group  
Jacquie Murfitt, Associate Director, Community Planning  
Jack Perri, Director of Permits & Licenses

Subject: Arbutus/Vine Industrial Area CD-1 Guidelines

Vancouver City Council, at its meeting on June 21, 1994, regarding the above matter approved:

THAT the document entitled "Arbutus/Vine Industrial Area CD-1 Guidelines", be adopted by Council for use by applicants and staff for development applications at 2135 West 12th Avenue.

*M. Kinsella*  
CITY CLERK *SK*

SK:rk

RECEIVED
PLANNING DEPARTMENT
JUN 29 1994
NUMBER... Q6082
REFERRED TO... FASIAFISM
COPY TO... (TH)
APPROVAL REQ.

CITY OF VANCOUVER



MEMORANDUM

RECEIVED
PLANNING DEPARTMENT
JUL 26 1995
NUMBER <u>R 6470</u>
REFERRED TO <u>FOS</u>
COPY TO <u>RT</u>
ANSWER REQ'D.....

From: CITY CLERK'S OFFICE

Date: 2609-2

Refer File: 2609-2

To: Ken Dobell, City Manager  
Ted Droettboom, General Manager of Community Services  
Dave Rudberg, General Manager of Engineering Services  
Rick Scobie, Assoc. Director of Planning - Land Use & Development  
Francie Connell, Director of Legal Services

CC: Bill Boons, Plan Checker, Land Use & Development

Subject: **Form of Development: 2798 Yew Street**  
**D.A. 217550 - CD-1 By-law Number 7317**

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On July 18, 1995, Vancouver City Council approved the following recommendations contained in a July 5, 1995 Administrative Report (A13):

"THAT the approved form of development for this portion of the CD-1 zoned site known as 2135 West 12th Avenue (2798 Yew Street being Phase One of the development) be generally approved as illustrated in Development Application Number 217550, prepared by IBI Group Architects and stamped "Received, City Planning Department June 23, 1995", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties. "

*Gary MacIsaac*  
Gary MacIsaac  
CITY CLERK'S OFFICE

:as

Letter to: Mr. Jeffrey Mok, IBI Group, 510 West Hastings Street, Vancouver, B.C.  
V6B 1L8



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, 7246, 7248, [REDACTED] 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, 7246, 7248, [REDACTED], 7337,  
7340, 7381, 7425, 7431, 7434 and 7461, being  
by-laws which amended the Zoning and Development  
By-law by rezoning areas to CD-1

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

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

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

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

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

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

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

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

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

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

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

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

DONE AND PASSED in open Council this 11<sup>th</sup> day of  
January , 1996.

"(signed) Jennifer Clarke"  
Deputy Mayor

"(signed) Maria C. Kinsella"  
City Clerk

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

CITY CLERK"



**Clause No. 1(a) and 1(b) (cont'd)**

**Speakers**

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

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

- CARRIED UNANIMOUSLY

**Items 2(a) and 2(b) were considered by Council concurrently.**

**2(a). CD-1 Text Amendment: 2135 West 12th Avenue**

An application by Greystone Properties was considered as follows:

**Summary:** The proposed text amendment would permit a 4% increase to the maximum number of bachelor and 1-bedroom units (an increase from 25% to 295 of units) and an increase in the maximum height from 12.2 m (40 ft.) to 13.7 m (45 ft.).

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

**2(b). CD-1 Text Amendment: 2725 Arbutus Street**

An application by the Director of Central Area Planning, on behalf of Land Use and Development, was considered as follows:

**Summary:** The proposed text amendment would require a 5% increase to the minimum number of 2-bedroom or more units that must be provided (an increase from 25% to 30% of units) if more than 135 units are developed. If less than 135 units are developed, the minimum two or more bedroom units that must be provided is increased from 34 to 40.

This application is a consequence of item 2(a) above.

cont'd....

**Clause No. 2(a) and 2(b) (cont'd)**

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

**Staff Comments**

Staff offered no additional comments on this application.

**Applicant Comments**

The applicant offered no additional comments on this application.

**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. Price,  
THAT this application be approved.

- CARRIED UNANIMOUSLY

**3. Rezoning: 2669 and 2675 Vanness Avenue**

An application by Inder Bir Sarai was considered as follows:

Summary: The proposed rezoning from RS-1 to CD-1 would permit an infill one-family dwelling at the rear of each of two lots both developed with two-family dwellings in 1992.

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:

cont'd....

**BY-LAWS (CONT'D)**

5. **A By-law to amend By-law No. 7317,  
being a By-law which amended the Zoning  
and Development By-law by rezoning an area to CD-1  
(2135 West 12th Avenue)**

MOVED by Cllr. Price,  
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. Price,  
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**

**COUNCILLORS BELLAMY, KENNEDY AND PUIL WERE EXCUSED  
FROM VOTING ON BY-LAW 5**

PH June 18

2135 West 12th Avenue

BY-LAW NO. 7773

A By-law to amend  
By-law No. 7317,  
being a By-law which amended the  
Zoning and Development By-law  
by rezoning an area to CD-1

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

1. Section 4 is amended in clause (c) by deleting the figure "25%" and substituting the figure "29%".
2. Section 7 is amended by deleting the figure "12.2 m" and substituting the figure "13.7 m".
3. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 22nd day of July  
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 22nd day of July 1997, and numbered 7773.

CITY CLERK"

# A5

## ADMINISTRATIVE REPORT

Date: October 16, 1998  
Author/Local: B. Boons/7678  
RTS No. 00164  
CC File No. 2604-1

TO: Vancouver City Council

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

SUBJECT: Form of Development: 2733 Arbutus Street  
DE403370 - CD-1 By-law Numbers 7317 and 7654  
Owner of Development: Greystone Properties

CD-1 (326)

### RECOMMENDATION

*THAT the revised form of development for this portion of the CD-1 zoned site known as 2135 West 12th Avenue and 2725 Arbutus Street (2733 Arbutus Street being the application address) be generally approved as illustrated in the Development Application Number DE403370, prepared by Howard Bingham Hill Architects and stamped "Received, City Planning Department October 9, 1998", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.*

### GENERAL MANAGER'S COMMENTS

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

### COUNCIL POLICY

*There is no applicable Council policy except that Council did approve in principle the form of development for these sites when the rezonings were approved, following Public Hearings.*

## PURPOSE

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

## SITE DESCRIPTION AND BACKGROUND

This proposal straddles two existing CD-1 Comprehensive Development Districts.

On March 8, 1994, following a Public Hearing held on February 23, 1994, City Council approved a rezoning of the site known as 2135 West 12th Avenue from M-1 Industrial District to CD-1 Comprehensive Development District. Council also approved in principle the form of development for these lands. CD-1 By-law Number 7317 was enacted on June 21, 1994. Companion Guidelines (Arbutus/Vine Industrial Area CD-1 Guidelines) were also adopted by Council resolution at that time.

At a subsequent Public Hearing on July 27, 1995, Council approved a rezoning of the site known as 2725 Arbutus Street, from M-1 Industrial District to CD-1 Comprehensive Development District. CD-1 By-law Number 7654 was enacted on November 5, 1996. The previously adopted Companion Guidelines (Arbutus/Vine Industrial Area CD-1 Guidelines) also apply to development on this site.

On July 22, 1997 City Council approved the form of development for this portion of the site as proposed under Development Permit Number DE402052. This development permit has now been abandoned and a new proposal submitted.

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

Subsequent to Council's approval of the CD-1 rezoning, the Director of Planning approved Development Application Number DE403370. This approval was subject to various conditions, including Council's approval of the revised form of development. The latter condition is one of the few outstanding prior to permit issuance.

## DISCUSSION

The new proposal involves the construction of a four-storey mixed-use development having retail use on the ground floor fronting onto Arbutus Street and a total of 70 condominium and townhouse residential units. Two levels of underground parking are included that provide a total of 127 off-street parking spaces having vehicular access from a newly created street (Salal Street) on the west side of the site.

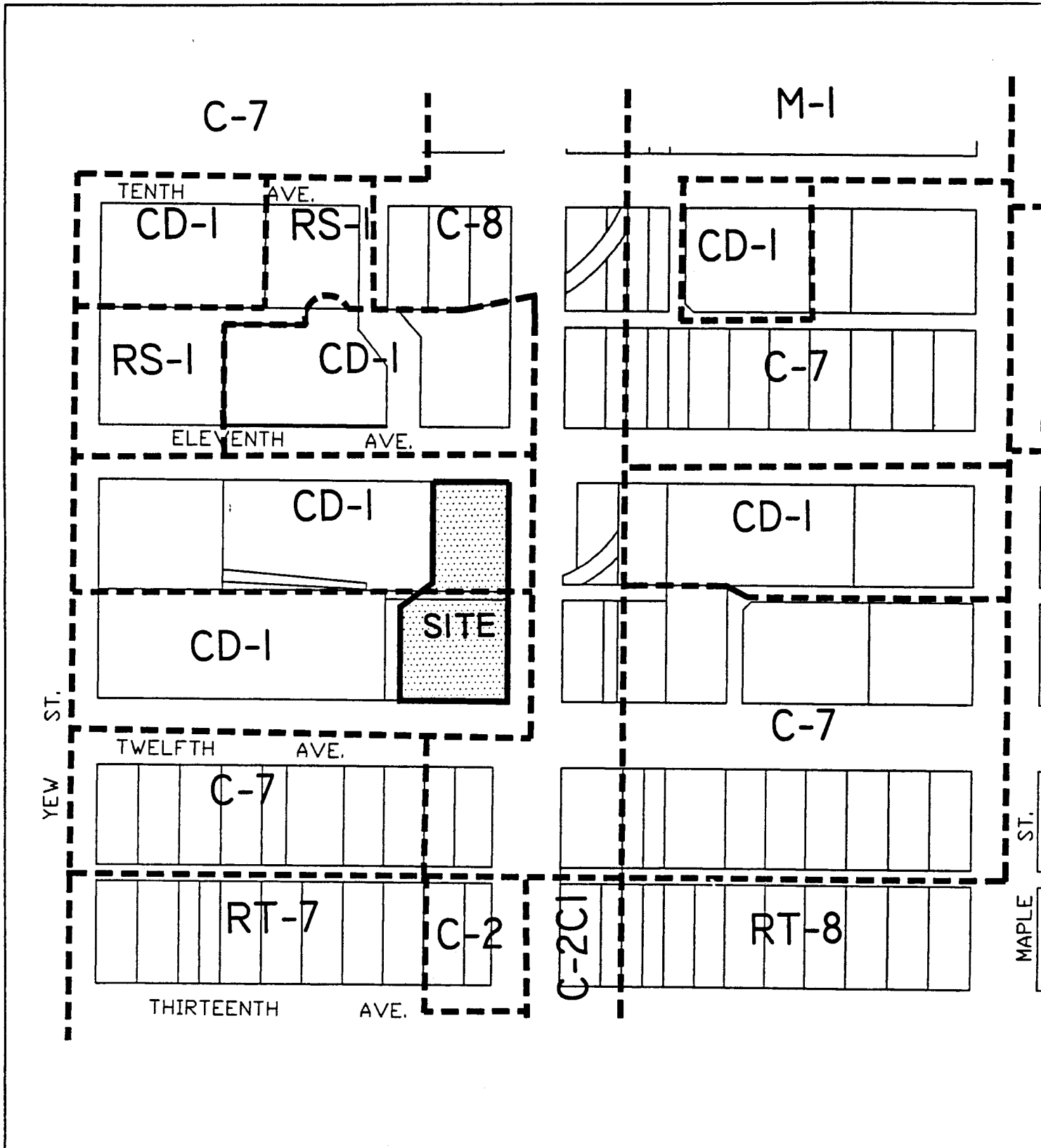
The new proposal has been assessed against the CD-1 By-law and the Council-approved guidelines and was found to respond to the stated objectives.

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

## CONCLUSION

The Director of Planning has approved Development Application Number DE403370, subject to various conditions to be met prior to the issuance of the development permit. One of these conditions is that the revised form of development first be approved by Council.

\* \* \* \* \*



2733 ARBUTUS ST. DE 403370

DATE 1998 10 06

DRAWN WGKS

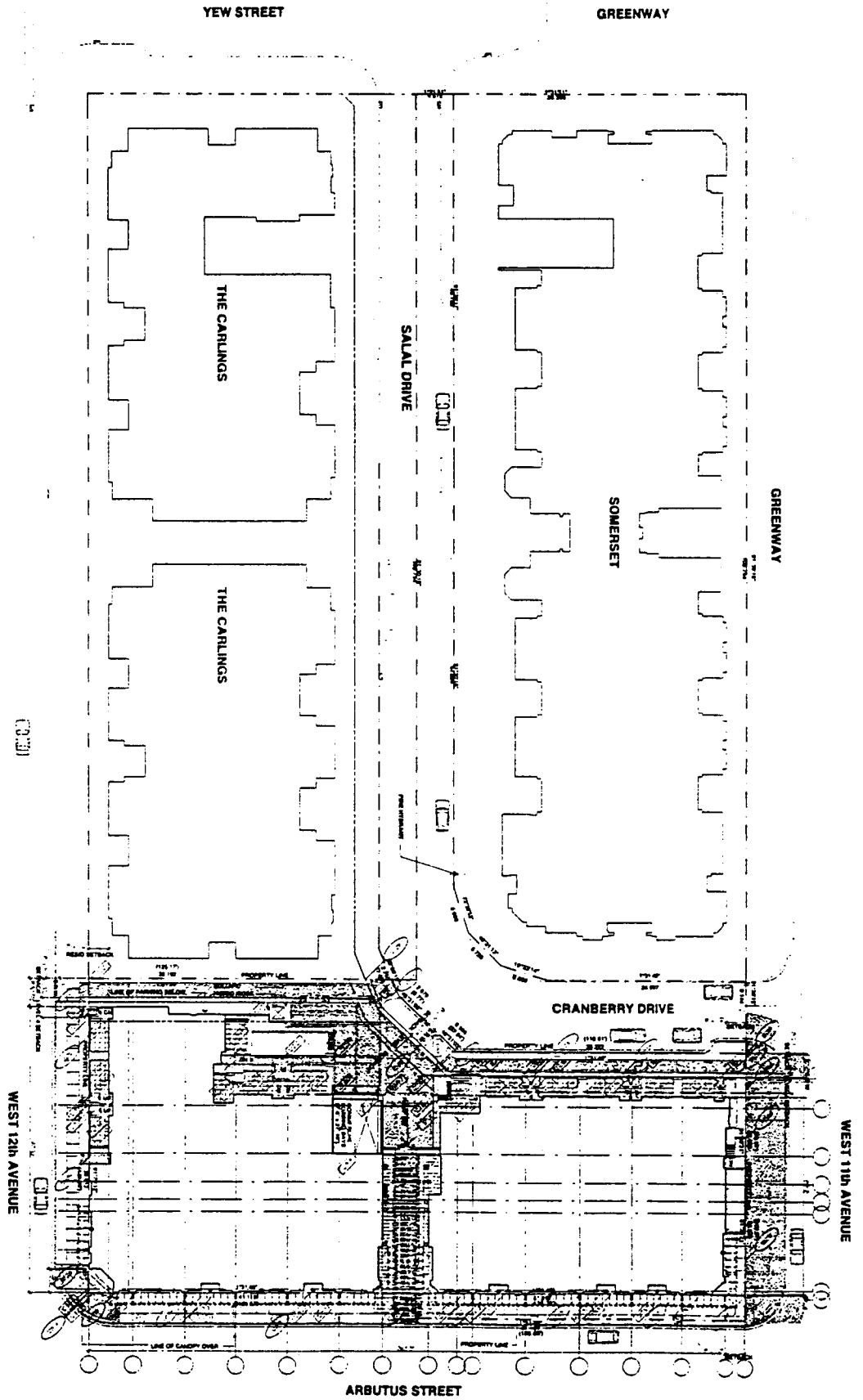


CITY OF VANCOUVER PLANNING DEPARTMENT

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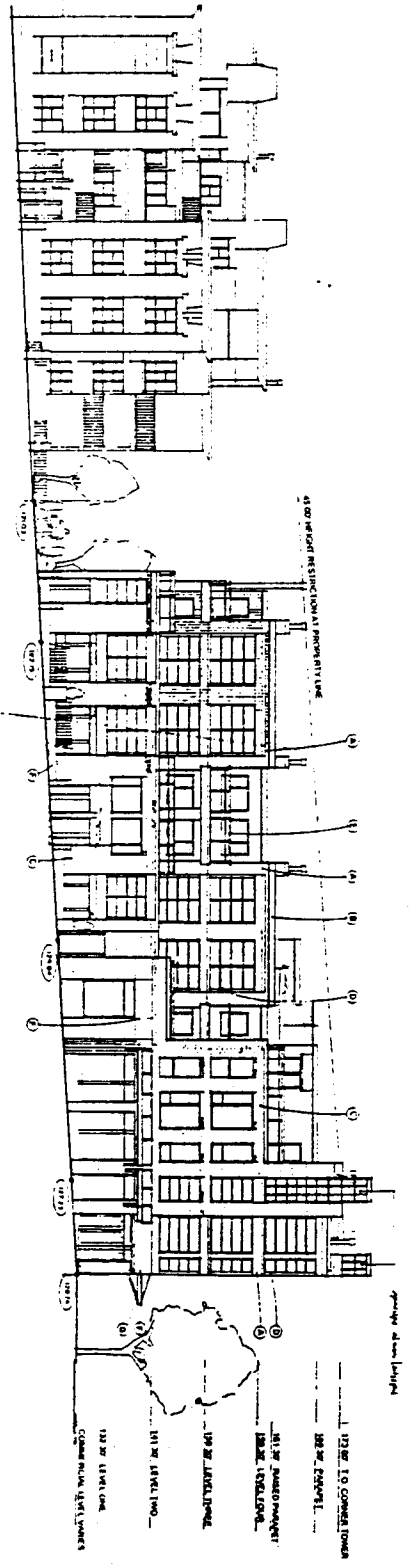
SITE PLAN



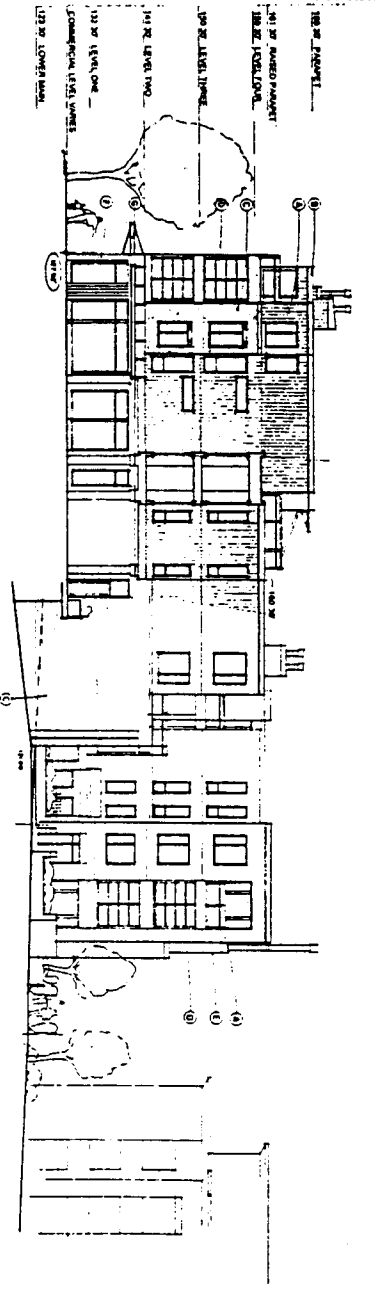
NOTES:

1. EXISTING UTILITIES SHOWN FOR INFORMATION ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF VANCOUVER'S ZONING BYLAW AND THE BC BUILDING ACT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VANCOUVER AND THE BC BUILDING DEPARTMENT.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. THE CONTRACTOR SHALL PROTECT ALL EXISTING TREES AND LANDSCAPING.
6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURBS AND SIDEWALKS.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITIES AND STRUCTURES.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAYS AND PARKING AREAS.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCES AND WALLS.
10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SIGNAGE.

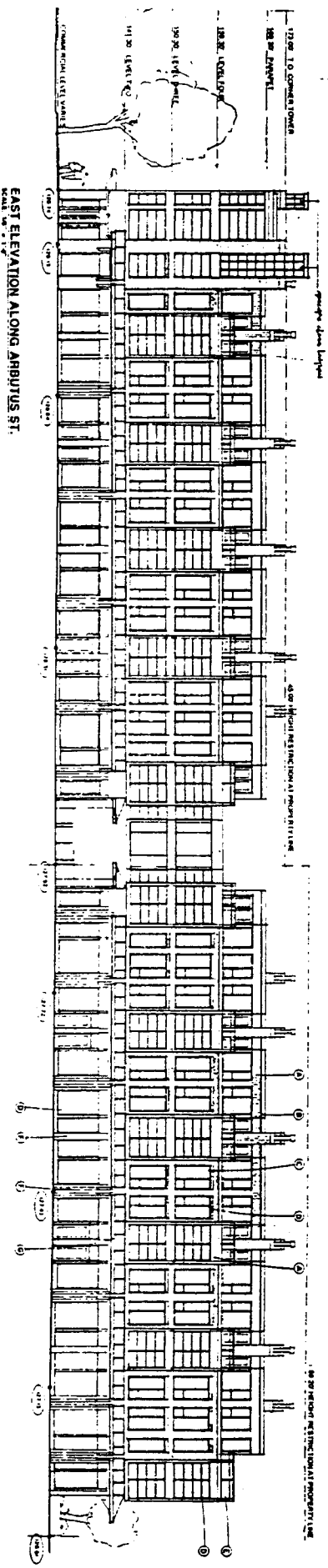




SOUTH ELEVATION ALONG 12th. AVE.  
SCALE: 1/8" = 1'-0"



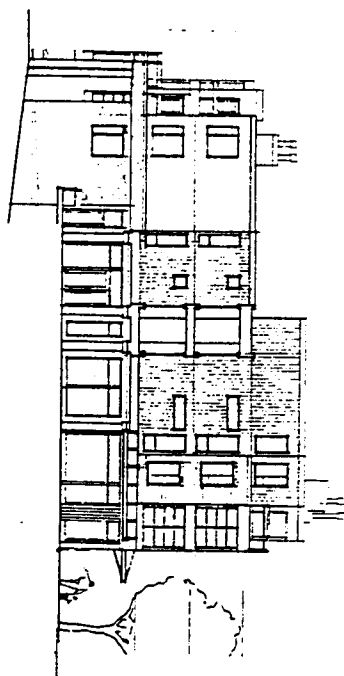
PARTIAL NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



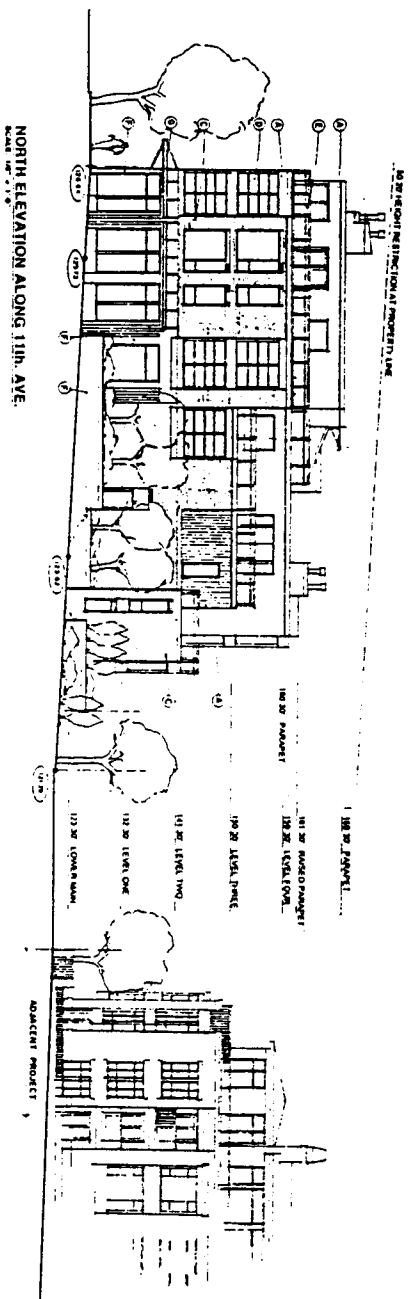
EAST ELEVATION ALONG ARBUTUS ST.  
SCALE: 1/8" = 1'-0"

**MATERIALS LEGEND**

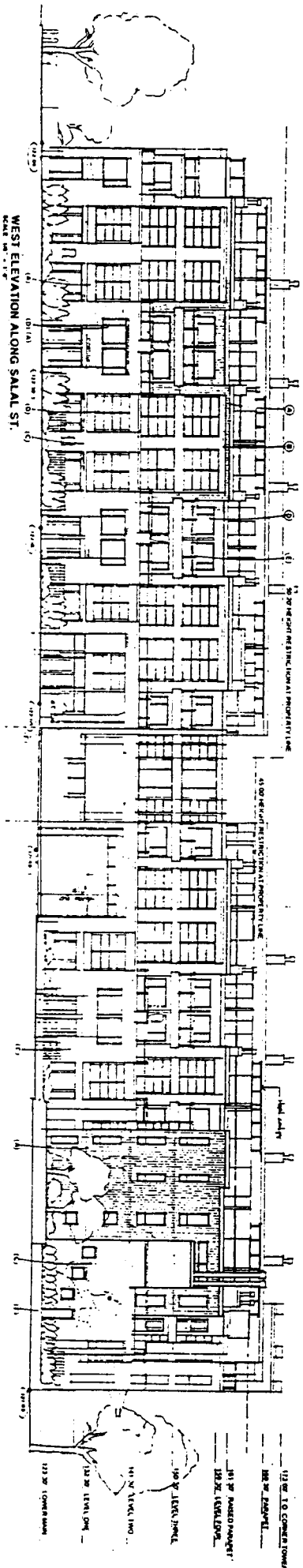
①	PROPOSED	STONE
②	EXISTING	BRICK
③	EXISTING	GLAZED ALUMINUM AND IRON
④	EXISTING	GLAZED ALUMINUM
⑤	EXISTING	GLAZED ALUMINUM AND IRON
⑥	EXISTING	GLAZED ALUMINUM AND IRON
⑦	EXISTING	GLAZED ALUMINUM AND IRON
⑧	EXISTING	GLAZED ALUMINUM AND IRON
⑨	EXISTING	GLAZED ALUMINUM AND IRON
⑩	EXISTING	GLAZED ALUMINUM AND IRON
⑪	EXISTING	GLAZED ALUMINUM AND IRON
⑫	EXISTING	GLAZED ALUMINUM AND IRON
⑬	EXISTING	GLAZED ALUMINUM AND IRON
⑭	EXISTING	GLAZED ALUMINUM AND IRON
⑮	EXISTING	GLAZED ALUMINUM AND IRON
⑯	EXISTING	GLAZED ALUMINUM AND IRON
⑰	EXISTING	GLAZED ALUMINUM AND IRON
⑱	EXISTING	GLAZED ALUMINUM AND IRON
⑲	EXISTING	GLAZED ALUMINUM AND IRON
⑳	EXISTING	GLAZED ALUMINUM AND IRON
㉑	EXISTING	GLAZED ALUMINUM AND IRON
㉒	EXISTING	GLAZED ALUMINUM AND IRON
㉓	EXISTING	GLAZED ALUMINUM AND IRON
㉔	EXISTING	GLAZED ALUMINUM AND IRON
㉕	EXISTING	GLAZED ALUMINUM AND IRON
㉖	EXISTING	GLAZED ALUMINUM AND IRON
㉗	EXISTING	GLAZED ALUMINUM AND IRON
㉘	EXISTING	GLAZED ALUMINUM AND IRON
㉙	EXISTING	GLAZED ALUMINUM AND IRON
㉚	EXISTING	GLAZED ALUMINUM AND IRON
㉛	EXISTING	GLAZED ALUMINUM AND IRON
㉜	EXISTING	GLAZED ALUMINUM AND IRON
㉝	EXISTING	GLAZED ALUMINUM AND IRON
㉞	EXISTING	GLAZED ALUMINUM AND IRON
㉟	EXISTING	GLAZED ALUMINUM AND IRON
㊱	EXISTING	GLAZED ALUMINUM AND IRON
㊲	EXISTING	GLAZED ALUMINUM AND IRON
㊳	EXISTING	GLAZED ALUMINUM AND IRON
㊴	EXISTING	GLAZED ALUMINUM AND IRON
㊵	EXISTING	GLAZED ALUMINUM AND IRON
㊶	EXISTING	GLAZED ALUMINUM AND IRON
㊷	EXISTING	GLAZED ALUMINUM AND IRON
㊸	EXISTING	GLAZED ALUMINUM AND IRON
㊹	EXISTING	GLAZED ALUMINUM AND IRON
㊺	EXISTING	GLAZED ALUMINUM AND IRON
㊻	EXISTING	GLAZED ALUMINUM AND IRON
㊼	EXISTING	GLAZED ALUMINUM AND IRON
㊽	EXISTING	GLAZED ALUMINUM AND IRON
㊾	EXISTING	GLAZED ALUMINUM AND IRON
㊿	EXISTING	GLAZED ALUMINUM AND IRON



PARTIAL SOUTH ELEVATION



NORTH ELEVATION ALONG 11TH AVE.



WEST ELEVATION ALONG SALLAL ST.

M. THAT Council instruct staff to conduct a public process on the alternative route for the Ridgeway Greenway along West 37th and Balaclava, and report back.

- CARRIED UNANIMOUSLY

(Councillor Puil absent for the vote on recommendation 'M')

### ADMINISTRATIVE REPORTS

#### 1. Disability Management Staffing

AS A DELEGATION REQUEST HAD BEEN RECEIVED, THIS REPORT HAS BEEN REFERRED TO A STANDING COMMITTEE MEETING ON NOVEMBER 19, 1998.

#### 2. Adoption of a New Vancouver Police Department Crest RECOMMENDATION APPROVED

3.679 East Georgia Street - Proposed Closure of a Portion of East Georgia Street and Heatley Avenue RECOMMENDATION APPROVED

4. Local Improvements by Petition - December 1, 1998; First and Second Step Report  
RECOMMENDATION APPROVED

5. Form of Development: 2733 Arbutus Street DE403370 - CD-1 By-law Numbers 7317 and 7654. Owner of Development: Greystone Properties

RECOMMENDATION APPROVED

326

6. Award of Contract No. 9813 - Supply and Installation of Distribution Watermain

AS A DELEGATION REQUEST HAD BEEN RECEIVED, THIS REPORT HAS BEEN REFERRED TO A STANDING COMMITTEE MEETING ON NOVEMBER 19, 1998.

7. Support for 1998 Canadian Technical Asphalt Association Conference

RECOMMENDATION APPROVED BY THE REQUIRED MAJORITY

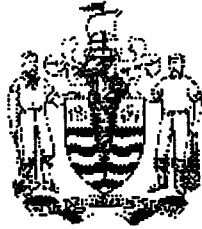
8. New WCB Assessment Model RECEIVED FOR INFORMATION

9. Intersection Safety Cameras

MOVED by Cllr. Herbert,

THAT Council allow the use of Intersection Safety Cameras in the City of Vancouver on an interim basis, with any extension subject to a mutually satisfactory revenue-sharing agreement being negotiated by January 1, 1999, with the Province of British Columbia.

- CARRIED



**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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[GET IN TOUCH](#)

[COMMUNITIES](#)

[SEARCH](#)

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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"



**CITY OF VANCOUVER**  
**SPECIAL COUNCIL MEETING MINUTES**

**NOVEMBER 20, 2003**

A Special Meeting of the Council of the City of Vancouver was held on Thursday, November 20, 2003, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law and to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

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

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

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

\*Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Louis  
 SECONDED by Councillor Cadman

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

**CARRIED UNANIMOUSLY**

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

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

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

The Director of Current Planning recommended approval.

**Staff Comments**

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

#### **Summary of Correspondence**

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

#### **Speakers**

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

#### **Council Decision**

MOVED by Councillor Louis

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

CARRIED UNANIMOUSLY  
(Councillor Sullivan absent for the vote)

**BY-LAWS**

MOVED by Councillor Cadman  
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

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

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

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

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

(By-law No. 8767)

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