



City of Vancouver *Zoning and Development By-law*

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

CD-1 (338)

272 East 4th Avenue

By-law No. 7435

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

Effective June 6, 1995

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

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

2 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(338), 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) Artist Studio,
- (b) Residential Unit associated with and forming an integral part of an Artist Studio,
- (c) Cultural and Recreational Uses, Manufacturing Uses, Office Uses, Retail Store limited to the sale of art and hand-crafted products, Service Uses, Transportation and Storage Uses, and Wholesale Uses which are generally compatible with adjoining districts, subject to such conditions as the Director of Planning may decide, provided that he first considers the Intent of the Schedules for adjoining districts and all applicable policies and guidelines adopted by Council, and
- (d) Accessory Uses customarily ancillary to the above uses.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 3.00. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 842 m², being the site size at time of application for rezoning, prior to any dedications.

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

- (a) all floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

- (a) a mezzanine in an Artist Studio and its associated Residential Unit, which means an intermediate floor assembly between the floor and ceiling of any room or storey, provided at least 60 percent of the horizontal plane separating the mezzanine from the floor space in which it is located is open;
- (b) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the off-street parking spaces do not exceed 7.3 m in length;
- (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. [8169; 00 03 14]

4 **Height**

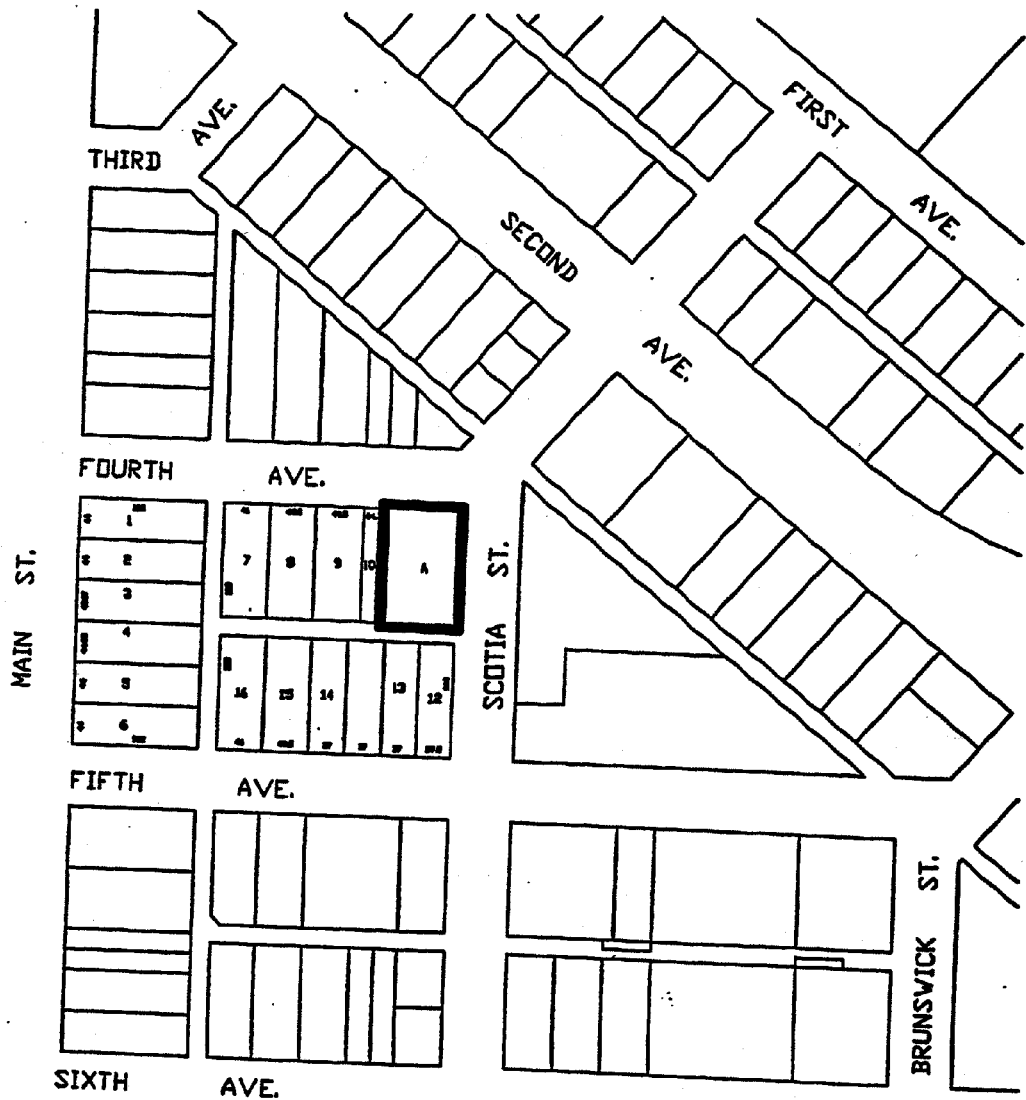
The maximum building height measured above the base surface is 15.3 m, and the building must not extend beyond 4 storeys.

5 *[Section 5 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.]*

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7435 or provides an explanatory note.*

BY-LAW No. 7435 BEING A BY-LAW TO AMEND BY-LAW No. 3575
 BEING THE ZONING & DEVELOPMENT BY-LAW

SCHEDULE A



The property outlined in black (A) is rezoned:
 From **IC-3** To **CD-1**

Z-441(a)

RZ 272 E. 4th Avenue

City of Vancouver Planning Department

map: 1 of 1

scale: 1:2000



POLICY REPORT
DEVELOPMENT AND BUILDING

Date: March 3, 1995
Dept. File No: PEM
RZ. 272 East4thAve.

TO: Vancouver City Council

FROM: Associate Director of Planning - Land Use & Development,
in consultation with the Managers of the Housing Centre
and the Real Estate Division, and the Office of Cultural
Affairs

SUBJECT: Proposed Rezoning of 272 East 4th Avenue

RECOMMENDATION

THAT the application by Kantex Manufacturing Co. Ltd., to rezone the site at 272 East 4th Avenue (Lot A, Block 25, D.L. 200A, Plan 16118) from IC-3 to CD-1, to permit an additional 395 m² for mezzanine (loft) space, be referred to a Public Hearing, together with:

- (i) development permit drawings approved August 17, 1994 and plans received January 26, 1995;*
- (ii) draft CD-1 By-law provisions, generally as contained in Appendix A; and*
- (iii) the recommendation of the Associate Director of Planning to approve the application, subject to conditions contained in Appendix B.*

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law for consideration at the Public Hearing.

GENERAL MANAGER'S COMMENTS

The General Manager RECOMMENDS approval of the foregoing.

COUNCIL POLICY

Council policy for the site is reflected in the IC-3 District Schedule which permits artist 'live/work' studios as a conditional approval use, subject to regulations contained in Sections 11.18 and 11.19 of the Zoning and Development By-law and Council-approved "Artist Studio Guidelines". There are also Building By-law requirements, including a provision that mezzanine floor area not exceed 40 percent of the floor space in which it is located. A report on "Proposed Policies and Zoning for Artist 'Live/Work'

exceed 40 percent of the floor space in which it is located. A report on "Proposed Policies and Zoning for Artist 'Live/Work' Studios" (February 2, 1995) recommends zoning amendments and other initiatives to encourage the provision of artist 'live/work' studios that are legal, safe, functional and, where possible, affordable without displacing industrial and business services uses in industrial districts.

A related report on "Mezzanines in Double Height Spaces in the IC-3 District" (February 9, 1995) recommends policies and zoning amendments to allow for double-height spaces and encourage the development of safe and legal mezzanines. Under Policy 7, density transfers relating to heritage retention, or floor space bonuses for non-profit cultural facilities, or secured low-cost rental housing, would be considered to provide density for mezzanines in existing buildings which have potential for mezzanines in double-height spaces but with no remaining unused density to allow for additional floor area.

A report on "Amendments to Vancouver Charter - Bill 57" (February 10, 1995) recommends that staff review opportunities to obtain affordable housing through density bonusing.

The Vancouver Arts Initiative recommends: (3) that ways be sought to address affordable artist 'live/work' needs through non-market solutions, and (5) that ways be sought to recognize through awards the contribution of Vancouver artists to the city.

PURPOSE

This report assesses an application to rezone the site at 272 East 4th Avenue from IC-3 to CD-1 to permit additional floor area for "lofts", or mezzanine space, in the double-height units of an artist 'live/work' studio building. In exchange, the applicant is willing to give to the City at no cost one unit in this building.

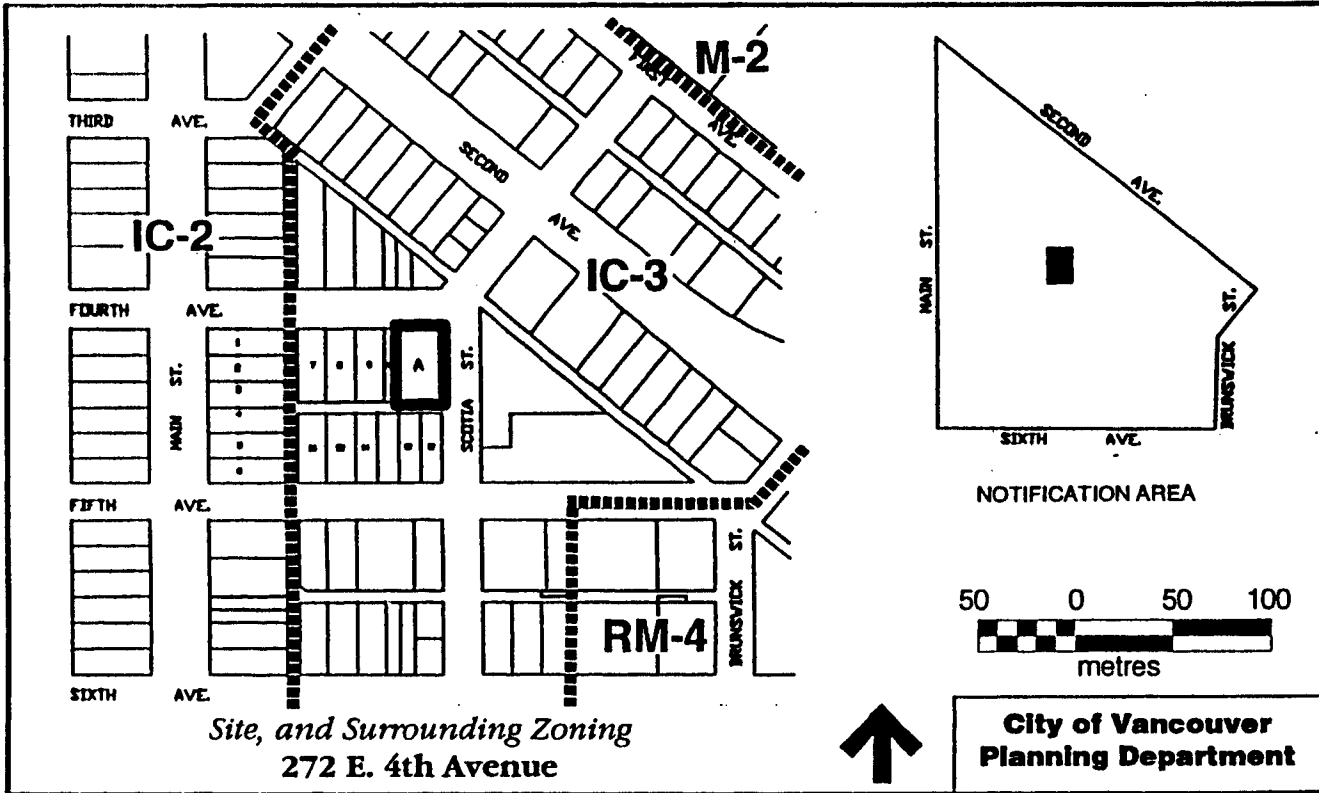
BACKGROUND

Site, Surrounding Zoning and Development The site is located in the Brewery Creek area of Mount Pleasant (see map on next page). Development Permit No. 216175 (issued on August 17, 1994) permits the development of a four-storey artist live/work studio building containing 34 artist studios with associated dwelling units. The approved floor area is 2 509 m² (26,968.3 sq. ft.), for a floor space ratio (FSR) of 2.98, and the approved building height is 10.3 m (60 feet) (see statistics in Appendix C). Construction of the building is two-thirds completed.

Proposed Development The application requests an additional 395 m² (4,250 sq. ft.) of floor area for "lofts", or mezzanine space, in

the 17 double-height units of a 34-unit artist live/work studio building.

Map. Site and Surrounding Zoning



The building being constructed on this site is one of six artist 'live/work' studio buildings in the city developed with double-height studios and to the maximum permitted density, but with no approval for mezzanine space nor any unused density left to permit additional floor area. Because of the very real possibility that mezzanines could be illegally installed, covenants on title of double-height units have been required as a condition of development approval, advising that mezzanines cannot be installed without a development permit. Nevertheless, post-occupancy inspections have found mezzanines installed in a number of double-height studios without the necessary approvals and permits.

The additional floor area requested in this application would enable future owners of individual double-height units in this development to legally install mezzanines. In exchange, the

applicant is willing to give to the City, at no cost, one unit in this development with a value equal to the value of the additional floor area requested.

DISCUSSION

Land Use and Form of Development This application does not request a change in the permitted use of the site. The form of development, and the height and bulk of the building, would also not be altered as the proposed mezzanines would be constructed within existing double-height space.

Floor Space Ratio The application proposes an additional 395 m² (4,250 sq. ft.) of floor area for mezzanines in the 17 double-height artist live/work studios of this 34-unit building. This is 40 percent of the total net floor area of the double-height units in the building [986 m² (10,625 sq. ft.)].

The additional floor area would increase the FSR by 0.47, from 2.98 to 3.45. This is a 15 percent increase in the maximum FSR of 3.0 permitted in this district. To double-count all double-height floor space, as recommended in the report on "Mezzanines in Double Height Spaces in the IC-3 District", would increase the FSR to 4.5.

The application is supported by the Housing Centre and the Office of Cultural Affairs, with supporting analysis by the Real Estate Division (see Comments below). It is also consistent with artist 'live/work' studio and mezzanine policies recommended by Planning staff. Conveyance to the City of an artist 'live/work' studio, equal to the value of the additional floor area requested, and management of it as an affordable rental artist studio, would be similar to the provision of a non-profit cultural facility or secured low-cost rental housing (as would be required in density bonusing for mezzanines in existing artist 'live/work' studio developments).

As a decision is pending on FSR calculation of double-height floor space in the IC-3 District (whether to double-count double-height space by 100 percent, or 40 percent), Planning staff recommend that mezzanines be excluded in the calculation of FSR on this site (see draft CD-1 By-law in Appendix A). Mezzanine size would thus be limited to 40 percent by the provisions of the Building By-law.

Comments from the Manager of the Housing Centre "This application is supported because it would provide a low-income artist 'live/work' studio with little impact on the surrounding neighbourhood. It is an example of how density bonusing, enabled by Bill 57, could be implemented. In February 1994, Council instructed staff to report back when opportunities to use this tool became available. The proposal is also consistent with the Vancouver Arts

Initiative which recommended that ways be sought to address affordable artist 'live/work' needs through non-market solutions.

If the rezoning application is approved, staff will report back on a detailed management plan for the studio. In general, staff recommend that the studio be rented for a 2-3 year period to a low-income artist. The Housing Centre and Real Estate Division would manage the unit in terms of the financial aspects, e.g. establishing low-income and rent levels, paying strata fees, etc. The rent would be less than market - established as either a percentage of income or percentage of market rent."

Comments from the Director of the Office of Cultural Affairs "The Office of Cultural Affairs proposes that a tenant for the proposed City-owned artist 'live/work' studio be selected as part of a "City of Vancouver Artists in Residence Award", a concept identified in the Vancouver Arts Initiative. The award would be established to recognize the work of a Vancouver artist professionally engaged in the production of art and whose work shows exceptional talent."

Comments from the Manager of the Real Estate Division "The Real Estate Division has considered the value of the additional floor space using established methods. The Manager advises that this value is \$118,700. As a condition of rezoning approval, the applicant has agreed to convey to the City unit # 303, which has a value of \$113,000, plus \$5,700 worth of interior work" [see condition 3(b) in Appendix B].

Public Input An application information sign was installed on the site on February 17, 1995. On February 13, 1995, staff mailed a notification letter to surrounding property owners and businesses, and also several community groups in the Mount Pleasant Local Area.

Four telephone calls have been received opposing the application. Approval is seen as setting a bad precedent, unfair to other similar developments, and not solving the basic problem. Staff believe that these objections are addressed by density bonusing for mezzanines in existing buildings recommended to Council in the report on "Mezzanines in Double Height Spaces in the IC-3 District".

Public Benefit The City's acquisition of an artist live/work studio contributes to City objectives to address affordable artist 'live/work' needs through non-market solutions, and will enable the City to recognize through awards the contribution of Vancouver artists to the city.

ENVIRONMENTAL IMPLICATIONS

The proposed rezoning will neither detract nor contribute to the City's objective of reducing atmospheric pollution.

SOCIAL IMPLICATIONS

The proposed rezoning is consistent with the Vancouver Arts Initiative and City objectives to obtain affordable housing.

APPLICANT'S COMMENTS

The applicant has read the report and agrees with its recommendation.

CONCLUSION

Staff support this application and recommend that it be referred to Public Hearing with a recommendation from the Associate Director - Land Use and Development to approve it, subject to draft CD-1 by-law provisions generally as shown in Appendix A, and proposed conditions of approval listed in Appendix B.

* * * * *

Draft CD-1 By-law Provisions
272 East 4th Avenue

USES

Uses listed in the IC-3 District Schedule.

REGULATIONS

As provided in the IC-3 District Schedule, except for the following:

1. Floor Space Ratio

The maximum floor space ratio will be 3.00, and subject to the additional provisions of Section 4.7 of the IC-3 District Schedule, except that mezzanines shall be excluded in the calculation of floor space ratio.

2. Building Height

The maximum height of a building will be 18.3 m (60 feet) from the base surface, or four storeys, whichever is less.

Mezzanines may be installed subject to the relevant provisions of the Building By-law. (Note: Subsection 3.2.1.1.(3)(a) specifies that a mezzanine shall not be considered a storey when at least 60 percent of the horizontal plane separating the mezzanine from the floor space in which it is located is open. The floor area of a mezzanine shall thus not exceed 40 percent of double-height floor space prior to the installation of the mezzanine.)

ACOUSTIC PROVISIONS

Acoustic provisions to the satisfaction of the Director of Environmental Health.

* * * * *

Proposed Conditions of Approval
272 East 4th Avenue

1. THAT the proposed form of development be approved by Council in principle, as shown in plans prepared by Kasian Kennedy Architects Ltd. and approved by the Director of Planning in Development Permit No. 216175 issued on August 17, 1994 and plans stamped "Received City Planning Department, January 26, 1995", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development. Alterations will include lowering the floor units # 208 and # 209 into void space above the parking ramp to provide double-height units, and joining units # 301 and # 302 to form one unit. (Note: These alterations were proposed by the applicant in a recent request for a minor amendment to D.P. No. 216175, and they were among the assumptions in the analysis undertaken by the Real Estate Division.)
2. THAT, prior to enactment of the CD-1 By-law, the registered owner shall:
 - (a) register a strata plan of the building in the Land Title Office; and
 - (b) convey to the City unit # 303 at no cost, including GST that may be payable, and free and clear of all encumbrances, such unit to be satisfactory to the Managers of the Real Estate Division and the Housing Centre in terms of value, architectural and construction specifications, and title.
3. THAT, prior to enactment of the CD-1 By-law, the Manager of the Housing Centre, in consultation with the Manager of the Real Estate Division and the Director of the Office of Cultural Affairs, report back on a detailed management plan for unit # 303.
4. THAT, following enactment of the CD-1 By-law, the Director of Legal Services shall release from title the covenant which presently restricts future development of mezzanines in double-height spaces.

* * * * *

APPENDIX C

APPLICANT, PROPERTY OWNER AND DEVELOPER INFORMATION

| | |
|----------------|-------------------------------|
| APPLICANT | Kantex Manufacturing Co. Ltd. |
| PROPERTY OWNER | Kantex Manufacturing Co. Ltd. |
| DEVELOPER | Kantex Manufacturing Co. Ltd. |

SITE INFORMATION AND STATISTICS

| | |
|-------------------|--|
| STREET ADDRESS | 272 East 4th Avenue |
| LEGAL DESCRIPTION | Lot A, Block 25, D.L. 200A, Plan 16118 |
| SITE AREA | 841.9 m ² (9,062.9 sq. ft.) |
| WIDTH | 22.64 m (74.28 ft.) |
| DEPTH | 37.19 m (122.01 ft.) |

DEVELOPMENT STATISTICS

| | DEVELOPMENT PERMITTED UNDER EXISTING ZONING | DEVELOPMENT PERMITTED BY DP No. 216175 | PROPOSED DEVELOPMENT |
|---|---|--|--|
| LAND USES | Artist Studio Residential Unit associated with Artist Studio | | |
| RESIDENTIAL UNITS | | 34 | |
| FLOOR AREA Approved Proposed TOTAL | | 2 509 m ² (27,000sqft) | 2 509m ² (27,000sqft) 395m ² (4,250sqft) 2 904m ² (31,250sqft) |
| MAX. FLOOR SPACE RATIO | 3.0 | 2.98 | 3.45 |
| MAXIMUM HEIGHT | 10.3 m (60 ft.) | 10.3 m (60 ft.), 4 storeys | |
| PARKING | | 25 | |

Mr. Eric Klokstad
6162 Fremlin Street
Vancouver, B.C.
V5Z 3X2

Mr. Mario Loscervo
Mario's Gelati Italian Ice Cream
235 East 5th Avenue
Vancouver, B.C.
V5T 1H2

Mr. Shane Starnes
Kantex Manufacturing Co. Ltd.
1888 Main Street
Vancouver, B.C.
V5T 3B7

Ms. Patricia Turner
#408-334 East 5th Avenue
Vancouver, B.C.
V5T 1H4

Mr. Stephen Morris
237 East 4th Avenue
Vancouver, B.C.
V5T 1G6

CITY OF VANCOUVER



MEMORANDUM

| | |
|---------------------|-------|
| RECEIVED | |
| PLANNING DEPARTMENT | |
| MAY 02 1995 | |
| NUMBER | R3943 |
| REFERRED TO | FAS |
| COPY TO | (R) |
| ANSWER REQ'D | |

From: CITY CLERK'S OFFICE

Date: May 1, 1995
Refer File: PH 301

To: Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Associate Director of Planning - Land Use
& Development
John Mulberry, Director of Legal Services
Dave Rudberg, General Manager of Engineering Services
Joyce Preston, Director of Social Planning
Cameron Gray, Manager of Housing Centre
Bruce Maitland, Manager of Real Estate

Subject: Rezoning: 272 East 4th Avenue

Attached is an excerpt from the April 27, 1995 Minutes of the Special Council Meeting (Public Hearing), regarding a rezoning application for the above site.

Gary MacIsaac
SENIOR COMMITTEE CLERK

GMacIsaac:dmy
Att.

Letters to: See over.

Excerpt from the Minutes of the Special Council Meeting
(Public Hearing) of April 27, 1995

1. Rezoning: 272 East 4th Avenue
(Lot A, Block 25, D.L. 200A, Plan 16118)

An application by Kantex Manufacturing Co. Ltd. was considered as follows:

The proposed rezoning, from IC-3 Industrial District to CD-1 Comprehensive Development District, would:

- exclude mezzanines in artist "live/work" studios in the computation of floor space ratio. This would allow an additional 395 m² (4,250 sq.ft.) of floor area for mezzanines in the 17 double-height units of an approved 34-unit, four storey artist live/work studio building (the exterior envelope of the building would be unchanged);
- require amendment to the Sign By-law, and possible consequential amendments.

The Associate Director of Planning - Land Use & Development, recommended approval subject to the following conditions proposed for adoption by resolution of Council:

- (a) THAT the proposed form of development be approved by Council in principle, as shown in plans prepared by Kasian Kennedy Architects Ltd. and approved by the Director of Planning in Development Permit No. 216175 issued on August 17, 1994, and plans stamped "Received City Planning Department, January 26, 1995", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development. Alterations will include lowering the floor of units #208 and #209 into void space above the parking ramp to provide double-height units, and joining units #301 and #302 to form one unit. (Note: These alterations were proposed by the applicant in a recent request for a minor amendment to D.P. No. 216175, and they were among the assumptions in the analysis undertaken by the Real Estate Division.)
- (b) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:
 - (i) register a strata plan of the building in the Land Title Office; and
 - (ii) convey to the City unit #303 at no cost, including GST that may be payable, and free and clear of all encumbrances, such unit to be satisfactory to the Managers of the Real Estate Division and the Housing Centre in terms of value, architectural and construction specifications, and title.

Clause No. 1 (cont'd)

- (c) THAT, prior to enactment of the CD-1 By-law, the Manager of the Housing Centre, in consultation with the Manager of the Real Estate Division and the Director of the Office of Cultural Affairs, shall report back on a detailed management plan for unit #303.
- (d) THAT, following enactment of the CD-1 By-law, the Director of Legal Services shall release from title the covenant which presently restricts future development of mezzanines in double-height spaces.

Staff Opening Comments

Mr. Phil Mondor, Planner, advised the applicant owned and operated a plant on this site. When artist live/work studios began to be constructed in this area, they decided to build one of these buildings and relocate the plant elsewhere. Subsequent to the construction of the building and the purchase by strata owners, the applicant learned about the mezzanine problem and the problem with the installation of lofts. There is no floor space ratio left for the legal installation of lofts and mezzanines by purchasers of the studios.

On their own initiative the applicant approached the City for a solution. The only feasible solution identified by staff was to do a rezoning application in which the City would accept a unit or some floor space in the development, equal in value to the floor space that would be provided to the developer through a rezoning. A unit of equal value has been identified.

Mr. Mondor advised there has been little concern from the surrounding neighbourhood, and he reviewed the feedback which has been received to date.

Planning staff recommend approval of the application for the following reasons:

- it has no tangible off-site impacts;
- the proposed affordable unit is supported by the Housing Centre and the Office of Cultural Affairs;
- the Real Estate Division has confirmed that an equal value is involved in the land exchange;
- there is little neighbourhood concern.

Clause No. 1 (cont'd)

Applicant Opening Comments

The applicant had no opening comments.

Summary of Correspondence

The following correspondence was received:

- three letters opposing the application;
- one petition containing 27 signatures opposing the application.

Speakers

Acting Mayor Puil called for speakers for and against the application and the following speakers were heard:

Mr. Eric Klokstad opposed the application because it sends a message to overbuild and ignore existing by-laws and zoning. The applicant should be required to live up to the same rules as other developers in the City.

Mr. Klokstad also disagreed that the suite offered to the City is a fair exchange for the trade-off being offered the developer.

Mr. Mario Loscervo opposed the application because it would be unfair to other developers who build their units according to the rules. City Hall should not be involved in this extra floor space ratio request.

Mr. Loscervo also expressed concerns with parking problems in the area and advised this neighbourhood is becoming totally congested, and his business which employs 30 people is being forced out.

Responding to a question from a member of Council, Mr. Rick Scobie advised there is presently a covenant advising prospective purchasers that there is no residual floor space in the building.

Applicant Closing Comments

Mr. Shane Starnes advised that Kantex Manufacturing has made this application in an effort to address the existing problems. If they were to walk away from the project, it would likely end up with people building illegal lofts.

Clause No. 1 (cont'd)

Staff Closing Comments

Mr. Phil Mondor reminded Council that the purchase of density can be used to achieve community objectives. In terms of the value of the land trade-off, the applicant is receiving approximately 4,250 square feet while the City is receiving 537 square feet. However, the 4,250 square feet is a permission to build, while the 537 square feet is constructed space and has market value.

In terms of parking, artist live/work studios have a requirement that no more than two occupants live there, so approval of this application will not result in additional people on site. Mr. Mondor reiterated that staff do recommend approval of this application.

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

BY-LAW NO. 7435

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-441(a) and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.

2. Uses

The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(338), 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) Artist Studio,
- (b) Residential Unit associated with and forming an integral part of an Artist Studio,
- (c) Cultural and Recreational Uses, Manufacturing Uses, Office Uses, Retail Store limited to the sale of art and hand-crafted products, Service Uses, Transportation and Storage Uses, and Wholesale Uses which are generally compatible with adjoining districts, subject to such conditions as the Director of Planning may decide, provided that he first considers the Intent of the Schedules for adjoining districts and all applicable policies and guidelines adopted by Council, and
- (d) Accessory Uses customarily ancillary to the above uses.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 3.00. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 842 m², being the site size at time of application for rezoning, prior to any dedications.

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

- (a) all floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

- (a) a mezzanine in an Artist Studio and its associated Residential Unit, which means an intermediate floor assembly between the floor and ceiling of any room or storey, provided at least 60 percent of the horizontal plane separating the mezzanine from the floor space in which it is located is open; and
- (b) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the off-street parking spaces do not exceed 7.3 m in length.

4. Height

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

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

DONE AND PASSED in open Council this 6th day of June, 1995.

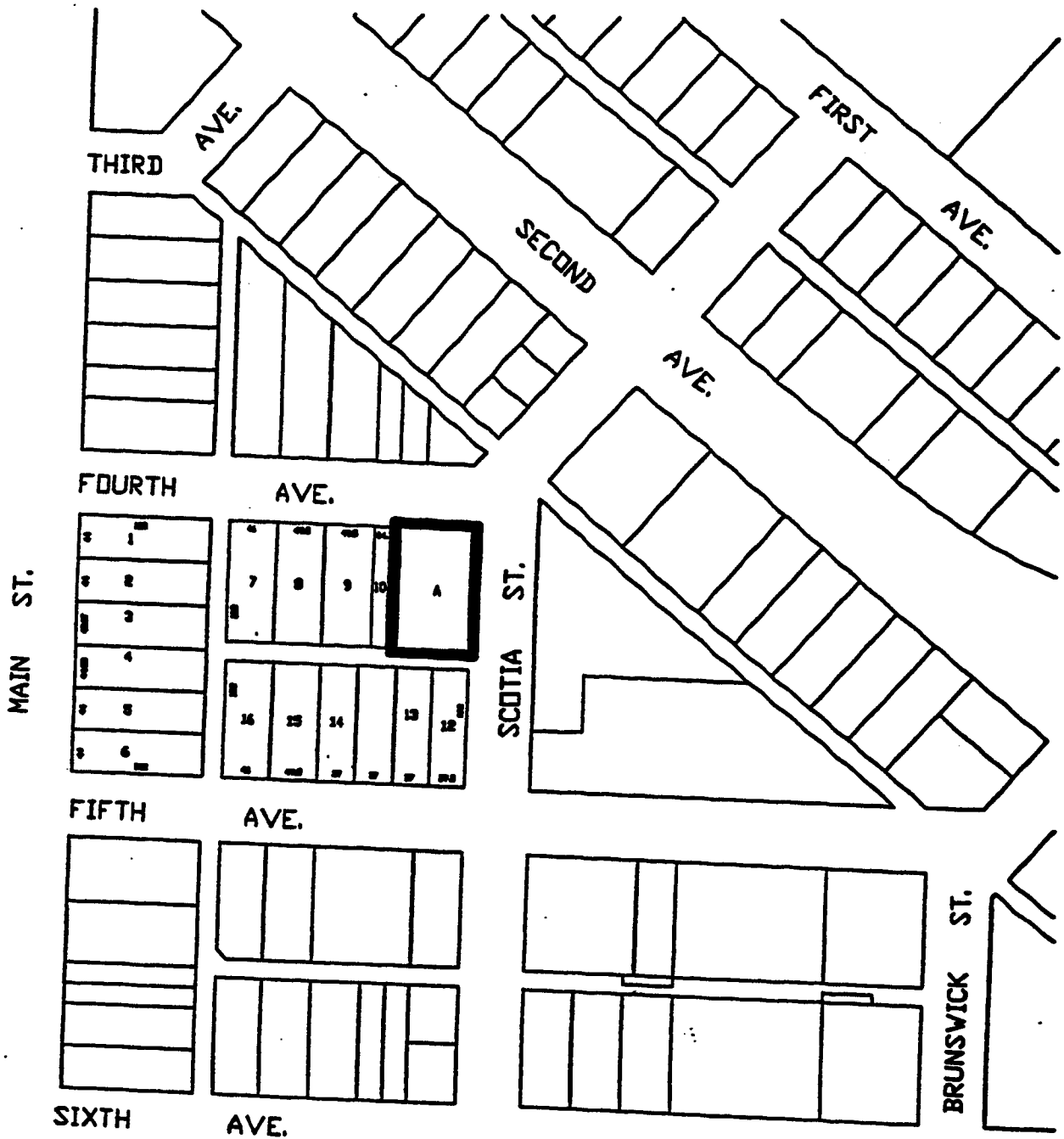
"(signed) Philip W. Owen"
Mayor

"(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 6th day of June 1995, and numbered 7435.

CITY CLERK"

BY-LAW No. 7435 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (A) is rezoned:
From IC-3 To CD-1

Z-441(a)

RZ 272 E. 4th Avenue

City of Vancouver Planning Department

map: 1 of 1

scale: 1:2000



CITY OF VANCOUVER



MEMORANDUM

| |
|---------------------|
| RECEIVED |
| PLANNING DEPARTMENT |
| JUN - 8 1995 |
| NUMBER: R 5214 |
| REFERRED TO: FAS |
| COPY TO: (RJ) |
| ANSWER REQ'D. |

From: CITY CLERK'S OFFICE

Date: June 7, 1995

Refer File: 5304-2

To: City Manager
Corporation Counsel
Associate Director - Land Use & Development
Manager - Real Estate
Manager - Housing Centre
IRTS

Subject: BY-LAW REZONING: 272 EAST 4TH AVENUE
(Lot A, Block 25, D.L. 200A, Plan 16118)

This is to advise you that Vancouver City Council, at its meeting on June 6, 1995, approved the recommendation of the Corporation Counsel, as contained in the Administrative Report (A16) dated June 6, 1995 and quoted below:

THAT the prior to conditions imposed as a condition of the enactment of the Zoning By-law be amended so that the prior to condition listed in the report as (a) be deleted and condition (b)(ii) and (c) will read as follows:

"(b)(ii) convey to the City unit #303 at no cost, including GST that may be payable, and free and clear of all encumbrances, such unit to be satisfactory to the Managers of the Real Estate Division and the Housing Centre in terms of value, architectural and construction specifications, and title or provide security satisfactory to the Director of Legal Services for such conveyance.

(c) THAT forthwith upon the unit being conveyed to the City, the Manager of the Housing Centre, in consultation with the Manager of the Real Estate Division and the Director of the Office of Cultural Affairs, shall report back on a detailed management plan for unit #303."

Marnie Cross

Marnie Cross
Committee Clerk

MCross:ss

CITY OF VANCOUVER



MEMORANDUM

| | |
|---------------------|-------|
| RECEIVED | |
| PLANNING DEPARTMENT | |
| JUN 12 1995 | |
| NUMBER..... | RS305 |
| REFERRED TO..... | EAS |
| COPY TO..... | (R) |
| ANSWER REQ'D..... | |

From: CITY CLERK'S OFFICE

Date: June 9, 1995
Refer File: 2605-2

To: Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Associate Director of Planning -
Land Use & Development
Terry Bland, Corporation Counsel

Subject: Approval of Form of Development
CD-1 - 272 East 4th Avenue

On June 6, 1995, Vancouver City Council passed the following motion:

THAT the approved form of development for the CD-1 zoned site known as 272 East 4th Avenue, approved as illustrated in Development Permit 216175, be amended generally as illustrated in plans prepared by Kasian Kennedy Architects Ltd., and stamped "Received, City of Vancouver, Planning Department, January 26, 1995", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

Marnie Cross
COMMITTEE CLERK

MCross:dmy

Letter to: Gerald Kennedy, MAIBC
Kasian Kennedy Architecture, Interior Design and
Planning Inc.
400-1190 Melville Street, Vancouver, B.C. V6E 3W1

BY-LAW NO. 7449

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

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

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

"900 Terminal Avenue CD-1(334) 7419 B(M-2)"

"272 East 4th Avenue CD-1(338) 7435 B(IC-3)"

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

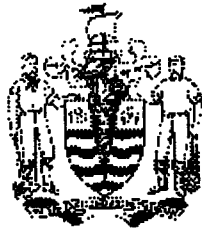
DONE AND PASSED in open Council this 27th day of June, 1995.

"(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 27th day of June
1995, and numbered 7449.

CITY CLERK"



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.

* * * * *



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

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[COMMUNITIES](#)

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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"