



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 (350)

3211-3245 Oak Street

By-law No. 7601

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

Effective July 30, 1996

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

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(350), 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) Multiple Dwelling;
- (b) Office Uses, but limited to Financial Institution, General Office and Health Care Office;
- (c) Retail Uses, but limited to Grocery or Drug Store and Retail Store;
- (d) Service Uses, but limited to Barber Shop or Beauty Salon, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B and Restaurant - Class 1; and
- (e) Accessory Uses customarily ancillary to the above uses.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 1.60. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 1 336 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 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;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, 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:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey of half-storey, with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² 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) trellises, canopies, gazebos, covered walkways, external stairs, and a free-standing elevator shaft, provided that the Director of Planning first approves their location and design;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7601 or provides an explanatory note.

- (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. [8169; 00 03 14]

4 Height

The maximum building height measured above the base surface is 13.1 m, except that the Director of Planning may permit protrusions for architectural appurtenances and decorative roofs provided that no protrusion extends more than 1.1 m above the height limitation.

The building must not extend beyond four storeys, except that there must not be more than three storeys at the southwest corner of the site within 18.3 m of the south and west property lines.

5 Setbacks

The minimum setback of a building is 2.1 m from the south property boundary and 7.6 m from the west property boundary, except that sundecks, trellises, streetwall architectural elements, bay projections, bay windows other than as provided for in section 10.7 of the Zoning and Development By-law, and the residential entrance, including the elevator and covered walkways and stairs, may be permitted in the setback areas.

6 Horizontal Angle of Daylight

6.1 All habitable rooms in buildings containing 3 or more dwelling units must have at least 1 window on an exterior wall which complies with the following:

- (a) the window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, will be unobstructed over a distance of 24.0 m; and
- (b) the plane or planes are to be measured horizontally from the centre of the bottom of the window.

6.2 For the purpose of section 6.1 the following will be considered as obstructions:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R District in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
- (b) part of the same building including permitted projections;
- (c) accessory buildings located on the same site as the principal building;
- (d) the maximum size building permitted under the appropriate C or M district schedule in the site adjoins a C or M site.

6.3 For the purposes of section 6.1, the following will not be considered as habitable rooms:

- (a) bathrooms; and
- (b) kitchens, unless the floor area is greater than 10 percent of the total floor area of the dwelling unit, or 9.3 m², whichever is the greater.

6.4 The Director of Planning may relax the horizontal angle of daylight requirement of section 6.1, having regard to the livability of the resulting dwelling units and providing that a minimum distance of 3.7 m of unobstructed view is maintained.

7 Off-Street Parking and Loading

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of one off-street parking space for each 70 m² of gross floor area in multiple dwelling use must be provided.

8 Acoustics

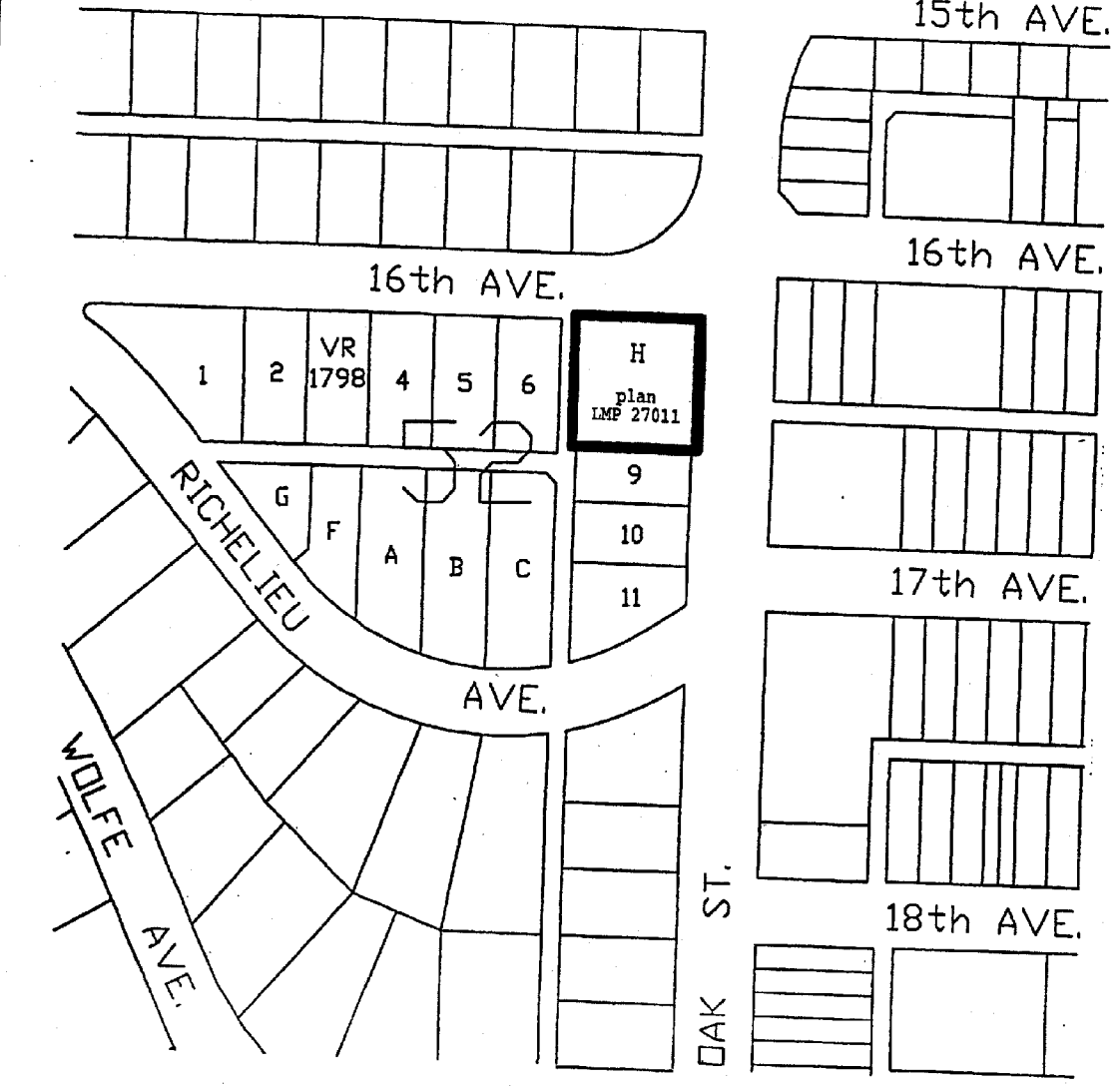
All development permit applications will require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise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


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

[7874; 98 04 21]

9 *[Section 9 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. 7601 BEING A BY-LAW TO AMEND BY-LAW No. 3575
 BEING THE ZONING & DEVELOPMENT BY-LAW



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

Z-438(c)

RZ 3211-3245 Oak Street

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



LATE DISTRIBUTION FOR COUNCIL JANUARY 31, 1995

6

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 19, 1995, at 7:30 p.m., in the Ballroom, Sheraton Plaza 500 Hotel, 500 West 12th Avenue, Vancouver, B.C., for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning & Development By-law.

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

ABSENT: Councillor Bellamy (Civic Business)
Councillor Puil

ALSO PRESENT: Ted Droettboom, General Manager,
Community Services

CLERK TO THE COUNCIL: Gary MacIsaac

COMMITTEE OF THE WHOLE

MOVED by Cllr. Hemer,
SECONDED by Cllr. Ip,

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

- CARRIED UNANIMOUSLY

2. Rezoning: 3211-3245 Oak Street

An application by Hemingway Nelson Architects Ltd. was considered as follows:

The proposed rezoning, from RM-3A Multiple Dwelling District and C-1 Commercial District to CD-1 Comprehensive Development District, would:

cont'd....

Clause No. 2 (cont'd)

- additional housing in the City near a transit route;
- many of the units are ground-oriented accommodation which is often difficult to provide;
- it is better to have additional retail space rather than office space above;
- this is a higher quality redevelopment which will occur here compared to what might happen under the existing zoning.

A member of Council enquired whether any of the new housing units will be set aside for rental. Mr. Mondor advised there has been no indication about the tenure of the units but presumably they will be stratified.

MOVED by Cllr. Hemer,

THAT the application be approved subject to the conditions as set out in this minute of the Public Hearing and subject to an amendment to condition (1) to reflect that the plans from Hemingway Nelson Architects Ltd. were received by the City Planning Department on May 26, 1994 rather than May 27, 1994.

- CARRIED

(Councillor Kwan opposed)

3. 2267-2291 East 27th Avenue (Brant Villa)

An application by the B.C. Housing Management Corporation was considered as follows:

The proposed text amendment to CD-1 Comprehensive Development Zoning By-law No. 4423 would add the use term "Child Day Care Facility, limited to Child Minding Facility" in order to accommodate a pre-school in an existing common space in a multiple dwelling on this site, and may include other consequential amendments.

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

cont'd....

3211-3245 Oak Street

BY-LAW NO. 7601

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-438(c) 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(350), 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) Multiple Dwelling,
- (b) Office Uses, but limited to Financial Institution, General Office and Health Care Office,
- (c) Retail Uses, but limited to Grocery or Drug Store and Retail Store,
- (d) Service Uses, but limited to Barber Shop or Beauty Salon, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B and Restaurant - Class 1, and
- (e) Accessory Uses customarily ancillary to the above uses.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 1.60. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law.

and is deemed to be 1 336 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 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;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, 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:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey of half-storey, with a ceiling height

of less than 1.2 m, and to which there is no permanent means of access other than a hatch;

- (f) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.7 m² per dwelling unit;
- (g) trellises, canopies, gazebos, covered walkways, external stairs, and a free-standing elevator shaft, provided that the Director of Planning first approves their location and design.

4. Height

The maximum building height measured above the base surface is 13.1 m, except that the Director of Planning may permit protrusions for architectural appurtenances and decorative roofs provided that no protrusion extends more than 1.1 m above the height limitation.

The building must not extend beyond four storeys, except that there must not be more than three storeys at the southwest corner of the site within 18.3 m of the south and west property lines.

5. Setbacks

The minimum setback of a building is 2.1 m from the south property boundary and 7.6 m from the west property boundary, except that sundecks, trellises, streetwall architectural elements, bay projections, bay windows other than as provided for in section 10.7 of the Zoning and Development By-law, and the residential entrance, including the elevator and covered walkways and stairs, may be permitted in the setback areas.

6. Horizontal Angle of Daylight

6.1 All habitable rooms in buildings containing 3 or more dwelling units must have at least 1 window on an exterior wall which complies with the following:

- (a) the window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, will be unobstructed over a distance of 24.0 m; and
- (b) the plane or planes are to be measured horizontally from the centre of the bottom of the window.

6.2 For the purpose of section 6.1 the following will be considered as obstructions:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R District in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
- (b) part of the same building including permitted projections;
- (c) accessory buildings located on the same site as the principal building;
- (d) the maximum size building permitted under the appropriate C or M district schedule in the site adjoins a C or M site.

6.3 For the purposes of section 6.1, the following will not be considered as habitable rooms:

- (a) bathrooms; and
- (b) kitchens, unless the floor area is greater than 10 percent of the total floor area of the dwelling unit, or 9.3 m², whichever is the greater.

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7. Off-Street Parking and Loading

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of one off-street parking space for each 70 m² of gross floor area in multiple dwelling use must be provided.

8. Acoustics

All development permit applications will 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
terraces, patios, balconies	60

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

DONE AND PASSED in open Council this 30th day of
July , 1996.

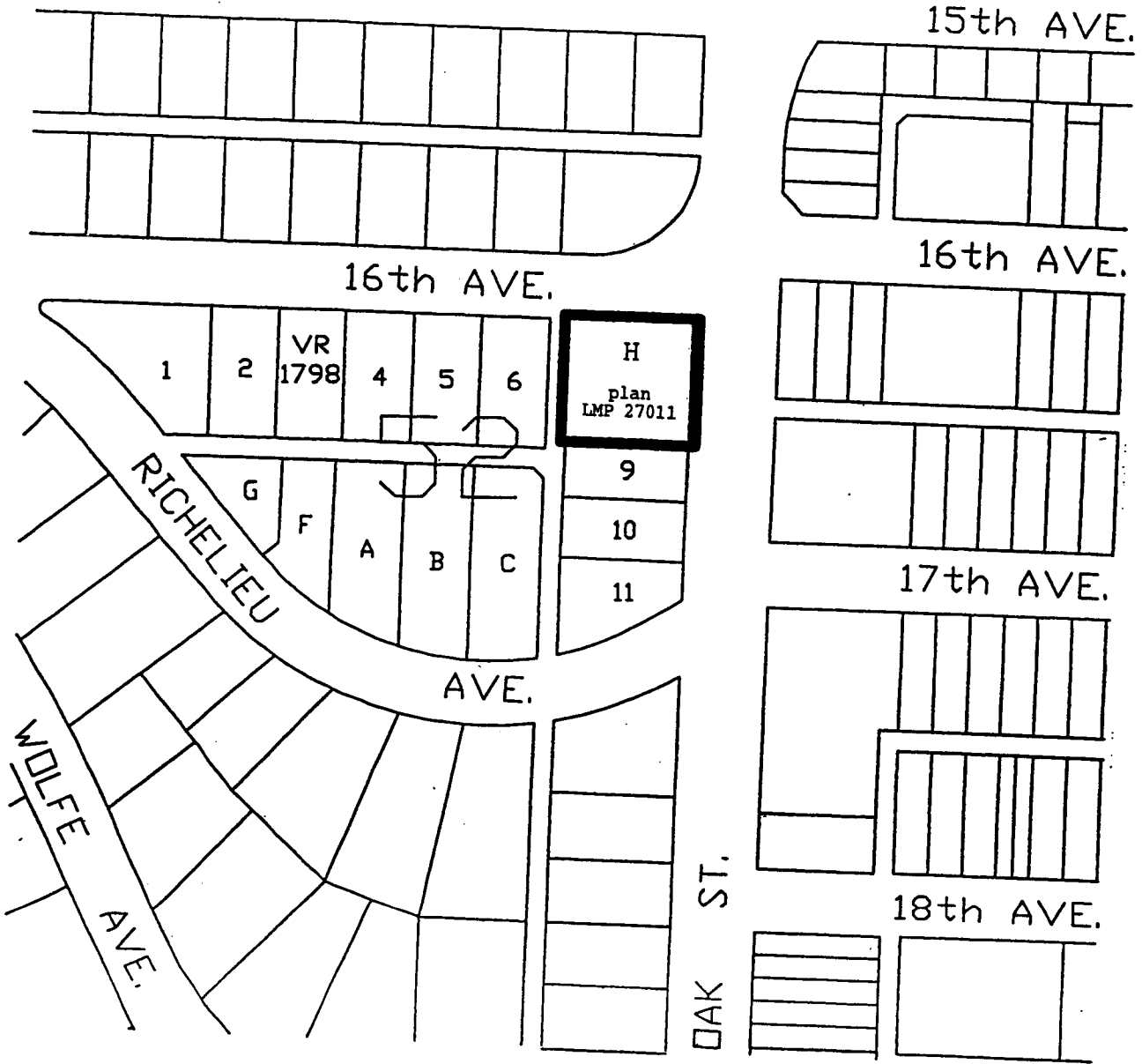
"(signed) Philip W. Owen"
Mayor


"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 30th day of July 1996, and numbered 7601.

CITY CLERK"

BY-LAW No. 7601 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



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

Z-438(c)

RZ 3211-3245 Oak Street

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



**POLICY REPORT
DEVELOPMENT AND BUILDING**

P2

Date: July 16, 1996
Dept. File No. 94036-PEM

TO: Vancouver City Council
FROM: Director of Land Use and Development
SUBJECT: Rezoning of 3211-3245 Oak Street - Amendments to Draft
CD-1 By-law

RECOMMENDATION

THAT prior to enactment of the draft CD-1 By-law for 3211-3245 Oak Street, approved at Public Hearing on January 19, 1995, Sections 5 and 6 be amended as shown in Appendix B.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

There is no relevant Council policy pertaining to this report.

PURPOSE AND SUMMARY

This report identifies two errors in the draft CD-1 By-law which was posted at Public Hearing for the proposed rezoning of 3211-3245 Oak Street (Attached as Appendix 'A'). To correct these errors, staff recommend the draft By-law be amended prior to its enactment by Council.

DISCUSSION

At Public Hearing on January 19, 1995, Council approved in principle the rezoning of 3211-3245 Oak Street from C-1 and RM-3A to CD-1, to permit a four-storey mixed-use commercial and residential development.

A Development Application (DE 400053) was subsequently submitted which proposes a reduced floor space ratio and height, as recommended by staff and required by the draft CD-1 By-law approved by Council. The application also responds to several design development conditions pertaining to character, livability and security. However, the development application does not meet the requirements of Sections 5 and 6 of the draft CD-1 By-law.

Sections 5 (Setbacks) and 6 (Horizontal Angle of Daylight) were intended to ensure that redesign, to decrease floor space ratio and height and to address several design development conditions, would not reduce the proposed south and west setback dimensions and would not reduce the livability of proposed dwellings looking into the setback areas, particularly the south side yard.

Unfortunately, Sections 5 and 6 are worded in such a way as to require changes which were not intended, recommended, or approved at Public Hearing. Staff erred by drafting Sections 5 and 6 in a way that inadvertently prevents approval of some elements of the proposed development (e.g., bay projections and bay windows not conforming with Zoning By-law provisions) which were acceptable to staff and the Urban Design Panel and which were shown in the drawings posted at Public Hearing.

CONCLUSION

Given the errors in Sections 5 and 6 of the draft CD-1 By-law, the Director of Land Use and Development recommends these Sections be amended as shown in Appendix B prior to the enactment of the amending By-law by City Council.

* * * * *

3211-3245 Oak Street

Draft for Public Hearing

BY-LAW NO.

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 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(____), 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) Multiple Dwelling,
- (b) Office Uses, but limited to Financial Institution, General Office and Health Care Office,
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6. Horizontal Angle of Daylight

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- (c) accessory buildings located on the same site as the principal building;
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- (a) bathrooms; and

- (b) kitchens, unless the floor area is greater than 10 percent of the total floor area of the dwelling unit, or 9.3 m², whichever is the greater.

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All development permit applications will 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
terraces, patios, balconies	60

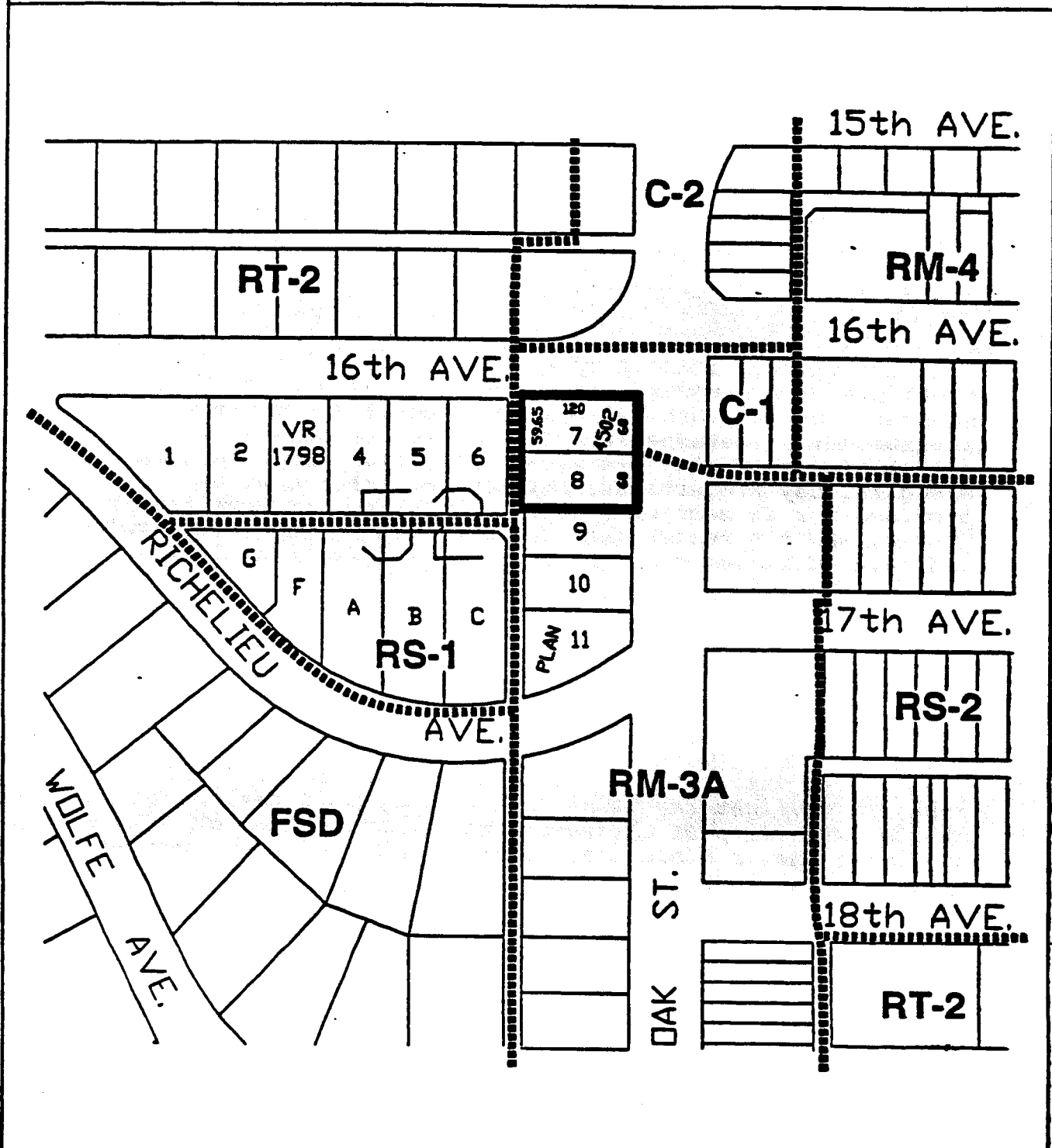
9. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this _____ day of _____, 1995.

Mayor

City Clerk

PROPOSED AMENDMENT TO THE ZONING & DEVELOPMENT BY-LAW No. 3575



The property outlined in black () is proposed to be rezoned:
From C-1&RM-3A To CD-1

Z-438

RZ 3211 + 3245 Oak Street	map: 1 of 1	↑
City of Vancouver Planning Department	scale: 1:2000	

Proposed Amendments to the Draft CD-1 By-law for 3211-3221 Oak Street Prior to Enactment

THAT Sections 5 and 6 of the draft CD-1 By-law for 3211-3221 Oak Street be amended as follows:

1. In Section 5 (Setbacks) by removing the text which is struck out and inserting the text shown in **bold italics**:

"The minimum setback of a building is 2.1 m from the south property boundary and 7.6 m from the west property boundary, except that ~~below-grade development and any architectural features excluded from floor space ratio calculation~~ sundecks, trellises, streetwall architectural elements, bay projections, bay windows other than as provided for in section 10.7 of the Zoning and Development By-law, and the residential entrance, including the elevator and covered walkways and stairs, may be permitted in the setback areas."

2. In Section 6 by adding subsection 6.4 (same as Section 5.2 of the C-2 District Schedule), as follows, to allow a relaxation for dwellings with habitable rooms facing an internal courtyard:

"The Director of Planning may relax the horizontal angle of daylight requirement of section 6.1, having regard to the livability of the resulting dwelling units and providing that a minimum distance of 3.7 m of unobstructed view is maintained."

* * * *

MOTIONS

- A. Approval of Form of Development Files: 5001-6/5306-3
- CD-1 3211 and 3245 Oak Street

MOVED by Cllr. Hemer,
SECONDED by Cllr. Price,

THAT the approved form of development for the CD-1 zoned site known as 3211 and 3245 Oak Street be amended generally as illustrated in DA No. 400053, prepared by Hemmingway Nelson Architects, and stamped "Received, City of Vancouver Planning Department, November 27, 1995 and February 28, 1996", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY

- B. Approval of Form of Development Files: 5001-6/5307-3
- CD-1 5625 Senlac Street

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

THAT the approved form of development for the CD-1 zoned site known as 5625 Senlac Street be amended generally as illustrated in DA No. DE400975, prepared by Neale Staniszkis Doll Adams, Architects, and stamped "Received, City of Vancouver Planning Department, June 10, 1996", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY

- C. CD-1 Guidelines - Quayside Neighbourhood Files: 5301-3
8010-6

MOVED by Cllr. Price,
SECONDED by Cllr. Kennedy,

THAT the document entitled "Quayside Neighbourhood (800-1100 Pacific Boulevard) CD-1 Guidelines", dated November, 1993, be rescinded.

FURTHER THAT the document entitled "Quayside Neighbourhood CD-1 Guidelines" be adopted by Council for use by applicants and staff for development applications at 800-1100 Pacific Boulevard.

- CARRIED UNANIMOUSLY

CITY OF VANCOUVER



MEMORANDUM

RECEIVED
PLANNING DEPARTMENT
AUG - 2 1996
NUMBER 55873
REFERRED TO P.M.
COPY TO RT
ANSWER REQ'D.

From: CITY CLERK'S OFFICE

Date: Aug 1, 1996
Refer File: 5306-3

To: Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Director of Land Use & Development
Phil Mondor, Planning Department

Subject: Rezoning of 3211-3245 Oak Street -
Amendments to Draft CD-1 By-law

On July 30, 1996, Vancouver City Council approved the following recommendation contained in a July 16, 1996, Policy Report (P2):

THAT prior to enactment of the draft CD-1 By-law for 3211-3245 Oak Street, approved at Public Hearing on January 19, 1995, Sections 5 and 6 be amended as shown in Appendix B.

COMMITTEE CLERK

SFae:tb

CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK'S OFFICE

Date: August 2, 1996

Refer File: 5001-6/5306-3

To: Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Director of Land Use & Development
Francie Connell, Director of Legal Services

Subject: Approval of Form of Development
- CD-1 3211 and 3245 Oak Street

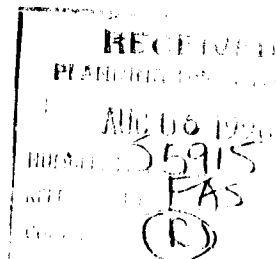
CD-1(350)

On July 30, 1996, Vancouver City Council approved the following motion:

THAT the approved form of development for the CD-1 zoned site known as 3211 and 3245 Oak Street be amended generally as illustrated in DA No. 400053, prepared by Hemmingway Nelson Architects, and stamped "Received, City of Vancouver Planning Department, November 27, 1995 and February 28, 1996", 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.

COMMITTEE CLERK

SRae:tb



Miscellaneous Text (CD-1)

BY-LAW NO. 7874

A By-law to amend By-laws No. 6744, 7522, 7531, 7551, 7556, 7601,⁽²⁵⁰⁾ 7654, 7655, 7677, 7681, and 7682, being by-laws which amended the Zoning and Development By-law by rezoning areas to CD-1

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

1. By-law No. 6744 is amended by deleting section 9.3 and by renumbering section 9.4 as section 9.3.
2. By-laws No. 7531 and 7556 are each amended by deleting section 3.4, and substituting the following:
 - "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."
3. By-law No. 7551 is amended in section 3.4, and By-laws No. 7654, 7677 and 7681 are each amended in section 5.4, by deleting clause (a) and 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-laws No. 7522, 7531, 7551 and 7556 are each amended in section 6, By-law No. 7601 is amended in section 8, By-law No. 7655 is amended in section 7, By-laws No. 7677 and 7681 are each amended in section 10, and By-law No. 7682 is amended in section 11, in each case by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

5. By-law No. 7654 is further amended in section 8 by deleting the words "common use roof decks and patios" from the left column and the corresponding number "55" from the right column.

6. 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 April
1998.

(signed) Philip W. Owen

Mayor

(signed) Ulli S. Watkiss

City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 21st day of April 1998, and numbered 7874.

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)