



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 (376)

3062-3188 West 41st Avenue

By-law No. 7834

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

Effective January 6, 1998

(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 (376), and the only uses permitted within the outlined area, subject to such conditions as Council may be resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Multiple Dwelling containing a maximum of 58 dwelling units, of which at least 21 units have direct exterior access from a floor level which is within 0.5 m of finished grade, and
- (b) Accessory Uses customarily ancillary to the above use.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 1.25. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 4 917 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; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.3 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 for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length; or
 - (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 caretaker’s suite, 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 which are located:
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (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] and
- (g) a maximum of one enclosed balcony in any unit oriented toward 41st Avenue, provided the balcony is enclosed in accordance with all applicable policies and guidelines adopted by Council;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7834 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 12 m.

5 Setbacks

The minimum setback of a building

- (a) from the south (rear) property boundary is 8.5 m,
- (b) from the north (front) property boundary is 3.0 m,
- (c) from the east property boundary is 2.1 m, and
- (d) from the west property boundary is 6.1 m.

6 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 82 off-street parking spaces must be provided.

7 Acoustics

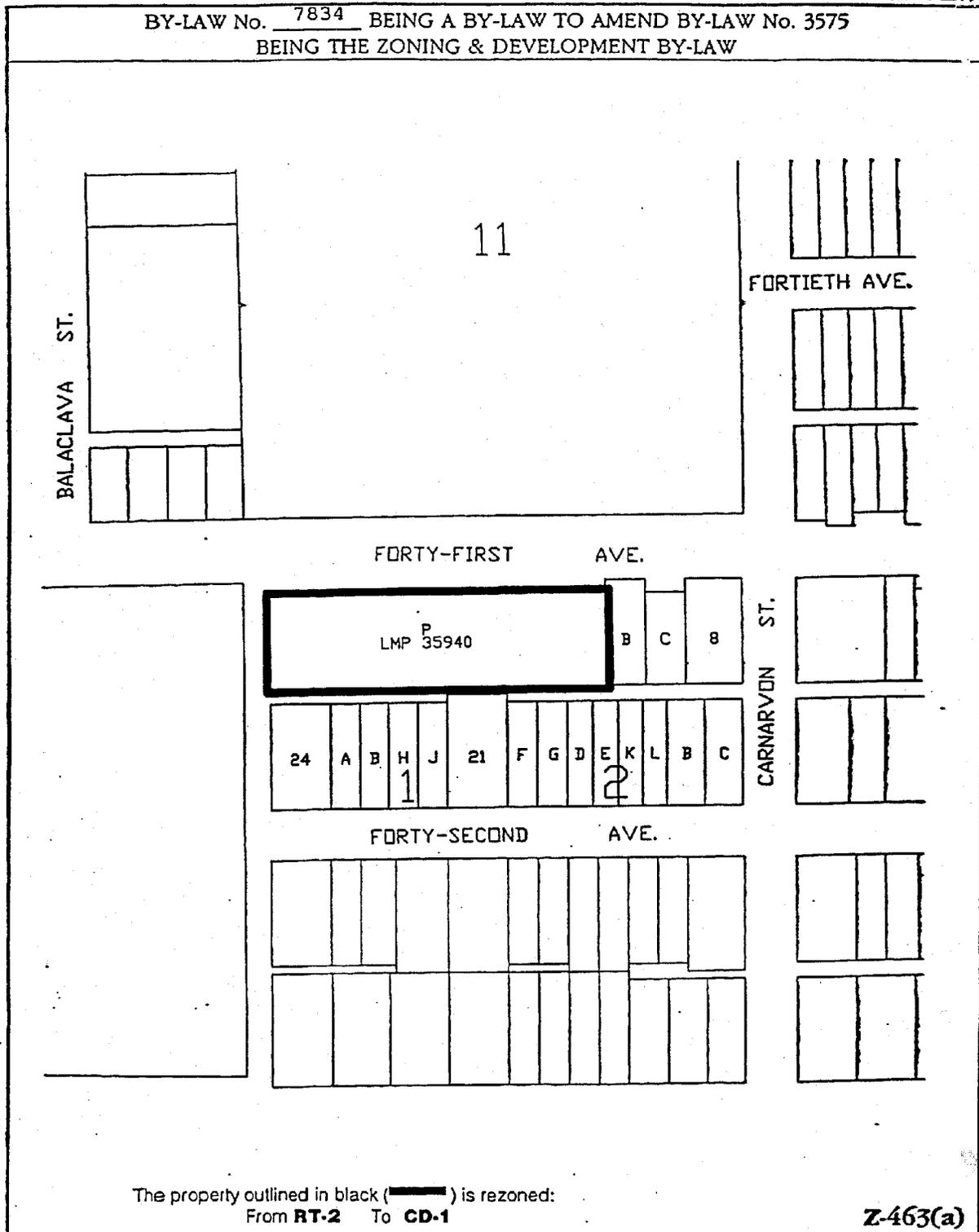
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level set opposite such portions. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

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

[7874; 98 04 21]

- 8** *[Section 8 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. 7834 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black () is rezoned:
From **RT-2** To **CD-1**

Z-463(a)

RZ 3062 - 3188 W. 41st Ave.

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



2 M65

Clause No. 4 (cont'd)

Staff Opening Comments

Mike Kemble, Planner, advised the purpose of the proposed application is two-fold: to clear up inconsistencies between the previously adopted International Village CD-1 By-law and the International Village CD-1 Guidelines; and to revise parking standards. The proposed amendment will delete the maximum permitted tower width and increase tower height. The increase in height will not impact on public views or shadowing. The revised parking standards will correctly reflect the wording for parking requirements as approved at a Public hearing on December 14, 1995.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

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

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

- CARRIED UNANIMOUSLY

1. Rezoning: 3062-3188 West 41st Avenue

An application by Neale Staniszkis Doll Adams, Architects, was considered as follows:

Summary: The proposed rezoning from RT-2 Two-Family dwelling District to CD-1 Comprehensive Development District would permit the development of two 3-1/2 storey multiple dwellings with 58 units for households in which at least one resident would be 55 years of age or older. Twenty-one of these units would have direct grade-level access. Maximum density would be 1.25 FSR.

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

cont'd...

Clause No. 1 (cont'd)

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Neale Staniszki Doll Adams, Architects; and stamped "Received City Planning Department, August 15, 1996", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

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

(i) to reduce the scale of the south face of the buildings to minimize overlook and improve the scale relationship with single-family homes across the lane. The design should be refined to read more substantially as a three storey building from the south.

This could be accomplished by bringing the eave line down to the third floor along more of the facade, by reducing the extent of development on the fourth floor, and by pulling the face of units on the top floor further into the mass of the building. It should be noted that the most conspicuous scale discrepancy occurs at the western ends of the buildings as the grade drops along the lane. In particular, the west end of the eastern building presents the most extreme circumstance. Consideration should be given to breaking the floor plates at these points, to enable the building to more closely follow the existing topography;

(ii) to reduce the perceived length of the development along West 41st Avenue by breaking the buildings into more distinct masses, and by providing more substantial differences in the architectural expression of the four main masses of building;

(iii) to prevent parking on the proposed laneside walkway by providing a raised, structured planting area between the lane and the walk, as well as considering the provision of lighting along the walk;

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

(NOTE: Open exit stairs provide easy access to underground parking areas when they are visually accessible to non-residents. These exit stairs should be relocated within the building envelope, with only the door exposed, or open

cont'd....

Clause No. 1 (cont'd)

exit stairs can be located in the semi-private open space where they can be watched by residents. The underground parking appears ungated at the parking entrance which will become an opportunity for theft. This should be gated at the street with consideration to providing electronic communication to residents. The separate gating of townhouse parking has shown to improve security from theft in the underground and is considered positive.)

- (v) to reduce fear in underground parking in accordance with Section 4.12 of the Parking By-law and give consideration to painting the parking garage white;

(NOTE: The openness and design of the elevator lobbies in the underground is considered very positive.)

- (vi) in concurrence with the Arborist report and the Landscape proposal, six existing trees are to be relocated;

(NOTE: Particular attention should be placed on the successful relocation of the 20 inch caliper Redwood, as noted in the Arborist report as "A beautiful specimen in superb condition. This specimen is worth serious efforts to retain or relocate".)

- (vii) provide low planting in front of the proposed fence along West 41st Avenue; and

- (viii) to improve defensibility and reduce opportunities for break and enter and nuisance on residential entrances and yards on the lane.

(NOTE: Ground level units both facing streets and semi-private open space have shown to be most susceptible to break and enter. Opportunities for break and enter can be reduced by deleting areas of concealment outside of doors, windows and patios and encouraging surveillance by other residents and people passing by to these units. Semi-private open space should be secured from access by non-residents while remaining visually open. Opportunity can also be reduced by routing exits from the underground directly outside rather than into the residential lobby (in coordination with the Fire Department); and

- (ix) to endeavour to reduce the maximum height of buildings at the westerly end of each structure to a maximum height of 11 m (36 ft.).

cont'd....

Clause No. 1 (cont'd)

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:
- (i) consolidate Lots 1, 2, 3, East ½ of Lot 4, West ½ of Lot 4, and Lot 5, Plan 1987, and Lot A of Lots 6 and 7, Plan 5869, all of Blocks 1 to 3, DL 321;
 - (ii) make arrangements to the satisfaction of the General Manager of Engineering Services for the following:
 - the dedication of the north 17 ft. of lots 5 and W ½ of lot 4 (plan 1987) and lot A (plan 5869), for road purposes;
 - the dedication of the south 10 ft. of lot 5 (plan 1987), for lane purposes;
 - the opening and paving of a portion of the lane south of West 41st Avenue from Carnarvon Street to the west to provide improved access to the site [approximately 76.2 m (250 ft.)]. This requires the preparation and registration of a lane drainage agreement;
 - the provision of street trees on West 41st Avenue and on Balaclava where possible;
 - all electrical and telephone services to be underground within, and adjacent the site from the closest, existing suitable service point; and
 - (iii) execute an agreement to the satisfaction of the Director of Legal Services and the Manager of the Housing Centre restricting sales to a single person at least 55 years of age and to no more than two people, at least one of whom is at least 55 years of age, to be registered in priority over all charges which may defeat or delay the agreement.

Staff Opening Comments

Tom Phipps, Planner, reviewed the application to develop a 58-unit building on a 1.2 acre site on the south side of West 41st Avenue. Carnarvon Street is located to the west, Crofton House to the west, Kerrisdale Elementary School to the north, and residential to the south. The residential lots to the south are deeper than average offering separation from the proposed development. The area has been zoned RT-2 since 1956, and although townhouses are possible in the RT-2 zoning, townhouse or duplex development is very unlikely in the area because of high land costs. The development offers to accommodate a larger number of residents than a

cont'd...

Clause No. 1 (cont'd)

townhouse development, but will have to fit in the surrounding scale. The building will be well served by transit. The proposal also serves existing regional policies to provide ground oriented housing .

Views are not an issue. However, neighbours have raised several concerns, including: lack of an area planning study; traffic impacts and shortcutting; and overlooking into rear yards. Staff are sympathetic to the concern for the need to have a planning study as the development may set off other rezoning applications; however a policy is in place to actively discourage other rezonings. A traffic impact assessment has shown the development will cause very little peak hour increases. Staff recommend a significant reduction in massing in the rear and overall density to reduce the concern with overlooking into rear yards.

Applicant Opening Comments

Linda Moore, applicant, advised she is the development consultant for Balaclava Mews, 3062-3188 West 41st Avenue. The elderly area residents approached her to discuss redeveloping their properties in the 3000-3100 Blocks of West 41st to build seniors housing. Her role has been one of facilitating the public consultation process. Neighbours have raised objections to the proposal because of traffic and parking concerns.

Ms. Moore referred to a Record of Public Consultation dated August 14, 1996 (on file), which summarized the public consultation program for Balaclava Mews from January to August 1996. The program included a public open house in May, and an information meeting held in early June. The revised scheme reflects a fair compromise to the concerns raised as a result of the public consultation and the conditions of approval will continue to refine the proposal. Some of the revisions include: a reduction in density to 1.25; access to the underground parking will be at Camarvon Street; the roof will be pitched, the eaves dropped and the development will be reminiscent of the larger Craftsman-style of the area; ground oriented units will be offered. The development will benefit and fill the needs of the community and not detract from it.

In response to a question on the projected price of the units, Ms. Moore advised the prices are targeted at \$170,000 to \$350,000.

Brian Wallace, N.D. Lea & Associates, advised preliminary estimates showed the development should provide close to 1.2 parking spaces per unit; the applicant will be providing 1.4 spaces and 10 visitors parking spaces.

cont'd....

Clause No. 1 (cont'd)

Summary of Correspondence

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

- covering letter enclosing 68 letters in support;
- 47 letters in support;
- 4 letters expressing concerns with the proposed rezoning;
- 22 letters opposing the rezoning application.

Speakers

Mayor Owen called for speakers for and against the application. Council heard from 18 speakers on March 25, 1997, before adjourning to reconvene on April 8, 1997. For the purposes of clarity, speakers' comments are consolidated in the next section of the minute.

MOVED by Cllr Puil,

THAT the Public Hearing adjourn to be reconvened on Tuesday, April 8, 1997, at 7:30 p.m. in Council Chamber, to hear the remainder of speakers.

- CARRIED UNANIMOUSLY

* * * * *

The Special Council adjourned at 10:00 p.m.

* * * * *

The Special Council reconvened on Tuesday, April 8, 1997, at 7:30 p.m., in the Council Chamber, Third Floor, Vancouver City Hall, to continue to hold a Public Hearing to consider proposed amendments to the Zoning and Development By-law with the same members present, and the addition of Councillors Bellamy and Chiavario for Item 3 only.

* * * * *

(Councillors Bellamy and Chiavario left the Public Hearing at the conclusion of Item No. 3 and were not present for the continuation of Item No. 1)

* * * * *

Clause No. 1 (cont'd)

The following speakers spoke in favour of the application before Council:

- Dr. Josephine Mallek
- Maurice Spanza (photographs filed)
- Louise McGregor
- Iona Douglas
- Bill Higgins
- Alan Artibise
- Barbara Hanson
- Joan Johnston
- Dexter Pettigrew
- Mary Hardy
- Ken Mayhew (brief filed)
- Elizabeth Ballard Nightingale
- Michael Flamer, on behalf of Rea Flamer
- Ken Rowley.

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

- the Advisory Committee of Council on Seniors unanimously approved the proposal and are anxious to see the project go ahead; the development will provide suitable affordable housing for seniors who have lived in the area for years but now are living alone in their home and have become persons at risk; currently, there is no accommodation for them to go to;
- the development will address an important community need;
- already an increase in density occurring in the area; houses on West 42nd Avenue across from proposed development (photographs refer) are developed with large double garages, no grass or trees; where once had 4 houses, now have 7;

cont'd....

BY-LAWS (CONT'D)

2. **A By-law to amend By-law No. 3575, being
the Zoning and Development By-law
(3062-3188 West 41st Ave.; Rezoning - RT-2 to CD-1)**

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

- CARRIED UNANIMOUSLY

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

There being no amendments, it was

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

- CARRIED UNANIMOUSLY

(Councillors Bellamy, Chiavario and Clarke excused from voting on By-law 2)

No. 1 (cont'd)

- transportation is nearby; as far as the traffic problem, the traffic is there already; seniors don't clutter up the highways and avoid driving in high density times;
- the Kerrisdale/Dunbar community has one of the highest density populations of seniors in the city, but has no affordable and senior oriented retirement housing;
- 41st Avenue is not primarily a single family residential avenue; within the 14 blocks between Dunbar and West Boulevard, only four of the blocks, on either side of 41st Avenue, are exclusively single family residences; in addition, there are 4-storey apartments on 41st Avenue at Maple Street;
- important to respect seniors' wishes to remain in the community; it is society's tendency to push seniors out of the way to suburbs;
- continuity and predictability become very important to seniors.

The following speakers opposed the application:

- Allison Murray
- Jim Stewart
- Laurie Grant
- Paul Yue
- Jim Skelton
- Bruce Arbo
- Maxwell Anderson
- Ruth Freeman
- Marcia Chi
- Jane Grant
- Zayed Gamiet
- Johanna Albrecht
- Mrs. Clark Binkley
- Kim Richards
- Dara MacGowan
- Lee Higinbotham
- Ian Stewart
- Bryan Kynoch
- Agneta Wright
- Jim Diggins
- Harry Gray

cont'd....

Clause No. 1 (cont'd)

- Pat Fulton
- Sammy Su
- Jim Lehto (brief filed)
- Anne Rowland
- Peter Wright
- Marlene Allen
- Steven Khan
- Bruce Stuart (brief filed)
- James Dodds
- Tony Ryan (petition filed)
- Jenny So.

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

- the density and height suggested for the development will change the character of the area;
- the current RT-2 zoning would allow townhouse development;
- a two-storey building, with 20 units, would be more in keeping with the neighbourhood;
- although agree need more senior's housing, a 58-unit development contains too many units for the neighbourhood;
- the neighbourhood is primarily composed of single detached homes; any development with high density should not be encouraged;
- the height of the proposed development will affect views;
- the height of the proposed development should be limited to the same height as the neighbouring detached housing or the height of Oak Gardens;
- a development with two storeys in the front and three at the back would be more appropriate for the area; the massing of the proposed building is too intrusive;
- concerned about the magnitude of change due to the development as proposed; transitional development would be more appropriate for the location;

cont'd....

Clause No. 1 (cont'd)

- another development is proposed to the east of this proposal, which will add an additional 33 parking stalls;
- concerned about the traffic at Carnarvon and the traffic patterns on West 41st Avenue;
- concerned about the access from Carnarvon; visibility would be better from Balaclava Street access;
- the development will add more traffic pressure and drivers will go through the surrounding neighbourhood, by schools, to try to avoid congestion;
- a traffic study completed by the applicant was done when UBC was not in session; a further traffic study was promised but the neighbourhood has not seen it;
- there are three schools in the vicinity - Kerrisdale, Kerrisdale Annex, and Crofton House, with approximately 1,500 students in total, primarily of elementary school age; concern with students safety walking back and forth to school because of the already high level of traffic in the area;
- opposition to the proposed densification; the developer should be able to develop the project within current zoning;
- the development will be at least three times more than the current allowable zoning, and will be adding to the traffic;
- the mark-up of the units to market value will generate high profits to the developer; the developer would benefit the most;
- the residents should work with planners to create a better environment for seniors and children;
- a seniors' site should be located close to shopping, medical centres, services, recreational facilities and community centres;
- the proposed 82 parking spaces for the development falls short of what is required for the number of units in the development;

cont'd....

Clause No. 1 (cont'd)

- want to see an overall community plan for the area, not indiscriminate changes to the character of the area;
- would like to stress a minimum 20-foot setback to accommodate a Kerrisdale-style of landscaping;
- the development must have extensive greenery and conform to RS-5 setbacks of 24 feet or more;
- the proposed 58-unit development is a large development built on a small property, and will eliminate valuable green space;
- all developments in the area have recognized and lived within the important characteristics of the community;
- the community was not properly notified of the development; only residents who received notice were the properties directly south of the proposed development; need to have a proper notification of the neighbourhood;
- many supporters of the proposal are from outside of the neighbourhood and will not have to live with the impacts;
- request report back on revised massing envelope for multiple dwelling development for the site; the impact of the proposed development on the neighbourhood will be huge; the area is composed of big houses and big yards;
- the proposed development is about profits not seniors, with a project profit increase worth \$3,440,320;
- the proposed development will set the standard for other development along 41st Avenue; the proposal is for a massive intrusive development;
- the laneway behind the development is very narrow, has poor visibility and already has bottlenecks, as well as dumpsters backing out of it onto the street.

cont'd....

Clause No. 1 (cont'd)

Applicant Closing Comments

Michael Geller, applicant, addressed the questions raised by the speakers:

- Oak Gardens was developed on four single lots and contains 43 units; the average age of residents is 82; none of the concerns about traffic, change in character and inappropriate precedent have materialized;
- character and setbacks - sideyards are greater than those being suggested;
- the traffic consultants have been involved in a number of seniors projects, and with Crofton House and have also been retained by UBC to come up with a comprehensive plan to reduce traffic, so are familiar with the area and seniors' needs;
- the age restriction of 55 has been established by courts and the Real Estate Act; it will allow a 58-year-old widow to move into building;
- the proposed 82 spaces for 58 homes is reasonable; an increase in the amount of parking will decrease the number of ground oriented units; the location is good, the residents will not need cars;
- if the number of units are reduced, the price of each unit will be increased; asking \$76 per square foot, with the developer getting 15%;
- concern with overlooking - will have mews and extensive landscaping; planners have identified a number of conditions to increase the setback; will agree to plant more trees to lessen impact.

Mr. Geller advised he is willing to reduce the height of the buildings to 35 feet and circulated a memorandum (on file) summarizing the applicant's requested modifications: include a caretaker's suite as part of the amenity area; modify the parking requirement from RM-3 standard to 82 spaces; and make arrangements to the satisfaction of the Director of Legal Services to consolidate the affected properties.

cont'd...

Clause No. 1 (cont'd)

Staff Closing Comments

Mr. Phipps noted the application has flaws with the upper storey massing and overlooking, but these have been resolved with the recommended reduction in FSR to 1.25 and change in the height to 36 feet. The site is located on two bus routes. Staff do not recommend the caretaker suite be deducted from the FSR as that will be inconsistent with the practice elsewhere in the city. Setbacks are greater than asked for. The neighbours concerns about traffic are not attributable to the project. It is anticipated 10 to 15 cars will be added to the area; this is a fairly marginal increase and would be the same if single family or townhouse development was approved for the site. Services and shopping are located nearby. Although reluctant to reduce the parking requirement, staff would rather give up six parking spaces than have fewer ground oriented units.

Paul Pinsker, Transportation Engineer, advised the problems along Carnarvon Street are existing problems related to the shortage of capacity along Marine Drive. The remedy is to deal with short-cutting traffic, such as the upcoming West Kerrisdale traffic calming project. Many developments are built on arterial routes and are doable at countless intersections throughout the City. The reduction of parking spaces to 82 is less than a 10% reduction; every fourth unit may have a second car. There is good transit service east and west, and from north to south. One solution with identified concerns with garbage loading would be to open up the lane, however the residents want the lane closed.

Bruce Maitland, Manager of Real Estate Services, advised the buildable rate in the west part of the City is \$75 to \$80/square foot and needs a minimum density of 1.25 FSR. A townhouse development would be too expensive to build. Land is available in RM-3 zoned areas in Kerrisdale, however, most of that land is built with framed rental apartments and inhabited by seniors.

MOVED by Cllr. Price,

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

- CARRIED

(Councillor Puil opposed)

cont'd....

Clause No. 1 (cont'd)

MOVED by Cllr. Kennedy,

THAT the application be subject to the following amendments:

1. THAT Clause 6 of the By-law be revised to amend the parking requirement to 82 spaces.
2. THAT condition (c)(i) be amended to read:

Make arrangements to the satisfaction of the Director of Legal Services to consolidate Lots, 1, 2, 3, etc.

FURTHER THAT the development application plans be reviewed by the Special Advisory Committee on Seniors prior to formal approval by Council of the form of development.

- CARRIED

(underlining denotes amendment)

(Councillor Puil opposed)

MOVED by Cllr. Sullivan,

THAT the application be subject to the following additional amendments:

3. THAT Clause 3.3(d) of the By-law be revised to include a caretaker's suite as part of the amenity area.
4. THAT condition b(ix) be amended to allow the maximum height of the buildings to be kept at 12 metres (39.5 feet), unless the buildings can be built at a maximum height of 10.7 metres (35 feet) without detracting from the development's amenities and aesthetics.

- CARRIED

(Councillor Puil opposed)

cont'd....

Clause No. 1 (cont'd)

MOVED by Cllr. Puil,
THAT condition (c)(iii) be amended to change the years of age from 55 to 65.

- LOST

(Councillors Herbert, Kennedy, Daniel Lee, Don Lee, Price, Sullivan
and the Mayor opposed)

RISE FROM COMMITTEE OF THE WHOLE

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

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,
SECONDED BY Cllr Kennedy,
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 10:00 p.m. on March 25, 1997,
9:55 p.m. on April 8, 1997 and 11:15 p.m. on April 28, 1997.

3062-3188 West 41st Avenue

BY-LAW NO. 7834

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-463(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(376), 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 containing a maximum of 58 dwelling units, of which at least 21 units have direct exterior access from a floor level which is within 0.5 m of finished grade, and
- (b) Accessory Uses customarily ancillary to the above use.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 1.25. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 4 917 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; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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; or

- (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 caretaker's suite, 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 which are located
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (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; and
- (g) a maximum of one enclosed balcony in any unit oriented toward 41st Avenue, provided the balcony is enclosed in accordance with all applicable policies and guidelines adopted by Council.

4. Height

The maximum building height, measured above the base surface, is 12 m.

5. Setbacks

The minimum setback of a building

- (a) from the south (rear) property boundary is 8.5 m.
- (b) from the north (front) property boundary is 3.0 m.

- (c) from the east property boundary is 2.1 m, and
- (d) from the west property boundary is 6.1 m.

6. 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 82 off-street parking spaces must be provided.

7. Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level set opposite such portions. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

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

8. 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 January, 1998.

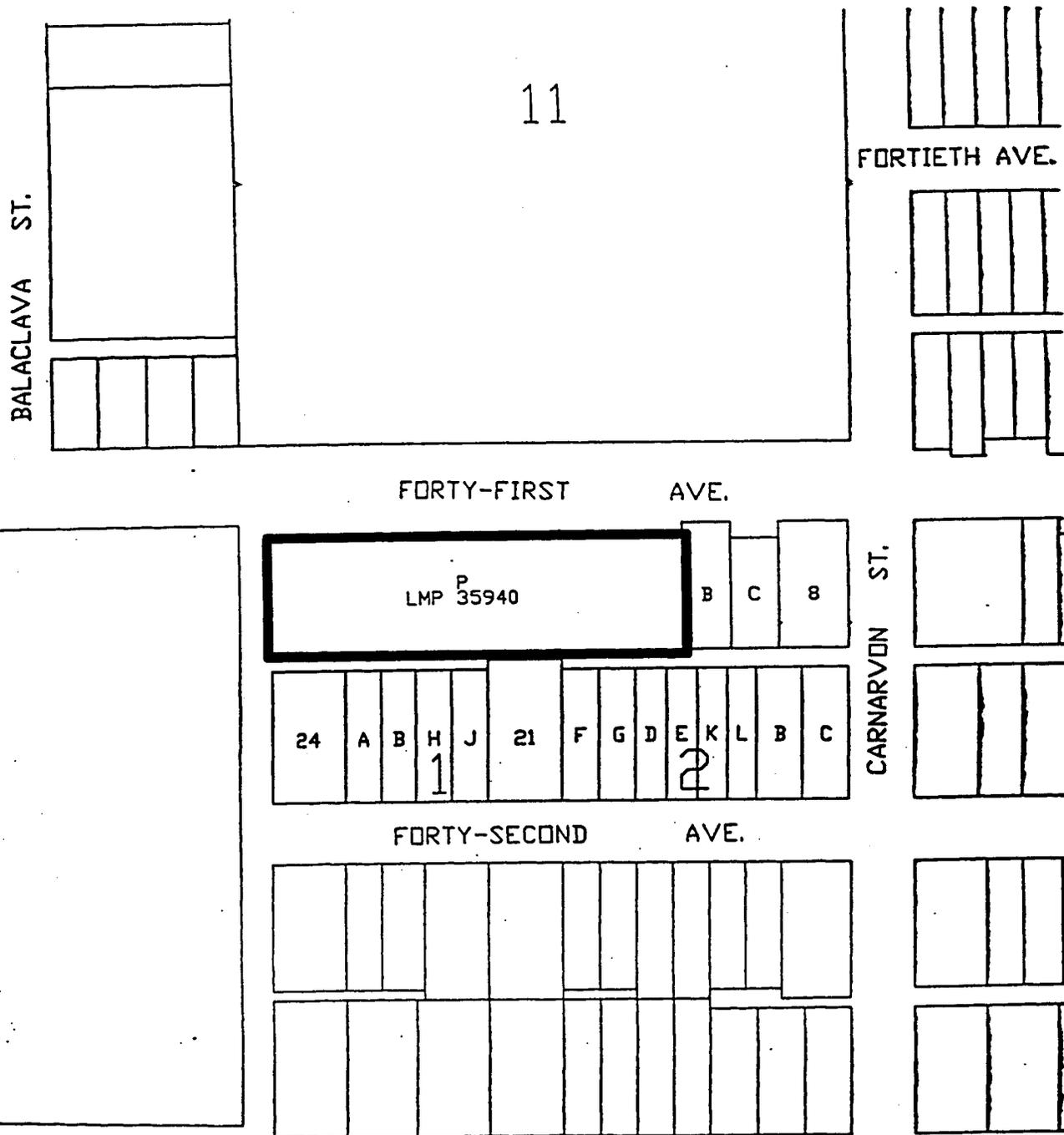
"(signed) Philip W. Owen"
MAYOR

"(signed) Gil T. Mervyn"
DEPUTY 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 January 1998, and numbered 7834.

CITY CLERK"

BY-LAW No. 7834 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black () is rezoned:
From **RT-2** To **CD-1**

Z-463(a)

RZ 3062 - 3188 W. 41st Ave.

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



BY-LAWS (CONT'D)

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

(3062-3188 West 41st Ave.; Rezoning - RT-2 to CD-1)

MOVED by Cllr. Kennedy,

SECONDED by Cllr. Price,

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

- CARRIED UNANIMOUSLY

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

There being no amendments, it was

MOVED by Cllr. Kennedy,

SECONDED by Cllr. Price,

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

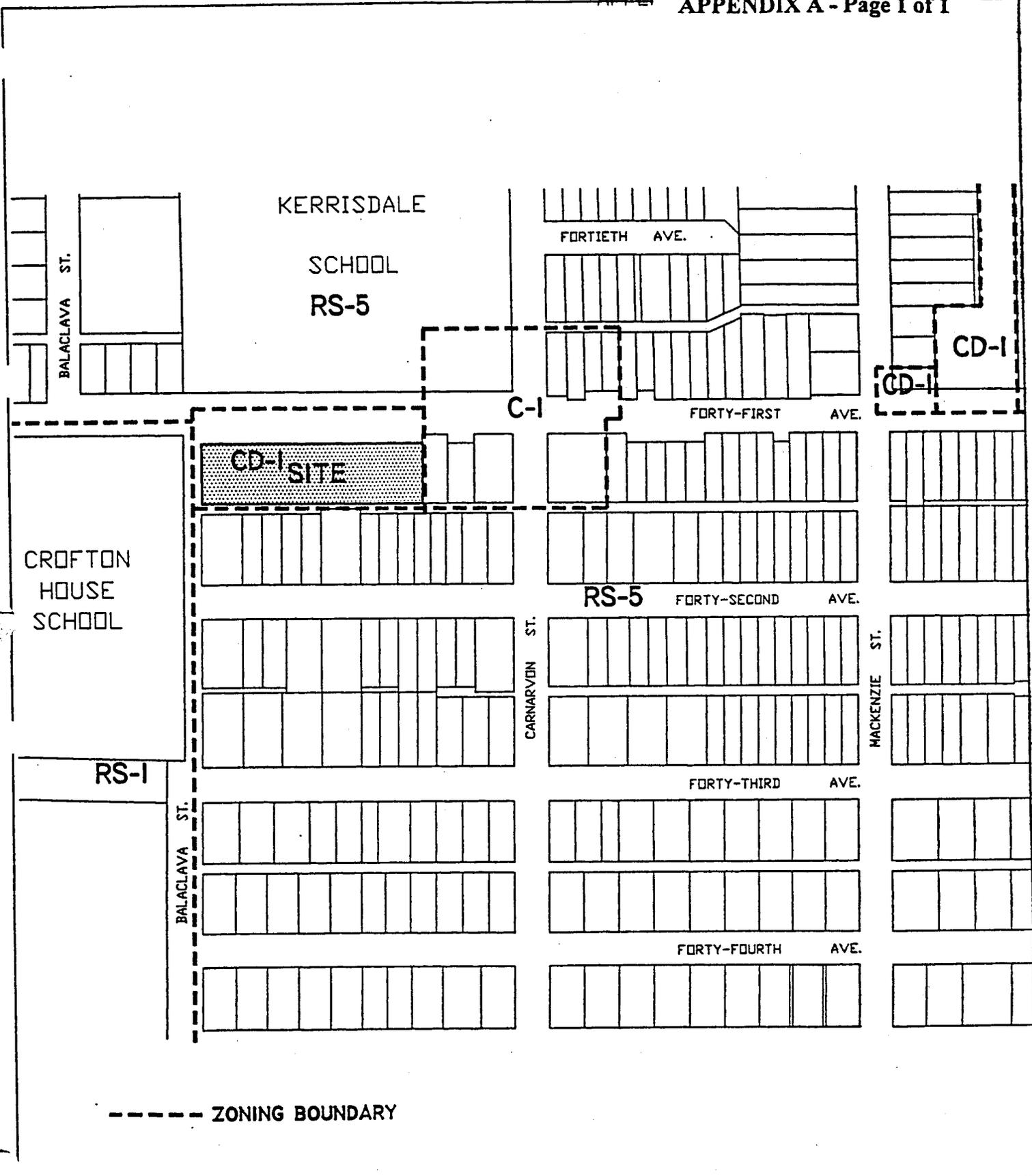
- CARRIED UNANIMOUSLY

(Councillors Bellamy, Chiavario and Clarke excused from voting on By-law 2)

Clause No. 1 (cont'd)

- the proposed development will be well built and will include wider doorways, easy access, good lighting;
- wanted to stay in immediate neighbourhood, but unable to find any other senior's housing in the area;
- if senior's housing is not build in Kerrisdale, where will it be built;
- the West 41st Avenue Property Owners Group is committed to the best for themselves, but are also concerned about the needs and quality of life for their peers in the area;
- need to provide a larger amount of housing for seniors in the area;
- the neighbourhood is self-contained; shops are easily reached by walking or transit;
- the project is a way to reduce traffic; the seniors are creating their own solution and part of a long-term solution; the project will be build on a main arterial, close to transit, shops and services, a basic concept of City Plan;
- the project is a responsible approach, providing medium density housing with some ground oriented units;
- a lot of long-time Kerrisdale residents hope the project will be approved; they don't want to move to White Rock or Richmond, and don't want to have to drive everywhere;
- need to have some places with higher density to accommodate an increasing number of seniors;
- there are many Kerrisdale homeowners who could benefit from such a development;
- a single family home is expensive to maintain; looking for senior's accommodation, and choices in accommodation which offer safety for older people;
- the proposed complex will have security and a caretaker;

cont'd...



----- ZONING BOUNDARY

3088 W. 41ST DE 402672	DATE 1998 03 04	↑
	DRAWN WGKS	
CITY OF VANCOUVER PLANNING DEPARTMENT	SCALE 1:3000	

Approved For: _____
 Date: _____
 Approved For: _____
 Date: _____
 Approved For: _____
 Date: _____



100-100, 100th St.
 Vancouver, B.C.

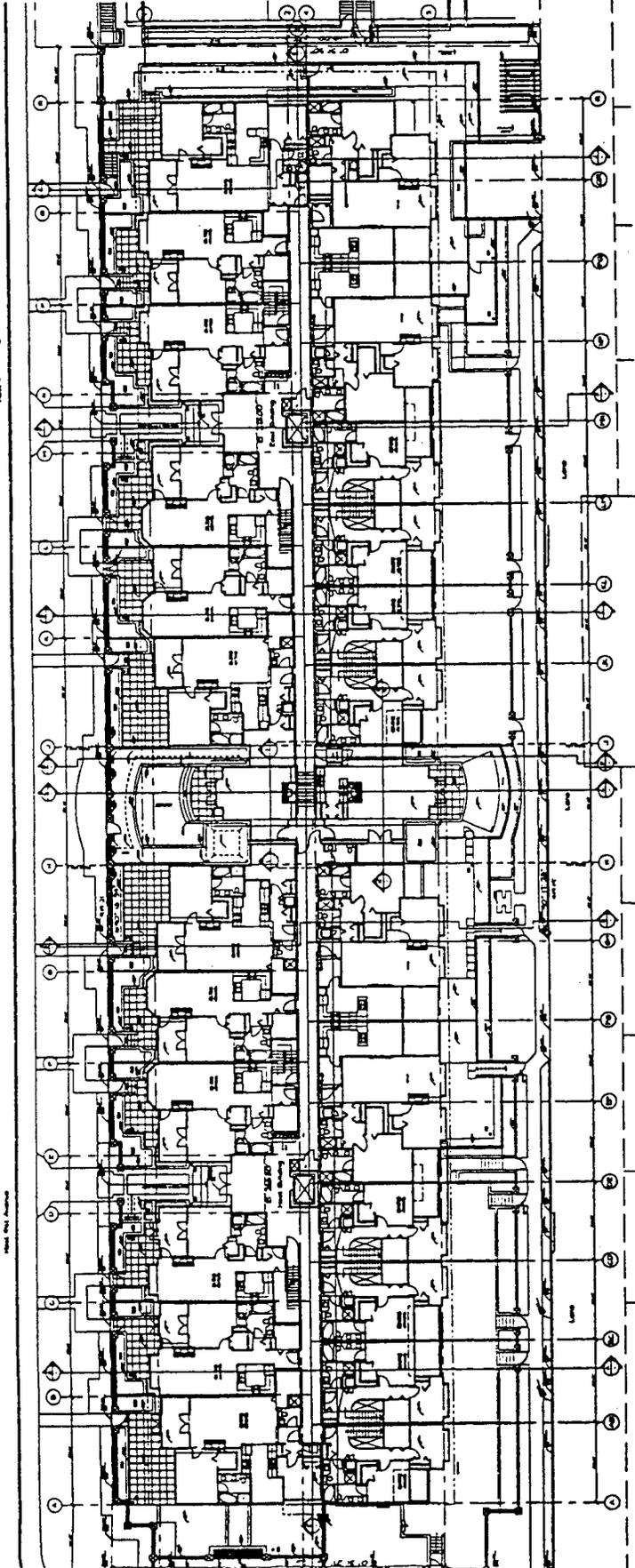
**Neale
Staniszki
Doll
Adams**
 ARCHITECTS

Prepared Pursuant to the Act and Rules of the
 British Columbia Association of Architects
 and the Architects Act, R.S.B.C. 1986, c. 48
 and the Architects Regulation, B.C. Reg. 120/86

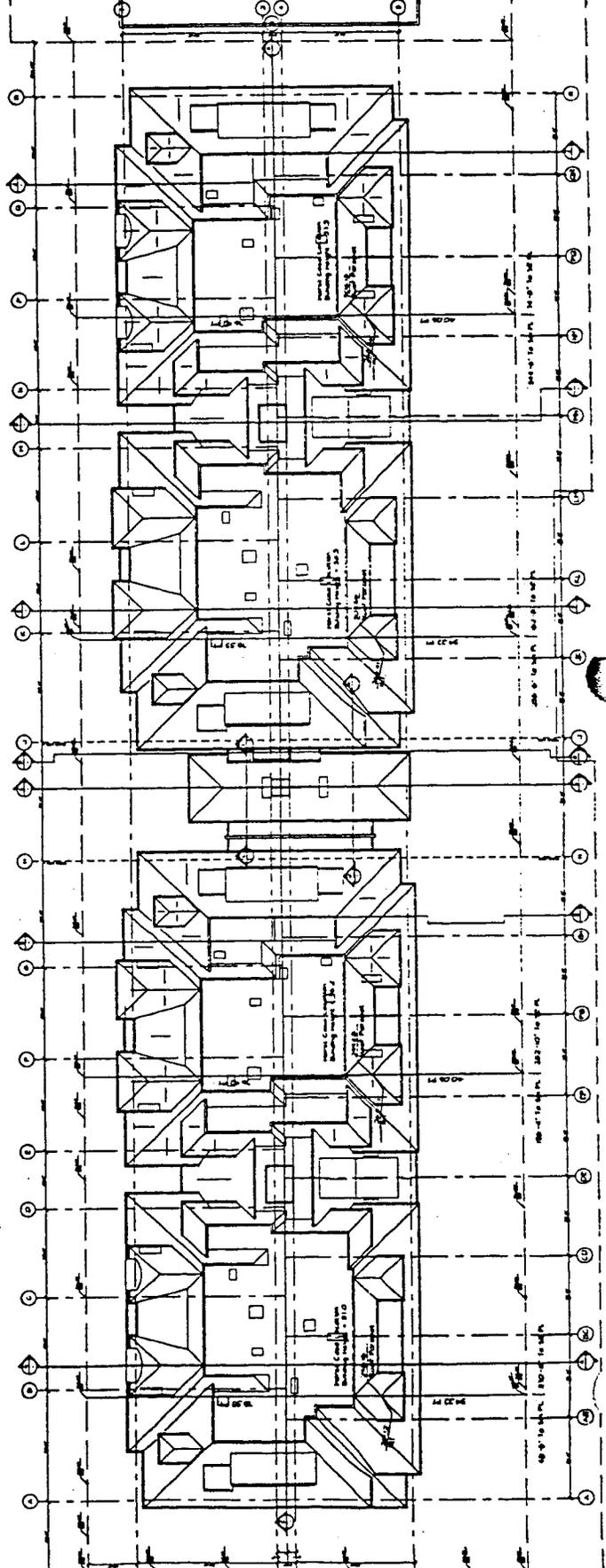
4151 & Boloclawo
 3062-3188 West 41st
 Vancouver, B.C.

Site Plan / Roof Plan
 Building Height
 Calculations

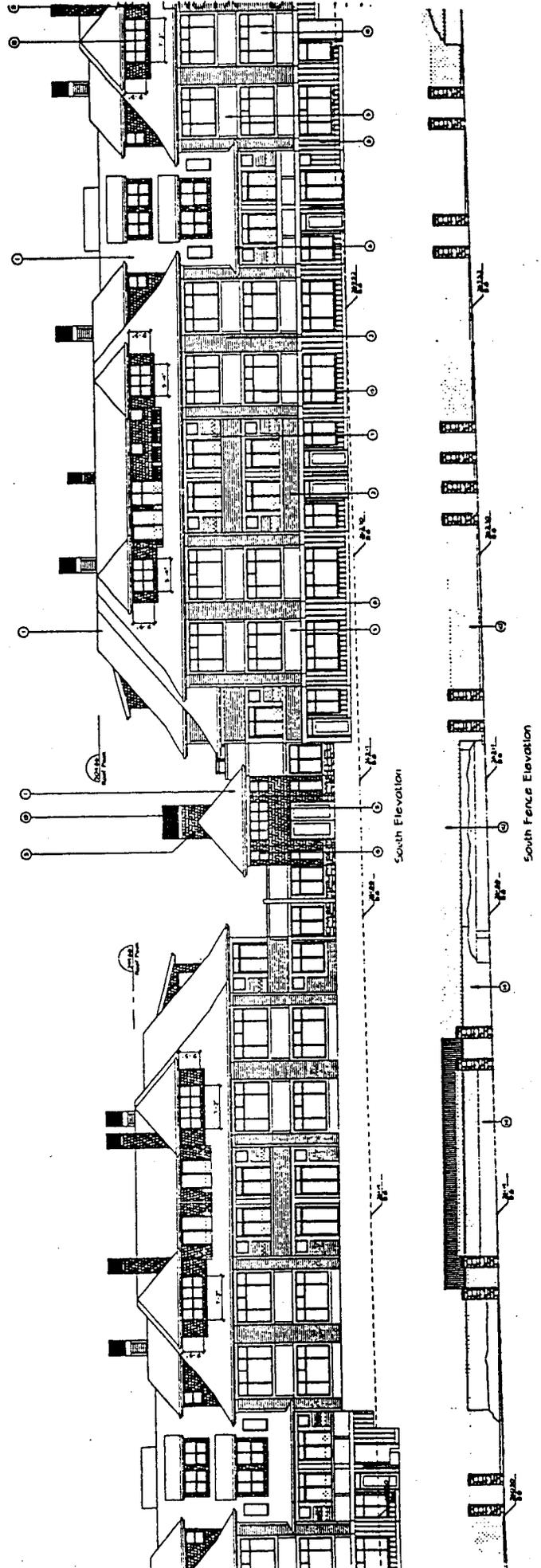
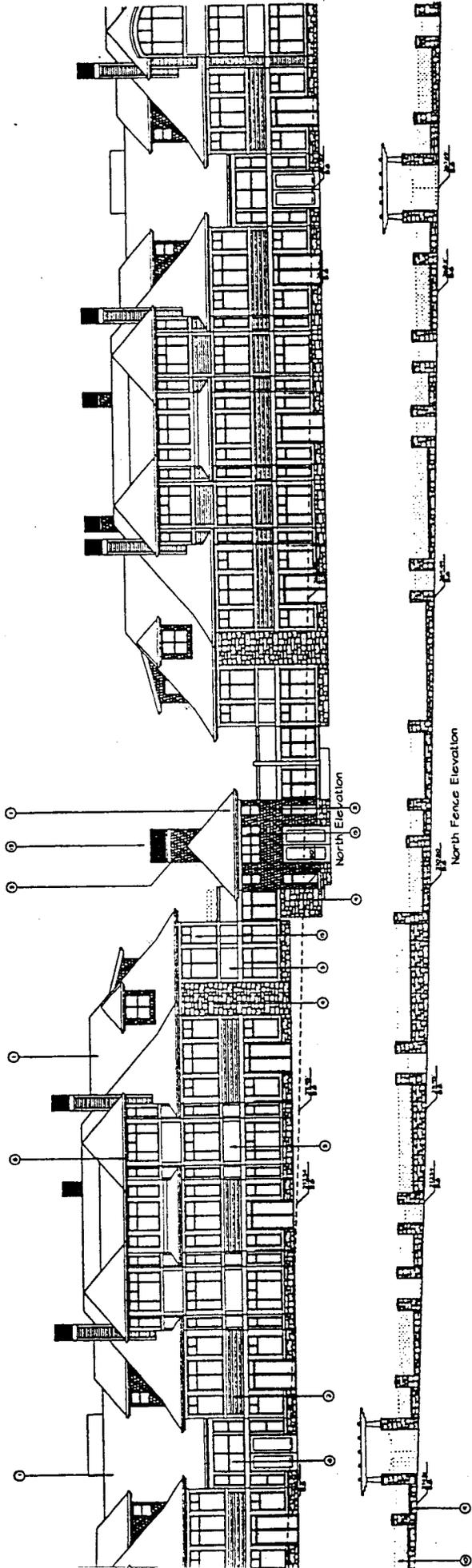
1/16" = 1'-0"
 4 A-100



Site Plan



Roof Plan / Building Calculations



**Neale
Staniszkiis
Doll
Adams
ARCHITECTS**

Banchovo Mews
3062 - 3188 West
Vancouver, B.C.

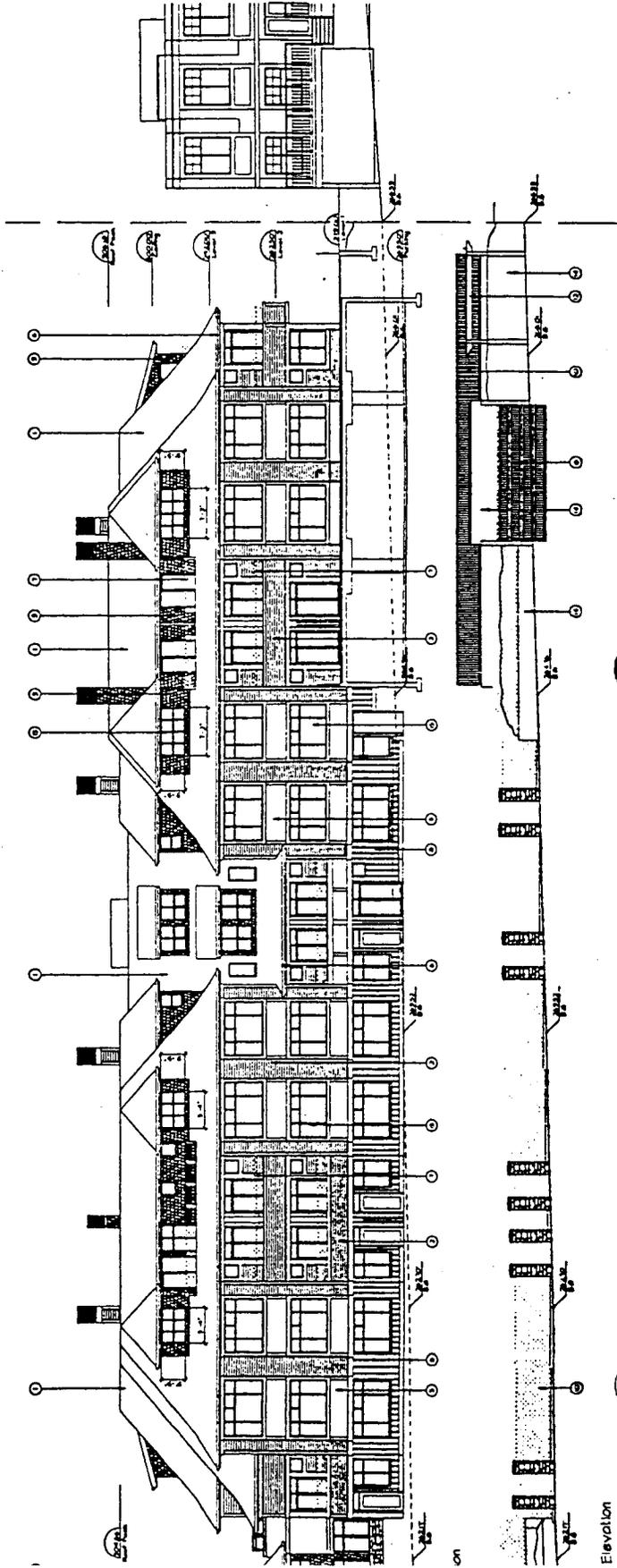
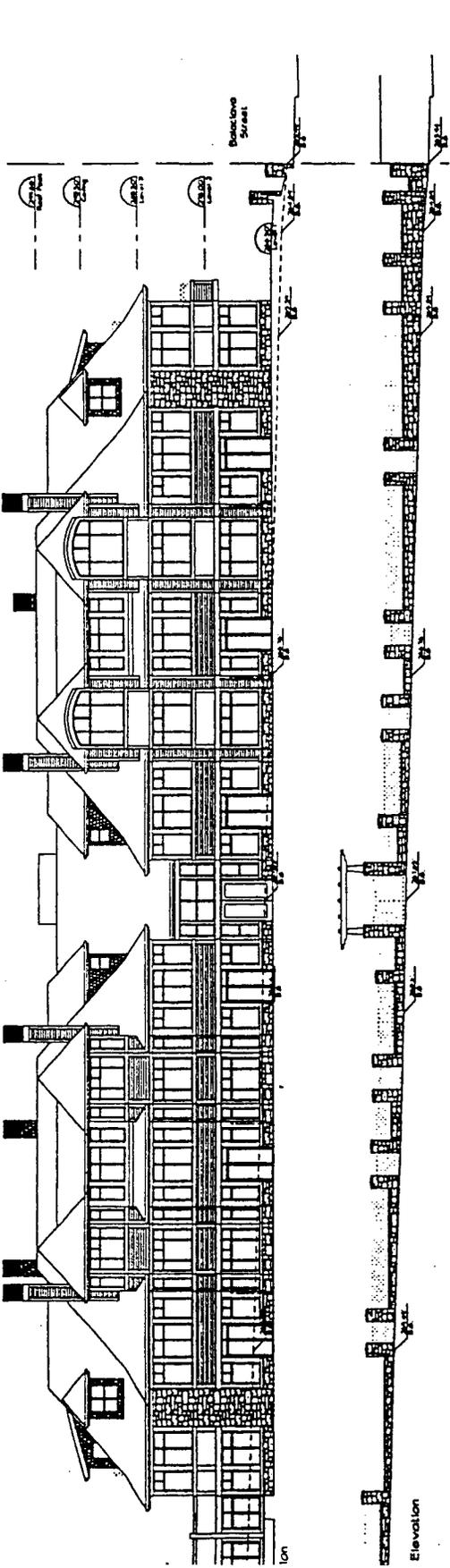
North & South
Elevations

1/8" = 1'-0"

A202

1	1/2" = 1'-0"
2	1/4" = 1'-0"
3	1/8" = 1'-0"
4	1/16" = 1'-0"
5	1/32" = 1'-0"
6	1/64" = 1'-0"
7	1/128" = 1'-0"
8	1/256" = 1'-0"
9	1/512" = 1'-0"
10	1/1024" = 1'-0"
11	1/2048" = 1'-0"
12	1/4096" = 1'-0"
13	1/8192" = 1'-0"
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20	1/1048576" = 1'-0"
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22	1/4194304" = 1'-0"
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32	1/4294967296" = 1'-0"
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- Material Legend**
- 1. Concrete
 - 2. Brick
 - 3. Stone
 - 4. Mortar
 - 5. Plaster
 - 6. Paint
 - 7. Glass
 - 8. Metal
 - 9. Wood
 - 10. Asphalt
 - 11. Roofing
 - 12. Siding
 - 13. Fencing
 - 14. Driveway
 - 15. Walkway
 - 16. Stairs
 - 17. Decking
 - 18. Balustrade
 - 19. Gate
 - 20. Light
 - 21. Sign
 - 22. Planter
 - 23. Bench
 - 24. Fountain
 - 25. Well
 - 26. Pond
 - 27. Tree
 - 28. Shrub
 - 29. Lawn
 - 30. Path
 - 31. Wall
 - 32. Column
 - 33. Beam
 - 34. Joist
 - 35. Truss
 - 36. Rafters
 - 37. Gables
 - 38. Chimney
 - 39. Vent
 - 40. Hatch
 - 41. Staircase
 - 42. Landing
 - 43. Corridor
 - 44. Room
 - 45. Kitchen
 - 46. Bathroom
 - 47. Bedroom
 - 48. Living
 - 49. Dining
 - 50. Hallway
 - 51. Entry
 - 52. Porch
 - 53. Terrace
 - 54. Deck
 - 55. Patio
 - 56. Driveway
 - 57. Garage
 - 58. Shed
 - 59. Barn
 - 60. Warehouse
 - 61. Office
 - 62. Store
 - 63. Factory
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 - 100. Warehouse



ADMINISTRATIVE REPORT

Date: March 10, 1998
Author/Local: M.Cho/6496
CC File No. 2605

TO: Vancouver City Council

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

SUBJECT: Form of Development: 3088 West 41st Avenue
DE402672 - CD-1 By-law Number 7834
Owner of Development: Polygon Development 101 Ltd.

RECOMMENDATION

THAT the form of development for the CD-1 zoned site known as 3088 West 41st Avenue be approved generally as illustrated in the Development Application Number DE402672, prepared by Neale Staniszkis Doll Adams Architects, and stamped "Received, City Planning Department December 16, 1997 and February 24, 1998", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

There is no applicable Council policy except that Council did approve in principle the form of development for this site when the rezoning was approved, following a Public Hearing.

PURPOSE

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

SITE DESCRIPTION AND BACKGROUND

At a Public Hearing on March 25, April 8 and 28, 1997, City Council approved a rezoning of this site from RT-2 Two-Family Dwelling to CD-1 Comprehensive Development District. Council also approved in principle the form of development for these lands. CD-1 By-law Number 7834 was enacted on January 6, 1998.

The site is located on the south side of West 41st Avenue between Balaclava Street to the west and Carnarvon Street to the east. The site and surrounding zoning are shown on the attached Appendix A.

Subsequent to Council's approval of the CD-1 rezoning, the Director of Planning approved Development Application Number DE402672. This approval was subject to various conditions, including Council's approval of the form of development. The latter condition is one of the few outstanding prior to permit issuance.

DISCUSSION

The proposal involves the construction of two four-storey multiple dwellings with a total of 58 units for households in which at least one resident would be 55 years of age or older, and one additional unit for a caretaker. Units have been designed with consideration to the needs of seniors and aging-in-place. To address regional priorities regarding ground-oriented alternatives to one-family dwellings, twenty-one of the units will have direct grade-level access.

At the time of rezoning, a condition of approval required the applicant to reduce the scale of the south face of the buildings to minimize overlook and improve the scale relationship with single-family homes across the lane. It was required that the design be refined to read more substantially as a three-storey building from the south.

This has been accomplished through the following design refinements:

- The eave line of the roof has been brought down to the third floor along the length of the four principle building forms. In this way, the development on the top floor is completely contained within the roof form as viewed from the south. The scale of the buildings has been further reduced by bringing the eave line down to the second floor between the principle building forms and at the westernmost ends of the two buildings.
- The main ridge line heights of the roofs have been reduced by between one and four feet.
- The roof decks, dormers, and building walls on the fourth floor have been pulled back into the mass of the roof, becoming further removed from the south, more discreet, and less visible particularly from grade level.
- The floor area on the top floor has been reduced from 18,855 square feet to 17,652 square feet.
- The number of units on the top floor facing south has been reduced from eight to six.
- The number of primary rooms on the top floor facing south has been reduced from 24 to 20.

The Director of Planning believes that these refinements represent an appropriate and substantive response to this condition, and that the proposed development responds to the stated objectives of the CD-1 By-law.

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

CONCLUSION

The Director of Planning has approved Development Application Number DE402672, subject to various conditions to be met prior to the issuance of the development permit. One condition is that the form of development first be approved by Council.

* * * * *

CITY MANAGER'S ADMINISTRATIVE REPORTS (CONT'D)

8. **Form of Development: 3088 West 41st Avenue** **File: 2605**
DE402672 - CD-1 By-law Number 7834
Owner of Development: Polygon Development 101 Ltd
March 10, 1998

CD-1 (276)

MOVED by Cllr. Price,

THAT the form of development for the CD-1 zoned site known as 3088 West 41st Avenue be approved generally as illustrated in the Development Application Number DE402672, prepared by Neale Staniszki Doll Adams Architects, and stamped "Received, City Planning Department December 16, 1997 and February 24, 1998", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

- CARRIED

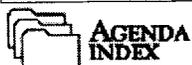
(Councillors Bellamy and Puil opposed)

9. **Award of Contract No. 9807 -** **File: 1805**
Supply and Installation of Distribution Watermain
March 6, 1998

MOVED by Cllr. Bellamy,

- A. THAT Contract No. 9807 for the supply and installation of distribution watermain, be awarded to the low bidder meeting the contract requirements, Pedre Contractors Ltd., for a total tender price of \$680,594.26 (GST included); with the source of funds to be account code 17/36/1004/999.
- B. THAT the bid bonds of the unsuccessful tenderers be returned.
- C. THAT the General Manager of Engineering Services, in consultation with the Director of Legal Services, be authorized to enter into a construction services contract with Pedre Contractors Ltd., for Contract No. 9807, for the supply and installation of distribution watermain.

- CARRIED UNANIMOUSLY



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](#).

[CITY HOMEPAGE](#)

[GET IN TOUCH](#)

[COMMUNITIES](#)

[SEARCH](#)

(c) 1998 City of Vancouver

EXPLANATION

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

Amendments re Exterior Wall Exclusion (Barrett Commission Recommendations)

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

**Director of Legal Services
14 March 2000**

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Exterior Wall Exclusion

BY-LAW NO. 8169

A By-law to amend
By-laws Nos.

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

being By-laws which amended the
Zoning and Development By-law
by rezoning areas to CD-1

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

1. By-law No. 3907 is amended in Section 2 by deleting the period from the end
of clause (b) and substituting it with a semi-colon and by adding the following clause:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7705 7459 7435 7434 7419 7389 6718

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

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

5458 5548 5597 6962 7045 7682

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

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

3897 3983 5510 7144 7208 7476 7516 7820 7927 7996

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

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

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

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

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

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

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

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

3869 7173 7522 7601 7656 7672 7834 7852 7853 7904 7958

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

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

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

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

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

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

5762 5927 6315 6317 6318 6319 6321 6323 6362

29. By-law No. 7980 is amended

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3632 3706 4131 7649 7995 8073 8097

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

69.

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

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

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 14th day of March 2000, and numbered 8169.

CITY CLERK"



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
NOVEMBER 20, 2003

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

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

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

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

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

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

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

The Director of Current Planning recommended approval.

Staff Comments

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

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Louis

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

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

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

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

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

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

(By-law No. 8767)

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