



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060
planning@vancouver.ca

CD-1 (396)

333 East Pender Street

By-law No. 8097

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

Effective October 19, 1999

(Amended up to and including By-law No. 9749, dated October 28, 2008)

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(396), 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) Seniors Supportive or Assisted Housing, subject to section 3.1. [8824; 04 04 06]
- (b) Adult Day Care Facility, and
- (c) Accessory Uses customarily ancillary to the above uses.

3 Conditions of Use

3.1 Any development containing a Seniors Supportive or Assisted Housing shall include all of the following facilities and amenities:

- (a) a communal dining room;
- (b) a multi-purpose room; and
- (c) lounges, to be provided on the basis of one per floor and located on each floor. [8824; 04 04 06]

4 Floor Space

4.1 The floor space ratio must not exceed 2.72. [9749; 08 10 28]

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

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

4.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, 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 day care facilities, recreation facilities, lounge areas, and multi-purpose and meeting rooms, to a maximum total of 10 percent of the total building floor area;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8097 or provides an explanatory note.*

- (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]
- (g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

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

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided;
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed; and
 - (iii) a minimum of two wall planes, being exterior glazed walls, shall extend a minimum of 0.6 m beyond at least one exterior wall of the building.

4.5 The following minimum floor areas shall apply:

- (a) a dwelling unit designed and used for single occupancy shall have a minimum floor area of 21.0 m²;
- (b) a dwelling unit designed and used for double occupancy shall have a minimum floor area of 30.7 m²;
- (c) a communal dining room and a multi-purpose room shall each have a minimum floor area in square metres equivalent to the figure obtained from the multiplication of the number of beds provided by 1.33; and
- (d) a lounge shall have a minimum floor area in square metres equivalent to the figure obtained from the multiplication of the number of beds provided on the floor by 1.4.

5 Height

5.1 The maximum building height measured above the base surface is 15.0m and five storeys. [9749; 08 10 28]

5.2 The Director of Planning may, at this discretion, permit a greater height than prescribed by Section 5.1 to provide for pergolas, gazebos, safety barriers or other similar roof garden features, provided that he is satisfied that such features are of a reasonable size and do not adversely affect the amenities of adjoining sites.

6 Setbacks

The minimum side yard setback of a building is 0.72 m from each property boundary.

7 Off-Street Parking and Loading

Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 15 off-street parking spaces and one disability space must be provided.

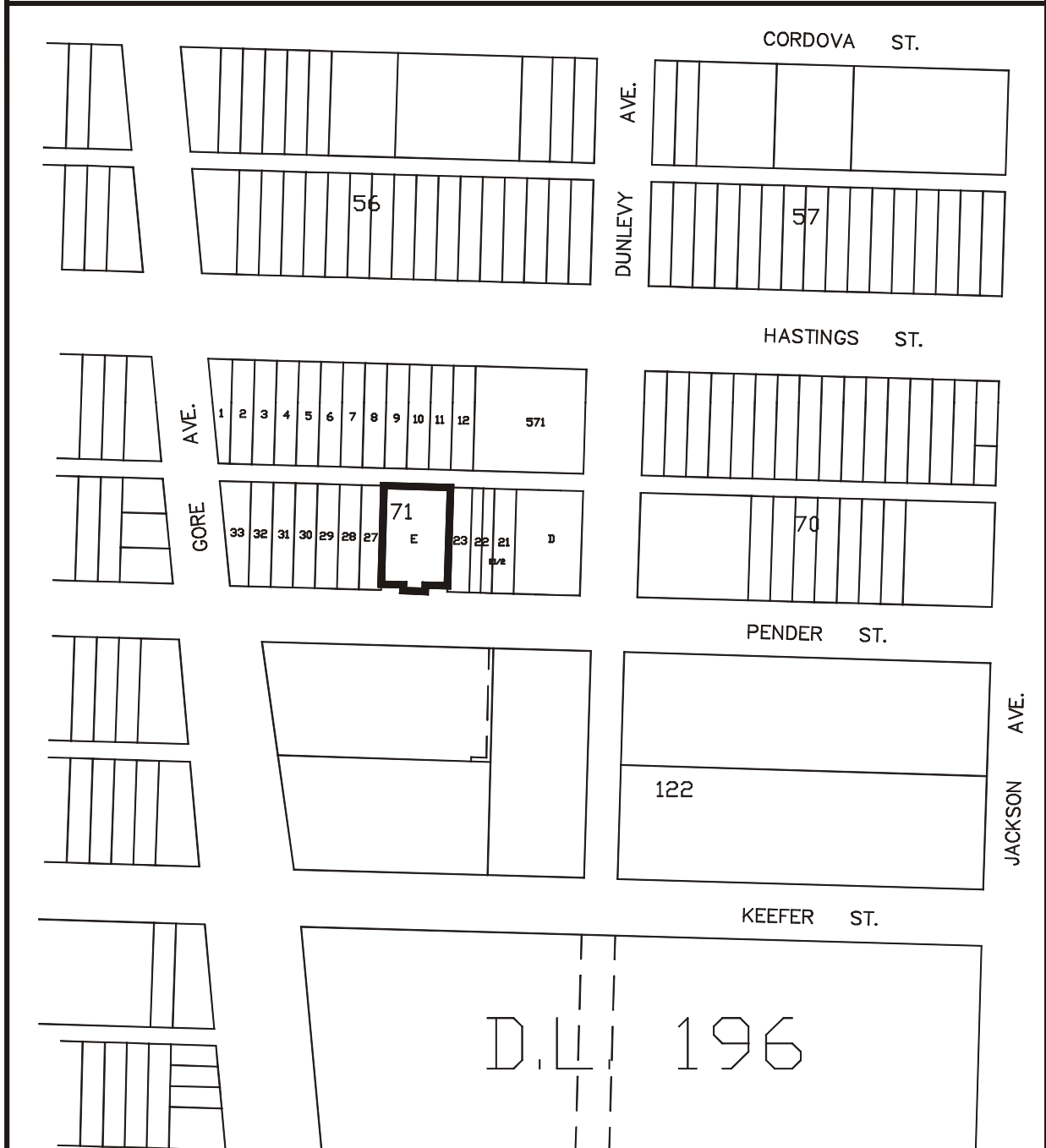
8 Acoustics

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 do 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 is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

9 *[Section 9 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

**By-law No. 8097 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-3** to **CD-1**

Z-490

RZ - 333 East Pender Street

map: 1 of 1
scale: 1:2000



City of Vancouver

333 East Pender Street

BY-LAW NO. 8097

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-490 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(396), 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) Special Needs Residential Facility - Congregate Housing, subject to section 3.1.
- (b) Adult Day Care Facility, and
- (b) Accessory Uses customarily ancillary to the above uses.

3. Conditions of Use

3.1 Any development containing a Special Needs Residential Facility - Congregate Housing shall include all of the following facilities and amenities:

- (a) a communal dining room;

- (b) a multi-purpose room; and
- (c) lounges, to be provided on the basis of one per floor and located on each floor.

4. Floor Space

4.1 The floor space ratio must not exceed 2.54.

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

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

4.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, 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 day care facilities, recreation facilities, lounge areas,

and multi-purpose 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.

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

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided;
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed; and
 - (iii) a minimum of two wall planes, being exterior glazed walls, shall extend a minimum of 0.6 m beyond at least one exterior wall of the building.

4.5 The following minimum floor areas shall apply :

- (a) a dwelling unit designed and used for single occupancy shall have a minimum floor area of 21.0 m²;
- (b) a dwelling unit designed and used for double occupancy shall have a minimum floor area of 30.7 m²;

- (c) a communal dining room and a multi-purpose room shall each have a minimum floor area in square metres equivalent to the figure obtained from the multiplication of the number of beds provided by 1.33; and
- (d) a lounge shall have a minimum floor area in square metres equivalent to the figure obtained from the multiplication of the number of beds provided on the floor by 1.4.

5. Height

5.1 The maximum building height measured above the base surface is 15.0 m and four storeys.

5.2 The Director of Planning may, at his discretion, permit a greater height than prescribed by Section 5.1 to provide for pergolas, gazebos, safety barriers or other similar roof garden features, provided that he is satisfied that such features are of a reasonable size and do not adversely affect the amenities of adjoining sites.

6. Setbacks

The minimum side yard setback of a building is 0.72 m from each property boundary.

7. Off-Street Parking and Loading

Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 15 off-street parking spaces and one disability space must be provided.

8. 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 LEVELS
(DECIBELS)

bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

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

DONE AND PASSED in open Council this 19th day of October , 1999.

(Signed) Philip W. Owen
Mayor

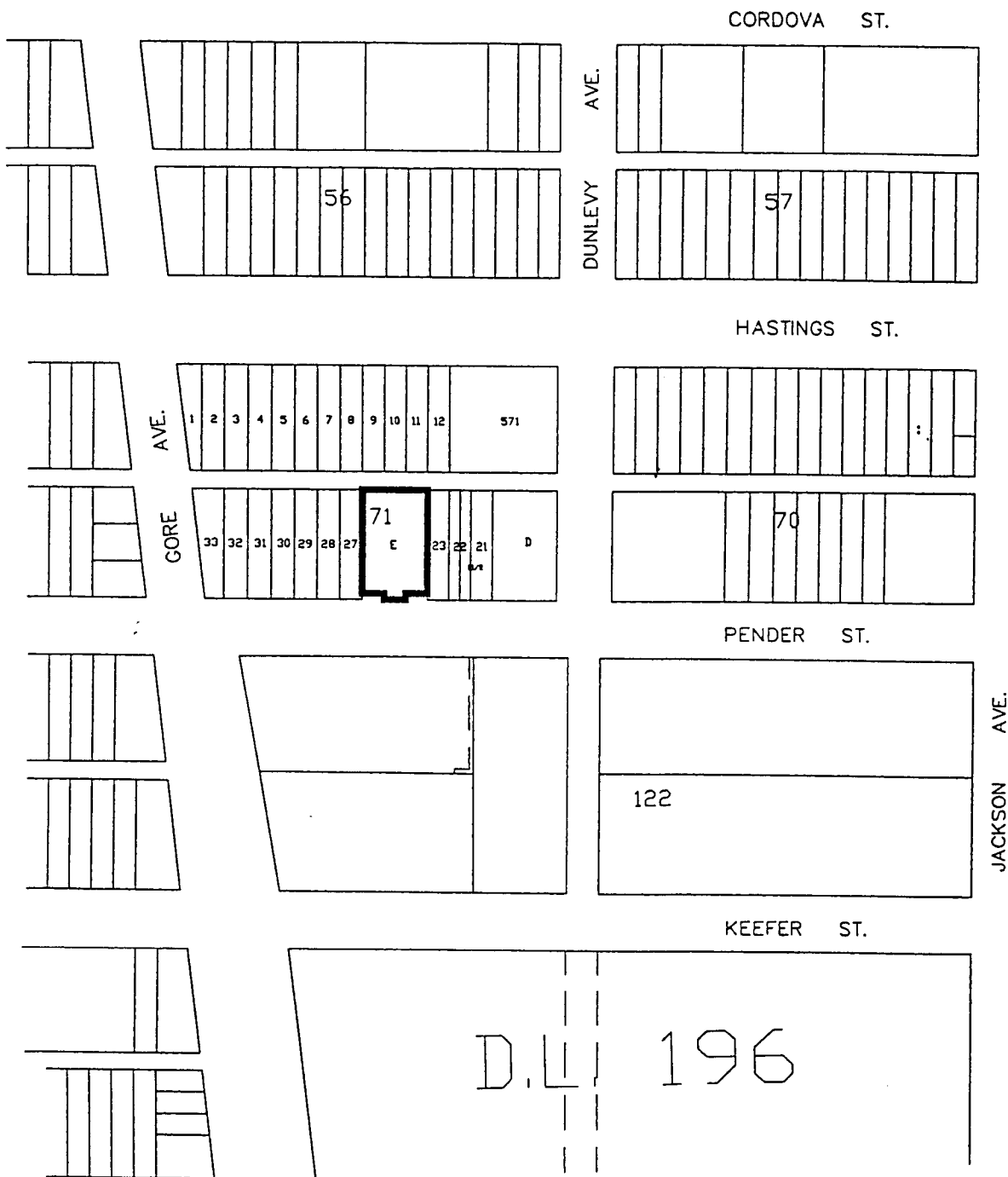
(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 19th day of October 1999, and numbered 8097.

CITY CLERK"

By-law No. 8097 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-3** to **CD-1**

Z-490

RZ - 333 East Pender Street

map: 1 of 1
scale: 1:2000



City of Vancouver

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

5. A By-law to amend By-law No. 3575, being the Zoning and Development By-law (33 East Pender Street - Rezoning - RT-3 to CD-1)

333

By-law No. 8097

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

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

- CARRIED UNANIMOUSLY.

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

There being no amendments, it was

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

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, DANIEL LEE
AND PUIL WERE EXCUSED FROM VOTING ON BY-LAW 5

6. A By-law to amend By-law No. 5091, being a By-law which amended the Zoning and Development By-law by rezoning an area to CD-1 (4500 Oak Street -Children's and Women's Hospital)

By-law No. 8098

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

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

- CARRIED UNANIMOUSLY

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

333 East Pender Street

BY-LAW NO. 8086

A By-law to Authorize Council
Entering into a Housing Agreement

WHEREAS Section 565.2 of the *Vancouver Charter* authorizes Council to enact by-laws to enter into housing agreements with the owners of land within the City, which agreements may include terms and conditions agreed to by Council and the owner, but may not vary the permitted use or density of the land;

AND WHEREAS the owner of property at 333 East Pender Street has applied to rezone the property to CD-1 to permit the development of a seniors congregate housing project as a permitted use;

AND WHEREAS the Director of Legal Services, the Manager of the Housing Centre and Parkco Enterprises Ltd., the owner of the property at 333 East Pender Street, have agreed to the form of agreement relating to the accommodation of persons receiving assistance under the Provincial Shelter Aid for Elderly Renters' Program and certain other related terms and conditions;

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

1. The Director of Legal Services is hereby authorized to execute on behalf of the City a housing agreement in substantially the same form as that which is attached to and forms a part of this By-law.

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

DONE AND PASSED in open Council this 5th day of October , 1999.

(Signed) Philip W. Owen

Mayor

(Signed) Ulli S. Watkiss

City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 5th day of October 1999, and numbered 8086.

CITY CLERK"

EXPLANATION

Authorization to Enter into a Housing Agreement with the Owner of 333 East Pender Street

On December 2, 3 and 10, 1998 Council approved an application to rezone property at 333 East Pender Street, subject to the Conditions of Approval set out in the Minutes of the Public Hearing. Condition (c)(ii) requires the owner to "... by way of a Housing Agreement ... secure affordable residential units (50% of the occupants be in receipt of SAFER assistance), for the life of the building;". The attached by-law authorizes Council entering into a housing agreement with the owner of the property which meets this condition.

Director of Legal Services
5 October 1999

THIS AGREEMENT dated for reference the ____ day of _____, 1999

BETWEEN:

PARKCO ENTERPRISES LTD.

(Incorporation No. 143576)
3rd Floor, 157 Alexander Street
Vancouver, British Columbia
V6A 1B8

(the "Owner")

OF THE FIRST PART

AND:

CITY OF VANCOUVER.

453 West 12th Avenue,
Vancouver, British Columbia
V5Y 1V4

(the "City")

OF THE SECOND PART

WHEREAS:

A. The Owner is the registered owner of all and singular those certain parcel or tracts of land and premises situate in the City of Vancouver, in the Province of British Columbia, legally described as:

City of Vancouver
Parcel Identifier: 024-560-979
Lot E
Block 71
District Lot 196
Group 1 New Westminster District
Reference Plan LMP42777
(the "Lands")

HOUSING AGREEMENT
SENIORS CONGREGATE HOUSING PROJECT
333 EAST PENDER STREET

B. The Owner proposes to develop the Lands with a building (the "Building") which shall be specially designed and fitted to accommodate and service elderly people at least half of whom shall be receiving from the Province of British Columbia direct cash assistance under the Shelter Aid for Elderly Renters' Program, which program is herein called "SAFER".

C. It is a condition of the rezoning of the Lands that the Owner enter into this Housing Agreement with the City.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the sum of Ten Dollars (\$10.00) now paid by the City to the Owner and for other good and valuable consideration and as a condition of the City rezoning the Lands (the receipt and sufficiency of which the Owner hereby acknowledges) the Owner and the City each covenant with the other pursuant to Section 565.2 of the Vancouver Charter as follows:

1. In this agreement the following terms have the definitions now given:
 - (a) **"Annual Gross Income"** means either
 1. the total income or payments from all sources received at any time during the calendar year just past regardless of whether taxable including wages, salary, rents, fees, interest, dividends, pension payments, annuity payments, awards and payments in compensation for lost income, capital gains, bequests, lottery winnings and winnings from gambling and wagering; or
 2. the current total monthly income or payments from all sources regardless of whether taxable including wages, salary, rents, fees, interest, dividends, pension payments, annuity payments, awards and payments in compensation for lost income, capital gains, bequests, lottery winnings and winnings from gambling and wagering multiplied by twelve (12);
 - (b) **"CPI"** means the Consumer Price Index (All Items) for Vancouver, British Columbia as published by Statistics Canada which as of the date of this Agreement sets the 1992 average at 100 as the basis of calculation. If the CPI is no longer available or is no longer published, the City shall choose a publication evaluating like information theretofore used in determining the CPI. The substitute index is always called "CPI";
 - (c) **"End of SAFER"** means the day from which the SAFER program as it exists as of the signing of this agreement is no longer offered by the Province of British Columbia to residents of the Building in the reasonable written opinion of the City;

- (d) **"Income Statement"** means a written statement made under oath of a person's Annual Gross Income and means, in the case of a couple, the Income Statement of each person making up the couple such that the Annual Gross Income of both taken together shall be the Annual Gross Income of the couple. The form of the Income Statement shall be as the City shall approve from time to time;
- (e) **"Meal Services"** means comprehensive meal services equal to the meal services provided to all residents of the Building;
- (f) **"SAFER"** means the Shelter Aid For Elderly Renters program of the Province of British Columbia;
- (g) **"SAFER Maximum Monthly Rent"** means the maximum monthly rent considered by the Province of British Columbia in calculating the monthly SAFER assistance for a single person or a couple, not including any charges or allowances for meals.

2. Each of the single occupancy self-contained sleeping rooms within the Building may only be occupied by a single person at least sixty (60) years of age and each of the double occupancy self-contained sleeping rooms within the Building may only be occupied by no more than two (2) people one or both of whom are at least sixty (60) years of age.

3. At all times the Owner shall maintain and make available to all residents of the Building Meal Services such that a resident need not leave the Building for any meals. The Meal Services shall be to lawful standards.

4. At least one half of the residents of the Building shall be receiving direct cash assistance from SAFER.

5. To those residents receiving SAFER assistance, the Owner shall also provide Meal Services.

6. Rent and charges for Meal Services shall only be charged and payable on a monthly basis. There is no restriction on the levy of a reasonable amount for security deposit.

7. To those residents receiving SAFER assistance the monthly charge for room and Meal Services shall not be greater than double the SAFER Maximum Monthly Rent.

8. For the remainder of the End of SAFER calendar year, the Owner shall continue to provide the former SAFER residents room and Meal Service at a monthly charge not greater than double the SAFER Maximum Monthly Rent.

9. For each calendar year commencing as of the first day of the calendar year following End of SAFER, the Owner shall provide sleeping accommodation and Meal Services to at least one-half of the residents of the Building at a monthly charge not greater than double the amount determined by multiplying the SAFER Maximum Monthly Rent prevailing immediately prior to End of SAFER for singles or for couples, as the case may be, by a certain fraction the numerator of which is the CPI for December immediately prior to the calendar year in question and the denominator of which is the CPI for the month of End of SAFER.
10. (a) Paragraph 9 shall apply firstly to former SAFER residents and secondly only to those singles or couples, as the case may be, whose Income Statement discloses that their average gross monthly income is not greater than four times the amount determined by multiplying the SAFER Maximum Monthly Rent prevailing immediately prior to End of SAFER by a certain fraction the numerator of which is the CPI for December immediately prior to the calendar year in question and the denominator of which is the CPI for the month of End of SAFER.
- (b) Except for former SAFER residents, in deciding to whom paragraph 9 shall apply the Owner shall demand and receive from each resident and prospective resident an Income Statement.
- (c) If the Income Statement of the resident or prospective resident discloses that his or her average gross monthly income is greater than permitted for paragraph 9 to apply to such resident, then paragraph 9 shall not be applied to such person AND the Owner shall apply paragraph 9 to some other person whose Income Statement discloses an average gross monthly income which is not greater than permitted for paragraph 9 to apply to such person.
11. The Owner shall maintain a rent roll for each sleeping room in the Building setting out for each month the name of the occupant, whether or not such occupant receives assistance from SAFER, the meals and other services provided to the occupant and the rent and other charges paid or payable to the Owner for and during such month and after End of SAFER the rent roll shall include the occupant's Income Statement if paragraph 9 applies to such occupant. This shall be available to inspection by the City upon reasonable notice. In April of each year the Owner shall provide the City a copy of the rent roll for each month of the preceding calendar year.
12. The Owner shall provide to the City no later than May 1st of each year an audited financial statement for the operation of the Lands and the Building for the preceding calendar year. Such statement shall be prepared by a chartered accountant or a certified general accountant licensed to so practise by the Province of British Columbia who shall sign such statement. The Owner shall keep all financial records concerning the operation of the Lands and Building in accordance with good accounting practise. The City may inspect such financial

records upon reasonable notice. Such financial statements shall not be destroyed without the City's consent.

13. Subject to the requirements of this agreement, the Owner shall operate and manage the Lands and Building such that the gross income from the operation of the Lands and Building approximately equals the gross expenses incurred in the operation of the Lands and Building.

14. If the City determines from time to time that any resident has been overcharged contrary to the requirements of this agreement, upon demand the Owner shall pay to the City double the amount of the overcharge together with interest thereon as of the date of the City's demand for such refund at the same per annum rate of interest prevailing from time to time on overdue taxes in the City of Vancouver plus two percent (2%). The parties agree that this term is not in the nature of a penalty but rather is to promote the Owner's compliance with this agreement.

15. If in its reasonable opinion the City determines from time to time that there is or has been a pattern of overcharging residents contrary to the requirements of this agreement or if in its reasonable opinion the City determines from time to time that there is or has been a pattern of operating and managing the Lands and Building such that the gross income is significantly greater than the gross expenses, the City may appoint and install a receiver/manager to operate and manage the Lands and the Building in the place of the Owner or any party which the Owner may have installed. The receiver/manager shall operate and manage the Lands and Building for so long as the City deems advisable.

16. The Owner shall not subdivide the Lands and Building by strata plan.

17. The Owner shall not lease less than the whole of the Lands and the Building and no such lease shall be given unless the prospective tenant and their assignees from time to time covenant with the City upon the same terms and conditions as this agreement. This restriction shall not apply to residents of the Building.

18. If any part of this agreement is judged to be unlawful or unenforceable, such part shall be severed from the agreement the remainder of which shall continue in full force and effect.

19. This agreement may be enforced by mandatory and prohibitory orders of the court. In any action to enforce this agreement the City shall be entitled to court costs on a solicitor and own-client basis.

20. This agreement shall enure to the benefit of and be binding upon the Owner and its successors and trustees and all parties claiming through them and this agreement shall enure

to the benefit of and be binding upon the City and its successors and assigns and this agreement shall charge and run with the Lands and enure to the benefit of and be binding upon the Owners from time to time of the Lands and all parties claiming through such owners and their respective heirs, executors, administrators, trustees and successors.

21. Whenever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic and vice versa where the context or the parties require.

IN WITNESS WHEREOF the Owner, by its authorized signatories, has signed and sealed this agreement as of the ____ day of _____, 1999 and the City, by its authorized signatory, has signed and sealed this agreement as of the ____ day of _____, 1999.

The Common Seal of PARKCO)
 ENTERPRISES LTD.)
 was hereunto affixed in the presence of:) C/S
)
 _____)
 Authorized Signatory)
)
 _____)
 Authorized Signatory)

The Common Seal of the)
 CITY OF VANCOUVER)
 was hereunto affixed in the presence of:) C/S
)
 _____)
 Authorized Signatory)

Authorized by By-law No. _____



7



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
DECEMBER 2, 3 and 10, 1998

A Special Meeting of the Council of the City of Vancouver was held on Wednesday, December 2 at 7:30 p.m., in Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development and Sign By-laws. Subsequently, the Special Council reconvened in the Council Chamber on Thursday, December 3, at 7:30 p.m., with the same members present, and on Thursday, December 10, at 2:00 p.m., with all Council members present except Councillor Daniel Lee.

PRESENT: Mayor Philip Owen
 Councillor Don Bellamy (Dec. 10)
 Councillor Nancy A. Chiavario (Dec. 10)
 Councillor Jennifer Clarke
 Councillor Alan Herbert
 Councillor Lynne Kennedy
 Councillor Daniel Lee (Dec. 2 and 3)
 Councillor Don Lee
 Councillor Gordon Price
 Councillor George Puil (Dec. 10)
 Councillor Sam Sullivan

ABSENT: Councillor Don Bellamy (Sick Leave, Dec. 2 & 3)
 Councillor Nancy A. Chiavario (Sick Leave, Dec. 2 & 3)

Councillor Daniel Lee (Civic Business, Dec. 10)
 Councillor George Puil (Civic Business, Dec. 2 & 3)

CLERK TO THE COUNCIL: Tarja Tuominen - December 2 and 3, 1998
 Nancy Largent - December 10, 1998

COMMITTEE OF THE WHOLE

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

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

- CARRIED UNANIMOUSLY

VARY THE AGENDA

It was agreed to vary the order of the agenda to allow Item 3 to be considered prior to Item 2. However, for ease of reference, the Items are minuted in numerical order.

1. Rezoning: 333 East Pender Street

An application by Robert Isaac-Renton Architect was considered as follows:

Summary: The proposed rezoning would allow for the development of seniors congregate housing.

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

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Robert Isaac-Renton, Architect, and stamped "Received City Planning Department, August 6, 1998", provided that the Director of Planning or Development Permit Board may allow 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 or Development Permit Board who shall have particular regard to the following:
 - (i) further design development on the East Pender facade, in keeping with the RT-3 Guidelines approved in November, 1992;
 - (ii) detailed design development to meet prescribed minimum unit sizes, as established by City Council as part of the draft by-law, improved unit layouts, specifically to eliminate floor areas which are awkward or un-useable to the tenant;
 - (iii) detailed design development of the roof deck area to ensure the safety and security of senior tenants;
 - (iv) plans will indicate telephone, TV cable and emergency call system in each unit;
 - (v) deletion of references to "terraces" shown on public property adjacent to Lots 24 and 25; and
 - (vi) clarification of charges shown on title, a charge summary should be provided.

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

- (i) consolidate Lots 24, 25 and 26, Block 71, D.L. 196, Plan 196;
- (ii) make arrangements for all electrical and telephone services to be undergrounded within and adjacent the site from the closest existing suitable service point; and
- (iii) make arrangements to the satisfaction of the Manager of the Housing Centre and the Director of Legal Services by way of a Housing Agreement, to:
 - (1) secure the residential units as affordable (50% of the occupants be in receipt of SAFER assistance), for the life of the building; and
 - (2) further that the project be operated on a break-even basis for low to moderate income, older seniors by a non-profit reporting society registered in British Columbia, and only be sold to another non-profit reporting society with similar purposes also registered in British Columbia.

Staff Comments

Rob Whitlock, Planner, briefly reviewed the application and advised staff do not support the applicant's original proposal for single occupancy congregate units of 165 sq. ft. Two options for increased minimum unit sizes are submitted for consideration.

John Jessup, Community Liaison, Housing Centre, supported the option for a minimum congregate unit size of 226 sq. ft. for single occupancy and 330 sq. ft. for double occupancy. The proposal provides a housing choice for the frail, elderly in the Strathcona area. The units will be liveable and affordable. Larger and fewer units may put the financial viability of the project at financial risk.

Anne Kloppenborg, Social Planner, supported the option for larger congregate unit sizes of 269 sq. ft. for single occupancy and 452 sq. ft. for double. The larger sizes provide some maneuvering room for the use of walkers and other mobility aids. The washrooms in smaller sized units would be inadequate and wheelchair unfriendly.

Applicant Comments

Robert Isaac-Renton, Architect, advised the target residents are low-income seniors who are completely ambulatory and do not require wheelchairs. Meals and housekeeping will be provided. Meals will be served in the dining room. Activity spaces and social lounges will also be provided. The applicant requests consideration to reduce the parking requirement from 16 off-street spaces to 15 spaces, which includes one disability space. The applicant also requests consideration for a relaxation of the space provided for multi-purpose space and the social lounges on middle floors, as well as consideration to include 20 units at 165 sq. ft.

Pastor Lee, representing the applicant, advised the Society operates a similar facility at 375 East Pender which also has small sized units. At present, the facility has no vacancies, and has a waiting list.

Summary of Correspondence

Council was advised the following correspondence was received:

Four letters in support of the application
One letter opposed to the application.

Speakers

The Mayor called for speakers for and against the application. The following spoke in opposition of the option for the smaller units:

Gillian Watson-Donald, Special Advisory Committee to Council on Seniors
Linda Mix, Tenants Rights Action Coalition
Tom Laviolette, Carnegie Community Action Project
Margaret Green, Second Mile Society
Linda Ruiz, Strathcona Residents Association.

The foregoing opposed the application for the smaller units based on one or more of the following points:

- as residents age, they will need support services brought in; the small size of the units will make it difficult for workers to provide support services;
- the proposed type of housing will not allow seniors to age well;
- frail seniors also need socialization and a variety of amenity rooms; the proposal offers limited amenity space;
- the proposal offers short-term housing; congregate housing should offer aging in place, with larger units which can incorporate more care;
- there is little or no precedence in Canada or Vancouver for congregate housing; need to put in writing guidelines for congregate housing; which include design, site, amenity space, qualities of livability, affordability and long-term transition;
- the proposed unit sizes are unsuitable for aging in place and do not adequately address the needs of seniors;
- homemakers and nurses in area have concerns about being able to give care for residents in such small units.

Applicant Closing Comments

Mr. Isaac-Renton and Pastor Lee advised the smallest units proposed are larger than those in community care facilities. A 165 sq.ft. unit size should be adequate for residents who are completely ambulatory. The Society is committed to providing 50% of units for people on SAFER assistance and the other 50% for those who can afford to pay for the units.

Staff Closing Comments

Mr. Whitlock advised staff are not prepared to reduce amenity space and do not support the smaller unit size of 165 sq. ft. Staff are amenable to reducing the parking requirement to 15 spaces.

Council Discussion

Council noted the concerns with the small unit sizes but also noted the lack of

alternatives for housing for elderly residents in the area. In addition, it was noted the proposal was not to be seen as precedent setting.

MOVED by Cllr. Lee,

THAT the application by Robert Isaac-Renton, Architect, to rezone 333 East Pender Street (Lots 24, 25 and 26, Block 71, DL 196, Plan 196) from RT-3 to CD-1, to permit congregate housing and ancillary space, be approved with:

(a) minimum unit sizes to be established at 21.0 m² (226 sq. ft.) for single occupancy congregate units and 30.7 m² (330 sq. ft.) for double occupancy, as recommended by the Manager of the Housing Centre;

(b) a minimum of 15 parking space, one of which is to be a disability space;

and subject to the conditions as set out in this minute of the Public Hearing.

- CARRIED

(Councillor Sullivan opposed)

The Special Council recessed at 10:15 p.m. to reconvene on December 3, 1998 at 7:30 p.m., in the Council Chamber.

2. Rezoning: 6112-6138 Cambie Street

An application by W.T. Leung Architects was considered as follows:

Summary: The proposed rezoning would permit 16 residential townhouse units.

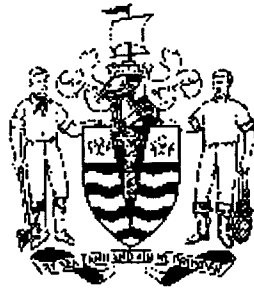
The Director of Central Area Planning, on behalf of Land Use and Development, recommended approval of the application, subject to the following conditions as proposed for adoption by resolution of Council:

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by W.T. Leung, Architect, and stamped "Received City Planning Department, April 7, 1998" and "Received City Planning Department, October 1, 1998", provided that the Director of Planning may allow 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 redesign of the garage entrance to reduce impacts on the single family dwelling immediately east of the lane; and

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

(i) consolidate the lots;



CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

OCTOBER 19, 1999

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 19, 1999 at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Philip Owen

- *Councillor Don Bellamy
- *Councillor Nancy A. Chiavario
- *Councillor Jennifer Clarke
- Councillor Alan Herbert
- Councillor Lynne Kennedy
- Councillor Don Lee
- Councillor Gordon Price
- Councillor George Puil
- Councillor Sam Sullivan

ABSENT: Councillor Daniel Lee (Sick Leave)

**CITY MANAGER'S
OFFICE:** Judy Rogers, City Manager

**CLERK TO THE
COUNCIL:**

Ulli S. Watkiss

* Denotes presence during part of the meeting.

PRAYER

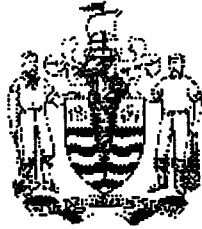
The proceeding in the Council Chamber were opened with a prayer read by the City Clerk.

B. Form of Development - 333 East Pender Street File: 2608

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

THAT the form of development for the CD-1 zoned site known as 333 East Pender Street be approved generally as illustrated in Development Application No. DE 403909 prepared by Isaac-Renton Architects Inc., and stamped "Received, City of Vancouver Community Services September 21, 1999", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2000

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

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

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

CITY CLERK'S OFFICE: Tarja Tuominen, Meeting Coordinator

COMMITTEE OF THE WHOLE

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

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

- CARRIED UNANIMOUSLY

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

CD-1 By-laws - Floor Space Exclusions

[Barrett Commission]

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

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

The Director of Current Planning recommended approval.

Staff Comments

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

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

Summary of Correspondence

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

one letter in support of 'Option A'.

Speakers

Mayor Owen called for speakers for and against the application.

The following spoke in support of 'Option A':

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

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

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

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

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

brick and stone-faced walls should be encouraged.

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

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

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

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

Staff Closing Comments

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

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

MOVED by Cllr. Don Lee,

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

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

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

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

(Italics denote amendment)

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

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

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

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

The Special Council adjourned at 9:20 p.m.

* * * * *



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[COMMUNITIES](#)

[SEARCH](#)

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EXPLANATION

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

Amendments re Exterior Wall Exclusion (Barrett Commission Recommendations)

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

**Director of Legal Services
14 March 2000**

I:\BYLAWS\WPDOCS\PORTER\CD-1CONS.WPD

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)

Seniors supportive or assisted housing

BY-LAW NO. 8824

**A By-law to amend By-law No's.
3568, 3914 (13A), 3914 (13B), 4472, 4634, 4674, 6953, 7091, 7114, 7158, 7204,
7461, 7651, 7655, 7723, 7852, 7853, 8088, 8097, 8369, 8457 and 8592
which amended Zoning and Development By-law No. 3575 by
rezoning certain areas to CD-1**

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

1. In By-law No. 3568, Council:

- (a) from section 2(e), in three instances, strikes out "congregate", and substitutes "seniors supportive or assisted housing";
- (b) from clause 7 of Table A in section 3, strikes out "Congregate", and substitutes "Seniors supportive or assisted housing"; and
- (c) from section 4(c), strikes out "congregate", and substitutes "seniors supportive or assisted".

1. In By-law No. 3914 (13A), Council, in section 2:

- (a) re-letters clauses (b) and (c) as (c) and (d); and
- (b) after clause (a), inserts "(b) Seniors Supportive or Assisted Housing;".

2. In By-law No. 3914 (13B), Council:

- (a) from section 2(b), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing";
- (b) from section 2.A.1, strikes out "Congregate Housing", and substitutes "Seniors supportive or assisted housing"; and
- (c) from section 8.2, strikes out "congregate", and substitutes "seniors supportive or assisted".

3. In By-law No. 4472, Council, from sections 4.1.3, 4.2.9, 4.3.3, and 4.4.5, strikes out "Special Needs Residential Facility - Congregate", and substitutes "Seniors Supportive or Assisted".
4. In By-law No. 4634, Council, in section 2:
 - (a) re-letters clauses (c), (d), and (e) as (d), (e), and (f); and
 - (b) after clause (b), inserts "(c) seniors supportive or assisted housing;"
5. In By-law No. 4674, Council, from section 2(a), strikes out "Congregate Housing Facility", and substitutes "Seniors Supportive or Assisted Housing".
6. In By-law No. 6953, Council, from section 2(a), strikes out "Special Needs Residential Facility - Congregate Housing Facility", and substitutes "Seniors Supportive or Assisted Housing".
7. In By-law No. 7091, Council, in section 2:
 - (a) re-letters clause (d) as (e); and
 - (b) after clause (c), inserts "(d) Seniors Supportive or Assisted Housing;"
8. In By-law No. 7114, Council, in section 2:
 - (a) re-letters clauses (a) and (b) as (b) and (c); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
9. In By-law No. 7158, Council, in section 2:
 - (a) re-letters clause (c) as (d); and
 - (b) after clause (b), inserts "(c) Seniors Supportive or Assisted Housing;"
10. In By-law No. 7204, Council, in Schedule B:
 - (a) in section 3, re-letters clauses (i) and (j) as (j) and (k);
 - (b) in section 3, after clause (h), inserts "(i) Seniors Supportive or Assisted Housing;" ;
 - (c) from Table 1, strikes out ", and Special Needs Residential Facility - Congregate Housing";

- (d) from Table 2, strikes out “, and, in respect only of sub-areas 7, 8 and 10, Special Needs Residential Facility - Congregate Housing”;
- (e) from section 7.6, strikes out “and Special Needs Residential Facility - Congregate Housing”; and
- (f) from section 10(b) strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “seniors supportive or assisted housing”.

11. In By-law No. 7461, Council, in Schedule B:

- (a) from section 3(h), strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing.”; and
- (b) from sections 3A, 6.3(e), 6.5, and 8, and from footnote 5 to Table 1, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “seniors supportive or assisted housing”.

12. In By-law No. 7651, Council, from sections 2(a), 4, and 6, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

13. In By-law No. 7655, Council, from section 2.1, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

14. In By-law No. 7723, Council, from section 2(b), strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

15. In By-law No. 7852, Council, in section 2.1:

- (a) re-letters clauses (a) and (b) as (b) and (c); and
- (b) before clause (b), inserts “(a) Seniors Supportive or Assisted Housing.”.

16. In By-law No. 7853, Council, in section 2.1:

- (a) re-letters clauses (f) and (g) as (g) and (h); and
- (b) after clause (e), inserts “(f) Seniors Supportive or Assisted Housing.”.

17. In By-law No. 8088, Council, in section 2:

(a) re-letters clauses (a) and (b) as (b) and (c); and

(b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"

18. In By-law No. 8097, Council, from sections 2(a) and 3.1, strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".

19. In By-law No. 8369, Council, from section 2(b), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".

20. In By-law No. 8457, Council, in section 2:

(a) re-letters clauses (a), (b), and (c) as (b), (c), and (d); and

(b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"

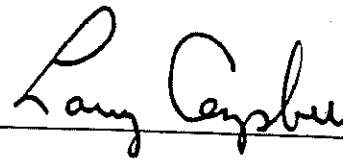
21. In By-law No. 8592, Council:

(a) from section 2(a), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing"; and

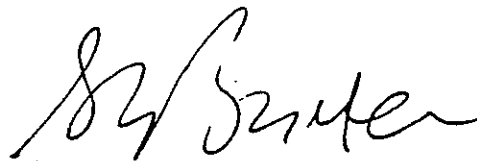
(b) from section 5(a), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "seniors supportive or assisted housing".

22. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 6th day of April, 2004



Mayor



City Clerk



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CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2004

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 24, 2004, at 7:40 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 and Official Development Plans, to designate heritage property, and to enter into a Heritage Revitalization Agreement.

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

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Roberts
SECONDED by Councillor Louie

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 and Official Development Plans, to designate heritage property, and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

1. Heritage Designation: 450 West 2nd Avenue

An application by Bastion Developments was considered as follows:

Summary: Heritage designation of the Nye Building at 450 West 2nd Avenue.

The Director of Current Planning recommended approval.

Staff Comments

Terry Brunette, Heritage Planner, was present to respond to questions.

5. Text Amendment: Seniors Supportive or Assisted Housing

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

Summary: To define Seniors Supportive or Assisted Living (formerly Congregate Housing for Seniors) as a residential, not institutional use. If approved, consequential amendments will be required to the Parking By-law and other guideline documents.

The Director of Current Planning recommended approval.

Staff Comments

Rob Whitlock, Senior Housing Officer, Housing Centre, in response to a question, noted that the Seniors Advisory Committee had reviewed this application.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Woodsworth

A. THAT the application by the Director of Current Planning to amend the text of the Zoning and Development By-law and various other by-laws and guidelines to reflect changes related to seniors housing generally as set out in Appendix A of the Policy report dated January 2, 2004 entitled "Zoning and Development By-law: Changes to Facilitate Seniors Housing" be approved.

B. THAT, subject to approval of the zoning by-law amendments, the by-law be accompanied at time of enactment by amendments to the Parking By-law and other guidelines documents.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Green
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 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Roberts absent for the vote)

1. A By-law to Alter the Boundaries of the Gastown Business Improvement Area (2004-2009) (By-law No. 8823)
- * 2. A By-law to amend various by-laws which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (re congregate housing) (By-law No. 8824)
3. A By-law to amend Zoning and Development By-law No. 3575 (re congregate housing) (By-law No. 8825)
4. A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re congregate housing) (By-law No. 8826)
5. A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re congregate housing) (By-law No. 8827)
6. A By-law to amend Parking By-law No. 6059 (re congregate housing) (By-law No. 8828)
7. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (55 East Cordova Street) (By-law No. 8829)
8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1826 and 1830-1850 Blanca Street) (By-law No. 8830)
(Councillors Cadman, Green, Louie and Roberts were excused from voting on By-law No. 8)
9. A By-law to designate certain real property as protected heritage property (1826 Blanca Street) (By-law No. 8831)
(Councillors Cadman, Green, Louie and Roberts were excused from voting on By-law No. 9)
10. A By-law to amend Noise Control By-law No. 6555 (re 1201 West Hastings Street) (By-law No. 8832)

333 East Pender Street

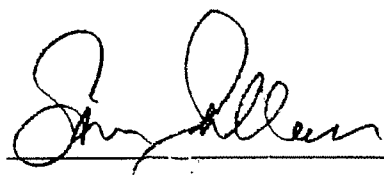
BY-LAW NO. 9749

A By-law to amend CD-1 By-law No. 8097

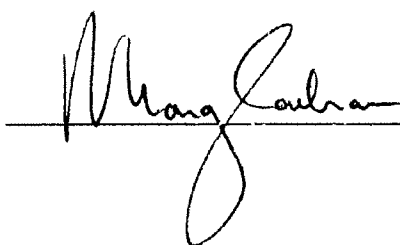
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. From section 4.1 of By-law No. 8097, Council strikes out "2.54", and substitutes "2.72".
2. From section 5.1 of By-law No. 8097, Council strikes out "four", and substitutes "five".
3. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 28th day of October, 2008



Mayor



City Clerk

2. A By-law to amend CD-1 By-laws No.'s 4296, 4677, 7655, 9113, and 9693 (re miscellaneous text amendments) (By-law No. 9738)
(Councillor Ball ineligible to vote.)
3. A By-law to amend Sign By-law No. 6510 regarding miscellaneous text amendments (By-law No. 9739)
(Councillor Ball ineligible to vote.)
4. A By-law to amend Parking By-law No. 6059 (re miscellaneous text amendments) (By-law No. 9740)
5. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 335, 337, and 349 East 33rd Avenue) (By-law No. 9741)
(Councillor Chow ineligible to vote.)
6. A By-law to amend Subdivision By-law No. 5208 (re 335, 337, and 349 East 33rd Avenue) (By-law No. 9742)
7. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 265 Carrall Street) (By-law No. 9743)
8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 1300 Granville Street) (By-law No. 9744)
(Councillor Chow ineligible to vote.)
9. A By-law to designate certain real property as protected heritage property (re 1300 Granville Street) (By-law No. 9745)
(Councillor Chow ineligible to vote.)
10. A By-law to amend Energy Utility System By-law No. 9552 regarding pre-occupancy heat service and other matters (By-law No. 9746)
11. A By-law to relax Building By-law No. 9419 regarding the regulation of special event facilities for the Vancouver 2010 Olympic and Paralympic Winter Games (By-law No. 9747)
12. A By-law to amend License By-law No. 4450 regarding 2009 fee increases (By-law No. 9748)
13. A By-law to amend CD-1 By-law No. 8097 (re 333 East Pender Street) (By-law No. 9749)
14. A By-law to amend Parking By-law No. 6059 (re miscellaneous text amendments) (By-law No. 9750)
15. A By-law to amend Impounding By-law No 3519 regarding authority for impounding charges (re housekeeping amendment) (By-law No. 9751)

Downtown”, to review the adopted height limits and view corridors affecting the downtown and recommend changes, if appropriate, to achieve additional development capacity. The staff resources to undertake the work have already been approved, and the public process and consultation budget is anticipated to be available in the Planning Department’s operating budget.

- C. THAT staff prioritize the review of the view corridors affecting the False Creek North area.
- D. THAT, in light of environmental and economic imperatives, staff review opportunities to achieve densities in the False Creek North area that are equal to or greater than other areas in the downtown core.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Capri

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Stevenson
SECONDED by Councillor Ladner

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 15 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. 9737)
(Councillor Ball ineligible to vote.)



CITY OF VANCOUVER

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

OCTOBER 14, 2008

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 14, 2008, at 7:47 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Heritage By-laws and Zoning and Sign By-laws.

PRESENT: Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor David Cadman
Councillor Kim Capri
Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner*
Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT: Councillor Elizabeth Ball

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair, to consider proposed amendments to the the Heritage By-laws and Zoning and Sign By-laws.

CARRIED UNANIMOUSLY
(Councillor Ladner absent for the vote)

5. TEXT AMENDMENT: 333 East Pender Street

An application by May Lee, Y.M. May Lee Architect was considered as follows:

Summary: To amend existing Comprehensive Development District (CD-1) to increase the maximum permitted height and density to allow conversion of attic space to habitable floor area and to add an enclosed amenity space on the

roof top of this seniors care facility

The Director of Planning recommended approval, subject to conditions as proposed for adoption by resolution of Council.

Summary of Correspondence

One letter in favour of the application had been received since referral to public hearing.

Speakers

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

Council Decision

MOVED by Councillor Louie

THAT the application by Y.M. May Lee Architect to amend CD-1 By-law No. 8097 (reference No. 396) for 333 East Pender Street (Lots 24, 25 and 26, Block 71, District Lot 196, Plan 196) to increase the building height from 4 to 5 storeys and increase the floor space ratio (FSR) from 2.54 to 2.72 to permit retention of two rooms in the attic space built without permit and provide for an enclosed amenity space on the roof of the 5th floor, generally as presented in Appendix A to policy report "CD-1 Text Amendment: 333 East Pender Street" dated September 3, 2008 be approved subject to the following conditions:

PROPOSED FORM OF DEVELOPMENT CONDITIONS OF APPROVAL

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Y.M. Lee Architect and stamped "Received City Planning Department, December 17, 2007" 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 Development

- (i) design development to ensure that conditions of shadowing, overlook and privacy to neighbouring properties remains equitable to current conditions.

Note to Applicant: The proposed addition will add a significant amount of shadowing to the west neighbour during morning hours. Overlook and shadows cast by the addition should be minimized by setting back the western wall from the west side property line and also by limiting the height of the west wall. This strategy may result in a reduction of floor area. Reducing the amount of glazing to the west wall of the addition is suggested. Furthermore, the roof garden should be carefully landscaped to prevent direct overlook into neighbouring rear yards.

CARRIED UNANIMOUSLY