

City of Vancouver *Zoning and Development By-law*

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

CD-1 (403)

55-67 East Hastings Street

By-law No. 8193

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

Effective May 2, 2000

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

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

2 Uses

2.1 The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(403), and the only uses permitted within the outlined area, subject to Section 2.2 and such other conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Cultural and Recreational Uses, limited to Artist Studio - Class A, Community Centre or Neighbourhood House, Library, and Theatre,
- (b) Dwelling Units,
- (c) Institutional Uses, limited to Child Day Care Facility, Detoxification Centre and Social Service Centre,
- (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing - Class B, Printing or Publishing, and Software Manufacturing,
- (e) Office Uses,
- (f) Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store and Retail Store,
- (g) Service Uses, limited to Barber Shop or Beauty Salon, Laundromat or Dry Cleaning Establishment, Print Shop, Repair Shop - Class B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Sign Painting Shop,
- (h) Recycling Depot,
- (i) Interim Uses not listed above and Accessory Uses customarily ancillary thereto, provided that
 - (i) the Development Permit Board considers that the use will be compatible with and not adversely affect adjacent development that either exists or is permitted by this By-law, and
 - (ii) the Development Permit Board is satisfied that the use can be easily removed and is of low intensity or low in capital investment.

2.2 Conditions of Use

All uses, except residential, are limited to the ground floor.

3 Floor Space Ratio

3.1 The maximum floor space ratio is 4.58. except that residential uses must not exceed a floor space ratio of 4.21 and non-residential uses must not exceed a floor space ratio of 0.37. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 1,133.2 m², being the site size at time of application for rezoning, prior to any dedications.

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

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

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

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Development Permit Board, are similar to the foregoing and contribute to the amenity or environment of the Downtown-Eastside / Oppenheimer District, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;

- (b) patios or roof gardens provided that any sunroofs or walls are approved by Director of Planning;
- (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 are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) 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]
- (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; [8289; 01 02 20]
- (f) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum aggregate total of 10 percent of the total permitted floor area. [8337; 01 05 15]

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

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

3.5 Floor space shall not be put to any use other than that which justified the exclusion.

4 Height

The maximum building height measured above the base surface, but excluding mechanical penthouse and roof, is 26.7 m and the building must not extend beyond 9 storeys.

5 Off-Street Parking and Loading

5.1 Off-street parking and loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that one parking space for every eight dwelling units must be provided.

5.2 The Director of Planning, on advice of the City Engineer, may grant a relaxation in the requirements of section 5.1 where enforcement would result in unnecessary hardship and where he is of the opinion that such relaxation will not adversely impact surrounding developments and residents or the parking needs of the residents or visitors to the site.

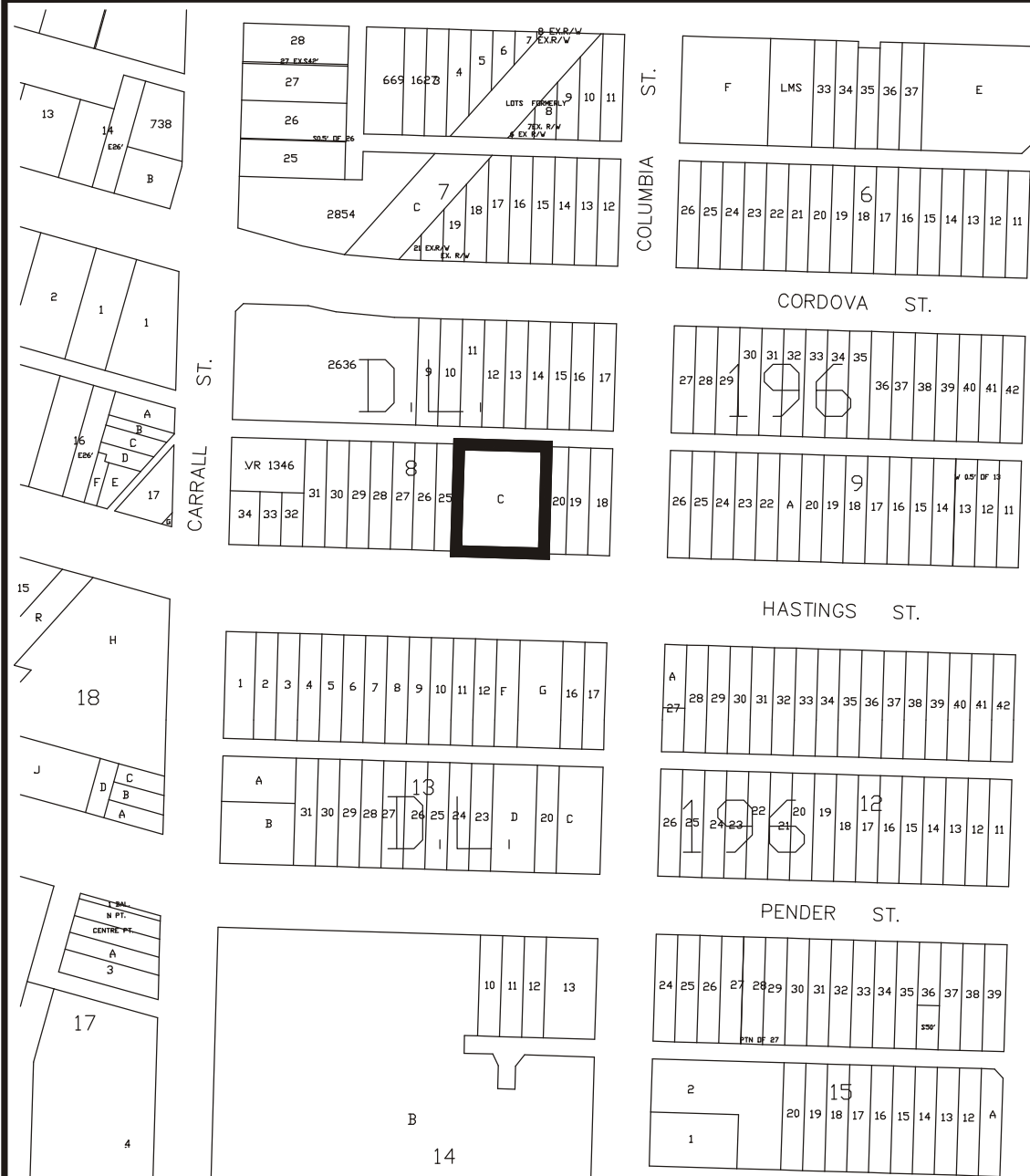
6 Acoustics

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

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

7 *[Section 7 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*

By-law No. 8193 being a By-law to amend By-law No. 3575
 being the Zoning & Development By-law



The property outlined in black () is rezoned:
 From **DEOD** to **CD-1**

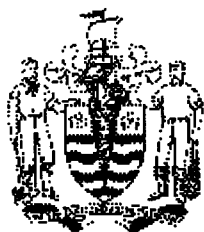
Z-504

RZ - 55 - 67 East Hastings Street

map: 1 of 1
 scale: 1:2000



City of Vancouver



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 22, 2000

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 22, 2000 at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider a Heritage Designation and Revitalization Agreement and proposed amendments to the Heritage, Sub-Division, Zoning and Development and Sign By-laws and False Creek North Official Development Plan.

PRESENT: Councillor Jennifer Clarke, Deputy Mayor

Councillor Fred Bass
Councillor Lynne Kennedy
Councillor Daniel Lee
Councillor Don Lee
Councillor Tim Louis
Councillor McCormick
*Councillor George Puil

ABSENT: Mayor Philip Owen

Councillor Gordon Price (sick leave)
Councillor Sam Sullivan (sick leave)

CITY CLERK'S
OFFICE: Denise Salmon, Meeting Coordinator

*Denotes presence for portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Cllr. Louis,
SECONDED by Cllr. McCormick,

Staff Comments

Cameron Gray, Director, Housing Centre, provided a brief overview of the application and responded to questions on process and timing for future school facilities in the neighbourhood. Bob Macdonald, Parking Engineer, responded to questions related to availability of parking in the neighbourhood.

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.

Speakers

Deputy Mayor Clarke called for speakers for and against the application.

John Hunt spoke in support of the application and advised he had sought clarification from the Parking Branch on capacity issues. Mr. Hunt thanked Council, on behalf of over 300 area building owners, for the additional 140 parking stalls, although more are still needed.

Gillian Watson-Donald noted that while she was not opposed to family housing, she was concerned with giving up affordable seniors housing at this particular site in the downtown core, with so little housing available for ever increasing numbers of seniors. She urged Council consider the need for a plan for housing seniors, and agreed to provide demographics on seniors for Council's information.

Staff provided information on the City's current direction in regard to housing seniors and agreed to bring forward current numbers with regard to school population in the area.

Deputy Mayor Clarke called for further speakers and none came forward.

MOVED by Cllr. Kennedy,

THAT the application by the Director of Current Planning to amend the CD- 1 by-law for 1125 Pacific Blvd. and the False Creek North Official Development Plan to allow a change of non-market housing units from non-family to family units be approved, subject to the following conditions:

THAT, prior to enactment of the CD-1 By-law, the Yaletown Edge Core-Needy Housing Agreement, be amended and such other arrangements made as may be necessary to the satisfaction of the Director of Legal Services and the Director of the Housing Centre, to develop the non-market housing site in Yaletown Edge, Site 3J (1125 Pacific Blvd.), at 90% of the 1998 Maximum Unit Budget allowed for the family non-market projects, subject to provincial funding being confirmed through a conditional allocation of units, and to the City proceeding with the public parking to be developed on Site 3J as contemplated in the Yaletown Edge Core-Needy Housing Agreement, by July 2000.

- CARRIED UNANIMOUSLY

4. Rezoning:

55-67 East Hastings Street (Lux Theatre Site) File 1401-17

An application by Stuart Lyon, Gomberoff Policzer Bell Lyon Architects, was considered as follows:

SUMMARY: The proposed rezoning would permit a nine storey 98 unit non-market residential project with commercial uses at grade at 55-67 East Hastings Street [Lux Theatre Site].

The Director of Current Planning recommended approval, subject to the conditions set out in the agenda of the Public Hearing.

Staff Comments

Mark Holland, Rezoning Planner, with the aid of schematics and a model, briefly reviewed the application, and advised the project is aimed at improving existing low-income housing stock. The proposed commercial space will assist with the revitalization of the area. Jill Davidson, Senior Housing Planner, provided details on replacement housing and noted the majority of the 700 single resident occupancy units (SRO's) lost, have now been replaced. Staff advised the intended balance for non-market housing in the neighbourhood is currently under review and responded to questions on intended staffing and security levels in the project.

Shirley Chan, Director, Non-Market Operations, noted the City's Central Residence will be renovated, and a number of selected tenants relocated to the new building. This building is not intended to be alcohol and drug free, however Council may so direct staff. If this policy were adopted, some tenants would be ineligible for relocation; a report back on implications could be provided. Larry Beasley advised any motion in this regard would not be a condition of the rezoning, but rather a separate motion.

Applicant Comments

Stuart Lyon, the applicant, advised he had no comments to add and was available to answer questions.

Summary of Correspondence

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

6 letters in opposition.

Speakers

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

MOVED by Cllr. Louis,

A. That the application by Stuart Lyon, Gomberoff Policzer Bell Lyon Architect, to rezone 55-67 East Hastings Street (Lux Theatre Site) to permit a nine storey 98 unit non-market residential project with commercial uses at grade be approved subject to the following conditions:

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Gomberoff Policzer Bell Lyon, and stamped "Received City Planning Department, September 3, 1999", 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:

(i) design development to reduce elevator/stair penthouse height and massing where possible;

Note to applicant: Direct access from the core stair to the roof and direct access from the roof to the elevator override area should be considered.

(ii) design development to provide more pronounced cornices;

Note to applicant: A contemporary approach to cornice design, and other building features, that integrates with existing facade patterns while not literally replicating historical detailing, is recommended. Cast in place or pre-cast concrete cornice treatment, to avoid oil-canning, should be considered.

(iii) design development to refine canopy, entry and storefront systems to ensure adequate weather protection and pedestrian interest;

Note to applicant: A contemporary approach that integrates with existing systems, while not literally replicating historical detailing, is recommended.

(iv) design development to maximize natural daylight into ground and second floor communal open spaces, while adhering to CPTED design principles;

Note to applicant: Provision of an external stair to connect these areas is recommended. Partial use of roof areas for communal open space should be considered.

(v) design development to ensure provision of adequate loading facilities for Retail unit 3;

(vi) design development to the lane elevation to ensure greater vision from the ramp onto lane activity;

Note to applicant: Greater transparency through the wall separating loading bay functions and through the overhead service doors would achieve this requirement.

(vii) clarification of proposed external building and open space lighting;

Note to applicant: Lighting should focus on the ground plane, and significant building features, while minimizing glare for nearby residents. Confirmation of lane lighting is required.

(viii) confirmation of proposed building colours and signage;

(ix) design development to provide for additional landscape amenity, including:

the provision of additional trees in the second floor patio area;
the provision of permanent seating in the second floor patio area; and
the provision of new street trees adjacent to the development site.

Note to Applicant: Illustrate public realm on the Landscape Plan. New street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board".

Contact Kraige Samssen (871-6131) of Engineering, Streets Division regarding street tree spacing and quantity. Contact Bill Stephen (257-8578) of the Park Board regarding tree species.

(x) design development to take into consideration the principles of Crime Prevention Through Environmental Design (CPTED), having particular regard to:

A. reducing opportunities for graffiti on the lane.

Note to Applicant: Opportunities for graffiti can be mitigated by reducing areas of exposed wall, by covering these walls with plant material or a fine steel mesh or by using a protective coating material. Contact Helen Chomolok, Graffiti Coordinator at 873-7929 for further information.

B. reducing opportunities for mischief in alcoves, particularly in the lane. The creation of alcoves on new buildings is not supported. This can be achieved by reconfiguring the exit stairs so that an alcove is not created and setting back the roof deck over the entire length of the lane area to allow for door swings within the rear property line;

Note to Applicant: The building should be set back from the lane and the location of power and utility poles should be provided in the drawings.

C. reducing opportunities for theft in the underground. This problem can be mitigated by fully separating user groups including separate gating, exits and elevators;

D. reducing opportunities for theft and B&E. Elevators and stairs used by commercial/retail customers should not allow access to residential floor levels. Conversely, residential users using the bicycle storage lockers should not have access to commercial parking; and

E. reducing opportunities to access any terrace or roof space, especially the second floor terrace, from the roofs of adjacent buildings.

Note to Applicant: The heights and configuration of roof lines of adjacent buildings should be identified on east and west elevations of the plans to help address this issue.

(xi) removal of areaway (space below the sidewalk) adjacent the site along East Hastings Street.

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

(i) consolidate lots 21, 22, 23, and 24, Block 8, DL196, Plan 184;

- CARRIED UNANIMOUSLY

MOVED by Cllr. Kennedy,

B. THAT staff report back to Council with a proposed plan, including implications, on how to achieve a drug and alcohol free building at 55-67 East Hastings Street (Lux Theatre Site).

FURTHER THAT staff look at studies of the effect of offering housing as an intervention for people with alcohol problems.

- CARRIED

(Councillor Louis opposed)

(NOTE FROM CLERK: Recommendation B not a condition of the rezoning.)

5. Text Amendment:

88 West Pender Street (Sign By-law) File 1401-17

An application by Henderson Development Limited, was considered as follows:

SUMMARY: The proposed amendments to the Sign By-law would permit an interior automatic changeable copy sign [a sign made of video monitors] on the second floor to be visible from the street.

The Director of Current Planning recommended approval.

Staff Comments

Michael Gordon, Senior Central Area Planner, with the aid of schematics and a model, provided an overview of the application. Mr. Gordon advised he had received a phone call from a resident on Beatty, expressing concern with the aesthetics of bright neon lights impinging on her living space.

Applicant Comments

Larry Kerr, Henderson Development Limited, advised he had no comments to add, and was available to answer questions.

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.

Speakers

Deputy Mayor Clarke called for speakers for and against the application.

Harry Goldberg, member of the Chinatown Historic Area Planning Committee, spoke in support of the application. He felt the project would enhance and enliven the area, and hopefully bring back the feel of an earlier era when neon signs were synonymous with a flourishing Chinatown.

Timothy Turner, representing the 183 Keefer Place Strata Council, spoke in support of the application. He felt the changeable copy sign, at the gateway to Chinatown, will attract attention and hopefully assist with the area's revitalization. The brightness should also assist with the security issues on the corner of Pender and Abbott.

Deputy Mayor Clarke called for further speakers and none came forward.

MOVED by Cllr. Kennedy,

1125 Pacific Boulevard

THAT the application by the Director of Current Planing to amend the CD- 1 by-law for 1125 Pacific Blvd. and the False Creek North Official Development Plan to allow a change of non-market housing units from non-family to family unit be approved, subject to the following conditions:

THAT, prior to enactment of the CD-1 By-law, the Yaletown Edge Core-Needy Housing Agreement, be amended and such other arrangements made as may be necessary to the satisfaction of the Director of Legal Services and the Director of the Housing Centre, to develop the non-market housing site in Yaletown Edge, Site 3J (1125 Pacific Blvd.), at 90% of the 1998 Maximum Unit Budget allowed for the family non-market projects, subject to provincial funding being confirmed through a conditional allocation of units, and to the City proceeding with the public parking to be developed on Site 3J as contemplated in the Yaletown Edge Core-Needy Housing Agreement, by July 2000.

4. Rezoning:

55-67 East Hastings Street (Lux Theatre Site)

A. That the application by Stuart Lyon, Gomberoff Policzer Bell Lyon Architect, to rezone 55-67 East Hastings Street (Lux Theatre Site) to permit a nine storey 98 unit non-market residential project with commercial uses at grade be approved subject to the following conditions:

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Gomberoff Policzer Bell Lyon, and stamped "Received City Planning Department, September 3, 1999", 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:

(i) design development to reduce elevator/stair penthouse height and massing where possible;

Note to applicant: Direct access from the core stair to the roof and direct access from the roof to the elevator override area should be considered.

(ii) design development to provide more pronounced cornices;

Note to applicant: A contemporary approach to cornice design, and other building features, that integrates with existing facade patterns while not literally replicating historical detailing, is recommended. Cast in place or pre-cast concrete cornice

treatment, to avoid oil-canning, should be considered.

(iii) design development to refine canopy, entry and storefront systems to ensure adequate weather protection and pedestrian interest;

Note to applicant: A contemporary approach that integrates with existing systems, while not literally replicating historical detailing, is recommended.

(iv) design development to maximize natural daylight into ground and second floor communal open spaces, while adhering to CPTED design principles;

Note to applicant: Provision of an external stair to connect these areas is recommended. Partial use of roof areas for communal open space should be considered.

(v) design development to ensure provision of adequate loading facilities for Retail unit 3;

(vi) design development to the lane elevation to ensure greater vision from the ramp onto lane activity;

Note to applicant: Greater transparency through the wall separating loading bay functions and through the overhead service doors would achieve this requirement.

(vii) clarification of proposed external building and open space lighting;

Note to applicant: Lighting should focus on the ground plane, and significant building features, while minimizing glare for nearby residents. Confirmation of lane lighting is required.

(viii) confirmation of proposed building colours and signage;

(ix) design development to provide for additional landscape amenity, including:

the provision of additional trees in the second floor patio area;
the provision of permanent seating in the second floor patio area; and
the provision of new street trees adjacent to the development site.

Note to Applicant: Illustrate public realm on the Landscape Plan. New street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Kraige Samssen (871-6131) of Engineering, Streets Division regarding street tree spacing and quantity. Contact Bill Stephen (257-8578) of the Park Board regarding tree species.

(x) design development to take into consideration the principles of Crime Prevention Through Environmental Design (CPTED), having particular regard to:

A. reducing opportunities for graffiti on the lane.

Note to Applicant: Opportunities for graffiti can be mitigated by reducing areas of exposed wall, by covering these walls with plant material or a fine steel mesh or by using a protective coating material. Contact Helen Chomolok, Graffiti Coordinator at 873-7929 for further information.

B. reducing opportunities for mischief in alcoves, particularly in the lane. The creation of alcoves on new buildings is not supported. This can be achieved by reconfiguring the exit stairs so that an alcove is not created and setting back the roof deck over the entire length of the lane area to allow for door swings within the rear property line;

Note to Applicant: The building should be set back from the lane and the location of power and utility poles should be provided in the drawings.

C. reducing opportunities for theft in the underground. This problem can be mitigated by fully separating user groups including separate gating, exits and elevators;

D. reducing opportunities for theft and B&E. Elevators and stairs used by commercial/retail customers should not allow access to residential floor levels. Conversely, residential users using the bicycle storage lockers should not have access to commercial parking; and

E. reducing opportunities to access any terrace or roof space, especially the second floor terrace, from the roofs of adjacent buildings.

Note to Applicant: The heights and configuration of roof lines of adjacent buildings should be identified on east and west elevations of the plans to help address this issue.

(xi) removal of areaway (space below the sidewalk) adjacent the site along East Hastings Street.

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

(i) consolidate lots 21, 22, 23, and 24, Block 8, DL196, Plan 184;

B. THAT staff report back to Council with a proposed plan, including implications, on how to achieve a drug and alcohol free building at 55-67 East Hastings Street (Lux Theatre Site);

FURTHER THAT staff look at studies of the effect of offering housing as an intervention for people with alcohol problems.

(NOTE FROM CLERK: Recommendation B not a condition of the rezoning.)

55-67 East Hastings Street

BY-LAW NO. 8193

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-504 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
 - 2.1 The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(403), and the only uses permitted within the outlined area, subject to Section 2.2 and such other conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are
 - (a) Cultural and Recreational Uses, limited to Artist Studio - Class A, Community Centre or Neighbourhood House, Library, and Theatre,
 - (b) Dwelling Units,
 - (c) Institutional Uses, limited to Child Day Care Facility, Detoxification Centre and Social Service Centre,
 - (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing - Class B, Printing or Publishing, and Software Manufacturing,
 - (e) Office Uses,

- (f) Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store and Retail Store,
- (g) Service Uses, limited to Barber Shop or Beauty Salon, Laundromat or Dry Cleaning Establishment, Print Shop, Repair Shop - Class B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Sign Painting Shop,
- (h) Recycling Depot,
- (i) Interim Uses not listed above and Accessory Uses customarily ancillary thereto, provided that
 - (i) the Development Permit Board considers that the use will be compatible with and not adversely affect adjacent development that either exists or is permitted by this By-law, and
 - (ii) the Development Permit Board is satisfied that the use can be easily removed and is of low intensity or low in capital investment.

2.2 Conditions of Use

All uses, except residential, are limited to the ground floor.

3. Floor Space Ratio

3.1 The maximum floor space ratio is 4.58. except that residential uses must not exceed a floor space ratio of 4.21 and non-residential uses must not exceed a floor space ratio of 0.37. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 1,133.2 m², being the site size at time of application for rezoning, prior to any dedications.

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

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

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

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Development Permit Board, are similar to the foregoing and

contribute to the amenity or environment of the Downtown-Eastside / Oppenheimer District, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;

- (b) patios or roof gardens provided that any sunroofs or walls are approved by Director of Planning;
- (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 are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) 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.

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

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

3.5 Floor space shall not be put to any use other than that which justified the exclusion.

4. Height

The maximum building height measured above the base surface, but excluding mechanical penthouse and roof, is 26.7 m and the building must not extend beyond 9 storeys.

5. Off-Street Parking and Loading

5.1 Off-street parking and loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that one parking space for every eight dwelling units must be provided.

5.2 The Director of Planning, on advice of the City Engineer, may grant a relaxation in the requirements of section 5.1 where enforcement would result in unnecessary hardship and where he is of the opinion that such relaxation will not adversely impact surrounding developments and residents or the parking needs of the residents or visitors to the site.

6. Acoustics

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

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

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

DONE AND PASSED in open Council this 2nd day of May , 2000.

(Signed) Philip W. Owen
Mayor

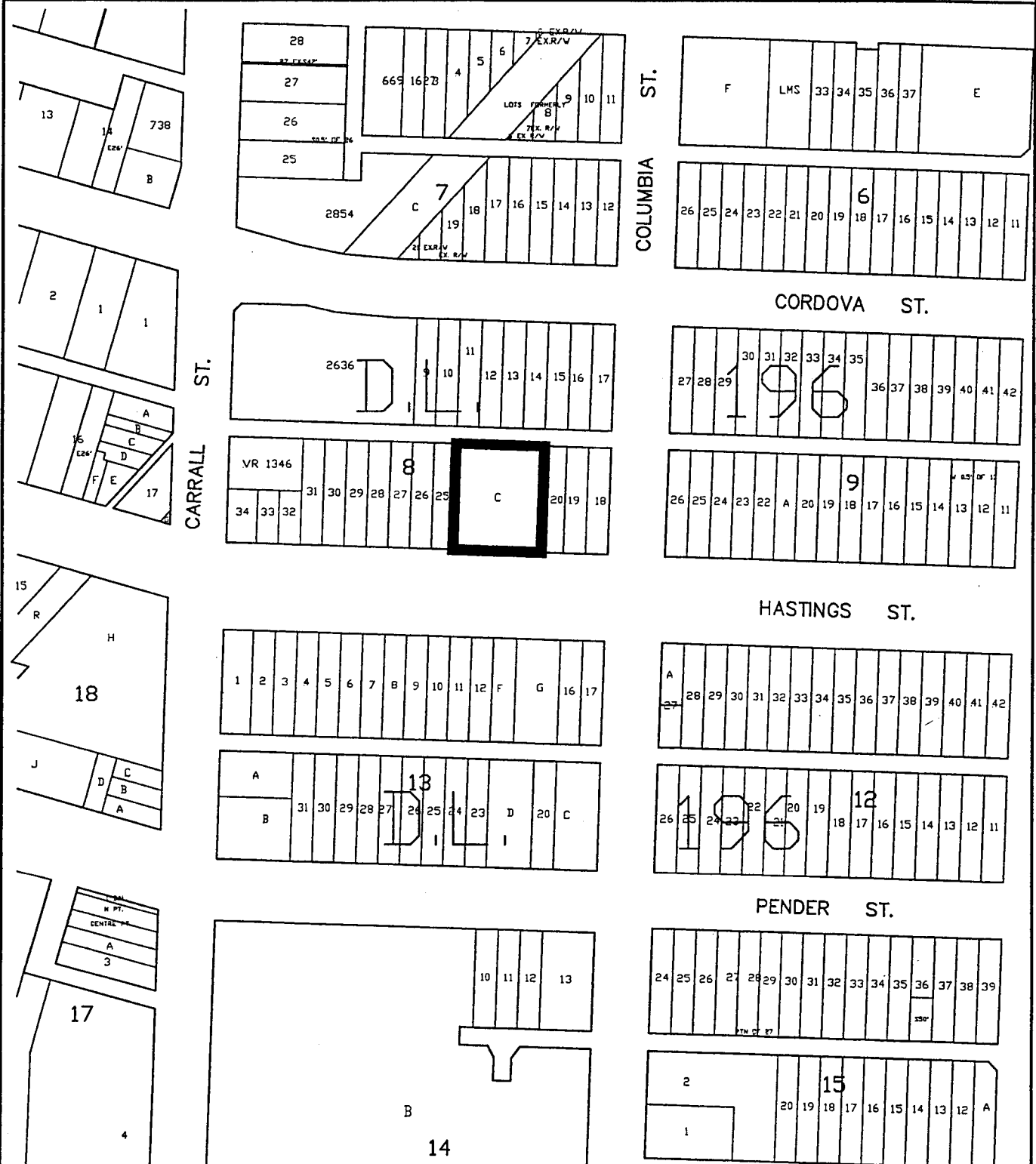
(Signed) Ulli S. Watkiss
City Clerk

"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 2nd day of May 2000, and numbered 8193.

CITY CLERK"

By-law No. 8193 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black () is rezoned:
From **DEOD** to **CD-1**

Z-504

RZ - 55 - 67 East Hastings Street

map: 1 of 1

scale: 1:2000





CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JANUARY 25, 2001

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 25, 2001, 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 Heritage, Zoning and Development By-laws, Official Development Plans and the Sign By-law.

PRESENT: Mayor Philip Owen

- Councillor Fred Bass
- Councillor Don Lee
- Councillor McCormick
- Councillor Gordon Price
- Councillor George Puil
- Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Civic Business)

- Councillor Lynne Kennedy (Civic Business)
- Councillor Daniel Lee (Sick Leave)
- Councillor Tim Louis (Leave of Absence)

CITY CLERK'S Tarja Tuominen, Meeting Coordinator
OFFICE:

COMMITTEE OF THE WHOLE

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

"B" category, as protected heritage properties.

C. THAT Council commend the building owners for designating their properties on a voluntary basis and for participating in the Vancouver Heritage Foundation's True Colours project.

D. THAT Benjamin Moore Paints be commended for their contribution and participation in the True Colours project.

- CARRIED UNANIMOUSLY

2. Text Amendments: Miscellaneous

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

Summary: The text amendments would correct or clarify various sections of the Zoning & Development By-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law.

The Director of Current Planning recommended approval.

Staff Comments

Lynda Challis, Planner, briefly explained the application. Every few years, Planning staff propose a package of miscellaneous text amendments. The amendments are considered housekeeping in nature, with no policy implications.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Clause No. 2 (cont'd)

Speakers

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

MOVED by Cllr. Don Lee,

THAT the application by the Director of Current Planning for miscellaneous text amendments to correct or clarify various sections of the Zoning & Development by-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law be approved.

- CARRIED UNANIMOUSLY

3. Text Amendments: 1299 West Hastings Street (501 Bute Street)

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

Summary: To amend the CD-1 By-law and Coal Harbour Official Development Plan to reduce the required percentage of non-market housing and increase the allowable residential floor area.

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. McCormick,

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 Clarke, Kennedy, Daniel Lee and Louis excused from voting)

3. A By-law to amendment various Comprehensive Development District By-laws (Miscellaneous Text Amendments) By-law No. 8298

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

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. McCormick,

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 Clarke, Kennedy, Daniel Lee and Louis excused from voting)

~~4. A By-law to amend Schedule A to By-law No. 5261, being the~~

~~Central Waterfront Official Development Plan, and Schedule A to By-law No. 6650, being the False Creek North Official Development Plan (Miscellaneous Text Amendments) By-law No. 8299~~

~~MOVED by Cllr. Price,
SECONDED by Cllr. Sullivan,~~

Miscellaneous Text (CD-1)

BY-LAW NO. 8298

A By-law to amend By-laws No.
3869, 4037, 5091, 5373, 5420, 5491, 5760, 5927, 6063
6221, 6689, 6744, 6747, 7066, 7114, 7235, 7248, 7592,
7648, 7932, 8016, 8035, 8044, 8055, 8073, 8122 and 8193,
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. 3869 is amended by relettering clause 3.3(h) as clause 3.3(f).
2. By-law No. 4037 is amended in section 4.5
 - (a) in clause (a) by inserting the words "covered porches" after the word "gutters",
 - (b) in clause (b) by inserting the words "or semi-enclosed" after the word "enclosed",
 - (c) in sub-clause (b)(i) by deleting the first use of the word "and" and inserting a comma after the word "open" and inserting the words "or semi-enclosed" after the word "enclosed", and
 - (d) by adding the following new clause;

"(c) areas of undeveloped floors which are located adjacent to a storey or half storey with a ceiling height of greater than 1.2 m provided that the Director of Planning first approves the roof design."
3. By-law No. 5091 is amended by deleting the diagram forming part of section 4.1 and substituting the new diagram which, as Schedule A, is attached to and forms part of this by-law.
4. By-law No. 5373 is amended in Section 3 by deleting the period after the final word "foregoing" and substituting a semi-colon and by adding the following clause:

- " - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional 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."
5. By-law No. 5927 is amended in Section 6 by deleting the second use of the word "parking" in the phrase "Off-street parking parking and loading".
6. By-laws No. 5420 , 5760, and 6689 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 from the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."
7. By-law No. 5491 is amended in Section 3.3 by deleting the period from the end of clause (c) and substituting 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-laws No. 6063 and 6221 are each amended by relocating section "4.1" from Section 3 and adding it immediately following the existing text in Section 4.
9. By-law No. 6744 is amended in Section 6.5 by deleting the period from the end of clause (j) and substituting 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."
10. By-law No. 6747 is amended in Section 7.3 by deleting the period from the end of clause (h) and substituting 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."

11. By-laws No. 7066 and 8035 are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting 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."

12. By-law No. 7114 is amended in Section 3.3 by deleting the word "and" from the end of clause (c) and by deleting the period from the end of clause (d) substituting a semi-colon followed by the word "and" 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."

13. By-law No. 7235 is amended in Section 4.3 by deleting the word "and" from the end of clause (d) and by deleting the period from the end of clause (e), substituting a semi-colon followed by the word "and" 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."

14. By-law No. 7248 is amended in Section 6.6 by deleting the existing clause (a) and substituting the following:

"(a) retail use can only be located on that portion of a storey having an elevation within 1.5 m of fronting street grade;"

15. By-law No. 7592 is amended in Table 1 by inserting the words "Bingo Hall," immediately after the words "Casino-Class 1,".

16. By-law No. 7592 is further amended in Section 6 by adding the following new clause:

"(b) No additional off-street parking will be required for individual changes of use unless and until the total number of off-street parking spaces that would otherwise be required for all uses, calculated pursuant to the Parking By-law, exceeds 807 spaces. The Director of Planning, in consultation with the City Engineer, may relax this requirement, subject to consideration of all applicable policies adopted by Council."

17. By-law No. 7648 is amended in Section 3.4 by deleting the period from the end of clause (d) and substituting 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."

18. By-law No. 7648 is further amended in Section 3.7 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f) and substituting 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."

19. By-law No. 7932 is amended in Section 4 by deleting the words "base surface" and substituting the words "finished grade around the building".

20. By-law No. 8016 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) "Dwelling Units, to a maximum of 56 units, and".

21. By-law No. 8044 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) Dwelling Units, to a maximum of 50 units, of which a minimum of 9 shall have direct exterior grade access, ".

22. By-law No. 8044 is further amended in Section 3.5 by deleting the word "and" from the end of clause (e) and by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" 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."

23. By-law No. 8055 is amended in Section 3.3 by deleting the period from the end of clause (h) and substituting 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."

24. By-law No. 8073 is amended in Section 4.3 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" 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."

25. By-law No. 8122 is amended by deleting the Schedule A map and substituting the new map which is attached to this by-law as Schedule B.

26. By-law No. 8193 is amended in Section 3.3 by deleting the period from the end of clause (d) and substituting 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."

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

DONE AND PASSED in open Council this 20th day of February ,
2001.

(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 20th day of February 2001, and numbered 8298.

CITY CLERK"



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

APRIL 10 AND 24, 2001

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, April 10, 2001, 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 Heritage, Sign, and Zoning and Development By-laws and the Coal Harbour Official Development Plan. Subsequently, the meeting was recessed, and reconvened in the Council Chamber at 7:30 p.m. on Tuesday, April 24, 2001. The Minutes have been consolidated for ease of reference.

PRESENT:	Mayor Philip Owen Councillor Fred Bass Councillor Jennifer Clarke *Councillor Lynne Kennedy *Councillor Daniel Lee *Councillor Don Lee Councillor Tim Louis Councillor Sandy McCormick Councillor Gordon Price Councillor George Puil Councillor Sam Sullivan
ABSENT	Councillor Lynne Kennedy (Sick Leave)
APRIL 24TH:	Councillor Daniel Lee (Leave of Absence) Councillor Don Lee (Civic Business)
CITY CLERK'S OFFICE:	Denise Salmon, Meeting Coordinator

*Denotes presence for portion of the meeting

COMMITTEE OF THE WHOLE

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

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

- CARRIED UNANIMOUSLY

1. Heritage Designation: 154-156 East 7th Avenue

An application by Rick Erickson was considered as follows:

Summary: Designation of the building at 154-156 East 7th Avenue as a protected heritage building.

The Director of Current Planning recommended approval.

Staff Comments

Gerry McGeough, Heritage Planner, advised this was the first time an owner has volunteered to add his building to the Register and designate it in order to qualify for Alternative Compliance Methods for Heritage Buildings, a provision of the Building By-law.

Applicant Comments

Rick Erickson, the applicant, and James Cheng, Architect, advised they had no comments to add and were available to answer questions.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Cllr. Don Lee,

A. THAT Council amend the Vancouver Heritage Register to add the Williams Block at 154 - 156 East 7th Avenue in the "B" category.

B. THAT Council approve the designation of the Williams Block at 154 -156 East 7th Avenue as a Protected Heritage Property.

C. THAT Council require a covenant to ensure the restoration of the exterior of the building is complete prior to the building being occupied.

- CARRIED UNANIMOUSLY

2. Text Amendment: 4066 Macdonald/2785 Alamein Avenue & 55-67 East Hastings Street

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

Summary: The proposed text amendment would amend the CD-1 By-laws for 4066 Macdonald Street/2785 Alamein Avenue and 55-67 East Hastings Street to clarify parking requirements and floor space exclusion provisions in two separate CD-1 by-laws.

The Director of Current Planning recommended approval.

Staff Comments

Phil Mondor, Rezoning Planner, was present to respond to questions.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Cllr. McCormick,

THAT the application by the Director of Current Planning to amend the CD-1 By-laws for 4066 Macdonald Street/2785 Alamein Avenue and 55-67 East Hastings Street to clarify parking requirements and floor space exclusion provisions in two separate CD-1 by-laws be approved.

- CARRIED UNANIMOUSLY

At this point in the meeting Council agreed to vary the agenda to deal with items 4 and 6 next, as neither had speakers, then items 3 and 5. The Minutes are recorded sequentially for clarity.

4. Sign By-law: 88 West Pender Street (International Village)

An application by Henderson Development (Canada) Ltd. was considered as follows:

Summary: The proposed amendment to the Sign By-law would alter the custom-tailored site-specific sign regulations which apply to 88 West Pender Street (International Village).

The Director of Current Planning recommended approval.

Staff Comments

Pat Johnson, Planner, was present to respond to questions, and with the aid of photo boards demonstrated the signs not in compliance with the current by-law.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Speakers



CITY OF VANCOUVER
REGULAR COUNCIL MEETING MINUTES
May 15, 2001

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 15, 2001, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT:	Mayor Philip Owen Councillor Fred Bass Councillor Lynne Kennedy Councillor Don Lee Councillor Tim Louis Councillor Sandy McCormick Councillor Gordon Price Councillor George Puil *Councillor Sam Sullivan
ABSENT:	Councillor Jennifer Clarke (Leave of Absence) Councillor Daniel Lee (Leave of Absence)
CITY MANAGER'S OFFICE:	Francie Connell, Acting City Manager
CITY CLERK'S OFFICE:	Ulli S. Watkiss, City Clerk Tarja Tuominen, Meeting Coordinator

*Denotes presence for a portion of the meeting.

PRAYER

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

"IN CAMERA" MEETING

MOVED by Councillor Louis
SECONDED by Councillor Don Lee

THAT Council will go into a meeting later this day which is closed to the public, pursuant to Section 165.2 of the *Vancouver Charter*, to discuss matters related to paragraphs:

MOVED by Councillor Sullivan

THAT the sixth report of the Community/Industry Advisory Committee for the Rezoning, Permitting and Inspection Process be received for information.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Don Lee

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Don Lee
SECONDED by Councillor Louis

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

CARRIED UNANIMOUSLY

BY-LAWS

1. A By-law to amend By-law No. 7337 being a By-law which amended Zoning and Development By-law 3575 by rezoning an area to CD-1 (4066 Macdonald Street and 2785 Alamein Avenue) By-law No. 8337

MOVED by Councillor McCormick
SECONDED by Councillor Price

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

CARRIED UNANIMOUSLY

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

There being no amendments, it was

MOVED by Councillor McCormick
SECONDED by Councillor Price

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

CARRIED UNANIMOUSLY

2. A By-law to amend By-law No. 8193 being a By-law which amended Zoning and Development by-law 3575 by rezoning an area to CD-1 (55-67 East Hastings Street) By-law No. 8338

MOVED by Councillor McCormick
SECONDED by Councillor Price

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

CARRIED UNANIMOUSLY

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

There being no amendments, it was

MOVED by Councillor McCormick
SECONDED by Councillor Price

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

CARRIED UNANIMOUSLY

~~3. A By-law to amend By-law No. 6510 being the Sign By-law (88 West Pender Street) By-law No. 8339~~

~~MOVED by Councillor Sullivan
SECONDED by Councillor McCormick~~

~~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 Councillor Sullivan
SECONDED by Councillor McCormick~~

~~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~~

~~(Councillors Bass and Louis opposed)~~

MOTIONS

A. Administrative Resolutions

1. Pavement and Curbs - Pender Street from Commercial Drive to Salsbury Drive

File: 5809

MOVED by Councillor McCormick

BY-LAW NO. 8338

A By-law to amend By-law No. 8193
being a By-law which amended
Zoning and Development By-law 3575
by rezoning an area to CD-1

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

1. Section 3.3 of By-law No. 8193 is amended by
 - (a) deleting the period at the end of clause (e), and substituting a semi-colon, and
 - (b) adding a new clause (f) as follows:
“(f) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum aggregate total of 10 percent of the total permitted floor area.”
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 15th day of May, 2001.

(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 15th day of May, 2001, and numbered 8338.

CITY CLERK



ADMINISTRATIVE REPORT

Date: October 16, 2001
Author/Local: J. Baxter/6656

RTS No. 02331

CC File No. 2606

Council: October 30, 2001

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: Form of Development: 63 East Hastings Street

RECOMMENDATION

THAT the form of development for the CD-1 zoned site known as 63 East Hastings Street (55-67 East Hastings Street being the application address) be approved generally as illustrated in the Development Application Number DE405409, prepared by Gomberoff Bell Lyon Group of Architects Inc. and stamped "Received, Community Services Group - Development Services September 10, 2001", provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of this site or adjacent properties.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

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

PURPOSE

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

BACKGROUND AND SITE DESCRIPTION

At a Public Hearing on February 22, 2000, City Council approved a rezoning of this site

from DEOD (Downtown Eastside Oppenheimer District) to CD-1 (Comprehensive Development District). Council also approved in principle the form of development for these lands. CD-1 By-law Number 8193 was enacted on May 2, 2000. Council subsequently approved a text amendment to allow amenity areas, including day care facilities, recreational facilities and meeting rooms to be excluded from floor space ratio calculations. CD-1 By-law Number 8338 was enacted on May 15, 2001.

This vacant site is located on the north side of East Hastings Street, between Carrall and Columbia Streets. The site and surrounding zoning are shown on the attached Appendix A.

Subsequent to Council's approval of the CD-1 rezoning, the Director of Planning approved Development Application Number DE405409. This approval was subject to various conditions, including Council's approval of the form of development. The latter condition is one of the few outstanding prior-to permit issuance.

DISCUSSION

The proposal involves the construction of a nine-storey, mixed-use building with 97 non-market dwelling units, three commercial units at grade, and 17 underground parking spaces with vehicular access from the lane.

The proposed development has been assessed against the CD-1 By-law and responds to the stated objectives.

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

CONCLUSION

The Director of Planning has approved Development Application Number DE405409, subject to various conditions to be met prior to the issuance of the development permit. One of these conditions is that the form of development first be approved by Council.

[Link to Appendices A and B](#)

* * * * *



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

[CITY HOMEPAGE](#)

[GET IN TOUCH](#)

[COMMUNITIES](#)

[SEARCH](#)

(c) 1998 City of Vancouver



— — ZONING BOUNDARY

63 EAST HASTINGS ST. DE 405409

CITY OF VANCOUVER PLANNING DEPARTMENT

DATE 2001 10 11

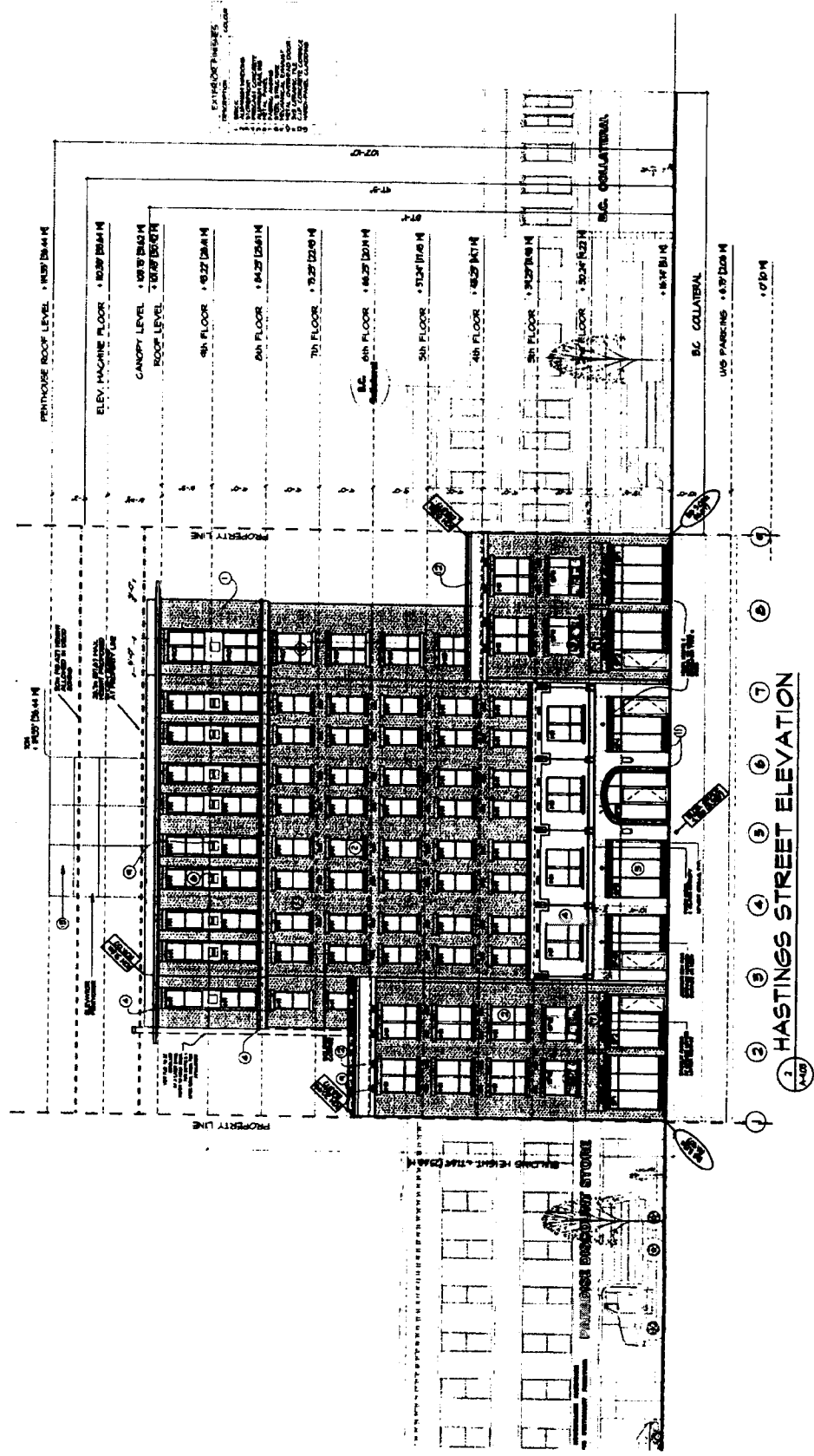
DRAWN WGS



FILENAME :F:\FRM\OFDEV\2001 FRM\OFDEV\55 TO 67 E HASTINGS.DWG

ELEVATIONS

NO.	DATE	BY	CHKD BY	REV.
1	08/14/13	CONVERTOFF, BELL, & BROWN	CONVERTOFF, BELL, & BROWN	1



HASTINGS STREET ELEVATION

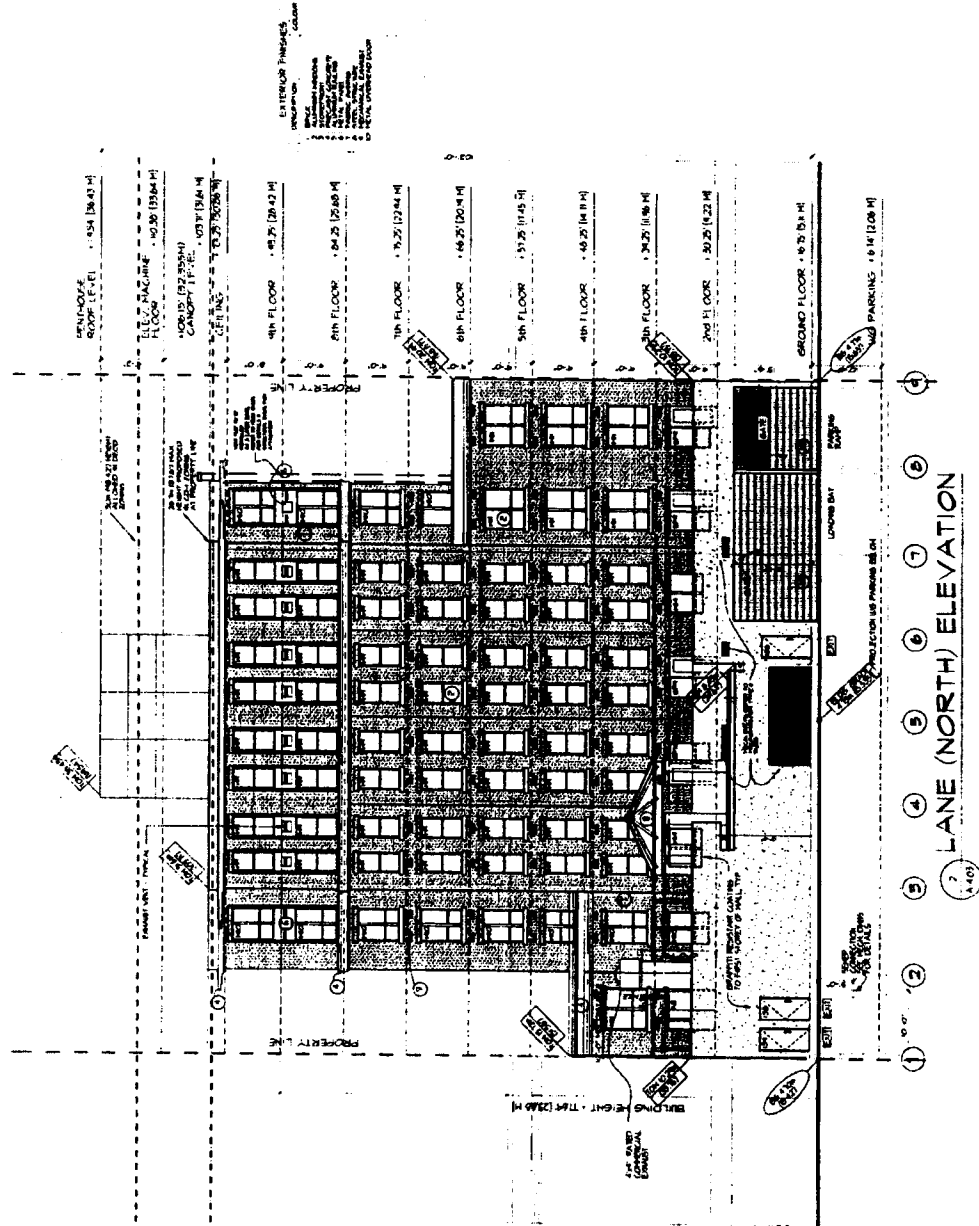


DATE: 11/11/11
 DRAWN BY: [Redacted]
 CHECKED BY: [Redacted]

PROJECT: [Redacted]
 SHEET: [Redacted]

LUX THEATRE SITE
 97 UNITS NON-MARKET
 HOUSING & COMMERCIAL
 66-07 EAST HARTWELL
 WASHINGTON, DC

A-



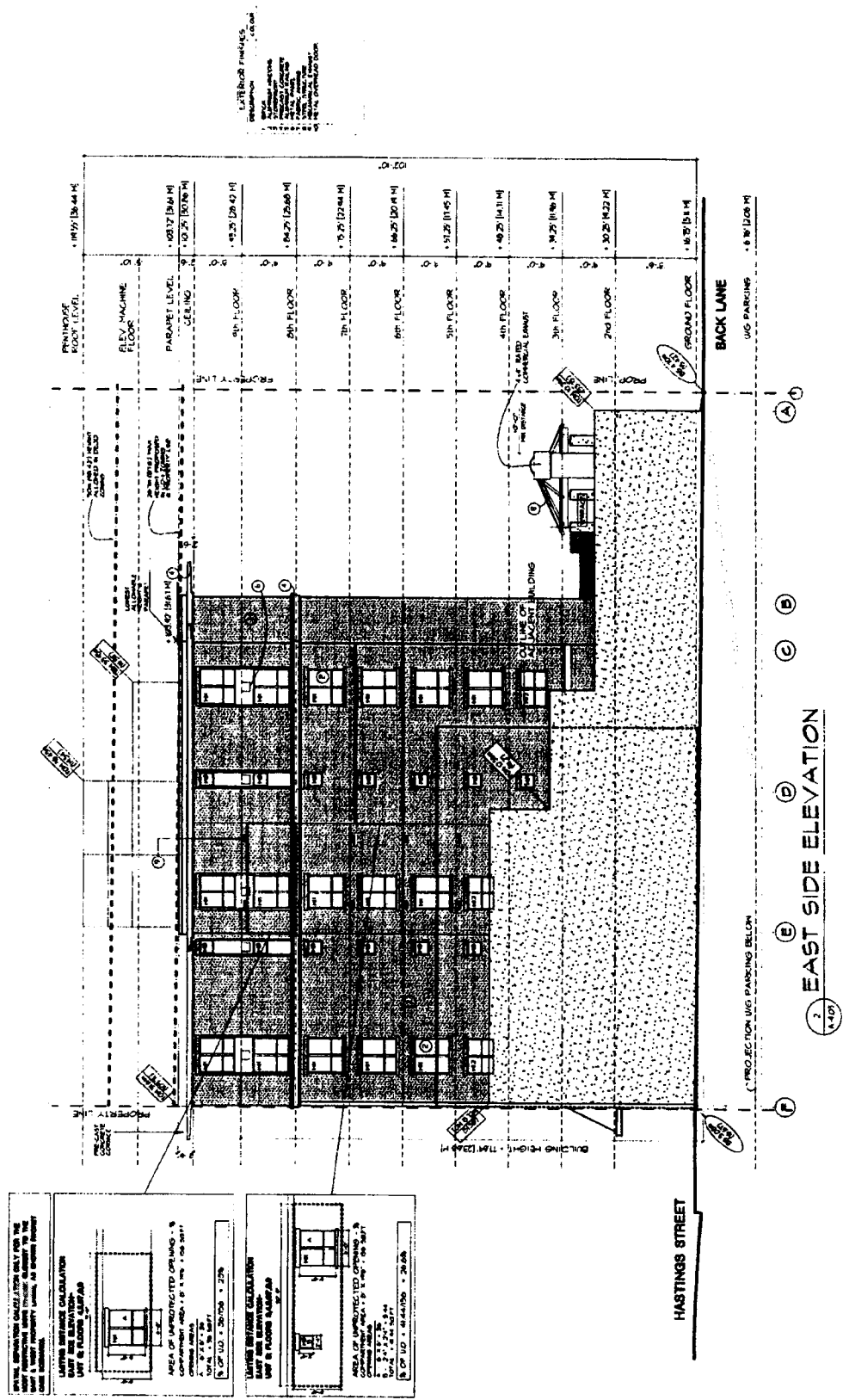
EXTERIOR FINISHES
 LOCATION
 FINISHES
 1. EXTERIOR WALLS: BRICK
 2. EXTERIOR WALLS: BRICK
 3. EXTERIOR WALLS: BRICK
 4. EXTERIOR WALLS: BRICK
 5. EXTERIOR WALLS: BRICK
 6. EXTERIOR WALLS: BRICK
 7. EXTERIOR WALLS: BRICK
 8. EXTERIOR WALLS: BRICK
 9. EXTERIOR WALLS: BRICK
 10. EXTERIOR WALLS: BRICK

A-

LUX THEATRE SITE
97 UNITS HOUSING & COMMERCIAL
86-87 EAST HASTINGS
VANCOUVER, BC

ELEVATIONS

DATE: 11/11/11
DRAWN BY: [REDACTED]
SCALE: 1/8" = 1'-0"
DATE: 11/11/11
JOB NUMBER: [REDACTED]



LUX THEATRE PROJECTS
ARCHITECTURE
1111 WEST 10TH AVENUE
VANCOUVER, BC V6H 2B6
TEL: 604-681-1111
WWW.LUXTHEATRE.COM

2. Form of Development: 63 East Hastings Street

October 16, 2001 (File 2606)

MOVED by Councillor Don Lee

THAT the form of development for the CD-1 zoned site known as 63 East Hastings Street (55-67 East Hastings Street being the application address) be approved generally as illustrated in the Development Application Number DE405409, prepared by Gomberoff Bell Lyon Group of Architects Inc. and stamped "Received, Community Services Group - Development Services September 10, 2001", provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of this site or adjacent properties.

CARRIED UNANIMOUSLY



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)