



City of Vancouver *Zoning and Development By-law*

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CD-1 (412)

335-349 East 16th Avenue

By-law No. 8479

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

Effective May 28, 2002

(Amended up to and including By-law No. 9674, dated June 24, 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 will be more particularly described as CD-1 (412), 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) Dwelling Units in conjunction with any of the other uses set out in this Section 2, provided through government funded programs, targeted for core-need households or for such other non-market housing programs or initiatives as Council may generally define or specifically approve from time to time,
- (b) Group Residence, and [9674; 08 06 24]
- (c) Accessory Buildings and Accessory Uses customarily ancillary to the above uses.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 1.45.

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

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

3.3 The following must be excluded from 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 must 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 must not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors 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

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8479 or provides an explanatory note.*

- (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 will not apply to walls in existence prior to March 14, 2000.

4 Height

The maximum building height measured above the base surface will be 10.7 m, except that, at the north-east corner of the building, the maximum building height measured above the base surface will be 11.6 m.

5 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) a minimum of 6 parking spaces must be provided, and
- (b) a minimum of 14 class “A” bicycle spaces must be provided.

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 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

7 *[Section 7 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. 8479 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black () is rezoned:

From **RM-4N** to **CD-1**

Z-521

RZ - 335, 341 & 349 E 16th Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JULY 26, 2001

A Special Meeting of the Council of the City of Vancouver was held on Thursday, July 26, 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 By-law and the Zoning and Development By-law.

PRESENT: *Mayor Philip Owen (Items 1, 2 and 3)
 Acting Mayor Gordon Price
 Councillor Fred Bass
 Councillor Jennifer Clarke
 Councillor Daniel Lee
 Councillor Don Lee
 *Councillor Tim Louis (Items 1, 2 and 3)
 *Councillor George Puil (Items 1, 2 and 3)
 Councillor Sam Sullivan

ABSENT: Councillor Lynne Kennedy (Leave of Absence)
 Councillor Sandy McCormick (Leave of Absence)

**CITY CLERK'S
 OFFICE:** Nancy Largent, Meeting Coordinator

** denotes presence for part of the meeting*

COMMITTEE OF THE WHOLE

MOVED by Councillor Clarke:
 SECONDED by Councillor Don Lee

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

CARRIED UNANIMOUSLY

(b) That, prior to enactment, arrangements are made to the satisfaction of the Director of Legal Services verifying that the applicant has acquired 298.39 m² (3,212 sq. ft.) of heritage density bonus from a heritage donor site.

~~CARRIED UNANIMOUSLY~~

3. REZONING: 335-349 East 16th Avenue

An application by Davidson Yuen Simpson Architects was considered as follows:

Summary: The proposed rezoning from RM-4N to CD-1 would permit the development of a Special Needs Residential Facility - Group Living and Dwelling Units in conjunction with this use.

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

Staff Comments

Phil Mondor, Rezoning Planner, reviewed the application, referencing density, setbacks, height and other features of the development. An application for either the dwelling units component or the Special Needs Residential facility (SNRF) could have been reviewed by the Director of Planning and Development Permit Board without referral to Public Hearing. The application was referred to this forum because of the mixed uses. Although out of scale with the surrounding neighbourhood, the application is consistent with the existing zoning.

Applicant Comments

James Van Luven, St. James Community Service Society, reviewed the history and programs of the Society, need for a shelter of this nature, and site selection criteria. This site best meets the criteria which were available in only a few areas; it is close to transportation, safely accessible at all times, and accessible to services for mothers and children. In response to concerns expressed by the neighbourhood, Mr. Van Luven indicated that the facility will not bring people from the Downtown Eastside to the area, since the Powell Street shelter will remain open to serve the Downtown Eastside.

Correspondence

Council received one letter opposed to this application.

Speakers

The following speaker supported the application on grounds that the shelter should be moved out of the Downtown Eastside to a more secure area where children can play safely:

Wanda Gautier.

The following speakers opposed the application:

Sandor Kalmar

Harp Badyal
Surendra Parmar
Janice Cran
Johannes Linder
Helen Doern

The speakers opposed the application on one or more of the following grounds:

- the application does not meet City guidelines and objectives for development in Mount Pleasant regarding height, density, privacy and views;
- the proposed building would be far larger than others in the area, which consists mostly of single family homes and a few two story apartment buildings;
- the architect should be instructed to design a building more in scale which will better blend into the rest of the neighbourhood;
- the proposed parking relaxation should not be allowed in an area where parking is already inadequate;
- a facility of this nature may bring more social problems to the area;
- this area already houses more than its fair share of special needs facilities;
- property values will go down;
- there will be heavy shadowing of adjacent properties.

The Mayor called for any further speakers for and against the application, and none came forward.

Applicant Closing Comments

There were no closing comments.

Staff Closing Summation

Larry Beasley, Director of Current Planning, and Mr. Mondor addressed the concern regarding distribution of SNRFs across the city, advising that facilities are fairly evenly spread throughout residential areas. A comprehensive package on the issue of distribution will be coming forward for Council's consideration at a future date.

Mr. Mondor reiterated that although the proposed development is out of scale with the surrounding buildings, the application is consistent with the existing zoning and should blend in with future development of the area. Examples of relevant conditions which address neighbourhood concerns were given. It was noted that during discussion of the form of development, an effort will be made to modify the fourth story to present a less imposing aspect.

Council Decision

MOVED by Councillor Bass

THAT the application by Davidson Yuen Simpson Architects to rezone 335-349 East 16th Avenue, to permit the development of a Special Needs Residential Facility - Group Living and Dwelling Units in conjunction with this use, be approved subject to the following conditions:.

(a) THAT the proposed form of development prepared by Davidson Yuen Simpson Architects, and stamped "Received, City Planning Department, May 7, 2001", be approved by Council in principle, provided that the Director of Planning, or Development Permit Board, may allow minor alterations to the 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) design development to reduce the impact of the overall bulk of the building through the consideration of fourth floor setbacks, different and lighter material expression for the fourth floor, and de-emphasis of the cornice;

(ii) design development to increase the prominence and legibility of the principal building entrance;

(iii) design development to provide a secured garage in place of the proposed carport;

(iv) design development to relocate the proposed side entrance closer to the street to improve the relationship with adjacent development to the east;

(v) design development to consider an increase in the amount of passive useable outdoor open space on site;

(vi) design development to the roof decks to include more planting;

(vii) further landscape development to ensure that all plants be child-safe i.e. non-poisonous; and

(viii) design development to minimize opportunities for crime through the use of CPTED principles (Crime Prevention Through Environmental Design), with particular regard for:

graffiti and vandalism in the lane area, and;

car crime in the lane, through improved treatment of the rear lane and consideration of making the carport into a garage, with lattice between the shelter and the back wall of the garage.

(c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

(i) Make arrangements, to the satisfaction of the General Manager of Engineering Services, for undergrounding of all new Hydro and Telus services for the development from the closest existing suitable service point, including a review of the servicing requirements to determine their impact on the

surrounding neighbourhood; and

(ii) Execute a housing agreement under Section 565.2 of the Vancouver Charter, on terms acceptable to the Director of Legal Services, to secure 100% occupancy for core need individuals and households, to the satisfaction of the Director of the Housing Centre.

CARRIED UNANIMOUSLY

Prior to consideration of this item, the Mayor declared Conflict of Interest because of a relative's membership on the Cancer Research Foundation Board, and left the Chamber at 9:15 p.m. Councillor Louis also declared Conflict of Interest because he is a member of the Vancouver-Richmond Health Board, and left the Chamber at 9:15 p.m. Neither the Mayor nor Councillor Louis returned to the meeting.

In the absence of the Mayor and Councillor Louis, Acting Mayor Price assumed the chair.

Councillor Puil also left the meeting at this point in the proceedings.

4. REZONING: 601 West 10th Avenue (Cancer Research Clinic)

An application by Henriquez Partners / IBI Group was considered as follows:

Summary: The proposed rezoning from C-3A to CD-1 would permit a two phase development of a Cancer Research Centre including laboratory, hospital and ancillary uses, office and limited grade level retail.

Also before Council was a memorandum from the Director of Current Planning dated July 20, 2001 recommending the following:

Approval Conditions:

When Council referred this application to Public Hearing, they requested the addition of a "traffic demand management scheme" as a condition of approval. Therefore the existing approval condition item (c)(vi) should be amended to read as follows:

"(c)(vi) provide a traffic impact study, **including a traffic demand management scheme and two biennial monitoring reports** which take into account proposed medical technology development in this area;" and

Draft By-law:

In sections 4(a) and (b) the numbers "89.9 m" and "93 m" should be deleted and replaced with the number "88.4 m".

335, 341 and 349 East 16th Avenue

BY-LAW NO. 8479

**A By-law to amend
Zoning and Development By-law No. 3575**

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

1. The Zoning District Plan annexed as Schedule D to By-law No. 3575 is amended, and the boundaries and districts shown on it are amended or substituted, according to the amendments, substitutions, explanatory legends, notations and references shown on the plan marginally numbered Z - 521 attached as Schedule A to this By-law, and Schedule A is incorporated into Schedule D to By-law No. 3575.

2. **Uses**

The area shown included within the heavy black outline on Schedule A will be more particularly described as CD-1(412), 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) Dwelling Units in conjunction with any of the other uses set out in this Section 2, provided through government funded programs, targeted for core-need households or for such other non-market housing programs or initiatives as Council may generally define or specifically approve from time to time,
- (b) Special Needs Residential Facility - Group Living, and
- (c) Accessory Buildings and Accessory Uses customarily ancillary to the above uses.

3. **Floor Space Ratio**

3.1 The floor space ratio must not exceed 1.45.

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

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;

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

3.3 The following must be excluded from the computation of floor space ratio:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, 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 must 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 must not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors 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 will be 3.7 m² per dwelling unit;
- (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 will not apply to walls in existence prior to March 14, 2000.

4. **Height**

The maximum building height measured above the base surface will be 10.7 m, except that, at the north-east corner of the building, the maximum building height measured above the base surface will be 11.6 m.

5. 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) a minimum of 6 parking spaces must be provided, and
- (b) a minimum of 14 class "A" bicycle spaces must be provided.

6. Acoustics

All development permit applications for dwelling uses under this By-law 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 levels expressed in decibels 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 the noise level in decibels.

<u>Portion of Dwelling Unit</u>	<u>Noise Level (Decibels)</u>
bedrooms	35
living, dining, recreation rooms	40
kitchens, bathrooms, hallways	45

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

ENACTED by Council this 28th day of May, 2002.

(Signed) "Philip W. Owen"
Mayor

(Signed) "Syd Baxter"
City Clerk

I certify that this is a true copy of By-law No. 8479 enacted by the Council of the City of Vancouver on May 14, 2002.

CITY CLERK

By-law No. 2479 being a By-law to amend By-law No. 3575
 being the Zoning & Development By-law



The property outlined in black () is rezoned:
 From RM-4N to CD-1

Z-521

RZ - 335, 341 & 349 E 16th Avenue

map: 1 of 1
 scale: 1:2000





CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

MAY 28, 2002

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 28, 2002, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

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

**CITY MANAGER'S
OFFICE:**

Judy Rogers, City Manager

**CITY CLERK'S
OFFICE:**

Syd Baxter, City Clerk
Tarja Tuominen, Meeting Coordinator

* Denotes presence for a portion of the meeting.

PRAYER

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

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

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 Bass
SECONDED by Councillor Louis

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

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

3. A By-Law to amend Street and Traffic By-law No. 2849 (Use of skates, skateboards, and push-scooters on minor streets) (By-law No. 8478)

MOVED by Councillor Clarke
SECONDED by Councillor Sullivan
THAT the By-law be introduced and read a first time.

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

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 Clarke
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

4. A By-law to amend Zoning and Development By-law No. 3575 (335, 341 and 349 East 16th Avenue Rezoning - RM-4N to CD-1) (By-law No. 8479)

MOVED by Councillor Clarke
SECONDED by Councillor Sullivan
THAT the By-law be introduced and read a first time.

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

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 Clarke
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

MOTIONS

A. Administrative Motions

1. Closure and lease of a Portion of Davie Street and Marinaside Crescent (File 5753)

MOVED by Councillor McCormick
SECONDED by Councillor Daniel Lee

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;

2. Part of District Lot 5059, Except Part in Plan 20319; and Part of District Lot 5605, Plan 6108 Except (A) Portions in Reference Plan 2437 and (B) Plans 20128, 20129, 20186, 20421 and 23027; all of Group 1, New Westminster District, have been dedicated as road by Plan LMP 10733;

3. Part of District Lot 5059, Except Parts in Plans 20139 and Plan LMP 10733; and Part of District Lot 5605 Plan 6108 Except Portions in Reference Plan 2437 and Plans 20128, 20129, 20186, 20421, 23027 and LMP 10733, have been dedicated as road by Plan LMP 13010;

4. Part of Lot 281, False Creek, Group 1, New Westminster District, Plan LMP 44110 has been dedicated as road by Plan LMP 44111;

5. Only portions of the said road dedicated by Plans LMP 10733, LMP 13010 and LMP 44111 are required for road purposes;

6. The owner of the abutting Lot 283, False Creek, Group 1, New Westminster District, Plan LMP 44111, has made application to lease the portions of road dedicated by Plans LMP 10733, LMP 13010 and LMP 44111 that are no longer required for road purposes.

7. On November 2, 1999, Council approved the recommendation contained in a report from the General Manager of Engineering Services dated October 8, 1999 to close, stop-up and lease portions of Davie Street and Marinaside Crescent as dedicated by Plans LMP 10733, LMP 13010 and LMP 44111 to the abutting owner.

THEREFORE BE IT RESOLVED THAT the 0.400 hectare portion of road dedicated by Plan LMP 10733; the 0.887 hectare portion of road dedicated by Plan LMP 13010; and the 69.3 square metre portion of road dedicated by Plan LMP 44111; all the same as shown within the heavy outline on a Reference Plan prepared by Gary Sundvick, B.C.L.S., attested to on May 6, 2002, and marginally numbered File: 99-843, Dwg: 99843-3 Rev.3, be closed, stopped-up, and title taken thereto;

BE IT FURTHER RESOLVED THAT the said portions of Road dedicated by Plans LMP 10733, LMP 13010 and LMP 44111, be consolidated so as to form a single parcel, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services and that the consolidated parcel be leased to the abutting owner, the lease to be to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY
(Councillor Puil absent for the vote)

2. Approval of Form of Development: CD-1 - 335 East 16th Avenue (File 2608)

MOVED by Councillor McCormick
SECONDED by Councillor Bass

THAT the form of development for the CD-1 zoned site known as 335 East 16th Avenue be approved generally as illustrated in Development Application No. DE 405832 prepared by Davidson Yuen Simpson Architects, and stamped "Received, City of Vancouver Planning Department, August 31, 2001", 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
(Councillor Puil absent for the vote)

3. Establishing as road on the east side of Knight Street, adjacent to 6549 Knight Street between East 49th Avenue and East 51st Avenue (File 5753)

MOVED by Councillor McCormick
SECONDED by Councillor Daniel Lee

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 38, except the East 7 feet, now Road, Block 2, District Lot 739, Plan 1645, Group 1, New Westminster District, the same as shown heavy outlined on plan of survey completed on May 21, 2002, attested to by A. Di Nozzi, B.C.L.S., and marginally numbered LD 3835;

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands



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)

Special needs residential facilities

BY-LAW NO. 9674

A By-law to amend CD-1 By-law No.'s 3869, 3897, 4271, 4580, 4634, 4671, 5343, 6041, 6070 6072, 6919, 7114, 7193, 7196, 7204, 7210, 7461, 7647, 7679, 7682, 7723, 7852, 8055, 8088, 8111, 8326, 8369, 8457, 8479, 8546, 8880, 9190, 9204, 9454, 9463, 9573, 9594, and 9600

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

- From each of the CD-1 by-laws listed in Column 1 of Table 1, Council strikes out, from each of the sections listed in Column 2, the words set out in Column 3, and variations of those words, and substitutes the words set out in Column 4:

Table 1

Column 1	Column 2	Column 3	Column 4
3869	2 (b) 5.1 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
3897	2 (c) 6 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
4271	2 (a)	special needs residential facility (Community Care Facility)	Community Care Facility
4580	3.1	Special Needs Residential Facility: Community Care Facility	Community Care Facility
4634	2 (e)	special needs residential facility (community care facility)	community care facility
	3 Table A	Special Needs Residential Facilities (Community Care Facilities)	Community Care Facilities
	4(c)	special needs residential facility	community care facility
4671	2.2 (a)	Special Needs Residential Facility - Community Care - Class B, and Special Needs Residential Facility - Group Living	Community Care Facility - Class B and Group Residence
5343	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

6041	2 (c)	Special needs residential facility - community care - Class B	Community care facility - class B
6070	2 (a) (iii)	special - needs residential facility	community care facility or group residence
6072	2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
6919	2 (a)	Special Needs Residential Facility (Community Care Facility)	Community Care Facility
7114	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7193	2 (a)	Special Needs Residential Facility - Community Care	Community Care Facility
7196	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7204	10 (b) (iv)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7210	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7461	6.4 (b)	and special needs residential uses	community care facilities and group residences
7647	2.1 (a)	Special Needs Residential Facilities	of the following: Community Care Facilities or Group Residences
7679	4.1 (d)	and Special Needs Residential Facility	, Community Care Facility and Group Residence
7682	2 (e)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
	10 (d)	Special Needs Residential Facility	Community Care Facility
7723	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7852	2.1 (b)	Special Needs Residential Facility - Class B	Community Care Facility - Class B
	5	Special Needs Residential Facility	Community Care Facility
8055	2 (a)	Special Needs Residential Facility	Community Care Facility and Group Residence
8088	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

8111	2 (a) 5.1	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8326	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8369	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8457	2 (b)	Special Needs Residential Facility - Community care - Class B	Community Care Facility - Class B
8479	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8546	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
8880	3	Special Needs Residential Facility	Community Care Facility, Group Residence
9190	3 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9204	3 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9454	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9463	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9573	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9594	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9600	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence

2. 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.

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

ENACTED by Council this 24th day of June, 2008

Mayor

City Clerk

EXPLANATION

A By-law to amend certain CD-1 By-laws re special needs residential facilities

After the public hearing on June 10, 2008, Council resolved to amend certain CD-1 By-laws to refer to community care facilities rather than special needs residential facilities. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
June 24, 2008

17. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 2978 West 5th Avenue) (By-law No. 9687)**
(Councillors Ball, Cadman and Louie ineligible to vote)
18. **A By-law to designate certain real property as protected heritage property (re 2978 West 5th Avenue) (By-law No. 9688)**
(Councillors Ball, Cadman and Louie ineligible to vote)

MOVED by Councillor Lee
SECONDED by Councillor Stevenson

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 3 to 7, 9, 10 and 16, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. **A By-law to amend Zoning and Development By-law No. 3575 (re special needs residential facilities) (By-law No. 9673)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
4. **A By-law to amend certain CD-1 By-laws re special needs residential facilities (By-law No. 9674)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
5. **A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re special needs residential facilities) (By-law No. 9675)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
6. **A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re special needs residential facilities) (By-law No. 9676)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
7. **A By-law to amend By-law No. 9488 Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts (re special needs residential facilities) (By-law No. 9677)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
9. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 125 Boundary Road) (By-law No. 9679)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
10. **A By-law to designate certain real property as protected heritage property (re 125 Boundary Road) (By-law No. 9680)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Anton
SECONDED by Councillor Stevenson

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, 2, 8, 11, 12, 14, 15, 17 and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

1. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$5,722.78 for certain local improvement lane lighting projects, and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9671)**
2. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$554,777.99 for certain local improvement street work projects, including pavement, curbs, trees and bulges, and lane pavement and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9672)**
8. **A By-law to amend Parking By-law No. 6059 (re special needs residential facilities) (By-law No. 9678)**
11. **A By-law to amend Subdivision By-law No. 5208 regarding miscellaneous amendments (By-law No. 9681)**
12. **A By-law to amend Parking By-law No. 6059 (re bicycle spaces) (By-law No. 9682)**
14. **A By-law to amend Subdivision By-law No. 5208 (re 5475 Dunbar Street and 3625 and 3641 West 39th Avenue) (By-law No. 9684)**
15. **A By-law to amend CD-1 By-law No. 8131 (re Great Northern Way Campus) (By-law No. 9685)**

4. TEXT AMENDMENT: SNRF ZONING AND DEVELOPMENT BY-LAW REVISIONS

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

Summary: To amend the definitions of Special Need Residential Facilities (SNRF) in the Zoning & Development By-law and make consequential changes to the Zoning & Development By-law and relevant CD-1 By-laws; amend references in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws; and amend the Parking By-law. These are housekeeping amendments to update the definitions.

The Directors of Social Planning, Planning, Development Services, Housing Centre, Legal Services, and General Manager of Engineering Services recommended approval.

Also before Council was a memorandum from Anne Kloppenborg, Social Planning, dated May 20, 2008, which noted an addition to Appendix B of the Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines" dated April 15, 2008, in order to conform with the draft By-laws prepared by staff.

Staff Opening Comments

Anne Kloppenborg, Social Planning, reviewed the application, including the memo distributed with the agenda package for the Public Hearing.

Summary of Correspondence

No correspondence had been received on this application since referral to Public Hearing.

Speakers

Sister Elizabeth Kelliher and Johnn Olldym spoke in opposition to the application.

Council Decision

MOVED by Councillor Chow

- A. THAT the application to:
 - i) amend the definitions of Special Needs Residential Facilities in section 2 of the Zoning and Development By-law, and make the necessary consequential changes to the Zoning and Development By-law and to the CD-1 By-laws listed in Appendix A; and
 - ii) amend references to "Special Needs Residential Facilities" in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws,

generally in accordance with Appendix A and B to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008, be approved with the following changes to Appendix B noted in the Memorandum dated May 20, 2008, from Anne Kloppenborg, Social Planning:

In Section 1.1 of the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts, delete *special needs residential facility* and substitute *community care facility or group residence*; and in Section 2.5, delete the reference to *Special Needs Residential Facility Guidelines* and substitute *Community Care Facility and Group Residence Guidelines*.

- B. THAT Council approve amendments to the Parking By-law, generally in accordance with Appendix C to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.
- C. THAT if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the Community Care Facilities and Group Residences Guidelines and the Application Procedures for Development Permits for Community Care Facilities and Group Residences, as outlined in Appendix D to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

CARRIED UNANIMOUSLY