

CD-1 (426)
Back-up Notes Summary Page
1128 West Georgia Street
(1119 Alberni Street formerly 1120 West Georgia Street)

BY-LAWS

CD-1 (426) - By-law No. [8943](#) and any subsequent amending by-laws
https://app.vancouver.ca/bylaw_net/Report.aspx?bylawid=8943

Consequential By-laws

Noise [No. 8950](#) Schedule A <http://bylaws.vancouver.ca/6555c.pdf>

Sign [No. 8944](#) Schedule A (DD) <http://bylaws.vancouver.ca/consolidated/11879.pdf>

POLICIES and GUIDELINES

- Financing Growth (Community Amenity Contribution) Policy (2003)
- West End Community Plan (2013)
- Transfer of Density Policy and Procedure (1983, last amended 2013)

PUBLIC HEARINGS - Minutes, Reports, Posted By-laws, etc.

PH Date *December 10, 2003* - Item #3 - <https://council.vancouver.ca/20031210/PH20031210.htm>

Summary – To permit a 57-storey 183 m (600 ft.) mixed-use tower containing Residential and General Office Live-Work uses with a floor space ratio of 12.81. Associated with the rezoning is designation and a Heritage Revitalization Agreement for the heritage building on the adjacent site at 1160 West Georgia Street. There is an amendment to the Sign By-law and at time of enactment of the zoning by-law, amendments to the Noise Control By-law. The Downtown District base maps will also be altered to delete this site.

By-law enacted on *November 2, 2004*

PH Date *September 15, 2005* - Item #2 - <https://council.vancouver.ca/20050915/PH20050915.htm>

Summary – The proposed amendment to the existing CD-1 By-law would permit additional height and floor area. A consequential amendment to the Sign Bylaw is required.

By-law enacted on *October 20, 2005*

PH Date *February 28, 2006* - Item #2 - <https://council.vancouver.ca/20060228/ph20060228.htm>

Summary – To correct the total maximum floor area in the second column of Table 1.

By-law enacted on *March 21, 2006*

PH Date *May 16, 2006* - Item #4 - <https://council.vancouver.ca/20060516/ph20060516.htm>

Summary – To amend various downtown CD-1 bylaws to add missing standard provisions and to correct an error in the sign by-law.

By-law enacted on *June 13, 2006*

PH Date *January 16, 2018* - Item #3 - <https://council.vancouver.ca/20180116/phea20180116ag.htm>

Summary – To amend the text of CD-1 (426) Comprehensive Development District for the existing Shangri-La mixed-use development to add a “tea house” adjacent the hotel lobby, and to enclose the restaurant’s bridge connection/terrace on the third floor and the conference room’s patio on the sixth floor.

By-law enacted on *April 17, 2018*

BY-LAWS

MOVED by Councillor Louis

SECONDED by Councillor Woodsworth

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Animal Control By-law No. 7528 regarding 2005 fee increases (By-law No. 8939)
2. A By-law to amend Vehicles for Hire By-law No. 6066 regarding 2005 fee increases (By-law No. 8940)
3. A By-law to amend License By-law No. 4450 regarding 2005 fee increases and miscellaneous amendments (By-law No. 8941)
4. A By-law to amend Subdivision By-law No. 5208 (3570 McGill Street) (By-law No. 8942)
5. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (1120 West Georgia Street) (By-law No. 8943)
(Mayor Campbell excused from voting)
6. A By-law to amend Sign By-law No. 6510 (1120 West Georgia Street) (By-law No. 8944)
(Mayor Campbell excused from voting)
7. A By-law to amend Downtown District Official Development Plan By-law No. 4912 (1120 West Georgia Street) (By-law No. 8945)
(Mayor Campbell excused from voting)
8. A By-law to amend By-law No. 4412 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1 (Langara College) (By-law No. 8946)
(Councillors Green, Roberts, Stevenson, Sullivan and Mayor Campbell excused from voting)
9. A By-law to amend By-law No. 4472 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1 (800 West 12th Avenue - power plant) (By-law No. 8947)
(Councillors Green, Sullivan and Mayor Campbell excused from voting)
10. A By-law to amend Parking By-law No. 6059 (1226 Homer Street) (By-law No. 8948)



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
DECEMBER 10, 2003

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A Special Meeting of the Council of the City of Vancouver was held on Wednesday, December 10, 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 and Sign By-laws, and to designate property as protected heritage property and to enter into Heritage Revitalization Agreements.

PRESENT:

Deputy Mayor David Cadman
Councillor Fred Bass
Councillor Jim Green
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Tim Louis
Councillor Anne Roberts
Councillor Tim Stevenson
*Councillor Sam Sullivan
Councillor Ellen Woodsworth

ABSENT: Mayor Larry Campbell (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Louis

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Cadman in the Chair, to consider proposed amendments to the Zoning and Development and Sign By-laws, and to designate property as protected heritage property and to enter into Heritage Revitalization Agreements.

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote.)

1. HERITAGE DESIGNATION/HRA: 1483 West 15th Avenue

An application by Walter Francl Architecture, Inc. was considered as follows:

Summary: An application to enter into a Heritage Revitalization Agreement and designation for conservation of heritage facades of the apartment building at 1483-1487 West 15th Avenue.

- B. THAT Council approve a Single Room Accommodation (SRA) Permit to convert 8 SRA rooms to 4 self-contained dwelling units greater than 320 square feet at 511 Union Street on the condition that the owner enter into a Heritage Revitalization Agreement as set out in Recommendation A;
- C. THAT Council approve a contribution of \$20,000.00 to the Affordable Housing Fund;
- D. THAT Council by by-law designate the exterior at 511 Union Street as municipally Protected Heritage Property;
- E. THAT the Director of Legal Services bring forth the by-law to authorize the Heritage Revitalization Agreement but not sign the agreement until the contribution noted above in Recommendation "C" has been made and until confirmation that a strata conversion application has been approved in principle by the Approving Officer; and,
- F. THAT the Director of Legal Services bring forth the by-law to designate as municipally Protected Heritage Property the exterior of the heritage house.

CARRIED UNANIMOUSLY

(Councillor Sullivan absent for the vote.)

**3. REZONING: 1120 West Georgia Street and
HERITAGE DESIGNATION/HRA: 1160 West Georgia Street**

An application by James KM Cheng Architects Inc. was considered as follows:

Summary: An application to rezone the 1120 West Georgia Street site from Downtown District (DD) to Comprehensive Development District (CD-1) for a 57-storey 183 m (600 ft.) mixed-use tower containing Residential and General Office Live-Work uses, and a floor space ratio of 12.81.

Associated with the rezoning is designation and a Heritage Revitalization Agreement for the heritage building on the adjacent site at 1160 West Georgia Street. There is an amendment to the Sign By-law and, at the time of enactment of the zoning by-law, amendments to the Noise Control By-law. The Downtown District base maps will also be altered to delete this site.

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

Staff Opening Comments

Phil Mondor, Rezoning Planner, reviewed the application, provided background leading up to the by-law amendment and highlighted proposed zoning changes and issues. Mr. Mondor also highlighted three principal community amenities proposed by the developer, and responded to questions related to public access to the building, including the rooftop. The proposed Heritage Revitalization Agreement and designation at 1160 West Georgia Street was also

noted. Michael Gordon, Senior Planner, also provided information on remaining opportunities for tall buildings in the Downtown District.

Applicant Opening Comments

James Cheng, James KM Cheng Architects Inc., with the aid of a model and PowerPoint presentation, described the project and highlighted its associated public benefits. Mr. Cheng also responded to questions from Council related to the potential for rooftop access, the choice of bamboo rather than indigenous plantings for the project, and the rationale for choice of location for sculpture garden.

Robert Lemon, Robert G. Lemon Architecture & Preservation, provided background on plans to return the heritage building to its original appearance, and Pastor Dave Koop, Coastal Victory Church, explained the history leading up to purchase of this building. Daina Augaitis, Vancouver Art Gallery, spoke on the importance of the sculpture garden, and the opportunity it provides for artists to respond to the changing city. Leah MacFarlane, Chair of the Public Art Committee, also spoke in support of the project.

Summary of Correspondence

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

- Four (4) letters in support

Speakers

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

The following speakers spoke in opposition to the application:

- Stuart Swain, Vice-President, Pacific Centre Leasehold Ltd.
- Alex Stroshin, area property owner

Comments provided by the foregoing speakers included:

- objection to the planned project's height and massing;
- westerly view vistas will be diminished from the TD tower, with negative long-term consequences of diminished value for both tenants and owners;
- the building is too big for the site, it will dwarf everything around it and should be brought back down to 450 feet; and
- increased shadowing and wind will negatively impact surrounding area.

Applicant Closing Comments

Mr. Cheng noted densification of the Downtown is required to help preserve our neighbourhoods. He further observed this densification would result in fewer trip generators into the area, and greatly increase the local pedestrian traffic, which in turn will move us toward a more sustainable and vibrant city. Mr. Cheng further noted the proposed tower would have no shadowing effect on Mr. Stroshin's nearby property.

Staff Closing Comments

Mr. Mondor commented on the public process leading the Public Hearing, noted two public open houses in June had been well attended, and drew Council's attention to the fact only two people had come forward this evening to comment on the application.

Council Decision

MOVED by Councillor Green

A. THAT the application by James KM Cheng Architects, to rezone 1120 West Georgia Street (Lot G, Block 18, DL 185, Plan LMP1597) from DD to CD-1, adding Dwelling Units and General Office Live-work as permitted uses, and allowing an increase in building height to 183 m (600 ft.) and an increase in floor space ratio to 12.81, generally as set out in Appendix A of the Policy report dated November 10, 2003 entitled "CD-1 Rezoning at 1120 West Georgia Street and Heritage Revitalization Agreement at 1160 West Georgia Street" be approved, subject to the following conditions:

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by James KM Cheng Architects, and stamped "Received Planning Department", September 9, 2003, provided that the Director of Planning or the Development Permit Board, as the case may be, 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 or the Development Permit Board, as the case may be, who shall have particular regard to, among other things, the following:

DESIGN DEVELOPMENT - GENERAL

- (i) design development to refine the overall tower building character to respond better to the context and achieve a building of excellence;

Note to Applicant: aspects to review include, among other things: how the major facades respond to their different contexts; how the internal uses are reflected externally; and refinement to the tower roof form including its landscaping.

- (ii) design development to refine the overall relationship between the tower and building base to improve the overall built form composition;

Note to Applicant: aspects to review include, among other things: the better integration of the tower and base in built form and character particularly at the westerly junction; improvement in the vertical circulation between the lower storeys of the tower and the various levels of the base; the base overhangs need to be strengthened; and emphasis of the main entrances such as the hotel.

- (iii) design development to refine the food store design to improve its street character in regard to the ceremonial status of West Georgia Street and the downtown quality appropriate for Alberni Street;

Note to Applicant: aspects to review include, among other things: the internal planning of the food store to provide animated and visually interesting uses along the street; the store facades should reflect the different characters of West Georgia and Alberni Streets; and integrated signage.

- (iv) design development to the overall project that achieves a cohesively elegant, transparent and sophisticated building skin; and

Note to Applicant: provide a letter of undertaking that establishes the intent of the skin design and commitment to a process through the various approval steps (development application and building permit).

- (v) undertake a revised micro climate analysis of the re-submission and make design changes to improve pedestrian comfort.

Note to Applicant: aspects to review include, among other things: the sculpture garden and public space beside the tower. The revised analysis should seek to consider micro-climate impacts surrounding the site.

DESIGN DEVELOPMENT - ACOUSTICS

- (vi) provision of a ventilation or air conditioning system in the dwelling units which enables occupants to maintain closed windows in a location subject to high noise levels.

Note to Applicant: The CD-1 By-law has a provision that development permit application requires 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 dwelling units and hotel units listed do not exceed the noise levels set out in the By-law.

Further Note to Applicant: The CD-1 By-law states a condition of use that Dwelling units are in an "activity zone" as defined in the Noise Control By-law, and, as a result, are subject to noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts. It can be anticipated that this will be a condition on development permit.

- (vii) consideration of acoustical investigation and design development to address the noise impacts of a tall building, particularly reverberation of ambient noise towards the West End neighbourhood, through choice of materials, articulation, and greening of the southwest facade.

HERITAGE

- (viii) design development to refine the westerly area which is near the "B" Heritage Register building at 1160 West Georgia Street ("Coastal Church") to improve the setting for this heritage building and improve the design quality of the vehicular access.

Note to Applicant: aspects to review include, among other things: the integration of the proposed Church buttressing into the design of the vehicular ramp; a higher quality of materials and landscape design for the vehicular ramp; coordination of pedestrian movement across the northerly portion of both sites; and integrated signage.

DESIGN DEVELOPMENT - SCULPTURE GARDEN (PUBLIC ART SITE)

- (ix) design development to refine the Sculpture Garden/Public Art Site design and surrounding public realm to improve the public experience;

Note to Applicant: aspects to review include, among other things: making the Sculpture Garden more visible and inviting from both West Georgia and Alberni Streets; making the Sculpture Garden a stronger destination place; improve solar access to the Sculpture Garden; incorporate contemporary art detailing in aspects of the project; strengthening the pedestrian route from West Georgia to Alberni Streets; increasing the sidewalk width on Thurlow Street by setting back the retail by 2 feet minimum; maximizing the sidewalk widths on Alberni Street; and generally looking for more landscaping opportunities.

- (x) design development to refine the podium roof garden design to improve its public access and character;

Note to Applicant: aspects to review include, among other things: increase public access; and strengthen the connection between the roof garden and the surrounding ground plane.

DESIGN DEVELOPMENT - SUSTAINABILITY

- (xi) design development to all aspects of the project to enhance the sustainability characteristics;

Note to Applicant: aspects to review include, among other things: water efficiency, energy & atmosphere, materials & resources, and indoor environmental quality.

DESIGN DEVELOPMENT - BICYCLE STORAGE

- (xii) The bicycle storage facilities are to be designed to the requirements of the Vancouver Parking By-law, including separation to a maximum of 40 bicycles per room or unit; and

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- (xiii) design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:

- theft in the underground through separation of live/work and commercial elevators, parking areas and exiting;
- break and enter;
- mischief and vandalism such as graffiti; and
- mischief in door alcoves on the lane and street, and by gating the loading bay.

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

HERITAGE (1160 West Georgia Street)

- (i) pay \$4,427,000 into an interest-bearing trust account of the law firm acting for the owner(s) of the "B" Vancouver Heritage Register building at 1160 West Georgia Street (former First Church of Christ, Scientist). A portion may be paid to the owners of 1160 West Georgia Street upon having obtained Development and Building Permits for the rehabilitation and voluntary code upgrading of the building at 1160 West Georgia to the satisfaction of the Director of Planning and Chief Building Official and the remaining portion, sufficient to cover all costs and a twenty percent holdback, shall be applied to the rehabilitation and code upgrading of the heritage building in conformance with the required permits and only released by the trust lawyer as work is completed and upon the instruction of the City's Heritage Planner who will act in accordance with the rehabilitation agreement between the City and the heritage building owner which will include the work schedule within but who may also act in accordance with the statutory right of way required below. The City

and the trust lawyer must agree upon the terms and conditions which govern payout of the trust money, and until such agreement is settled all to the satisfaction of the Director of Legal Services the owner of 1120 West Georgia Street shall not pay the money.

- (ii) arrange that the registered owner of the "B" Vancouver Heritage Register building at 1160 West Georgia Street enter into the following agreements with the City:
- a heritage revitalization agreement to secure the rehabilitation, voluntary code upgrading, protection and ongoing maintenance of the exterior and interior of the heritage building. This agreement will include the owner waiving compensation for the City designating the building;
 - a section 219 covenant to secure the prompt restoration and voluntary code upgrading of the heritage building as per a defined work schedule. This covenant will also require an architect or engineer having substantive heritage conservation experience to supervise the rehabilitation work; and
 - a statutory right of way by which the City may undertake or complete the rehabilitation work if the owner delays in undertaking or completing such work.

All agreements shall be drawn to the satisfaction of the Director of Current Planning on terms and conditions satisfactory to the Director of Legal Services and all agreements shall be registered in the Land Title Office with priority over all charges which may defeat or delay such agreements.

SCULPTURE GARDEN (PUBLIC ART SITE)

- (iii) provide, equip, maintain and repair a public passage way/galleria (Sculpture Garden/Public Art Site) connecting Alberni and West Georgia Streets as shown in the plans submitted with the revised application. This obligation is to be secured by a section 219 covenant and the public's right to pass through and be upon such area is to be expressed as a statutory right of way; and
- (iv) provide for displaying public art within the public right of way area by establishing a Program therefore with the City by:
- (A) paying the City \$2,400,000 to endow the art program; and
 - (B) entering into an agreement under the City's Encroachment By-law which would allow the Owner to display art works in the statutory right of way area, establish the art display program and enhance the funding of the art display program by the annual

encroachment fee of \$112,500 plus applicable taxes if any, such annual fee to be adjusted for the cost of living every third year. As the site is subdivided the annual fee is to be apportioned among its various components on an equal per square foot basis but with a 60% discount for food store space. (The hotel space will not contribute to the annual fee because it will provide free accommodation to visiting artists through the statutory right of way agreement.). As each subdivided component is further subdivided by strata plan, the annual fee will be further apportioned on the basis of each strata lot's unit entitlement. This agreement will irrevocably direct the City and its nominees to administer the art program for the Owner.

The agreements, in (iii) and (iv) above, shall include such further terms as deemed advisable by the Directors of Legal Services, Current Planning and Office of Cultural Affairs as well as the General Manager of Engineering Services and the agreements shall be drawn to the satisfaction of the Director of Legal Services and registered in the Land Title Office in priority over all interests which may defeat or delay such rights to the City.

AFFORDABLE HOUSING

- (v) make arrangements for the contribution of \$1,000,000 to the Affordable Housing Fund to the satisfaction of the Director of the Housing Centre, on terms and conditions satisfactory to the Director of Legal Services.

ENGINEERING SERVICES

- (vi) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:
 - (A) Clarification of charges on title. A charge summary should be provided.
 - (B) Clarification if lot consolidation is intended with the adjacent church site (lot 7).
 - (C) Clarification if any portions of the existing church or proposed renovations to the church encroach onto public property.
 - (D) Upgrading to the City sewer system to provide adequate servicing for the proposed development. (The extent of sewer system upgrading requires additional details and clarifications to determine the full extent of upgrading that may be required.)

- (E) Upgrading of the traffic signal at West Georgia and Thurlow Streets to provide for a right turn signal from east bound West Georgia to southbound Thurlow, subject to City Council approval.
- (F) Provision of a traffic consultant's review to clarify loading demands of the development and identify opportunities for shared use of loading facilities. Provision of a review of the geometric design of the parkade ramp to accommodate the largest truck that will visit the site and the necessary ramp widths to provide for 2-way traffic flow through the 90 degree turn in the parkade ramp (largest truck and passenger car passing each other).
- (G) Undergrounding of all BC Hydro and Telus services to service the site from the closest existing suitable service point, including a review of the impact of any required overhead wiring on the neighbourhood.

SOILS - INDEMNITY AGREEMENT

- (vii) Execute an Indemnity Agreement, satisfactory to the Director of Legal Services, providing for security to the satisfaction of the Director of Legal Services, protecting the City and the Approving Officer from all liability or damages arising out of or related to the presence of contaminated soils on the lands comprising the subject site, howsoever occurring, arising during the period commencing immediately following the Public Hearing until such time as the Ministry of Water, Land and Air Protection issues an approval, in a form satisfactory to the Director of Legal Services and the General Manager of Engineering Services, certifying that the subject site, including all roads, utility corridors and open spaces contained therein, have been remediated to Provincial Standards as defined in such approval.

SOILS - VANCOUVER CHARTER

- (viii) Shall, as required by the General Manager of Engineering Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.

SOILS - OCCUPANCY

- (ix) Execute a Section 219 Covenant, satisfactory to the Director of Legal Services, that there will be no occupancy of any buildings or improvements on the subject site constructed pursuant to this rezoning, until an approval in a form satisfactory to the Director of Legal Services and the General Manager of Engineering Services, have been provided to the City by the Ministry of Water, Land and Air Protection.

- B. THAT the application by the Director of Current Planning to amend the Downtown District Official Development Plan (By-law No. 4912), as a consequential amendment to rezoning of the site at 1120 West Georgia Street from DD to CD-1, to remove the site from the maps in the DD ODP, be approved.
- C. THAT the application by James KM Cheng Architects to amend the Sign By-law (By-law No. 6510) to establish regulations for this CD-1 in accordance with Schedule B (DD) be approved.
- D. THAT the Director of Legal Services be instructed to bring forward for enactment the following amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

Amend Schedule A (activity Zone) by adding the following:

"[CD1 #] [By law #] 1120 West Georgia"

- E. THAT Council designate as municipally-protected heritage property the "B" Heritage Register building at 1160 West Georgia Street (Lot 7, Block 18, DL 185, Plan 92).
- F. THAT the Director of Legal Services enter into a Heritage Revitalization Agreement to secure the rehabilitation, voluntary code upgrading, protection and on-going maintenance of the exterior and interior of the "B" Heritage Register building at 1160 West Georgia Street.
- G. THAT the Director of Legal Services and General Manager of Engineering Services conclude and sign the agreements outlined regarding the Sculpture Garden set out in Appendix B of the Policy Report "CD-1 Rezoning at 1120 West Georgia Street and Heritage Revitalization Agreement at 1160 West Georgia Street" dated November 10, 2003.

CARRIED
(Councillor Bass opposed.)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

1120 West Georgia Street

BY-LAW NO. 8943

**A By-law to amend Zoning and Development By-Law No. 3575
to rezone an area to CD-1**

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

Zoning District Plan amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z - 547 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Definitions

2. Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

General Office Live-Work means the use of premises for a dwelling unit, general office, or both uses in conjunction with one another, provided that:

- (a) any such use must not include a health enhancement centre or any dating service, entertainment service, exotic dancer business, social escort service or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector; and
- (b) any development permit for such premises will be for dwelling units, general office, and dwelling unit combined with general office.

Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (426).

3.2 The only uses permitted within CD-1 (426), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses;
- (c) General Office Live-Work;
- (d) Institutional Uses;
- (e) Office Uses;
- (f) Retail Uses;
- (g) Service Uses; and
- (h) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2.

Conditions of use

4. Dwelling units, including dwelling units within a hotel, are in an "activity zone" as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

Density

5.1 For the purpose of computing floor space ratio, Council deems the site size to be 4 823.3 m², being the site size at the time of the rezoning application and before dedication of any part of the site.

5.2 The floor space ratio for all permitted uses must not exceed 12.81, or 61 778.5 m².

5.3 Subject to section 5.4, the total floor area for each use listed in Table 1 must not exceed the total set opposite such use but this section does not limit the total floor area for any use permitted by section 3.2 but not listed in Table 1.

Table 1. Maximum Floor Area in Square Metres (m²)

Use	Maximum Floor Area
General office live-work	28 676
Dwelling units within a hotel	3 120
Dwelling units not within a hotel	17 750
Total	49 546

5.4 The maximum floor area for any use listed in Table 1 may increase by an amount equal to not more than 10% so long as the maximum floor area for either or both the other uses, as the case may be, decreases by a corresponding amount and the total maximum floor area for all uses listed in Table 1 does not increase.

5.5 Subject to section 5.2, the substitution of residential floor area for non-residential floor area is permissible.

5.6 Computation of floor space ratio must exclude:

- (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 and contribute to the amenity or environment of the Downtown District, except that the total floor area of all such exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios or roof gardens only if 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 are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length and the maximum exclusion for a tandem parking space for hotel use must not exceed 12.0 m;
- (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; and
- (e) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

5.7 Computation of floor space ratio may exclude:

- (a) enclosed residential balconies, if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure except that:
 - (i) the total area of all open and enclosed balcony or sun deck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;

- (b) ancillary social and recreational amenities primarily for the enjoyment of residents and employees including saunas, tennis courts, swimming pools, squash courts, gymnasiums, workout rooms, games rooms, hobby rooms, day care centres, public libraries, other uses of a public service, social or recreational nature, which, in the opinion of the Director of Planning are similar to the foregoing, except that such ancillary facilities must not exceed 5% of allowable floor space in the principal use; and
- (c) unenclosed outdoor areas at grade and podium levels underneath tower building overhangs.

5.8 For the purposes of sections 5.6, 5.7, and 7, Council deems general office live-work and dwelling units within a hotel to be residential uses.

5.9 The use of floor space excluded, under sections 5.6 and 5.7, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion.

Building Height

6. The maximum building height, measured above the base surface and to the top of the roof slab above the uppermost habitable floor and excluding the mechanical penthouse, roof garden, and roof, must not exceed 183 m.

Parking and loading

7. Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that:

- (a) for dwelling units, dwelling units within a hotel, and general office live-work units, the following parking requirements apply:
 - (i) for units less than 44 m² gross floor area, a minimum of 0.3 parking space for each unit and a maximum of 0.5 parking space for each unit,
 - (ii) for units of 44 m² gross floor area up to and including 70 m² gross floor area, the number of parking spaces is to increase at a rate of 0.025 parking space per square metre, and
 - (iii) for units of more than 70 m² gross floor area, the number of parking spaces is to increase at a rate of 0.008 parking space per square metre,

except that in no case are required parking spaces to exceed 2.0 for each unit or permitted parking spaces to exceed 2.2 for each unit;

- (b) for grocery store, drug store, and liquor store uses, the following parking requirements apply:

- (i) 1 space for each 100 m² gross floor area for the initial 300 m² gross floor area, and at a rate of 1 space for each 50 m² gross floor area in excess of 300 m² gross floor area,
 - (ii) the parking spaces for grocery store use must be a minimum width of 2.7 m for standard parking spaces and 2.6 m for small car spaces, except that the Director of Planning, in consultation with the General Manager of Engineering Services, may relax these requirements to 2.5 m and 2.3 m respectively,
 - (iii) for grocery store use, the maximum number of small car stalls must not exceed 15% of the parking required for this use, and
 - (iv) the maximum parking permitted is to be no more than 20% above the minimum required;
- (c) for a spa, the following parking requirements apply:
- (i) any portion which operates as an amenity for the sole use of hotel guests or site residents does not require parking, and
 - (ii) any other spa use must provide parking as specified in Section 4.3.1 of the Parking By-law;
- (d) for hotel use, the Director of Planning in consultation with the General Manager of Engineering Services may permit tandem parking spaces used exclusively for hotel valet operations, except that the total number of tandem parking spaces must not exceed 25 % of total hotel parking;
- (e) for residential use, the following loading requirements apply:
- (i) for 99 or fewer dwelling units, no requirement,
 - (ii) for 100 to 299 dwelling units, at least one Class B loading space, and
 - (iii) for 300 or more dwelling units, at least two Class B loading spaces,

except that if arrangements for residential Class B loading to share loading facilities with other on-site uses are satisfactory to the Director of Planning, then the Director of Planning, in consultation with the General Manager of Engineering Services, may relax the requirement for residential Class B loading;

- (f) all Class B residential loading spaces must have a minimum 3.8 m unobstructed overhead vertical clearance, including all related manoeuvring and access aisles;
- (g) all other non-residential Class B or larger loading spaces must have a minimum 4.27 m unobstructed overhead clearance and all related manoeuvring and access aisles; and
- (h) bicycle parking for general office live-work units must comply with section 6.2.1.2 of the Parking By-Law.

Acoustics

8. 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.

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

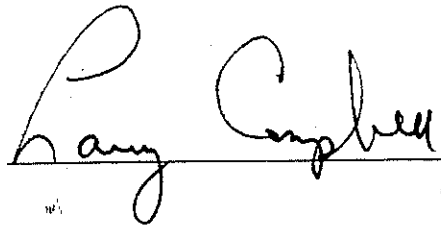
Severability

9. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

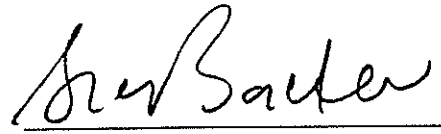
Force and effect

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

ENACTED by Council this 2nd day of November, 2004

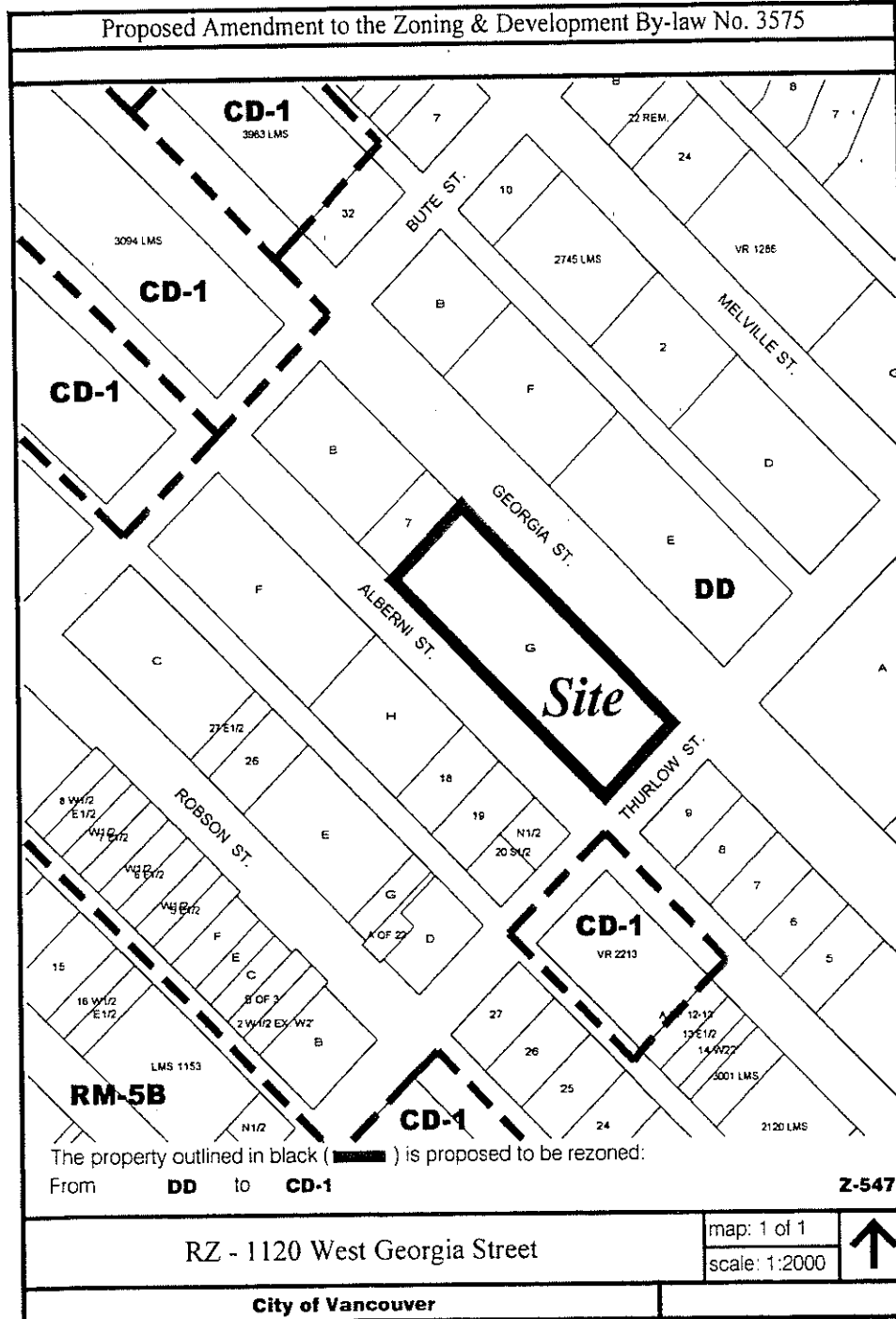


Mayor



City Clerk

Proposed Amendment to the Zoning & Development By-law No. 3575



1120 West Georgia Street

BY-LAW NO. 8944

A By-law to amend Sign By-law No. 6510

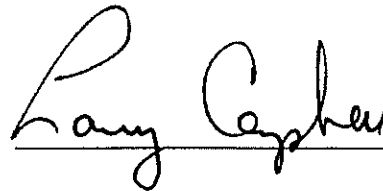
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. To Schedule E of the Sign By-law, Council adds:


"1120 West Georgia Street CD-1(426) B (DD)"

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

ENACTED by Council this 2nd day of November, 2004



Mayor



City Clerk

Downtown District - 1120 West Georgia Street


BY-LAW NO. 8945

**A By-law to amend Downtown District
Official Development Plan By-law No. 4912**

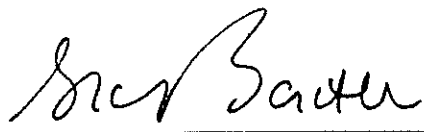
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. In Schedule A to By-law No. 4912, Council:
 - (a) from the "Application and Intent" Section, repeals the map titled "Downtown District", and substitutes the identically titled map attached to this By-law; and
 - (b) repeals Map 1, Map 1A, Map 2, Map 3, Map 5, and Map 6, and substitutes the identically titled maps attached to this By-law.
2. The maps titled "Downtown District", Map 1, Map 1A, Map 2, Map 3, Map 5, and Map 6 attached to this By-law form part of Schedule A to By-law No. 4912.
3. This By-law is to come into force and take effect on the date of its enactment.

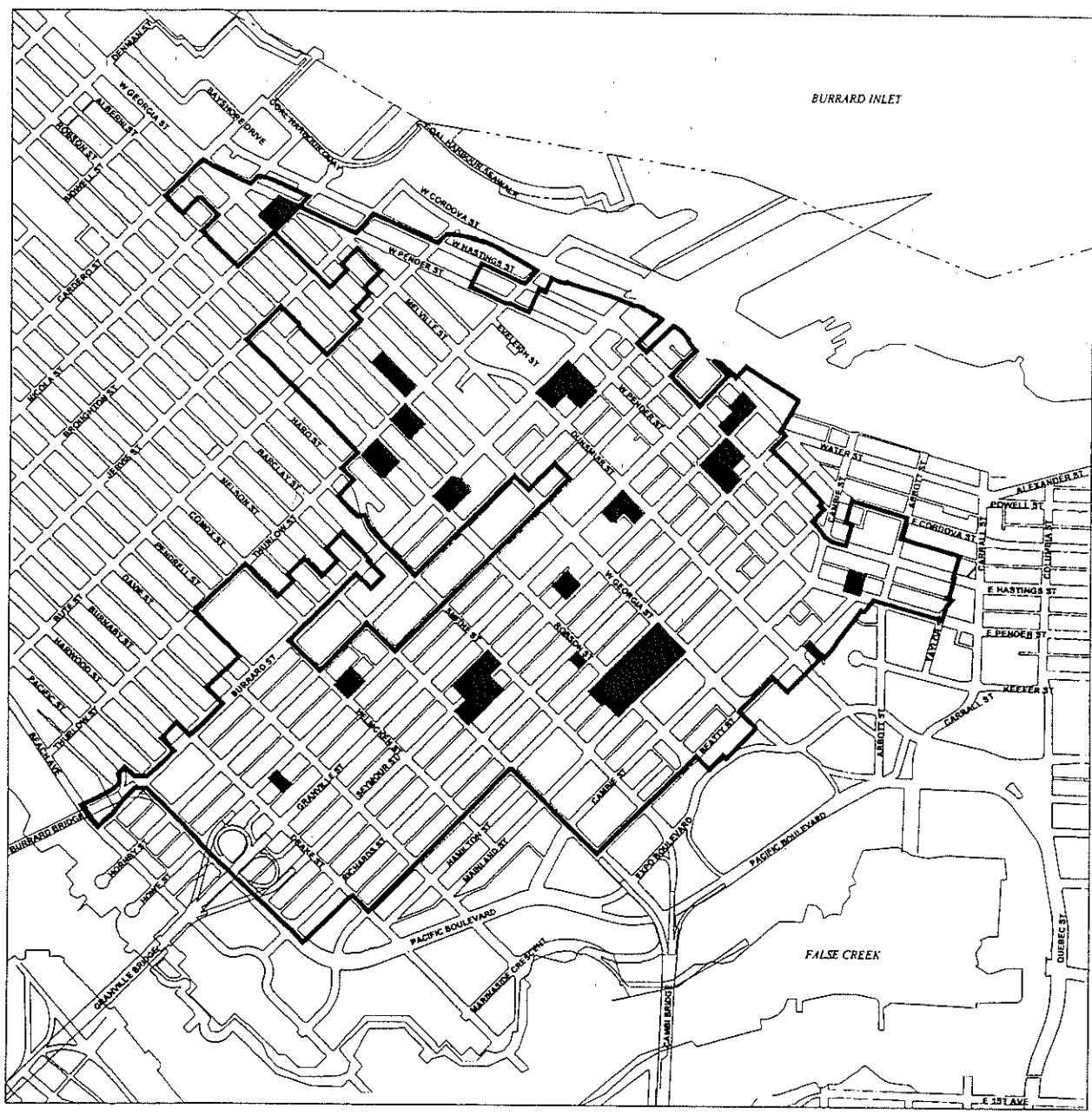
ENACTED by Council this 2nd day of November, 2004



Mayor



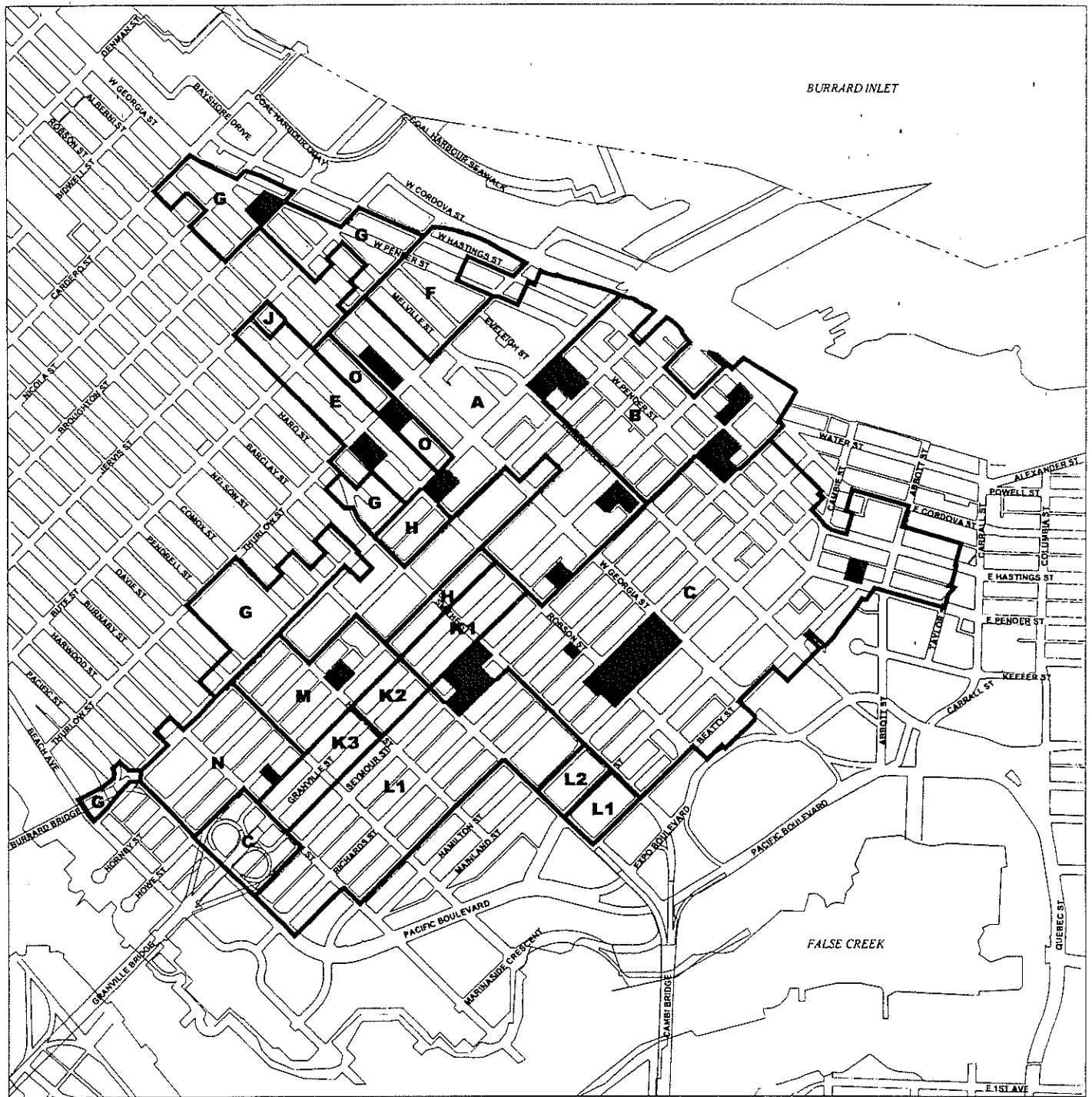
City Clerk



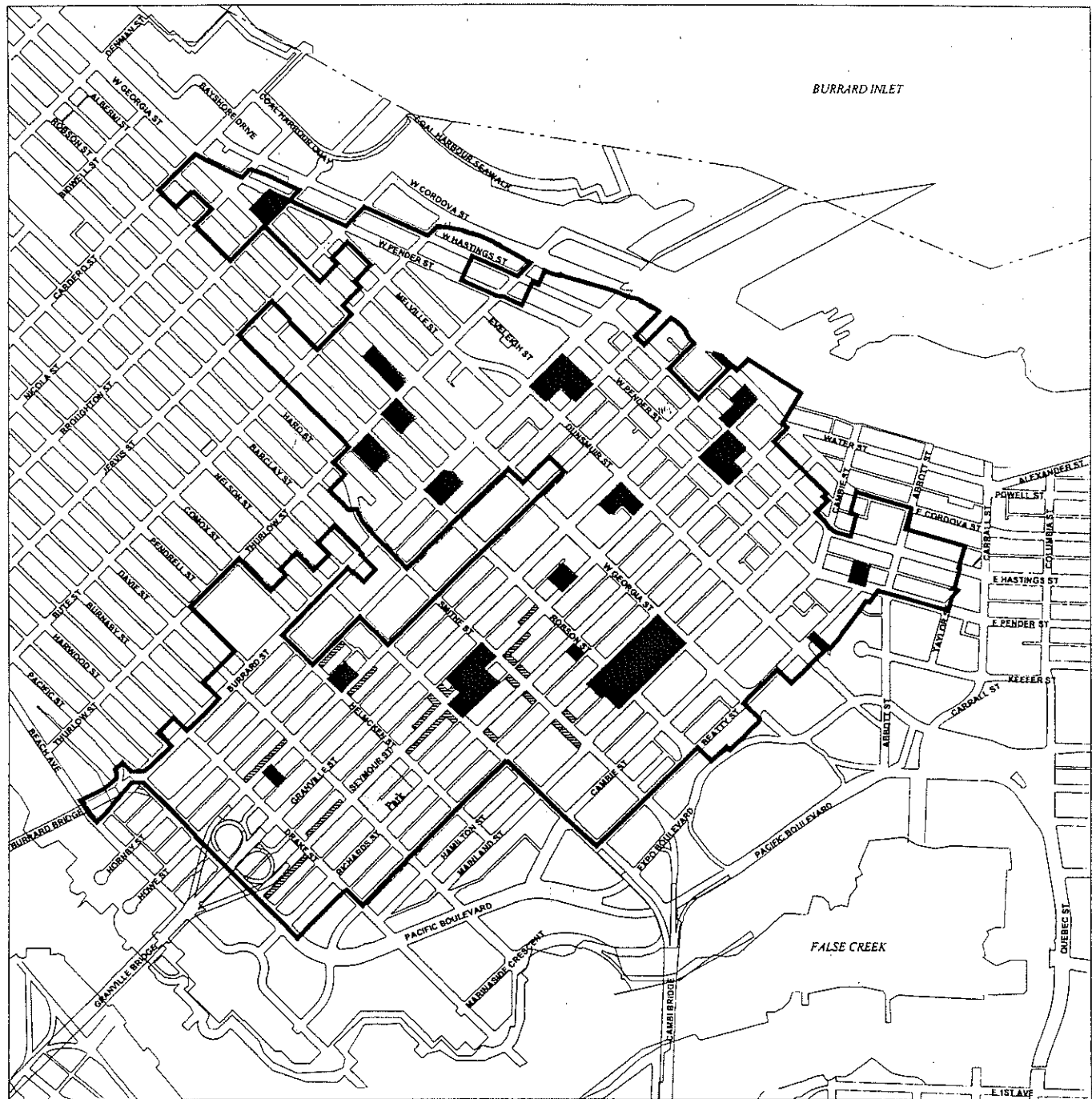
— Downtown District Zoning Boundary
■ area not zoned DD



Downtown District Map 1 - Areas



Downtown District Map 1A - Live-Work Areas



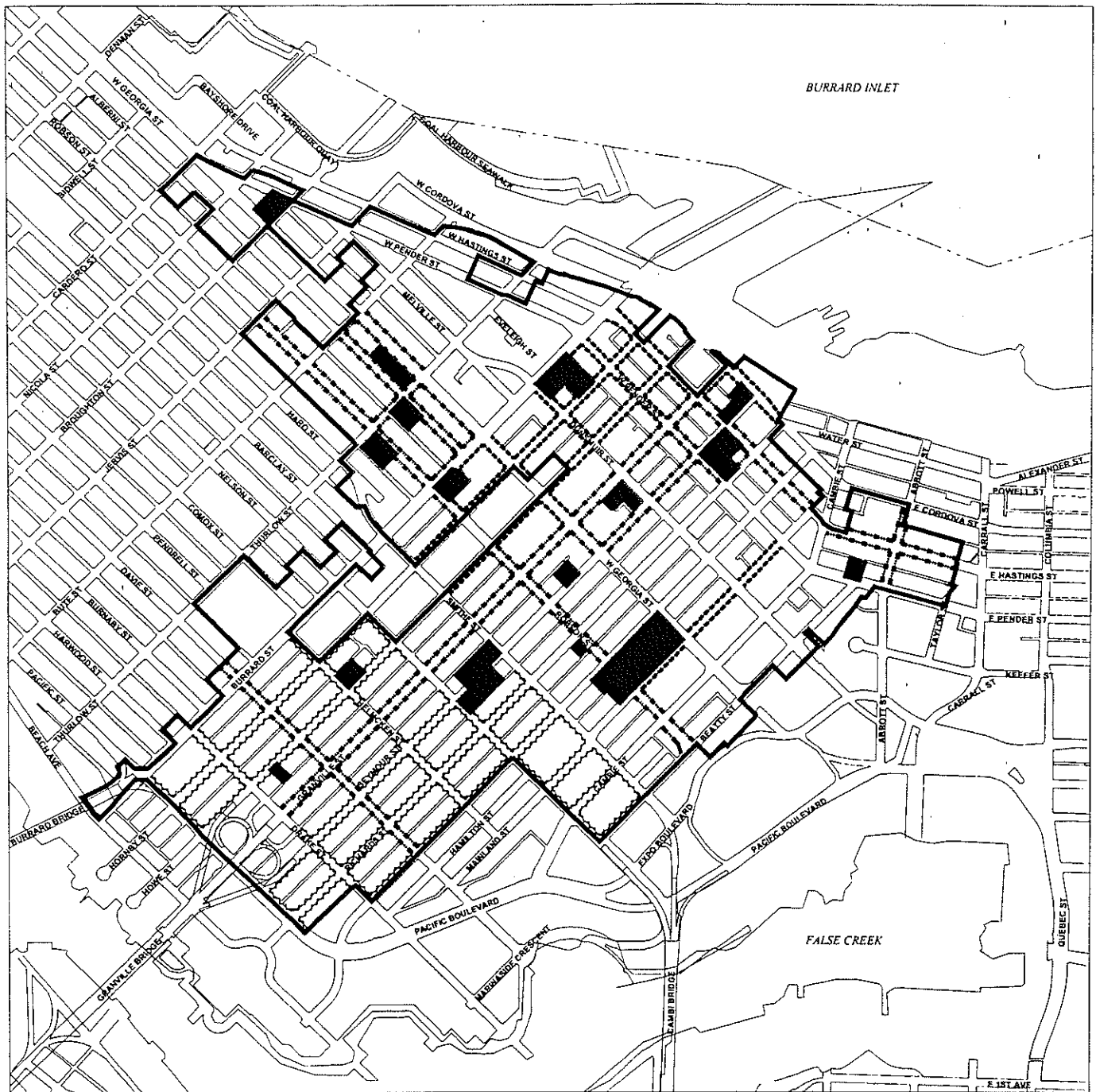
— Downtown District Zoning Boundary

▨ Areas to consider allowing Live/Work at grade

■ area not zoned DD



Downtown District Map 2 - Retail Uses



- Downtown District Zoning Boundary
- area not zoned DD

- Continuous ground floor retail, retail-commercial and service uses required.
 - Some ground floor retail, retail-commercial and service uses required.
 - Ground floor retail, retail-commercial and service uses prohibited.
- [(a) except in corner sites where up to 2,500 sq. ft. of retail, retail-commercial and service uses are permitted, and
 (b) except ground floor retail, retail-commercial and service uses are permitted:
 -along Mainland Street frontage between Nelson and Smithe Streets,
 -along Nelson and Smithe Street frontages between Mainland and Cambie Streets;
 for the life of a building existing as of (Dec. 11, 2001)].

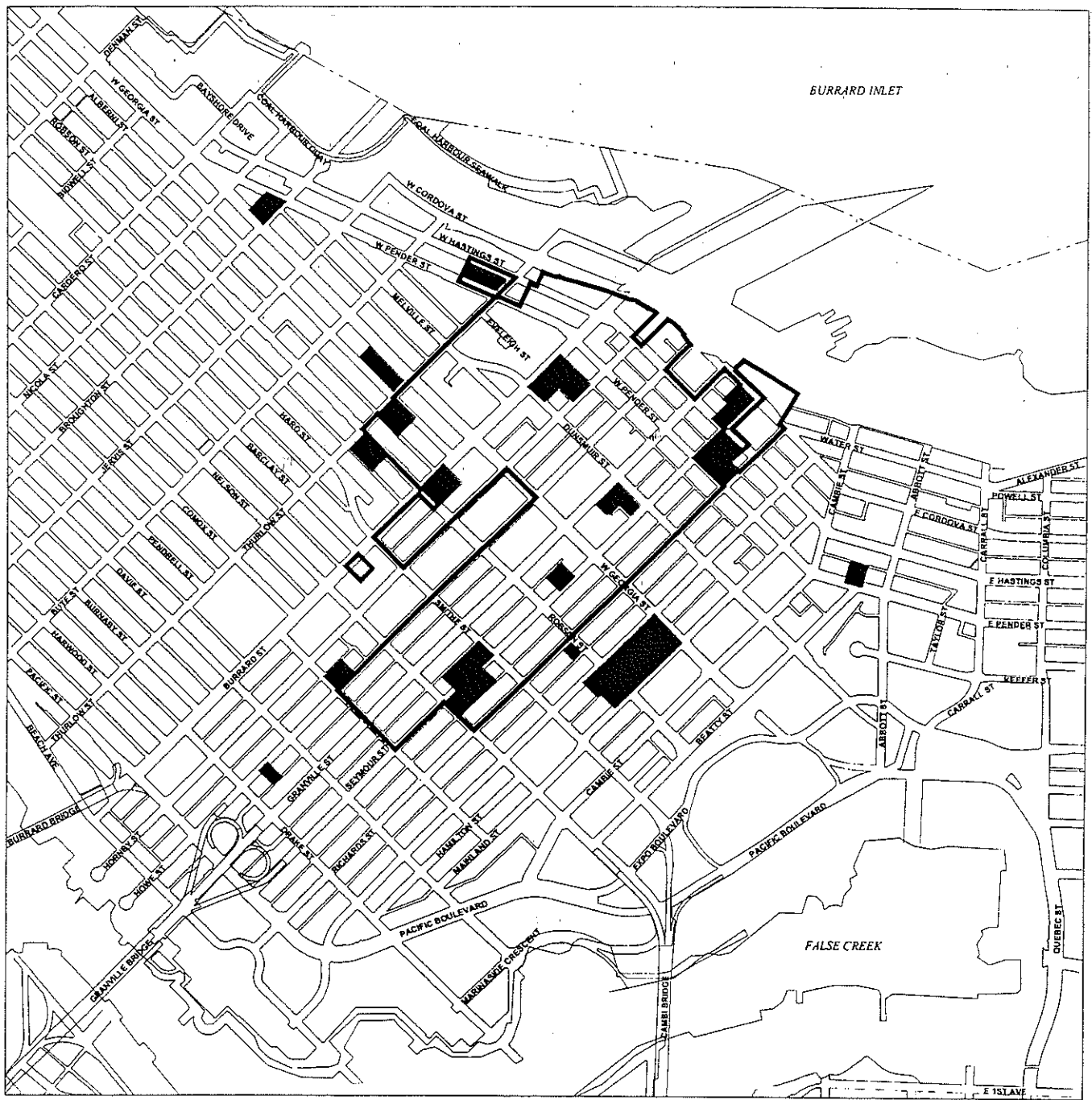


area not zoned DD

A = 450'
B = 300'
C = 150'
D = 90'
E = 70'



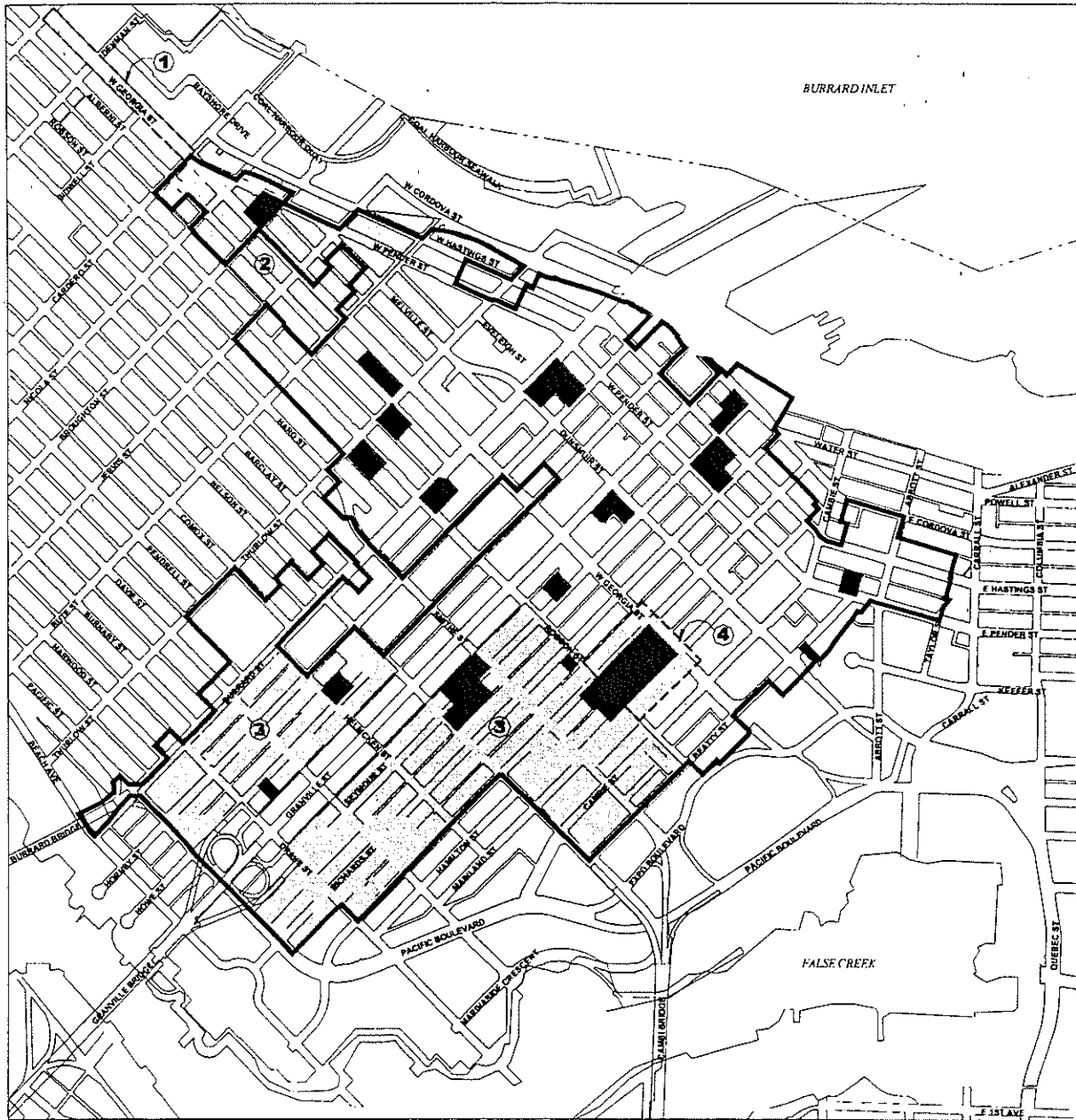
Downtown District Map 5



area not zoned DD



Downtown District Map 6 - Public Realm Areas



— Downtown District Zoning Boundary

■ area not zoned DD

Council - Approved
Public Realm Areas:

- ① Georgia Street - West End
- ② Triangle West
- ③ Downtown South
- ④ Library Precinct



1120 West Georgia Street

BY-LAW NO. 8973


**A By-law to amend By-law No. 8943 which amended
Zoning and Development By-law No. 3575
by rezoning an area to CD-1**

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

1. From section 5.2 of By-law No. 8943, Council strikes out "12.81, or 61 778.5 m²", and substitutes "13.20, or 63 660.6 m²".
2. After section 5.9, Council adds:

"5.10 Computation of floor space ratio must include all floors having a ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building."
3. This By-law is to come into force and take effect on the date of its enactment.

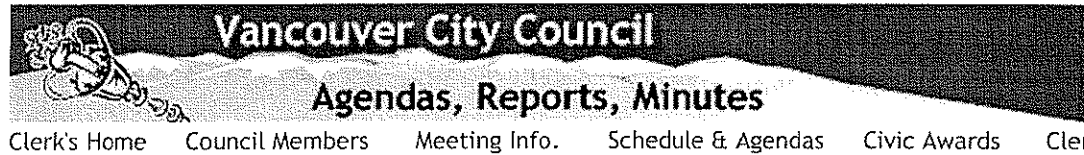
ENACTED by Council this 14th day of December, 2004



Mayor



City Clerk



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CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

DECEMBER 14, 2004

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, December 14, 2004, 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.

PRESENT:

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

ABSENT:

Councillor Sam Sullivan

CITY CLERK'S OFFICE:

Denise Salmon, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Green
SECONDED by Councillor Stevenson

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.

CARRIED UNANIMOUSLY

1. Text Amendment: 1120 West Georgia Street

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

Summary: Minor CD-1 text amendment to add a standard floor space ratio calculation clause, to allow for some floor area below grade, and to increase floor area above grade to accommodate "green building" balconies.

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 the application was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Green

THAT the application by the Director of Current Planning to amend CD-1 By-law No. 8943 for 1120 West Georgia Street to increase the maximum floor space ratio from 12.81 to 13.20, generally in accordance with Appendix A to Policy Report "Text Amendment - CD-1 Rezoning - 1120 West Georgia Street" dated August 25, 2004 be approved.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Bass

SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Stevenson

SECONDED by Councillor Cadman

THAT Council enact the by-law before it for this meeting numbered 1, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. A By-law to amend By-law No. 8943 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1 (By-law No. 8973)

The Special Council adjourned at 7:34 p.m.

DD
1120 West Georgia Street
(1100 West Georgia Street)

BY-LAW NO. 9129


A By-law to amend CD-1 By-law No. 8943

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

1. This By-law amends the indicated provisions of By-law No. 8943.
2. In section 5.2, Council strikes out "13.20" and "63 660.6", and substitutes "13.41" and "64 692" respectively.
3. In section 5.3, Council strikes out "28 676" and "49 546", and substitutes "29 707" and "50 635" respectively.
4. Council repeals section 6, and substitutes:
 - "6.1 The building height, measured above the base surface to the top of the roof slab above the uppermost habitable floor, must not exceed 191.7 m.
 - 6.2 Despite the preceding section 6.1 and sections 10.11.1 and 10.11.2 of the Zoning and Development By-law, mechanical rooms and architectural or decorative appurtenances may increase the building height to no more than 196.9 m."
5. 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.
6. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 20th day of October, 2005


Deputy Mayor


City Clerk

FURTHER THAT the Director of Legal Services be instructed to bring forward the consequential amendments to the Subdivision By-law and the Sign By-law at the time of enactment of the zoning by-law and to the Noise Control By-law thereafter.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

SECONDED by Councillor Bass

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louis
SECONDED by Councillor Bass

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 8, and 11 to 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend License By-law No. 4450 regarding extended hours and impact reduction measures for liquor establishments (By-law No. 9121)
2. A By-law to designate certain real property as protected heritage property (2850 West 3rd Avenue) (By-law No. 9122)
(Councillors Cadman, Sullivan and Mayor Campbell excused from voting on By-law No. 2)
3. A By-law to designate certain real property as protected heritage property (2650 West 5th Avenue) (By-law No. 9123)
(Councillors Cadman, Sullivan and Mayor Campbell excused from voting on By-law No. 3)

4. A By-law to designate certain real property as protected heritage property (2722 West 7th Avenue) (By-law No. 9124)
(Councillors Cadman, Sullivan and Mayor Campbell excused from voting on By-law No. 4)
5. A By-law to designate certain real property as protected heritage property (689 West 19th Avenue) (By-law No. 9125)
(Councillors Cadman, Sullivan and Mayor Campbell excused from voting on By-law No. 5)
6. A By-law to designate certain real property as protected heritage property 1949 West 57th Avenue) (By-law No. 9126)
(Councillors Cadman, Sullivan and Mayor Campbell excused from voting on By-law No. 6)
7. A By-law to enact a Housing Agreement for 51 West Hastings Street (By-law No. 9127)
8. A By-law to amend Noise Control By-law No. 6555 (re 1885 - 1895 Venables Street) (By-law No. 9128)
9. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (5541 Willow Street) - WITHDRAWN
10. A By-law to amend CD-1 By-law No. 7045 (4176 Alexandra Street)- WITHDRAWN
11. A By-law to amend CD-1 By-law No. 8943 (1120 West Georgia Street) (By-law No. 9129)
(Councillors Louis and Roberts excused from voting on By-law No. 11)
12. A By-law to amend CD-1 By-law No. 9111 (2020 Harrison Drive) (By-law No. 9130)
(Councillors Cadman, Ladner, Louie and Sullivan excused from voting on By-law No. 12)
13. A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (Special Needs Residential Facilities) (By-law No. 9131)
(Councillor Cadman and Mayor Campbell excused from voting on By-law No. 13)
14. A By-law to amend Sign By-law No. 6510 (1120 West Georgia Street) (By-law No. 9132)
(Councillors Louis and Roberts excused from voting on By-law No. 14)
15. A By-law to amend Noise Control By-law No. 6555 (1380 Hornby Street) (By-law No. 9133)
16. A By-law to amend Vehicles for Hire By-law No. 6066 regarding 2006 fee increases (By-law No. 9134)
17. A By-law to amend License By-law No. 4450 regarding miscellaneous matters and 2006 fee increases (By-law No. 9135)
18. A By-law to amend the 2006 - 2008 Capital Plan Authorization of Questions By-law (By-law No. 9136)

- B. THAT the Sign By-law be amended to establish regulations for this CD-1 in accordance with Schedule B (C-5).
- C. THAT, subject to approval of the rezoning, the Noise Control By-law be amended at time of enactment to include this CD-1 in Schedule A.

CARRIED UNANIMOUSLY

2. Text Amendment: 1120 West Georgia Street (Shangri-La)

An application by James KM Cheng Architects was considered as follows:

Summary: The proposed amendment to the existing CD-1 By-law would permit additional height and floor area. A consequential amendment to the Sign By-law is required.

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

Also before Council was a Memorandum dated September 15, 2005, in which Phil Mondor, Rezoning Planner, Rezoning Centre, put forward two additional recommendations as follows:

- C. THAT design development, as anticipated in Recommendations A.(a) and (b), be additionally undertaken to seek to maintain the appearance of the approved rooftop form, including consideration of an increase in the height of the building's curtain wall to match the increase in height of the mechanical room.
- D. THAT staff and applicant continue to explore low-cost opportunities at the development application stage to provide resident and limited public access to a rooftop viewing area, including the possibility of a live rooftop web-cam with a display in the development's public space.

Staff Comments

Phil Mondor, Rezoning Planner, responded to questions concerning the proposed rooftop viewing area as set out in his memorandum, sign by-law, and the proposed increase in building height.

Applicant Comments

James Cheng, Architect, in response to a question, noted the applicants were willing to provide a roof-top viewing area with limited access by appointment, and hoped to provide roof-top cameras and a viewing monitor in the public plaza to enable people at all times to see what the view is like from the top.

Summary of Correspondence

Council received no correspondence on this application since the date it 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 Green

- A. THAT the application by James KM Cheng Architects Ltd. to amend CD-1 By-law No. 8943 (#426) for the site at 1120 West Georgia Street (Lot G, Block 18, DL 36 Plan LMP 1597) to increase the maximum floor space ratio and maximum building height generally as outlined in Appendix A of the Policy report dated July 7, 2005 entitled "1120 West Georgia Street: CD-1 Text Amendment (Height and Density)" be approved subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed amendment to the final form of development be approved by Council in principle, in plans generally as prepared by James KM Cheng Architects, and stamped "Received Planning Department, June 30, 2005", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the amended form of development, the applicant shall obtain approval of a development application, or amendment to DE 408377, as the case may be, by the Director of Planning or Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT - GENERAL

- (i) design development to the tower roof to ensure the intended and approved architectural excellence, elegance, quality and character is achieved;
- (ii) provision of a lighting plan; and
- (iii) provision of a signage plan.

Note to Applicant: General Policy for Higher Buildings states that signage on higher buildings should not be located at a height which exceeds the current height limit in the surrounding district, in this case 137.2 m (450 ft.). The approved form of development and subsequent

development permit do not include approval of signage. Signs are regulated under the Vancouver Sign By-law and require separate application and permits.

AGREEMENTS

- (c) THAT, given the property owner's offer of a cash Community Amenity Contribution of \$33,300, this contribution be accepted and secured to the satisfaction of the General Manager, on terms and conditions satisfactory to the Director of Legal Services.
- B. THAT the Sign By-law be amended to establish regulations for this CD-1 to not permit facia signs above a height of 137 m above grade.
- C. THAT design development, as anticipated in A (a) and (b) above, be additionally undertaken to seek to maintain the appearance of the approved rooftop form, including consideration of an increase in the height of the building's curtain wall to match the increase in height of the mechanical room.
- D. THAT staff and applicant continue to explore low-cost opportunities at the development application stage to provide resident and limited public access to a rooftop viewing area, including the possibility of a live rooftop web-cam with a display in the development's public space.

CARRIED

(Councillors Ladner, Louie, Stevenson and Sullivan opposed to D)

3. Rezoning: 1133 West Georgia Street

An application by Musson Cattell Mackey Partnership Architects was considered as follows:

Summary: The proposed rezoning from Downtown District (DD) to Comprehensive Development District (CD-1) would permit a tall mixed-use building. Consequential amendments to the DD, the Sign By-law and Noise Control By-laws (at time of enactment) are required.

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

Also before Council were two memorandums dated September 15, 2005, from Phil Mondor, Rezoning Planner, Rezoning Centre, in which he put forward three additional recommendations in regard to Miscellaneous CD-1 By-law Amendments, a proposed Public Viewing Area, and a Community Amenity Contribution.



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

SEPTEMBER 15, 2005

A Special Meeting of the Council of the City of Vancouver was held on Thursday, September 15, 2005, 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, Sign and Noise Control By-laws.

PRESENT:

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

ABSENT:

Councillor Tim Louis (Leave of Absence)
Councillor Anne Roberts (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE:

Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Woodsworth

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

CARRIED UNANIMOUSLY

1. Rezoning: 1750 Davie Street

An application by Henriquez Partners Architects was considered as follows:

Summary: The proposed rezoning would permit a one-storey addition to the front of this existing building. Consequential amendments to the Sign and Noise Control By-laws are also required.

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

1120 West Georgia Street

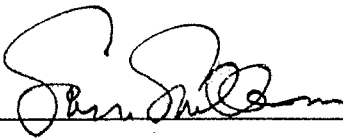
BY-LAW NO. 9239

A By-law to amend CD-1 By-law No. 8943

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

1. From section 5.3 of By-law No. 8943, Council strikes out "50 635", and substitutes "50 577".
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 21st day of March, 2006



Mayor



City Clerk

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Capri

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Capri

SECONDED by Councillor Ball

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 29 inclusive, and number 31, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend CD-1 By-law No. 4472 (re Vancouver General Hospital Frontage) (By-law No. 9235)
2. A By-law to amend CD-1 By-law No. 4472 (re Vancouver General Hospital retail store [hospital]) (By-law No. 9236)
3. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments to the RM-1 and RM-1N Districts Schedule) (By-law No. 9237) (Councillors Ball, Cadman and Ladner ineligible to vote)
4. A By-law to amend CD-1 By-law No. 3914 (re 2288 Harrison Drive) (By-law No. 9238) (Councillors Ball, Cadman and Ladner ineligible to vote)
5. A By-law to amend CD-1 By-law No. 8943 (re 1120 West Georgia Street) (By-law No. 9239) (Councillors Ball, Cadman and Ladner ineligible to vote)

6. A By-law to amend Zoning and Development Fee By-law No. 5585 regarding miscellaneous text amendments (By-law No. 9240)
7. A By-law to amend Downtown District Official Development Plan By-law No. 4912 (re Victory Square) (By-law No. 9241)
(Councillors Ball, Cadman and Ladner ineligible to vote)
8. A By-law to amend Parking By-law No. 6059 (re Victory Square) (By-law No. 9242)
9. A By-law to amend Zoning and Development By-law No. 3575 (re live-work use) (By-law No. 9243)
(Councillors Ball, Cadman and Ladner ineligible to vote)
10. A By-law to amend Downtown District Official Development Plan By-law No. 4912 (re live-work use) (By-law No. 9244)
(Councillors Ball, Cadman and Ladner ineligible to vote)
11. A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re live-work use) (By-law No. 9245)
(Councillors Ball, Cadman and Ladner ineligible to vote)
12. A By-law to amend Parking By-law No. 6059 regarding live-work use (By-law No. 9246)
13. A By-law to Designate a Business Improvement Area in that area of the City known as Cambie Village (By-law No. 9247)
14. A By-law to Designate a Business Improvement Area in that area of the City known as Collingwood (By-law No. 9248)
15. A By-law to Designate a Business Improvement Area in that area of the City known as Hastings North (By-law No. 9249)
16. A By-law to Designate a Business Improvement Area in that area of the City known as Kerrisdale (By-law No. 9250)
17. A By-law to Designate a Business Improvement Area in that area of the City known as Kitsilano Fourth Avenue (By-law No. 9251)
18. A By-law to Designate a Business Improvement Area in that area of the City known as Robson Street (By-law No. 9252)
19. A By-law to amend By-law No. 8794 to alter the designated boundaries of the South Granville Business Improvement Area (By-law No. 9253)
20. A By-law to Grant Money for a Business Promotion Scheme in the Cambie Village Business Improvement Area (By-law No. 9254)
21. A By-law to Grant Money for a Business Promotion Scheme in the Collingwood Business Improvement Area (By-law No. 9255)

- C. THAT, subject to approval of A, Council instruct the Director of Legal Services to prepare a Tax Exemption Bylaw for 51 East Pender Street for a property tax exemption which is not to exceed a value of \$500,395 or a period of ten (10) years, whichever comes first.
- D. THAT, if the Tax Exemption By-law receives the assent of electors, or is deemed approved by the electors under Section 396(A) of the Vancouver Charter, the Director of Legal Services bring forth a Tax Exemption By-law providing that:
- If issuance of an Occupancy Permit for the heritage rehabilitation work authorized under Development Application Number DE 409639 occurs before October 31st, the tax exemption period for 51 East Pender Street will begin on January 1st of the next calendar year;
 - If issuance of an Occupancy Permit for the heritage rehabilitation work authorized under Development Application Number DE 409639 occurs after October 31st, the tax exemption period for 51 East Pender Street will begin on January 1st of the calendar year after the next calendar year; and
 - If the owner of the property does not fulfill all requirements necessary to obtain an Occupancy Permit within sixty (60) months after the enactment date of the Tax Exemption By-law, it will have no further force or effect.
- E. THAT, subject to the approval of A, Council authorize a façade grant totalling \$50,000, with funding to be provided from the 2005 Capital Budget.
- F. THAT all the agreements, covenants and bylaws in respect to the above be prepared, registered and given priority to the satisfaction of the Director of Legal Services in consultation with the Director of Planning.
- G. AND THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

2. TEXT AMENDMENT: Miscellaneous Text Amendments

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

Summary: Proposed text amendments to the Zoning and Development By-law and two CD-1 By-laws to achieve the intent of earlier rezonings.

The Director of Current Planning recommended approval.

Staff Comments

Grant Miller, Planning Analyst - Rezoning Centre, was available to respond to questions.

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Stevenson

THAT the application by the Director of Current Planning to amend the Zoning and Development By-law, and CD-1 By-laws for miscellaneous amendments generally as presented in Appendix A to Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws and Zoning and Development Fee By-law" dated January 18, 2006, be approved.

CARRIED UNANIMOUSLY

3. TEXT AMENDMENT: 2775 Laurel Street (Size)

An application by Peter Arbuckle, Development Consultant, was considered as follows:

Summary: To amend the Vancouver General Hospital CD-1 By-law size restrictions for Retail Use (Hospital) to accommodate a change of use from a Restaurant to a Home Health Care Store for one of the Commercial Retail Units on the ground floor of the Academic Ambulatory Care Centre at 2775 Laurel Street.

The Director of Current Planning recommended approval.

Staff Comments

Tom Phipps, Planner - Major Projects Group, was available to respond to questions.

Summary of Correspondence

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

Speakers

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

Miscellaneous text amendments

BY-LAW NO. 9311

A By-law to amend CD-1 By-law No.'s 7679, 8536, 8546, 8587, 8592, 8740, 8819, 8896, 8943, 8978, 8993, 9081, 9088, 9116, 9154, 9167, 9170, 9173, 9184, 9190, 9195, and 9204

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

1. Council repeals section 3.5 of By-law No.'s 8536 and 8546, and section 4.9 of By-law No. 8740.
2. To By-law No. 7679 as section 6.8, By-law No.'s 8587, 9154 and 9167 as section 4.6, By-law No.'s 8592, 8536, 8546, 8978 and 9116 as section 3.5, By-law No. 8740 as section 4.9, By-law No.'s 8819, 8896, 9184, 9190 and 9195 as section 5.5, By-law No.'s 8993, 9088 and 9204 as section 4.5, and By-law No. 9173 as section 5.6, Council adds:

"The use of floor space excluded, under this By-law, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion."
3. To Section 3 of By-law No.'s 8536 and 8546, Section 4 of By-law No.'s 8587, 9088, 9170 and 9204, and Section 5 of By-law No.'s 8896, 8943, 9081, 9173, 9184, 9190 and 9195, after "Computation of floor space ratio", wherever it appears, Council adds "and floor area".
4. To section 5.4(c) of By-law No. 9173, section 5.3(c) of By-law No.'s 9190 and 9195, and section 4.3(c) of By-law No. 9204, after "bicycle storage,", wherever it appears, Council adds "heating and mechanical equipment,".
5. Council repeals section 6.2 of By-law No.'s 8943 and 9195.
6. Council re-numbers section 7 of By-law No. 8740 as section 7.1, section 6 of By-law No.'s 8896, 9081, 9173, 9184 and 9190 as section 6.1, section 4 of By-law No. 8978 as section 4.1, and section 5 of By-law No.'s 9088, 9170 and 9204 as section 5.1.
7. To By-law No. 7679 as section 7.6, By-law No. 8536 as section 4.3, By-law No.'s 8546, 8592 and 8978 as section 4.2, By-law No. 8587 as section 5.3, By-law No. 8740 as section 7.2, By-law No.'s 8896, 8943, 9081, 9173, 9184, 9190, and 9195 as section 6.2, and By-law No.'s 9088, 9170 and 9204 as section 5.2, Council adds:

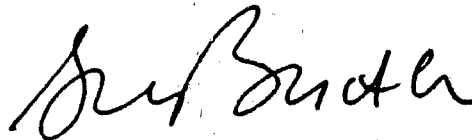
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

8. To section 6.1 of By-law No. 8943, after "191.7 m", Council adds:
- " , except that mechanical appurtenances and decorative roof may increase the building height to no more than 196.9 m".
9. To section 6.1 of By-law No. 9195, after "178 m", Council adds:
- " , except that mechanical appurtenances and decorative roof may increase the building height to no more than 182.9 m".
10. Council repeals section 7(a)(ii) and (iii) of By-law No. 9190 and section 6(a)(ii) and (iii) of By-law No. 9204, and substitutes:
- "(ii) for dwelling units of more than 80 m² of gross floor area, a minimum of one parking space for each unit plus one additional parking space for each 125 m² of gross floor area in excess of the initial 80 m², except that there need not be more than two spaces for each unit, and
 - (iii) for all dwelling units, the maximum permitted parking must not exceed 0.2 spaces for each unit more than the required minimum number of parking spaces;"
11. 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.
12. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 13th day of June, 2006



Mayor



City Clerk

7. **CD-1 Rezoning: 311 West 2nd Avenue
May 31, 2006 (VanRIMS.No. 11-3600-03)**

The Policy Report *CD-1 Rezoning: 311 West 2nd Avenue*, dated May 31, 2006, is postponed.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Chow

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Cadman

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 4 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. **A By-law to amend Parking Meter By-law No. 2952 to implement a pay by phone system (By-law No. 9309)**
2. **A By-law to amend Development Permit Board and Advisory Panel By-law No. 5869 regarding designation of members (By-law No. 9310)**
3. **A By-law to amend CD-1 By-law No.'s 7679, 8536, 8546, 8587, 8592, 8740, 8819, 8896, 8943, 8978, 8993, 9081, 9088, 9116, 9154, 9167, 9170, 9173, 9184, 9190, 9195 and 9204 (By-law No. 9311)**
(Councillors Ball, Chow and the Mayor ineligible to vote)
4. **A By-law to amend Sign By-law No. 6510 (re 798 Granville Street) (By-law No. 9312)**
(Councillors Ball, Chow and the Mayor ineligible to vote)

4. Text Amendment: Miscellaneous Text Amendments

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

Summary: To amend various downtown CD-1 By-laws to add missing standard provisions and to correct an error in the Sign By-law

The Director of Current Planning recommended approval.

Staff Comments

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

Summary of Correspondence

No correspondence was received on this application since it was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Stevenson

THAT the application by the Director of Current Planning to amend several CD-1 By-laws and the Sign By-law generally as described in Appendix A to Policy Report "Miscellaneous Text Amendments" dated April 4, 2006, be approved.

CARRIED UNANIMOUSLY

These minutes will be adopted by Council on May 30, 2006.

CITY OF VANCOUVER

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SPECIAL COUNCIL MEETING MINUTES

MAY 16, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, May 16, 2006, at 7:38 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to various CD-1 By-laws, the Sign By-law, and the Heritage By-law.

PRESENT:

Deputy Mayor David Cadman
Councillor Suzanne Anton
Councillor Kim Capri
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT:

Mayor Sam Sullivan (Sick Leave)
Councillor Elizabeth Ball (Sick Leave)
Councillor George Chow (Leave of Absence)

CITY CLERK'S OFFICE:

Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Cadman in the Chair, to consider proposed amendments to various CD-1 By-laws, the Sign By-law, and the Heritage By-law.

CARRIED UNANIMOUSLY

1. Heritage Revitalization Agreement/Heritage Designation: 73-91 East 27th Avenue

An application by Robert Brown, Resource Rethinking Building Inc., was considered as follows:

Summary: Heritage Revitalization Agreement and designation to permit strata titling in exchange for rehabilitation and conservation of five houses on this lot.

The Director of Current Planning recommended approval.