



# **City of Vancouver** *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060  
[planning@vancouver.ca](mailto:planning@vancouver.ca)

## CD-1 (431)

### *811 - 821 Cambie Street*

### *By-law No. 9081*

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

**Effective July 19, 2005**

*(Amended up to and including By-law No. 9311, dated June 13, 2006)*

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 Definitions

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

**“Base Surface”** means the base surface calculated from the official established building grades; and

**“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 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 shall be for dwelling units, general office, and dwelling unit combined with general office.

## 3 Uses

**3.1** The description of the area shown within the heavy black outline on Schedule A is CD-1 (431).

**3.2** Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (431) 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) Parking Uses, limited to 50 parking spaces;
- (g) Retail Uses;
- (h) Service Uses; and
- (i) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2.

## 4 Conditions of Use

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.

## 5 Density

**5.1** The floor area must not exceed 14 716 m<sup>2</sup>, except that:

- (a) the floor area in dwelling uses and general office live-work combined must not exceed 11 636 m<sup>2</sup>; and
- (b) approval by the Director of Planning of residential floor area exceeding 5 852.7 m<sup>2</sup> requires the concurrent or prior approval of a minimum of 3 077 m<sup>2</sup> of floor area in office, retail and service uses.

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 9081 or provides an explanatory note.

- 5.2** Computation of floor space ratio and floor area must include 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. [9311; 06 06 13]
- 5.3** Computation of floor space ratio and floor area must exclude: [9311; 06 06 13]
- (a) open residential balconies or sundecks 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;
  - (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> 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.
- 5.4** Computation of floor space ratio and floor area may exclude: [9311; 06 06 13]
- (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 sundeck 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.
- 5.5** The use of floor space excluded, under sections 5.3 and 5.4, from the Computation of floor space ratio and floor area must not be for any purpose other than that which justified the exclusion. [9311; 06 06 13]
- 6** Building height
- 6.1** 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 71.0 m. [9311; 06 06 13]
- 6.2** Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law. [9311; 06 06 13]

## 7 Parking and loading, and bicycle storage

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

- (a) parking for dwelling uses must comply with the requirements of section 4.3.9 of the Parking By-law in effect on the date of enactment of this By-law; and
- (b) for the purpose of calculating any required or permitted parking, loading, bicycle, or passenger spaces, Council deems general office live-work to be a multiple dwelling use.

**7.2** The Director of Planning and General Manager of Engineering Services, on conditions that are satisfactory to them, may allow the substitution of co-operative vehicles and associated parking spaces for required parking spaces at 1:3 ratio, up to 1 co-operative vehicle for each 60 dwelling units, rounded to the nearest whole number.

## 8 Acoustics

**8.1** 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.

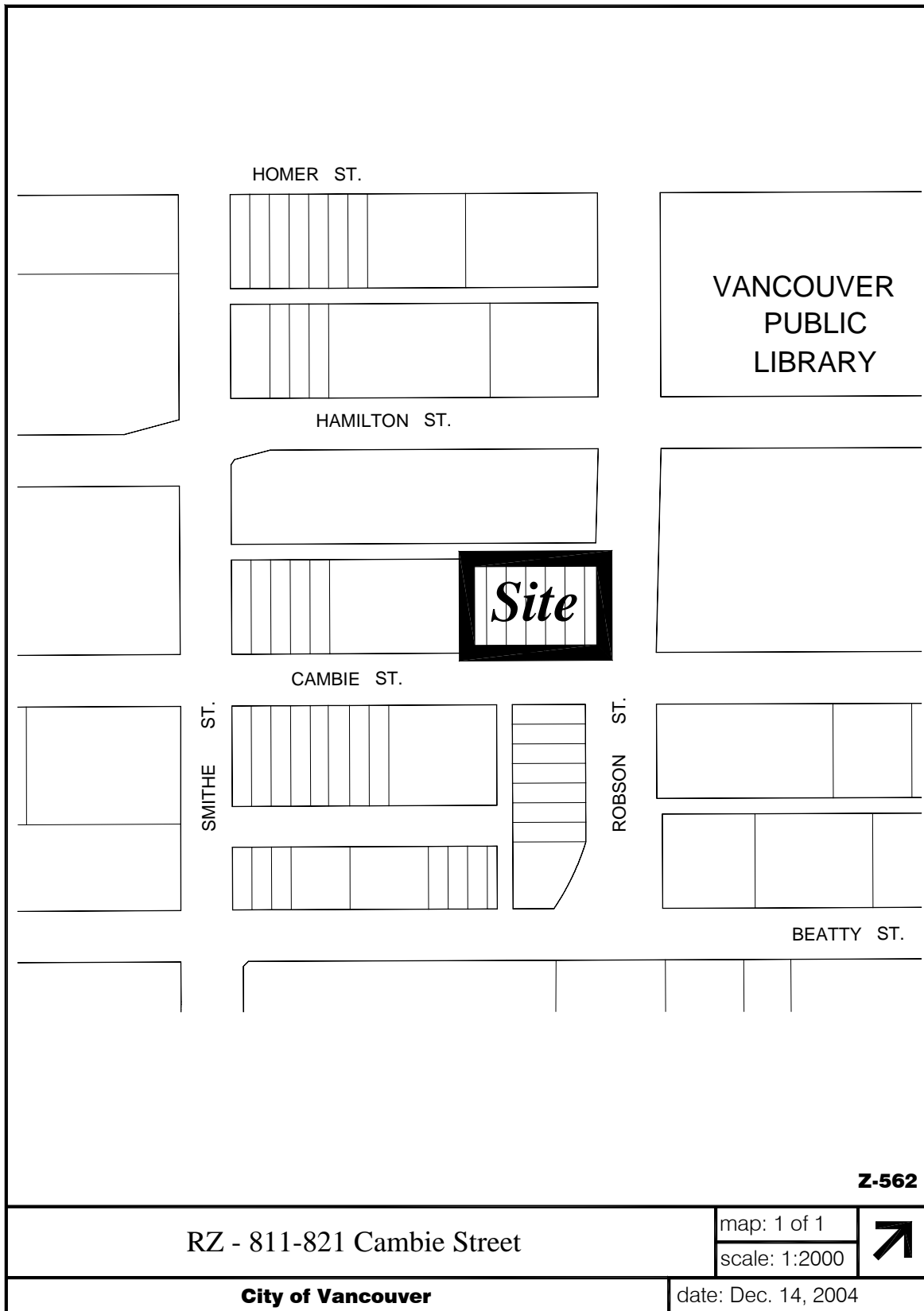
<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

**8.2** The noise level in general office live-work must not exceed 40 decibels.

## 9 Severability

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.

**10** *[Section 10 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.]*



**Z-562**

RZ - 811-821 Cambie Street

map: 1 of 1

scale: 1:2000



**City of Vancouver**

date: Dec. 14, 2004

811 - 821 Cambie Street

**BY-LAW NO. 9081**

**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-562 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:

“Base Surface” means the base surface calculated from the official established building grades; and

“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 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 shall 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 (431).

3.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (431) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

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- (c) General Office Live-Work;
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- (f) Parking Uses, limited to 50 parking spaces;
- (g) Retail Uses;
- (h) Service Uses; and
- (i) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2.

#### Conditions of Use

4. 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.

#### Density

5.1 The floor area must not exceed 14 716 m<sup>2</sup>, except that:

- (a) the floor area in dwelling uses and general office live-work combined must not exceed 11 636 m<sup>2</sup>; and
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5.2 Computation of floor space ratio must include 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.

5.3 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks 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;
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  - (i) the total area of all open and enclosed balcony or sundeck 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%;
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- (c) unenclosed outdoor areas at grade and podium levels underneath tower building overhangs.



5.5 The use of floor space excluded, under sections 5.3 and 5.4, 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 71.0 m.

### **Parking and loading, and bicycle storage**

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

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### **Acoustics**

8.1 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>
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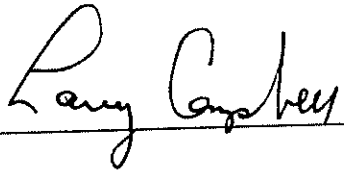
**Severability**

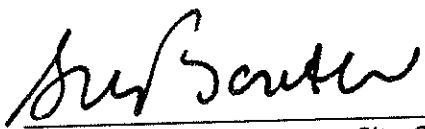
9. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

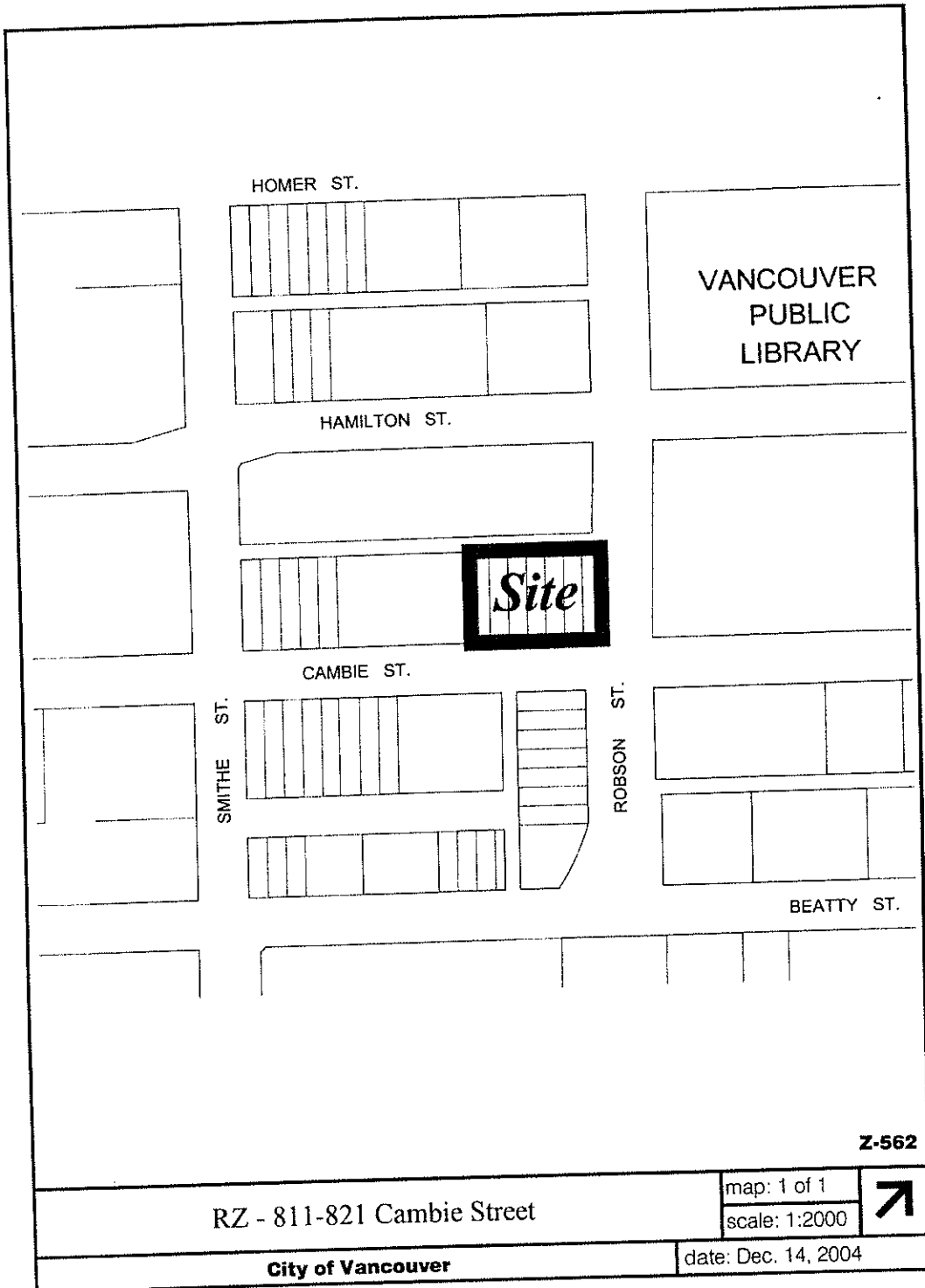
**Force and effect**

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

ENACTED by Council this 19<sup>th</sup> day of July, 2005

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



Z-562

RZ - 811-821 Cambie Street

map: 1 of 1  
scale: 1:2000



City of Vancouver

date: Dec. 14, 2004

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

**BY-LAWS**

MOVED by Councillor Louis  
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 4 to 22 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. New Animal Control By-law - WITHDRAWN
2. A By-law to amend Noise Control By-law No. 6555 to amend the regulation of animal noise - WITHDRAWN
3. A By-law to amend License By-law No. 4450 regarding the use of security, guard, or patrol dogs - WITHDRAWN
4. A By-law to amend Solid Waste and Recycling By-law No. 8417 regarding container identification and fines (By-law No. 9072)
- ✓5. A By-law to adopt the South East False Creek Development Plan as an official development plan (By-law No. 9073)
- ✓6. A By-law to designate certain real property as protected heritage property (re 51 West Hastings Street) (By-law No. 9074)  
(Councillors Bass, Louie and Louis excused from voting on By-law No. 6)
- ✓7. A By-law to amend CD-1 By-law No.'s 7835 and 8893 (By-law No. 9075)  
(Councillors Bass, Louie and Louis excused from voting on By-law No. 7)
- ✓8. A By-law to amend Zoning and Development By-law No. 3575 (regarding secondary suites) (By-law No. 9076)  
(Councillors Bass, Louie and Louis excused from voting on By-law No. 8)
- ✓9. A By-law to amend Zoning and Development By-law No. 3575 (regarding secondary suites mapping) (By-law No. 9077)  
(Councillors Bass, Louie and Louis excused from voting on By-law No. 6)

- ✓ 10. A By-law to amend Parking By-law No. 6059 (regarding secondary suites) (By-law No. 9078)
- ✗ 11. A By-law to amend Building By-law No. 8057 regarding internal access in secondary suites (By-law No. 9079)
- ✓ 12. A By-law to amend Zoning and Development Fee By-law No. 5585 regarding secondary suites and fees (By-law No. 9080)
- ✓ 13. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (811-821 Cambie Street) (By-law No. 9081)  
(Councillors Louie, Stevenson, Woodsworth and Mayor Campbell excused from voting on By-law No. 13)
- ✓ 14. A By-law to amend Downtown District Official Development Plan By-law No. 4912 (811-821 Cambie Street) (By-law No. 9082)  
(Councillors Louie, Stevenson, Woodsworth and Mayor Campbell excused from voting on By-law No. 14)
- ✓ 15. A By-law to amend Sign By-law No. 6510 (811-821 Cambie Street) (By-law No. 9083)  
(Councillors Louie, Stevenson, Woodsworth and Mayor Campbell excused from voting on By-law No. 15)
- ✓ 16. A By-law to amend CD-1 By-law No. 7230 (re 375 East Pender Street {485 Dunlevy}) (By-law No. 9084)  
(Councillors Green, Louie and Louis excused from voting on By-law No. 16)
- ✓ 17. A By-law to amend CD-1 By-law No. 6962 (re 1630 West 15<sup>th</sup> Avenue {Vancouver Lawn Tennis Club}) (By-law No. 9085)  
(Councillor Cadman excused from voting on By-law No. 17)
- ✓ 18. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (755 West 42<sup>nd</sup> Avenue) (By-law No. 9086)  
(Councillors Louis, Woodsworth and Mayor Campbell excused from voting on By-law No.18)
- 19. A By-law to amend License By-law No. 4450 regarding standard hours liquor establishments (By-law No. 9087)
- ✓ 20. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (950 Quebec Street) (By-law No. 9088)  
(Councillors Cadman, Green, Louie and Roberts excused from voting on By-law No. 20)
- 21. A By-law to amend Development Permit Board and Advisory Panel By-law No. 5869 regarding alternate Board members (By-law No. 9089)
- 22. A By-law to amend Impounding By-law No. 3519 (By-law No. 9090)

## AGREEMENTS

No further legal agreements or amendments to existing agreements are required, prior to enactment of the CD-1 By-law.

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, make arrangements to the satisfaction of the Director of Current Planning, on terms and conditions satisfactory to the Director of Legal Services, for a Community Amenity Contribution in the amount of \$ 1 Million [as offered by the applicant].

Carried

AMENDMENT MOVED by Councillor Louis

THAT the Community Amenity Contribution offered by the applicant be \$2.4 million.

LOST

(Councillors Cadman, Green, Ladner, Sullivan and Deputy Mayor Roberts opposed)

The amendment having lost, the Motion was put and CARRIED with Councillor Louis opposed.

#### 4. Rezoning: 811-821 Cambie Street

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

Summary: The rezoning from Downtown District (DD) to Comprehensive Development District (CD-1) would permit a mixed-used development. The site would also be removed from the DD maps, the Sign By-law would be amended to reference this site and the Noise Control By-law would be amended at time of enactment of the CD-1 By-law

The Director of Current Planning recommended approval.

#### Staff Comments

Phil Mondor, Rezoning Planner, presented an overview of the application, noting the total proposed increased density is similar to what is emerging in the Robson Street corridor. He reviewed the projected impact of height and loss of views, the influence of the Library Precinct Guidelines on nearby developments, the Community Amenity Contribution (CAC) offered by the applicant, and the proposed transfer of heritage bonus density. Staff support the application subject to the conditions set out in the agenda.

### **Applicant Comments**

Martin Bruckner, Architect, and Peter Kreuk, Landscape Architect, responded to questions on the form of development and design elements of the building. The building does respect the Library Precinct guidelines. The applicants will incorporate many opportunities for terracing into the building and pursue LEEDS certification.

### **Summary of Correspondence**

The following correspondence was received on this application since the date the application was referred to Public Hearing:

- 1 letter in support and 2 letters opposed to the application.

### **Speakers**

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

The following spoke in opposition to the application:

- David Garner
- Mona Lee
- Dal Fleischer

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

- It is wrong to impose a hidden tax, which is the cash Community Amenity Contribution (CAC) offered by the applicant;
- No reason why the City cannot address affordable housing challenges through other means than hidden taxes, i.e. CAC's;
- It is wrong to sell off the City's heritage to obtain a CAC;
- Opposed to the proposed extra density and concerns with loss of privacy;
- Opposed to the proposed live-work spaces as concerned those will attract criminal elements;
- The proposed change in the overall FSR is too great; the proposed development is large compared to the other developments in the area.

### **Applicant Closing Comments**

Mr. Bruckner pointed out the proposed building height will be considerably lower than what is allowed on the site. The project still has to go through the development permit board stage which will require further design development.

### **Staff Closing Comments**

Mr. Beasley pointed out rezoning applications are evaluated, recommended and approved on the basis of land use policies and urban fit; the Community Amenity Contribution is a contingent issue. The application proposes a modest building and will be a well-scaled fit to the area.

## Council Decision

MOVED by Councillor Green

- A. THAT the application by Hancock Bruckner Eng + Wright Architects to rezone the site at 811-821 Cambie Street (Lots 32-38, Block 67, DL 541, Plan 210) from DD Downtown District to CD-1 Comprehensive Development District generally as outlined in Appendix A to Policy Report "CD-1 Rezoning of 811-821 Cambie Street" dated December 2, 2004 be approved, subject to the following conditions:

### FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Hancock Brückner Eng + Wright Architects, and stamped "Received Planning Department, June 24, 2004", 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 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 overall massing, articulation and expression to improve scale, visual quality and better relate to the character of the Library square Precinct;

Note to applicant: Greater clarity between massing components that better reflect proposed uses can be achieved through substantive articulation, and related detailing, as well as a coherent material/colour strategy. Exploration of an asymmetrical arrangement of floor area, with greater emphasis on Cambie Street, to reduce impacts for adjacent development should be pursued. Further exploration of prevailing building heights that may inform further massing resolution by matching these heights should be pursued. A greater emphasis on vertical proportioning for fenestration systems should also be pursued. Further design development to distinguish the development's corner identity through more transparent wall systems, and better integration with visible vertical movement systems is required.

- (ii) Design development to the Cambie Street fronting live-work units to better express this use in a non-residential context;



Note to applicant: Strategies to ensure flexibility of interior uses including non-residential activities, and to more carefully express this flexibility in façade design, entries and public realm treatment is required. A pure residential expression should be avoided.

- (iii) Design development to the Robson Street podium to refine the interface between the ground-oriented commercial units and public realm requirements and to better relate to the character of the precinct;

Note to applicant: A staggered approach to the expression of commercial units at the building line should be pursued. Confirmation of storefront display, entry and weather protection systems is required.

- (iv) Design development to better integrate the tower's mechanical penthouse and elevator override requirements into the overall massing and form of the building;
- (v) Design development to seek to provide common open space up to 50 sq. ft. per unit in the form of an accessible roof deck(s);
- (vi) Design development to private open spaces to clarify landscape intent and ensure privacy between units;

Note to applicant: Overheight structures, such as arbours and pergolas are not supported. Confirmation of rooftop materials to ensure high visual quality is required. Significant soft landscaping, with adequate irrigation systems, especially at the perimeter of varying rooftop heights is required.

- (vii) Design development to improve the visual quality of the south, west and east elevations;

Note to applicant: Greater articulation, in addition to balconies and substantive wall detailing, should be considered.

- (viii) Design development to confirm Robson Street public realm intent for surface treatment, street trees, landscape and public art features to ensure a seamless integration with the anticipated design for the Robson Street corridor;
- (ix) Design development to the lane environment to ensure high visual quality and CPTED (Crime Prevention Through Environmental Design) performance; and
- (x) Deletion of the high level canopy/roof projection shown on level 4;

DESIGN DEVELOPMENT - LANDSCAPE

## DESIGN DEVELOPMENT - LANDSCAPE

- (xi) The Robson street frontage (public realm) should respond to the Library Precinct Streetscape details, including provision of the following:
- granite street names at corner locations,
  - book icon tiles set into surrounds at new trees on Robson Street,
  - Cambie Street trees to be tulip trees,
  - cast iron tree grates at tree bases,
  - free-standing city-style pedestrian lamp standards and pole mounted fixtures in an alternating pattern, and
  - placement of other street furniture; benches, refuse containers, and bicycle racks;

Note to Applicant: all public realm development will be to the approval of the General Manager of Engineering Services.

- (xii) Design development to provide more interesting and further refinement to all proposed roof gardens;
- (xiii) An irrigation system shall be specified in all common areas, including the entry and upper terrace areas. Hose bib's should be provided in private areas such as patios and courtyards. Notations to this affect should be added to the drawing;

Note to Applicant: The irrigation system design and installation shall be in accordance with the irrigation industry of B.C. standards and guidelines.

- (xiv) Provide sections (min. scale  $\frac{1}{4}''=1'-0''$ ) thru the Cambie street public realm ensuring a minimum 48 inches in soil depth for root ball of the inside row of trees;
- (xv) Provide design details for the proposed "Green Roof", (including detailed sections and maintenance specifications); and

## DESIGN DEVELOPMENT - CPTED (Crime Prevention Through Environmental Design)

- (xvi) Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for reducing opportunities for;
- theft in the underground by providing full separation for residential and live-work from non-residential uses including parking, elevators and exit stairs,
  - graffiti on the lane, and
  - mischief by deleting alcoves on the lane and by providing a glassy vestibule to the restaurant elevator on the street and providing gates to the loading to be closed during non-business hours.

#### AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City make arrangements for the following to the satisfaction of the Director of Current Planning and General Manager of Engineering Services, on terms and conditions satisfactory to the Director of Legal Services, unless otherwise specified:

#### SUBDIVISION

- (i) the consolidation of all lots, or other arrangements;

Note to applicant: Clarification of the charges on title by way of a charge summary will be required.

#### COMMUNITY AMENITY CONTRIBUTION - HERITAGE BONUS DENSITY

- (ii) the purchase of 975.45 m<sup>2</sup> (10,500 sq. ft.) of heritage bonus density from a suitable donor site;

#### COMMUNITY AMENITY CONTRIBUTION - AFFORDABLE HOUSING

- (iii) the contribution of \$3,360,000 to the Affordable Housing Fund to the satisfaction of the Director of the Housing Centre;

#### ENGINEERING

- (iv) dedication of the building line adjacent Robson Street for road purposes;
- (v) appropriate agreements and covenants for the parking provided for the site across the street at 150 Robson Street (Catholic Charities);
- (vi) discharge of the redundant charges on title prior-to occupancy of the building;
- (vii) undergrounding of all new BC Hydro and Telus services from the closest existing suitable service point, including a review of the cabling necessary to service the site to determine any impact on the neighbourhood. All power transformer requirements are to be fully accommodated on site;
- (viii) provision of street trees adjacent the site where space permits; and
- (ix) Provision of "Library Square" and "Downtown South" sidewalk treatments adjacent the site.

- B. THAT the application to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" (DD) be approved.
- C. THAT, as a consequential amendment to the rezoning of this site at 811-821 Cambie Street from DD to CD-1:
  - (i) The maps in the Downtown Official Development Plan By-law No. 4912, be amended to indicate that the site is no longer zoned DD; and
  - (ii) subject to approval of the rezoning at Public Hearing, the Noise Control By-law be amended at time of enactment to include this CD-1 in Schedule A.

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 Louis

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

CARRIED UNANIMOUSLY

The Special Council adjourned at 9:07 p.m.

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DD

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:

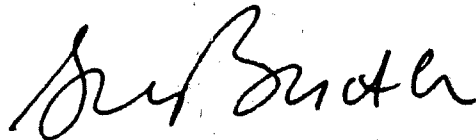
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

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 m<sup>2</sup> of gross floor area, a minimum of one parking space for each unit plus one additional parking space for each 125 m<sup>2</sup> of gross floor area in excess of the initial 80 m<sup>2</sup>, 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 13<sup>th</sup> day of June, 2006



Mayor



City Clerk

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

The Policy Report *CD-1 Rezoning: 311 West 2<sup>nd</sup> 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**

**5**



**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 27<sup>th</sup> 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.