



City of Vancouver *Zoning and Development By-law*

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CD-1 (432)

950 Quebec Street

By-law No. 9088

(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 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (432).

2.2 The only uses permitted within CD-1 (432), 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) Dwelling Uses, limited to Multiple Dwelling, of which at least 25% must be for family housing; and
- (b) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

3 Conditions of use

3.1 Dwelling units 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.

3.2 The design of family housing units must be in accordance with Council's "High-Density Housing for Families with Children Guidelines".

4 Density

4.1 The floor space ratio for all permitted uses must not exceed 19 983 m².

4.2 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]

4.3 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;
- (b) patios and roof gardens 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:
 - (i) are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9088 or provides an explanatory note.*

- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, not to exceed 250 m² of the total permitted residential floor area; areas of undeveloped floors located:
 - (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (e) 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
- (f) 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.

4.4 Computation of floor space ratio and floor area, at the discretion of the Director of Planning or Development Permit Board, 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 subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the total permitted residential floor area, and
 - (ii) the total enclosed area of excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a maximum depth of 160 mm, except that the Director of Planning may allow a greater depth to improve building character; and
- (c) unenclosed outdoor areas at grade level underneath tower building overhangs if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, except that the total area of all overhang exclusions must not exceed 1% of the total permitted residential floor area.

4.5 The use of floor space excluded, under this By-law, 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]

5 Building height

5.1 The building height, measured above base surface, must not exceed 59.4 m or 22 storeys. [9311; 06 06 13]

5.2 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]

6 Parking and loading, and bicycle storage

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 and loading, and bicycle storage, except that:

- (a) there must be a minimum of 0.5 parking space for each dwelling unit and one additional parking space for each 100 m² of gross floor area; and

- (b) 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 a 1:3 ratio, up to 1 co-operative vehicle for each 60 dwelling units, rounded to the nearest whole number.

7 Acoustics

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

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

8 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.

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

By-law No. 9088 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black () is rezoned:

From **M-1** to **CD-1**

Z-552

RZ - 950 Quebec Street

map: 1 of 1

scale: 1:2000



City of Vancouver

617

950 Quebec Street

BY-LAW NO. 9088

**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-552 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (432).

2.2 The only uses permitted within CD-1 (432), 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) Dwelling Uses, limited to Multiple Dwelling, of which at least 25% must be for family housing; and
- (b) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

Conditions of use

3.1 Dwelling units 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.

3.2 The design of family housing units must be in accordance with Council's "High-Density Housing for Families with Children Guidelines".

Density

4.1 The floor space ratio for all permitted uses must not exceed 19 983 m².

4.2 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.

4.3 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;
- (b) patios and roof gardens 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:
 - (i) are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, not to exceed 250 m² of the total permitted residential floor area;
- (e) areas of undeveloped floors located:
 - (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and

- (g) 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.

4.4 Computation of floor space ratio, at the discretion of the Director of Planning or Development Permit Board, 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 subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the total permitted residential floor area, and
 - (ii) the total enclosed area of excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a maximum depth of 160 mm, except that the Director of Planning may allow a greater depth to improve building character; and
- (c) unenclosed outdoor areas at grade level underneath tower building overhangs if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, except that the total area of all overhang exclusions must not exceed 1% of the total permitted residential floor area.

Building height

5. The building height, measured above base surface, must not exceed 59.4 m or 22 storeys.

Parking and loading, and bicycle storage

6. 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 and loading, and bicycle storage, except that:

- (a) there must be a minimum of 0.5 parking space for each dwelling unit and one additional parking space for each 100 m² of gross floor area; and
- (b) 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 a 1:3 ratio, up to 1 co-operative vehicle for each 60 dwelling units, rounded to the nearest whole number.

Acoustics

7. 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

8. 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

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

ENACTED by Council this 19th day of July, 2005



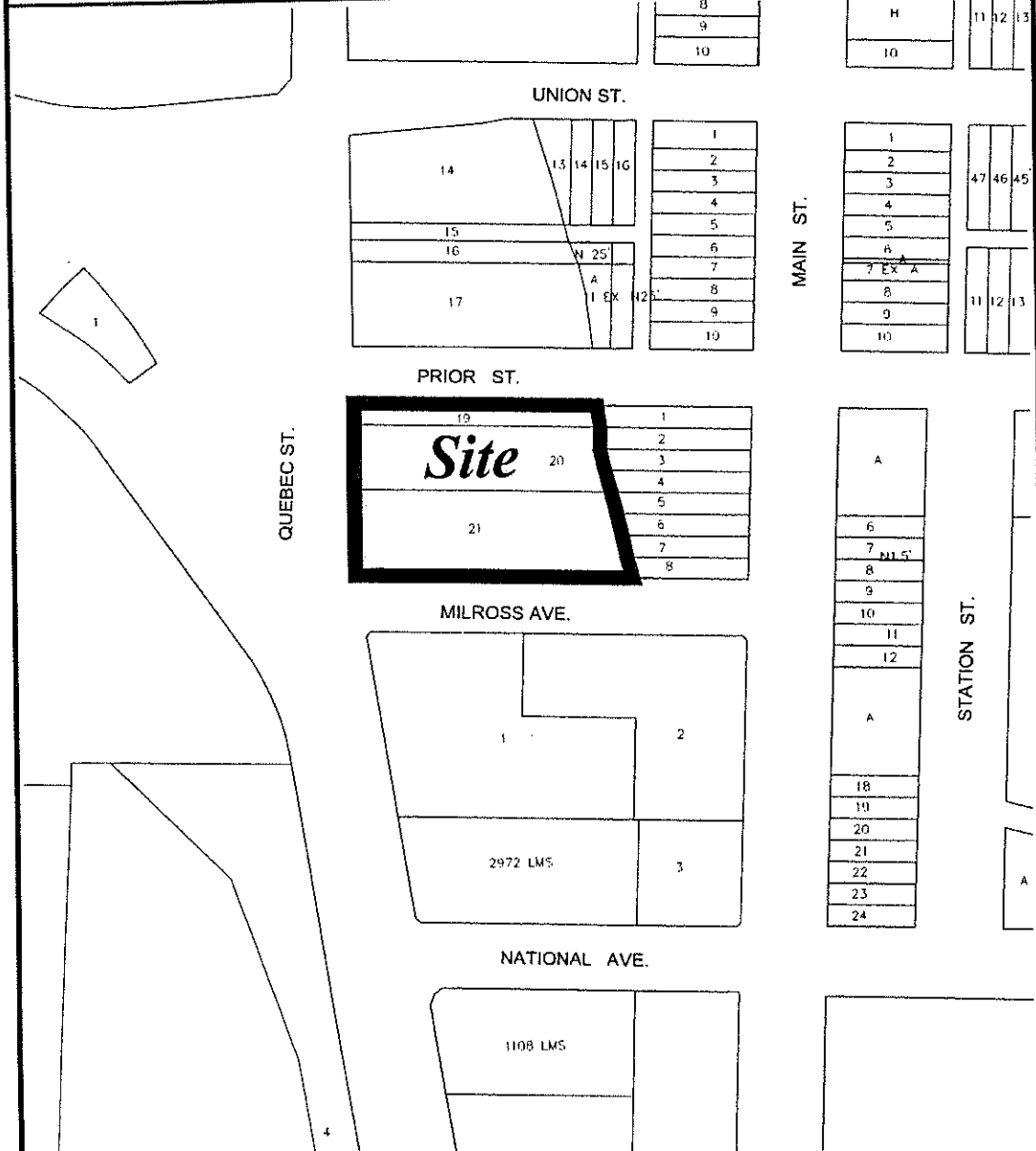
Mayor



City Clerk

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

being the Zoning & Development By-law



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

Z-552

RZ - 950 Quebec Street

map: 1 of 1
scale: 1:2000



City of Vancouver

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 15th 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 42nd 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)

5. Rezoning: 950 Quebec Street

An application by John Perkins Jr., Architect, was considered as follows:

Summary: To rezone to permit a 167-unit, 22-storey residential building. The Noise Control By-law will also be amended at time of enactment.

The Director of Current Planning recommended approval subject to conditions as set out in the agenda before Council this evening.

Also before Council was a Memorandum, dated March 11, 2004, from the Director of Current Planning, recommending an additional condition of approval that a Community Amenity Contribution be provided.

Staff Opening Comments

Brent Elliott, Planner, Major Projects Group, was present to respond to questions.

Applicant Comments

Eric Martin, Nat Bosa, and Greg Donaldson, representing the applicant, were present to respond to questions.

Summary of Correspondence

Two letters commenting on the application were received since the date it was referred to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

Frank Shorrock expressed concern with regard to the proposed rear lane access for existing developments which front onto Main Street, noting he currently has adequate access from Main Street which he would like to retain.

Travis Cutler, President, Vancouver Skatepark Coalition, spoke regarding the status of the future skateboard park, and expressed concern that it not be lost through development of this site.

Staff Closing Comments

Larry Beasley, Director of Current Planning, responded to questions regarding lane access and the proposed skateboard park.

Council Decision

MOVED by Councillor Louis

A. THAT the application by John Perkins Jr., Architect, to rezone 950 Quebec Street (Lots 19, 20 and 21, District Lot 2037, Plan 5568, all of Group 1, New Westminster District) from M-1 to CD-1 to permit a 167 unit multiple dwelling with total density of 3.8 Floor Space Ratio, generally as set out in Appendix A of the Policy Report dated February 10, 2004 entitled "CD-1 Rezoning - 950 Quebec Street/939 Main 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 Perkins and Company Architecture and Urban Design Inc., and stamped "Received City Planning Department", June 6, 2003, provided that the Director of Planning may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

i. design development to provide townhouses along Milross Avenue, Quebec Street and Prior Street;

Note to Applicant: options to consider could be 3-storey townhouses or 2-storey townhouses with apartments above;

ii. design development to improve the buildings privacy and livability;

Note to Applicant: aspects to review include, among other things: the dwelling units at the bottom two levels of the tower's northerly interior corner; ensuring that the dwellings on Milross Avenue, Quebec Streets and Prior Street are approximately 1.0 m above grade with patios and stepped landscaping similar to Downtown South Guidelines; introducing natural light into the corridor of the lower built form facing Milross Avenue; providing a direct connection between the semi-private open space at the corner of Quebec Street and Milross Avenue and the tower lobby and amenity area; and simplifying the corridor connection between the tower lobby and the lower built form along Milross Avenue;

iii. design development to overall building character of the lower built forms;

Note to Applicant: aspects to review include, among other things: the corner at Quebec and Prior Streets should be emphasized; the Milross Avenue elevation should present a stronger townhouse street rhythm; the lane elevations should present a stronger character as viewed from Main Street with more overlook onto the lane and the corner emphasized; and the Prior Street elevation should present a stronger townhouse street rhythm and integrated with the higher 5-storey portion with visual improvements to the roofscape;

iv. design development to provide all bicycle storage on the P-1 level of the parkade.

v. design development to clearly identify the location of recycling storage and pick-up, and which location considers City Engineering standards (Solid Waste Division)

vi. design development to the overall landscape plan by:

a. integrating new street trees into the curbside parking along Prior Street

b. providing one additional street tree in the curb bulge at the corner of Milross Avenue, and;

c. providing one additional street tree along Quebec Street (adjacent to the Public Plaza)

Note to Applicant: aspects to review include, among other things: providing a place, or places, to overlook the lane from the interior semi-private open space to improve security; and provide a children's play area;

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

- a. reducing opportunities for theft in the underground parking areas; specifically through locating exit doors to underground parking where they can be watched by residents;
- b. reducing opportunities for break and enter to ground level units specifically through the provision of individual entrances to ground level units on Prior Street, and;
- c. reducing opportunities for mischief, specifically through increasing surveillance to the public and semi-public areas; and
- d. reducing opportunities for skateboarding and vandalism such as graffiti.

viii. The Noise Control by-law requires amendment at the time of enactment of the by-law to include this CD-1.

Note to Applicant: An Acoustical Consultant's report shall be required which assess noise impacts on the site and recommends noise-mitigating measures.

c) That, prior to enactment of the CD-1 By-law, the registered owner shall make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services which:

- i. clarify all charges registered in the Land Title Office against title to the lands (a charge summary, including copies of all charges, must be provided) and include the modification, extension or release of any charges deemed necessary by the Director of Legal Services;
- ii. consolidate the lots on this site;
- iii. register a compatible subdivision plan;
- iv. in accordance with City Council's requirements and Section 571 (B) of the Vancouver Charter provides that no rezoning of the site be enacted until an approved remediation plan for the site has been accepted or a Certificate of Compliance or Conditional Certificate of Compliance has been issued by the Provincial Ministry of Water, Lands, and Air Protection. The City may also require that a Soils Agreement (Covenant) satisfactory to the Director of Legal Services be registered on title to the site which may include among other requirements a hold on occupancy of any building on the site until a Certificate of Compliance or Conditional Certificate of Compliance has been received;
- v. dedicate a 20 ft wide (6.1 m) lane at the easterly limits of the parcel;

Note to applicant: the plans do not reflect this requirement, clarification is required;

vi. include entering into a Services Agreement to secure the design and construction of all required on-site and off-site works which includes, but is not limited to:

- a. the lane, including drainage and lighting thereof;
- b. public realm improvements to Prior Street (both sides extending from Quebec Street to Main Street), Quebec Street and Milross Avenue adjacent to the site, including curb, gutter, drainage, special sidewalk, pavement, street trees, landscaping, street lighting and relocation of all affected utilities. The design is to consider pedestrian desire lines, bikeway and bike lane connections and future street car operations;
- c. landscaping at the south end of the triangular portion of street bounded by Expo Boulevard, Union Street, Quebec Street, to provide screening of the proposed skateboard park;

Note to applicant: The proposed lane design should be consistent with the new standards for downtown lane designs which include driveway crossings at the entries from Prior Street and Milross Avenue. If the proposed sidewalk on the western side of the lane is to be on private property then we will require a Statutory Right of Way over same. The Prior Street design will need modification to include items listed above and the accommodation of the proposed streetcar alignment on Prior Street. The submission drawings should reflect the proposed alignment of the street car.

Note to applicant: A design process similar to that undertaken on Pacific Boulevard between Burrard and Cambie bridges is expected to be undertaken on Pacific and Expo boulevards between Quebec Street and the Cambie Bridge. The public realm design must include flexibility to address any design criteria that may flow from the design review and which can reasonably be incorporated into the final public realm design prior to construction of the street works. Finalizing this requirement may identify further servicing issues such as provision of new or improvements to, existing storm sewers or other affected utilities.

- vii. include entering into a bridge proximity agreement; and
- viii. provide for the undergrounding of all new B.C. Hydro and Telus services from the closest existing suitable service point.
- ix. a Community Amenity Contribution (CAC) be provided to the City in the amount of \$945,652.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to section 219 of the Land Title Act.

The facilities to be provided including the Services and site remediation, may, in the discretion of the General Manager of Engineering Services and Director of Legal Services be constructed in phases, in accordance with phasing plans satisfactory to the aforesaid officials, and respective Agreements will provide for security and occupancy restrictions appropriate to such phasing.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the bylaw; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to

the satisfaction of the Director of Legal Services, prior to enactment of the bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

The following is not a condition of rezoning or subdivision but should be forwarded to the applicant for their attention, including:

i. please note if the General Manager of Fire and Rescue Services requires a fire hydrant(s) midblock on either Milross Avenue or Prior Street to provide adequate fire protection for the development, that there is no current water service in either street and therefore the connection for the hydrant(s) would be lengthy; and

ii. please note that clarification is sought of the applicant's intentions to reconcile the public realm improvements for Prior Street from the lane north to Main Street with the existence of the hydro pole line.

The following should be forwarded to the applicant to be addressed at the development permit stage.

i. Bicycle storage is to be provided on the P-1 level of the parkade.

ii. Recycling storage and pick up locations are to be clearly noted and should consider the emerging standards for recycling per Engineering, Solid Waste Division requirements.

B. THAT, subject to approval of the rezoning at a Public Hearing, the Noise Control By-law be amended to include this Comprehensive Development District in Schedule A, generally as set out in the Policy Report dated February 10, 2004, entitled "CD-1 Rezoning - 950 Quebec Street/939 Main Street".

CARRIED UNANIMOUSLY

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:

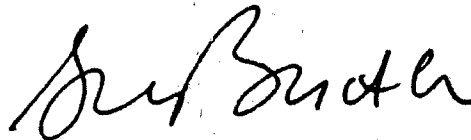
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

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 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.