



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7000 fax 604.873.7060
planning@vancouver.ca

CD-1 (450)

*111 and 141 West Hastings Street,
351 Abbott Street and 128 West Cordova Street
By-law No. 9275*

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

Effective May 16, 2006

(Amended up to and including By-law No. 9986, dated January 19, 2010)

1 Zoning District Plan amendment

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 2-578 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (450).

2.2 Subject to Council approval 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 (450) 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) Live Work Use;
- (d) Light Industrial Uses;
- (e) Office Uses;
- (f) Institutional Uses;
- (g) Retail Uses;
- (h) Service Uses; and
- (i) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

3 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.

4 Density

4.1 The floor space ratio must not exceed 10.0322. [9698; 08 07 22] [9986; 10 01 19]

4.2 Computation of floor area must include:

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

[9342; 06 07 18]

4.3 Computation of floor space ratio must exclude: [9342; 06 07 18]

- (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 area of all exclusions must not exceed 8% of the provided residential floor area;
- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9275 or provides an explanatory note.

- (c) where floors are used for off street parking and loading, the taking on or discharging of passengers, bicycle storage, heating or 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 exclusion for a single 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 m² for a 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.

4.4 Computation of floor space ratio may exclude, at the discretion of the Director of Planning: [9342; 06 07 18]

- (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 provided residential floor area, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) interior public space, including atria and other similar spaces if the Director of Planning first considers all applicable policies and guidelines adopted by Council except that:
 - (i) excluded space must not exceed 1 115 m², and [9342; 06 07 18]
 - (ii) a covenant and statutory right of way in favour of the city and setting out public access and use must secure the excluded area.

4.5 For the purpose of floor space ratio calculation: [9342; 06 07 18]

- (a) each square metre of floor area for above grade parking is to count as .70 square metres; and
- (b) Council deems the site area to be 10 038.86 m². [9698; 08 07 22]

4.6 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. [9342; 06 07 18]

5 Building height

5.1 The building height must not exceed 45.72 m measured above the base surface and to the top of all rooftop mechanical appurtenances or decorative elements, except that the Development Permit Board may increase this height to a maximum of 137.16 subject to View Protection Guidelines and other applicable Council policies and guidelines. [9342; 06 07 18]

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. [9342; 06 07 18]

6 Parking, loading and bicycle storage

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

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

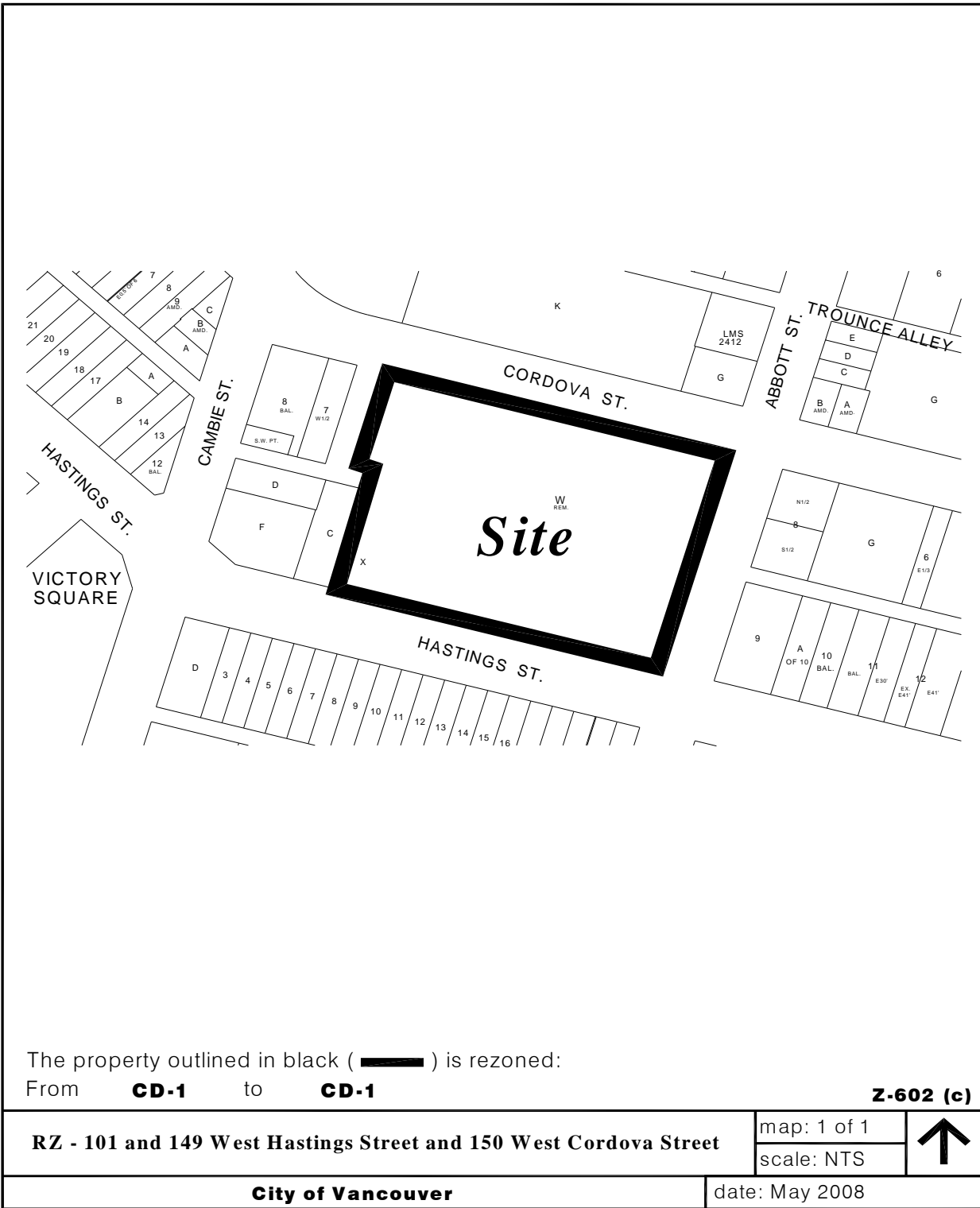
8 Severability

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

9 Force and effect

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

ENACTED by Council this 16th day of May, 2006.



The property outlined in black (**█**) is rezoned:

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

Z-602 (c)

RZ - 101 and 149 West Hastings Street and 150 West Cordova Street

map: 1 of 1

scale: NTS



City of Vancouver

date: May 2008

[9698; 08 07 22]

101 and 149 West Hastings Street
150 West Cordova Street

BY-LAW NO. 9275

**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-578 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 (450).

2.2 Subject to Council approval 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 (450) 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) Live-Work Use;
- (d) Light Industrial Uses;
- (e) Office Uses;
- (f) Institutional Uses;
- (g) Retail Uses;
- (h) Service Uses; and
- (i) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

Conditions of use

3. 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

4.1 The floor space ratio must not exceed 10.65.

4.2 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 area of all exclusions must not exceed 8% of the provided residential floor area;
- (b) patios and 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 or 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 exclusion for a single 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 m² for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
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4.3 Computation of floor space ratio may exclude, at the discretion of the Director of Planning:

- (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 provided residential floor area, and

- (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) interior public space, including atria and other similar spaces if the Director of Planning first considers all applicable policies and guidelines adopted by Council except that:
 - (i) excluded space must not exceed 11 115 m², and
 - (ii) a covenant and statutory right of way in favour of the city and setting out public access and use must secure the excluded area.

4.4 For the purpose of floor space ratio calculation:

- (a) each square metre of floor area for above-grade parking is to count as .70 square metres; and
- (b) Council deems the site area to be 10 071.30 m².

Building height

5. The building height must not exceed 45.72 m measured above the base surface and to the top of all rooftop mechanical appurtenances or decorative elements, except that the Development Permit Board may increase this height to a maximum of 137.16 subject to View Protection Guidelines and other applicable Council policies and guidelines.

Parking, loading and bicycle storage

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

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 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 room	40
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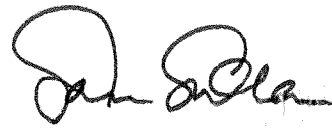
Severability

8. 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.

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 16th day of May, 2006



Mayor



City Clerk



Z-578

RZ - 101 & 149 W. Hastings St. & 150 W. Cordova St.

map: 1 of 1

scale: 1:2000



City of Vancouver

date: Mar. 8, 2006



CITY OF VANCOUVER
REGULAR COUNCIL MEETING MINUTES

MAY 16, 2006

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 16, 2006, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

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

ABSENT: Councillor Elizabeth Ball (Sick Leave)
 Councillor George Chow (Leave of Absence)

CITY MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Syd Baxter, City Clerk
 Janice Mackenzie, Deputy City Clerk
 Tarja Tuominen, Meeting Coordinator

PRAYER

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

PRESENTATION - MUNICIPAL ENERGY AWARD

Council presented the Municipal Energy Award for visionary municipal leadership encouraging community sustainability through district energy to staff on behalf of the Canadian District Energy Association.

"IN CAMERA" MEETING

MOVED by Councillor Cadman
 SECONDED by Councillor Capri

THAT Council will go into a meeting later this day which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to

paragraph(s):

(d) the security of the property of the city;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

(g) litigation or potential litigation affecting the city;

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF MAY 2, 2006

Council approved the following appointments:

- Cindy Grauer as the City's E-Comm Board member
- Jeff Mooney as one of the City's representatives to VANOC

ADOPTION OF MINUTES

1. Regular Council (Transportation and Traffic) - April 18, 2006

MOVED by Councillor Lee

SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Special Council (Public Hearing) - April 18, 2006

MOVED by Councillor Capri

SECONDED by Councillor Ladner

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Services and Budgets) - April 20, 2006

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Planning and Environment) - April 20, 2006

MOVED by Councillor Anton
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

5. Regular Council - May 2, 2006

MOVED by Councillor Stevenson
SECONDED by Councillor Ladner

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Capri

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair.

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Cadman

THAT Council adopt Administrative Reports A2, A4, A6 and A7, A9 to A13, A15, and Policy Report P2, on consent.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

1. City-Wide International Women's Day Celebration in 2007 (VanRIMS No. 01-2700-10)

On March 21, 2006, City Council postponed consideration of a motion on a City-wide celebration of International Women's Day in 2007 pending a memorandum back from the City Manager on options for the City's involvement in celebrating international events, such as the International Women's Day.

MOVED by Councillor Deal

WHEREAS International Women's Day has been celebrated annually on March 8 since 1909 to recognize women as makers of history and is an occasion marked by women's groups around the world, commemorated at the United Nations, and designated by many countries as a national holiday;

WHEREAS cities in Canada also recognize the important contributions of women to their communities and society as a whole;

WHEREAS the City of Vancouver is a city of celebration that honours the diversity of its citizenry through arts & cultural and recreational activities;

THEREFORE BE IT RESOLVED THAT the Vancouver City Council request staff to work with city partners including the School Board, Park Board, Library Board and Community Associations to recognize and celebrate women throughout the city on International Women's Day for the year 2007.

Postponed

POSTPONEMENT MOVED by Councillor Anton

THAT consideration of the motion be postponed pending the receipt of the staff report reviewing the City's involvement in international and other events and proposing a framework on event categories and type of support.

CARRIED
(Councillors Cadman, Deal, Louie and Stevenson opposed)

ADMINISTRATIVE REPORTS

1. Congress for the New Urbanism 2006 Charter Award March 21, 2006 (VanRIMS No. 01-5200-50)

MOVED by Councillor Louie

THAT the Administrative Report *Congress for the New Urbanism 2006 Charter Award*, dated March 21, 2006, be received for information.

CARRIED UNANIMOUSLY

2. **Campaign Financing Disclosure Statements for the November 19, 2005 General Local Election**
April 27, 2006 (VanRIMS No. 08-1000-01)

THAT the Administrative Report *Campaign Financing Disclosure Statements for the November 19, 2005 General Local Election*, dated April 27, 2006, be received for information.

ADOPTED ON CONSENT

3. **Water Conservation - Outdoor Water Saving Kits**
April 28, 2006 (VanRIMS No. 13-8000-50)

MOVED by Councillor Ladner

THAT Council approve a program to purchase and distribute subsidized outdoor water saving kits to Vancouver residents at an annual cost of \$3,000; source of the funds to be the 2006 Waterworks Operating Budget - Water Conservation Programs.

CARRIED UNANIMOUSLY

4. **Fleet Addition - Police Department Mounted Squad - Multi-Purpose Utility Vehicle**
April 20, 2006 (VanRIMS No. 03-2400-10)

- A. THAT Council approve the allocation of \$12,000 from the Truck and Equipment Plant Account to fund the capital cost of a 6x4 Utility Vehicle for the Vancouver Police Department Mounted Squad.
- B. THAT the capital costs be repaid to the Truck and Equipment Plant Account through annual charges of \$2,300 with funding to be provided by the existing 2006 Vancouver Police Department Operating Budget.
- C. THAT the maintenance and operating costs of approximately \$1,700 be provided from the existing 2006 Vancouver Police Department Operating Budget.

ADOPTED ON CONSENT

5. **Amendment of Business Prohibition By-Law - Inhumane Rodeo Practices and Modernization of Language**
April 28, 2006 (VanRIMS No. 08-4000-11)

MOVED by Councillor Capri

- A. THAT Council approve amendments to the Business Prohibition By-law which prohibit competitions, exhibitions, performances, events or other situations where certain inhumane rodeo practices are performed and modernize the By-law's language.
- B. THAT Council authorize the Director of Legal Services to bring forward the appropriate by-law amendments to the Business Prohibition By-Law generally as set out in the draft by-law attached as Appendix A to the Administrative Report *Amendment of Business Prohibition By-Law - Inhumane Rodeo Practices and Modernization of Language*, dated April 28, 2006.

CARRIED UNANIMOUSLY

6. **2005 Annual Report on Council Remuneration and Expenses**
May 1, 2006 (VanRIMS No. 08-2200-01)

THAT the Administrative Report *2005 Annual Report on Council Remuneration and Expenses*, dated May 1, 2006, be received for information.

ADOPTED ON CONSENT

7. **Application for Payment-in-Lieu of Parking at 271 Union Street**
April 24, 2006 (VanRIMS No. 13-5500-10)

- A. THAT Council approve in principle, the offer of payment-in-lieu in the amount of \$14,500 by Mr. Douglas R. Johnson for the waiver of 1 parking space required by Section 4.1.2 of the Parking By-law; and
- B. THAT the Director of Legal Services be requested to bring forward a By-law to amend Schedule A of the Parking By-law pursuant to Section 4.12.5 to effect this waiver.

ADOPTED ON CONSENT

8. **Community Garden Pilot Project**
April 24, 2006 (VanRIMS No. 13-4000-30)

MOVED by Councillor Ladner

- A. THAT Council allocate the Community Amenity Contribution of \$22,475 from the re-development of 1875 West 75th Avenue to a Greenways Project account to be used for the development of Community Gardens at three (3) specific

sites as identified in the Administrative Report *Community Garden Pilot Project*, dated April 24, 2006. (Source of the funding is allocation of funds approved for this purpose by Council on September 15, 2005.)

- B. THAT Council approve a community garden pilot project and *Draft Community Garden Operational Guidelines for Land other than City Parks* as described in Appendix A of the Administrative Report *Community Garden Pilot Project*, dated April 24, 2006.
- C. THAT the General Manager of Engineering Services, in consultation with the Director of Social Planning, be given standing authority to enter into community garden user agreements with the non-profit organizations selected to be part of the pilot project.

CARRIED UNANIMOUSLY

Councillor Ladner requested the guidelines include a statement that the City has the right to give 30-days notice to take the land back for civic purposes.

**9. Development Permit Board Member and Alternate Amendments
May 2, 2006 (VanRIMS No. 08-3000-11)**

- A. THAT Robert Jenkins, Assistant Director of Planning, be appointed, effective July 1, 2006, as an alternate to Larry Beasley, the Co-Director of Planning who is the regular Board member, acknowledging that Trish French, another Assistant Director of Planning, is already an alternate as is Ann McAfee, Co-Director of Planning, who will be retiring June 30, 2006.
- B. THAT Council amend Section 4 of the Development Permit Board and Advisory Panel By-law No. 5869 to remove the Co-Director of Planning from the list of voting members and replace this with the Director of Planning, who is the regular Board member, and correspondingly amend Section 8(c) to replace the Co-Director of Planning with the Director of Planning, who is the regular Board member;

FURTHER THAT Council amend Sections 4, 5(c), 8, 9 and 11(b) of the By-law to substitute the Co-Director of Development Services - Policy & Regulations in lieu of the Director of Development Services;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the amending by-law for enactment, with an effective date of July 1, 2006.

ADOPTED ON CONSENT

**10. Advance Real Property and Tax Penalty By-Laws
May 1, 2006 (VanRIMS No. 08-4000-11)**

- A. THAT City Council approve enactment of a new Advance Real Property Tax By-Law to:
- a) amend the definition of "net previous year's taxes" to exclude non-recurring charges
 - b) increase the threshold amount of net previous year's taxes from \$50 to \$100 for the determination of amount payable under this By-law
 - c) move "imposition of a penalty on unpaid taxes at advance due date" to the Tax Penalty By-Law; and
 - d) modernize the language of the By-law
- B. THAT City Council approve enactment of a new Tax Penalty By-Law to:
- a) consolidate penalties applicable to outstanding taxes due at any time of the year solely to this By-law; and
 - b) modernize the language of the By-law
- C. THAT the Director of Legal Services be authorized to prepare the necessary new By-laws, generally as set out in Appendices A and B of the Administrative Report *Advance Real Property and Tax Penalty By-laws*, dated May 1, 2006, to implement the changes as outlined in A and B above.

ADOPTED ON CONSENT

**11. Grant Request - World Planners Congress (Planning Institute of BC)
April 29, 2006 (VanRIMS No. 05-5000-10)**

THAT Council approve a grant of \$5,000 to the Planning Institute of BC for the World Planners Congress that is being held in Vancouver June 17-20, 2006; source of funds being the 2006 Operating Budget.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**12. Queen Elizabeth Theatre/Vancouver Playhouse Theatre - Acoustic Separation -
Award of Construction Contracts
May 3, 2006 (VanRIMS No. 02-4000-01)**

- A. THAT Council approve the increased project budget of \$5,920,000 for the Queen Elizabeth Theatre/Vancouver Playhouse Theatre Acoustic Separation project, source of funding to be:
- allocation of private funds raised for the Queen Elizabeth Redevelopment project in the amount of \$600,000;
 - reallocation of approved funding of \$60,000 to modify the Vancouver Playhouse loading dock;

- approved funding of \$3.5 million; and
- additional funding of \$ 1.76 million from the Civic Theatres Capital Reserve,

with interim financing as necessary to be provided from the Capital Facilities Fund on terms acceptable to the Director of Finance.

B. THAT contracts for Queen Elizabeth Theatre/Vancouver Playhouse Theatre Acoustic Separation be awarded to:

- Parkwood Construction Ltd. in the amount of \$4,129,645 plus GST; and
- Actes Environmental Ltd. for phase two of the abatement work in the amount of \$309,993 plus GST;

said contracts to be to the satisfaction of the Director of Legal Services.; and further no legal rights or obligations will be created or arise by Council's adoption of A and B above, unless or until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

13. Award of Contract for RFP # PS06036 - Service Request Mapping Services
May 1, 2006 (VanRIMS No. 03-1200-11)

- A. THAT, subject to the conditions set out in B, C, and D below, Council authorize a contract with AtFocus, Inc. to provide service request mapping services for the 311 Feasibility Study at the cost of \$186,000 plus applicable taxes, subject to a contract satisfactory to the Director of Legal Services, the City Manager, and the Manager, Materials Management, funding provided in the 2006 Operating Budget.
- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A above.
- C. THAT, all such legal documents be on terms and conditions satisfactory to the City Manager, Manager of Materials Management and the Director of Legal Services.
- D. THAT, no legal rights or obligations will be created by Council's adoption of A, B and C above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**14. 2006 Property Taxation: Taxation Bylaws and Resolutions
May 5, 2006 (VanRIMS No. 05-4200-10)**

MOVED by Councillor Anton

- A. THAT Council approve the 2006 Rating Bylaw establishing the City's general purposes property tax rates.
- B. THAT Council approve the 2006 Rating Bylaw for the property tax requisition of the Greater Vancouver Regional District.
- C. THAT Council approve the resolutions attached as Appendix B to the Administrative Report *2006 Property Taxation: Taxation Bylaws and Resolutions*, dated May 5, 2006, adopting adjusted tax rates for the Provincial Schools, the B.C. Assessment Authority, the Municipal Finance Authority and the Greater Vancouver Transportation Authority levies, pursuant to the Vancouver Charter and the Averaging Bylaw No. 9266 adopted by Council on March 23, 2006.

CARRIED UNANIMOUSLY

**15. Councillor Kim Capri's Travel to Victoria, BC - May 15th, 2006
May 5, 2006 (VanRIMS No. 08-2200-20)**

THAT Council approve Councillor Kim Capri's trip to Victoria, BC on May 15, 2006 to attend meetings with Provincial Ministers at an estimated cost of \$360.00, source of funding to be the Councillor's 2006 travel budget.

ADOPTED ON CONSENT

**16. Replacement of Firehall No. 15 - Development Options
May 5, 2006 (VanRIMS No. 14-1000-01)**

Also before Council was a letter, dated May 16, 2006, from the General Manager, Vancouver Board of Parks and Recreation.

The Chair advised requests to speak on Administrative Report A16 have been received. Council agreed to refer consideration of the report to the Standing Committee on Planning and Environment meeting of May 18, 2006, to hear the speakers.

17. **Request by Councillor B.C. Lee to travel with Mayor Sullivan to Ottawa for Civic Business May 31 - June 1, 2006**
May 5, 2006 (VanRIMS No. 08-2200-20)

POSTPONEMENT MOVED by Councillor Louie

THAT consideration of Administrative Reports A17 and A18 be postponed to a Standing Committee meeting on Thursday, May 18 to allow the Mayor to submit a list of meetings the Councillors will be attending.

Withdrawn, with the consent of Council

MOVED by Councillor Anton

THAT Council authorize Councillor B.C. Lee to travel with Mayor Sullivan to Ottawa for civic business from May 31 to June 1, 2006 at an estimated cost of \$480.00, source of funding to be the Councillor's 2006 travel budget.

CARRIED
(Councillors Deal and Louie opposed)

18. **Request by Councillor Elizabeth Ball to travel with Mayor Sullivan to Ottawa for Civic Business June 4, 2006, after the FCM Conference in Montreal**
May 5, 2006 (VanRIMS No. 08-2200-20)

MOVED by Councillor Anton

THAT Council authorize Councillor Ball to travel with Mayor Sullivan to Ottawa for civic business June 4-5, 2006 at an estimated cost of \$255.00, the source of funding to be the Councillor's 2006 travel budget

CARRIED
(Councillors Deal and Louie opposed)

ACKNOWLEDGEMENT - 2006 STREET BANNER PROGRAM

The Mayor acknowledged the Summer Street Banner Program and the unveiling of the 2006 Banners. The Street Decoration Committee and the artist, Rudy Kovach, were recognized for their contributions.

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The Council recessed at 4:15 p.m. and, following a reception in the foyer, reconvened at 4:40 p.m. with all Councillors present.

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POLICY REPORTS

1. **The Implications of Repealing the Highway Oriented Retail (HOR) Policies and Guidelines: Marine Drive Industrial Area**
May 1, 2006 (VanRIMS No. 11-2000-30)

MOVED by Councillor Ladner

THAT Council receive the Policy Report *The Implications of Repealing the Highway Oriented Retail (HOR) Policies and Guidelines: Marine Drive Industrial Area*, dated May 1, 2006, and refer it to a future meeting of Council to hear from the public; and

FURTHER THAT staff meet with residents, business and property owners in advance of the meeting with Council to answer questions regarding the options included in the Policy Report.

CARRIED UNANIMOUSLY

2. **Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments**
May 1, 2006 (VanRIMS No. 11-3600-03)

- A. THAT the Director of City Plans be instructed to make application to amend the Zoning and Development By-law No. 3575 by deleting and amending non-industrial uses in the I-2 and M-2 Industrial District Schedules and by amending Section 2, generally in accordance with Appendix A of the Policy Report *Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments*, dated May 1, 2006, and that the application be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-laws, generally in accordance with Appendix A of the Policy Report, for consideration at the Public Hearing;

- B. THAT, following referral of the application to Public Hearing and prior to its approval, the Director of Development Services and the Director of Current Planning be instructed to report to Council any development applications for sites in the I-2 and M-2 Industrial District Schedules which are not in accordance with the proposed amended I-2 or M-2 schedules, for possible withholding pursuant to Section 570 of the Vancouver Charter.

- C. THAT, subject to approval of the by-law to amend the I-2 and M-2 Industrial District Schedules following Public Hearing, the by-law be accompanied at the time of enactment by:

- (1) amendments to "Bingo Hall Guidelines", "Casino - Class 1 Guidelines", and "Church Guidelines" containing revised policies for Bingo Halls, Casinos - Class 1, and Churches, generally in accordance with Appendix B of the Policy Report *Non-Industrial Conditional Uses in the I-2 and M-2*

Industrial Zones - Proposed Policy and Zoning By-law Amendments, dated May 1, 2006;

- (2) new "Policies and Guidelines for Non-Industrial Conditional Uses (I-2 and M-2)" to allow for:
 - Consideration of rezoning applications to regularize or redevelop existing non-industrial conditional uses made legally non-conforming under the Zoning By-law amendments proposed for the I-2 and M-2 zoning schedules in Appendix A and generally in accordance with Appendix C of the Policy Report *Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments, dated May 1, 2006;* and
 - Consideration of rezoning applications to permit certain non-industrial uses in designated areas in the city, generally in accordance with Appendix C of the Policy Report.
- (3) amendments to "Grandview Boundary Industrial Area Plan" and "Grandview Boundary Industrial Area Rezoning and Development Policies and Guidelines", to revise the policies and guidelines for the Grandview Boundary Industrial Area, to be amended by resolution of Council, generally in accordance with Appendix D of the Policy Report *Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments, dated May 1, 2006.*

- D. THAT, subject to approval of the by-law to amend the I-2 and M-2 Industrial District Schedules following Public Hearing; and

FURTHERMORE, subject to Council's decision on the policies which allow large format retail uses in the Marine Drive Industrial Area, the by-law be accompanied at the time of enactment by:

- (4) repealing the "I-2 Conditional Institutional, Cultural and Recreational Uses Policies and Guidelines: Marine Drive Industrial Area"; and
- (5) amendments to the Highway Oriented Retail (HOR) Rezoning Policies and Guidelines: Marine Drive Industrial Area to change the area's name from Highway Oriented Retail (HOR) to Large Format Area (LFA) and to incorporate policies and guidelines for the institutional, cultural and recreational uses, generally in accordance with Appendix E of the Policy Report *Non-Industrial Conditional Uses in the I-2 and M-2 Industrial Zones - Proposed Policy and Zoning By-law Amendments, dated May 1, 2006.*

ADOPTED ON CONSENT

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 Ladner
SECONDED by Councillor Capri

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Capri

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

CARRIED UNANIMOUSLY

1. A By-law to amend the DD ODP By-law (re 101 and 149 West Hastings Street and 150 West Cordova Street) (By-law No. 9274)
(Councillor Chow ineligible to vote.)
2. A By-law to amend the Zoning and Development By-law (re 101 and 149 West Hastings Street and 150 West Cordova Street) (By-law No. 9275)
(Councillor Chow ineligible to vote.)
3. A By-law to amend the Sign By-law (re 101 and 149 West Hastings Street and 150 West Cordova Street) (By-law No. 9276)
(Councillor Chow ineligible to vote.)
4. A By-law to amend the Parking By-law (re Woodward's site) (By-law No. 9277)
5. A By-law to amend the Business Premises Regulation of Hours By-law (re liquor premises and modernization) (By-law No. 9278)
6. A By-law to amend the License By-law (re extended hours liquor establishment acoustical regulations and fees) (By-law No. 9279)

7. **A By-law to amend the Noise Control By-law (re extended hours liquor establishments) (By-law No. 9280)**
8. **A By-law to amend CD-1 By-law No. 7879 (re 2111 West 11th Avenue) (By-law No. 9281)**
(Councillor Louie ineligible to vote.)
9. **A By-law to amend CD-1 By-law No. 4472 (re ICORD setbacks) (By-law No. 9282)**
(Councillor Louie ineligible to vote.)
10. **Advance Real Property Tax By-law (By-law No. 9283)**
11. **Tax Penalty By-law (By-law No. 9284)**
12. **2006 Rating By-law (re General Purpose Taxes) (By-law No. 9285)**
13. **2006 Rating By-law (re Greater Vancouver Regional District) (By-law No. 9286)**
14. **Noise Control By-law (re Hillcrest Park and Nat Bailey Stadium Park) (By-law No. 9287)**
15. **A By-law to amend the Business Prohibition By-law (re inhumane practices and modernization) (By-law No. 9288)**
16. **A By-law to create a CD-1 Zone (re 5455 Fraser Street) (By-law No. 9289)**
(Councillor Louie ineligible to vote.)
17. **Subdivision By-law No. 5208 (re 5455 Fraser Street) (By-law No. 9290)**
(Councillor Louie ineligible to vote.)

MOTIONS

A. Administrative Motions

1. **Form of Development - 5455 Fraser Street (Mountain View Cemetery)**
(VanRIMS No. 11-3600-01)

MOVED by Councillor Louie

SECONDED by Councillor Deal

THAT the form of development for the CD-1 zoned site known as 5455 Fraser Street - Mountain View Cemetery be approved generally as illustrated in Development Application No. 409733 prepared by Birmingham and Wood Architects and Planners, and stamped "Received, City of Vancouver Planning Department, March 28, 2006", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

CARRIED UNANIMOUSLY

2. Tax Levies for Provincial Schools (VanRIMS No.05-4200-10)

MOVED by Councillor Deal
SECONDED by Councillor Capri

THAT WHEREAS pursuant to Section 119(3) of the *School Act*, the Surveyor of Taxes for the Province of British Columbia in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver;

AND WHEREAS on April 27, 2006 by Orders-in-Council No. 288 and No. 289, the Lieutenant-Governor in Council levied the following tax rates on Class 1 - Residential and Class 6 - business and other:

Class 1 - residential	2.0353
Class 6 - business and other	9.2000

being dollars of tax for each one thousand dollars of taxable value, for the 2006 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver would raise the following sums:

Class 1 - residential	\$ 182,495,524
Class 6 - business and other	\$159,342,730

AND WHEREAS on March 23, 2006, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9266 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 23, 2006, of land in the above-noted Classes subject to taxation under the *School Act* for the year 2006 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 89,665,171,922	\$ 80,446,140,074
Class 6 - business & other	17,319,862,000	15,983,110,951

AND WHEREAS Council is obliged to vary the rate set by the Lieutenant-Governor in Council in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 2.26854 is hereby substituted for the rate of 2.0353; and in the case of Class 6 - business and other, the rate of 9.96944 is substituted for the rate of 9.20000 for taxation pursuant to the *School Act* within the City of Vancouver for the 2006 taxation year.

CARRIED UNANIMOUSLY

3. Tax Levies for British Columbia Assessment Authority (VanRIMS No. 05-4200-10)

MOVED by Councillor Capri
SECONDED by Councillor Deal

THAT WHEREAS pursuant to Section 17(2) of the *Assessment Authority Act*, the British Columbia Assessment Authority in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property that is taxable for school purposes only by special act);

AND WHEREAS on March 9, 2006, the Authority, levied the following tax rates on Class 1 - residential and Class 6 - business and other:

Class 1 - residential	0.0816
Class 6 - business and other	0.2647

being dollars of tax for each one thousand dollars of taxable value, for the 2006 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 - residential	\$ 7,316,613
Class 6 - business and other	\$ 4,566,044

AND WHEREAS on March 23, 2006, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9266 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 23, 2006, of land in the above-noted Classes subject to taxation under the *British Columbia Assessment Authority Act* for the year 2006 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 89,664,373,422	\$ 80,445,341,574
Class 6 - business & other	17,249,884,200	15,917,790,484

AND WHEREAS Council is obliged to vary the rate set by the British Columbia Assessment Authority in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 0.09095 is hereby substituted for the rate of 0.08160; and in the case of Class 6 - business and other, the rate of 0.28685 is substituted for the rate of 0.26470 for taxation pursuant to the *Assessment Authority Act* within the City of Vancouver for the 2006 taxation year.

CARRIED UNANIMOUSLY

4. Tax Levies for Municipal Finance Authority of British Columbia
(VanRIMS No. 05-4200-10)

MOVED by Councillor Capri
SECONDED by Councillor Deal

THAT WHEREAS pursuant to Section 17 and 18 of the *Municipal Finance Authority Act*, the Municipal Finance Authority of BC in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property that is taxable for school purposes only by special act);

AND WHEREAS on March 30, 2006, the Authority, with the approval of the Lieutenant-Governor in Council, levied the following tax rates on Class 1 - residential and Class 6 - business and other:

Class 1 - residential	0.00030
Class 6 - business and other	0.00010

being dollars of tax for each one thousand dollars of taxable value, for the 2006 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 - residential	\$ 26,899
Class 6 - business and other	\$ 1,725

AND WHEREAS on March 23, 2006, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9266 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 23, 2006, of land in the above-noted Classes subject to taxation under the *Municipal Finance Authority Act* for the year 2006 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 89,664,373,422	\$ 80,445,341,574
Class 6 - business & other	17,249,884,200	15,917,790,484

AND WHEREAS Council is obliged to vary the rate set by the Municipal Finance Authority in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 0.00033 is hereby substituted for the rate of 0.00030; and in the case of Class 6 - business and other, the rate of 0.00011 is substituted for the rate of 0.00010 for taxation pursuant to the *Municipal Finance Authority Act* within the City of Vancouver for the 2006 taxation year.

CARRIED UNANIMOUSLY

5. Tax Levies for Greater Vancouver Transportation Authority
(VanRIMS No. 05-4200-10)

MOVED by Councillor Capri
SECONDED by Councillor Deal

THAT WHEREAS pursuant to Section 25(9) of the *Greater Vancouver Transportation Act*, the Greater Vancouver Transportation Authority in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property that is taxable for school purposes only by special act);

AND WHEREAS, on March 6, 2006, the Authority levied the following tax rates on Class 1 - residential and Class 6 - business and other:

Class 1 - residential	0.46880
Class 6 - business and other	2.11010

being dollars of tax for each one thousand dollars of taxable value, for the 2006 taxation year, which when applied to the net taxable value of all land and improvements in the respective classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 - residential	\$ 42,034,658
Class 6 - business and other	\$ 36,398,981

AND WHEREAS on March 23, 2006, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9266 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 23, 2006, of land in the above-noted Classes subject to taxation under the *Greater Vancouver Transportation Act* for the year 2006 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 89,664,373,422	\$ 80,445,341,574
Class 6 - business & other	17,249,884,200	15,917,790,484

AND WHEREAS Council is obliged to vary the rate set by the Greater Vancouver Transportation Authority in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 0.52252 is hereby substituted for the rate of 0.46880; and in the case of Class 6 - business and other, the rate of 2.28669 is substituted for the rate of 2.11010 for taxation pursuant to the *Greater Vancouver Transportation Act* within the City of Vancouver for the 2006 taxation year.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Harm Reduction (VanRIMS No. 11-2200-01)

MOVED by Councillor Stevenson
SECONDED by Councillor Louie

WHEREAS:

1. Mayor Sam Sullivan has indicated he is working on proposals to introduce a widespread prescription heroin maintenance program in Vancouver as a solution to the twin problems of poverty and addiction; and
2. the NAOMI trials intended to test this approach in Vancouver are still in the early stages; and
3. Insite, the supervised injection site opened as part of the City's Four Pillars Strategy, is operating under a federal legal exemption which expires in September; and
4. full public engagement and consultation has been crucial to the success of the Four Pillars Strategy, which is the foundation of the City's policy;

THEREFORE BE IT RESOLVED that Council ask Mayor Sullivan to submit a written outline of his heroin maintenance proposal to city staff for evaluation; and

BE IT FINALLY RESOLVED that this evaluation be included in a full assessment of progress on all aspects of the Four Pillars Strategy by June 30, 2006 to ensure Council has the time to take any necessary actions before expiry of the Insite legal exemption.

LOST

(Councillors Anton, Cadman, Capri, Ladner, Lee, and the Mayor opposed)

ENQUIRIES AND OTHER MATTERS

1. Vancouver Police Department Budget (VanRIMS No. 05-1000-30)

Councillor Capri referred to a letter from the Vancouver Police Department advising of the possibility of the Criminal Investigation Fund being over budget by the end of 2006. She enquired on where the funding would come from to cover this.

The City Manager explained the steps the City would take to address any budget shortfall.

2. Closure of Granville Street to Buses and Taxicabs (VanRIMS No. 13-1400-22)

Councillor Deal referred to the closure of Granville Street to buses and taxicabs and noted that taxis were able to share Granville Mall with buses. She requested staff to provide a memorandum on the feasibility of allowing taxicabs to share bus lanes on the side streets.

3. Affordable Housing in the Downtown Eastside (VanRIMS No. 11-2200-21)

Councillor Deal referred to recent articles and reports on the loss of affordable housing stock in the Downtown Eastside area, and enquired what the City was doing about the situation.

The City Manager advised staff will be providing a very thorough review on the issue of affordable housing in a series of briefings which have been scheduled for Council within the next few weeks.

The Council adjourned at 5:30 p.m.

* * * * *

Miscellaneous text amendments

BY-LAW NO. 9342

A By-law to amend CD-1 By-law No. 9275

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

1. In By-law No. 9275, Council:

- (a) from section 4.3(b)(i), repeals "11 115 m²", and substitutes "1 115 m²";
- (b) re-numbers sections 4.2 to 4.4 as sections 4.3 to 4.5 respectively;
- (c) after section 4.1, adds:

"4.2 Computation of floor area must include:

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

(d) after section 4.5, adds:

"4.6 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.";

(e) re-numbers section 5 as section 5.1; and

(f) after section 5.1, adds:

"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."

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 18th day of July, 2006



Mayor



City Clerk

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Lee

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton

SECONDED by Councillor Ladner

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Ball

SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 8 inclusive, 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. 9275 (re miscellaneous text amendments)**
(By-law No. 9342)
(Councillor Stevenson ineligible to vote)
2. **A By-law to amend Street and Traffic By-law No. 2849 (re disability parking)**
(By-law No. 9343)
3. **Motor Vehicle Noise and Emission Abatement By-law (By-law No. 9344)**
4. **A By-law to amend Street and Traffic By-law No. 2849 (re buses and trucks)**
(By-law No. 9345)
5. **A By-law to amend Crossing By-law No. 4644 (re a decrease in the goods and services tax) (By-law No. 9346)**
6. **A By-law to amend Encroachment By-law No. 4243 (re a decrease in the goods and services tax) (By-law No. 9347)**



CITY OF VANCOUVER

2

SPECIAL COUNCIL MEETING MINUTES

JUNE 13, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 13, 2006, 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-laws and Heritage By-laws.

PRESENT:

Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor David Cadman
Councillor Kim Capri
Councillor George Chow
Councillor Heather Deal
*Councillor Peter Ladner
Councillor B.C. Lee
Councillor Raymond Louie

ABSENT:

Councillor Tim Stevenson (Leave of Absence)

CITY CLERK'S OFFICE:

Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Anton

SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 101 and 149 West Hastings Street and 150 West Cordova Street

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

Summary: To amend the Woodward's CD-1 By-law to fix a typographical error and add standard floor area and height calculation clauses

The Director of Current Planning recommended approval.

Staff Opening Comments

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

Summary of Correspondence

No correspondence was received on this application since 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 Deal

THAT, the application by the Director of Current Planning to amend CD-1 By-law No. 9275 for 101 and 149 West Hastings Street and 150 West Cordova Street (Woodward's site), generally as described in Appendix A of the Policy Report, "Miscellaneous Text Amendments" dated April 4, 2006, be approved.

CARRIED UNANIMOUSLY
(Councillor Ladner absent for the vote)

2. HERITAGE REVITALIZATION AGREEMENT: 6 Water Street

An application by Mark Ostry, Acton Ostry Architects, Inc. was considered as follows:

Summary: A Heritage Revitalization Agreement to secure rehabilitation and conservation of the heritage building at 6 Water Street in exchange for Heritage Building Rehabilitation incentives.

The Director of Current Planning recommended approval.

Staff Opening Comments

Zlatan Jankovic, Heritage Group, was available to respond to questions.

Applicant Comments

Robert Fung, The Salient Group, was available to respond to questions.

101 and 149 West Hastings Street
150 West Cordova Street

BY-LAW NO. 9698

A By-law to amend CD-1 By-law No. 9275

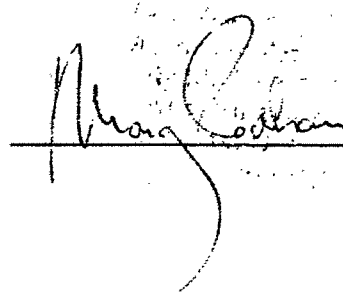
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions and schedules of By-law No. 9275.
2. From section 4.1, Council strikes out "10.65", and substitutes "10.68".
3. From section 4.5, Council strikes out "10 071.30", and substitutes "10 038.86".
4. Council repeals Schedule A, and substitutes Schedule A attached to this By-law which has the result of deleting PID: 027-337-251, Lot X, Block 4, Old Granville Townsite, Plan BCP33981 from CD-1(450) and returning it to the HA-2 zone.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 22nd day of July, 2008



Mayor



City Clerk



CITY OF VANCOUVER

CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JULY 8 AND 10, 2008

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 8, 2008, 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 sign by-laws and heritage by-laws. Subsequently, the meeting was recessed and reconvened on Thursday, July 10, 2008, at 7:30 p.m. in the Council Chamber. The Minutes are consolidated for ease of reference.

PRESENT:

- Mayor Sam Sullivan*
- Councillor Suzanne Anton
- Councillor David Cadman
- Councillor Kim Capri
- Councillor George Chow
- Councillor Heather Deal
- Councillor Peter Ladner
- Councillor B.C. Lee
- Councillor Tim Stevenson

ABSENT:

- Councillor Elizabeth Ball (Sick Leave)
- Councillor Raymond Louie (Leave of Absence)

CITY CLERK'S OFFICE: Tina Hildebrandt, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Lee

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Ladner in the Chair, to consider proposed amendments to the zoning and sign by-laws and heritage by-laws.

CARRIED UNANIMOUSLY
(Mayor Sullivan absent for the vote.)

1. SIGN BY-LAW AMENDMENTS

An application by the Director of Licenses and Inspections was considered as follows:

Summary: To update definitions and general prohibitions, and to authorize relaxations for special events.

- B. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law to include this CD-1 District in Schedule "B".

CARRIED UNANIMOUSLY

6. PLAN AND TEXT AMENDMENTS: WOODWARD'S CD-1 BY-LAW, HERITAGE BY-LAW AND HERITAGE REVITALIZATION AGREEMENT

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

Summary: To amend the Woodward's CD-1 (Comprehensive Development District) and Heritage Revitalization Agreement (HRA), to rezone a small portion of the site from CD-1 to HA-2 (Gastown Historic Area District) and to amend the Heritage By-law, all of these to implement a small adjustment in the western property boundary of the Woodward's site.

The Director of Planning recommended approval.

Staff Comments

Phil Mondor, Rezoning Planner, provided a brief overview of the application.

Summary of Correspondence

There was no correspondence 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 Deal

- A. THAT the application to rezone a narrow strip of land on the westerly boundary of the Woodward's site ("Lot X") from CD-1 to HA-2 to facilitate its consolidation with the Neighbouring Site at 151-155 West Hastings Street, including:
- amendments to CD-1 By-law No. 9275 for the Woodward's Site,
 - a plan amendment to Schedule D, Zoning District Map, of the Zoning and Development By-law No. 3575, and
 - amendments to the Downtown Official Development Plan By-law No. 4912 to remove Lot X from all maps and figures,

generally in accordance with Appendix A, to Policy Report "Amendments to CD-1 By-law, Heritage By-law and Heritage Revitalization Agreement for the Woodward's Site", dated May 27, 2008, be approved.

- B. THAT the amendments to Heritage By-law No. 4837 to change the address and legal description of the Woodward's Site, to partially discharge the heritage designation from Lot X, to more precisely describe the designated heritage features on the Woodward's Site, to change the address and legal description of the Neighbouring Site, and to designate Lot X as part of the Neighbouring Site, all generally in accordance with Appendices B and C, to Policy Report "Amendments to CD-1 By-law, Heritage By-law and Heritage Revitalization Agreement for the Woodward's Site", dated May 27, 2008 , be approved.
- C. THAT an amendment to Heritage Revitalization Agreement By-law No. 9269 to change the legal description of the Woodward's Site, generally in accordance with Appendix D, to Policy Report "Amendments to CD-1 By-law, Heritage By-law and Heritage Revitalization Agreement for the Woodward's Site", dated May 27, 2008 , be approved.

CARRIED UNANIMOUSLY

7. CD-1 REZONING: 1304 HOWE STREET

An application by Martin Brückner, HB/IBI Architects, was considered as follows:

Summary: To rezone from DD (Downtown Comprehensive Development District) to CD-1 (Comprehensive Development District) to allow a 31-storey residential tower with commercial uses at grade. A floor space ratio of 7.0 and height of 300 feet are proposed.

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

Also before Council was a Memorandum from staff dated July 3, 2008, which put forth the following additional proposed resolution:

"THAT the rezoning approval conditions for this application be amended to include the following condition as A)(2) (vii):

Public Art

(vii) provide public art according to the provisions of the Public Art Policies and Guidelines through an agreement to the satisfaction of the Managing Director of Cultural Services."

Staff Comments

Phil Mondor, Rezoning Planner, provided a brief overview of the application and responded to questions.

111 and 141 West Hastings Street
351 Abbott Street and 128 West Cordova Street

BY-LAW NO. 9986

A By-law to amend CD-1 By-law No. 9275

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

1. This By-law amends the indicated provisions and schedules of By-law No. 9275.
2. From the upper left corner of the first page, Council strikes out:

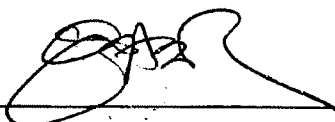
“101 and 149 West Hastings Street
150 West Cordova Street”,

and substitutes:

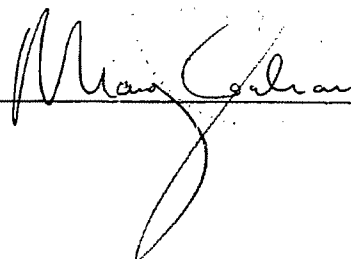
“111 and 141 West Hastings Street
351 Abbott Street and 128 West Cordova Street”.

3. Council repeals section 4.1, and substitutes:
“4.1 The floor space ratio must not exceed 10.0322.”
4. 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.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 19th day of January, 2010



Mayor



City Clerk

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT Council enact the by-law before them for this meeting as number 1 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. A By-law to amend CD-1 By-law No. 9275 regarding 111 and 141 West Hastings Street, 351 Abbott Street and 128 West Cordova Street (Woodwards) (By-law No. 9275)

The Special Council adjourned at 11:45 pm

Summary of Correspondence

No correspondence had been received on this application.

Speakers

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

Council Decision

MOVED by Councillor Cadman

- A. THAT the building at 1842 West 12th Avenue, listed in the 'C' evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to designate the building as protected heritage property.

CARRIED UNANIMOUSLY

3. TEXT AMENDMENT: 111 & 141 West Hastings Street, 351 Abbott Street and 128 West Cordova Street (Woodwards)

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

Summary: To reduce the floor space ratio (FSR) by the amount of amenity bonus floor space transferred to 711 West Broadway.

The Director of Planning recommended approval.

Also before Council was a Memorandum dated January 8, 2010, from Michael Naylor, Senior Rezoning Planner, which provided additional information regarding the donor site (Woodwards), of the density transfer explained in the Policy Report dated May 27, 2008, entitled "CD-1 Text Amendment - 711 West Broadway". The memorandum noted that the content of the above-noted Policy Report concerns the proposed development at the receiver site at 711 West Broadway and 728 West 8th Avenue.

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 Cadman

THAT the application to amend CD-1 By-law No. 9275 (Reference #450) for Woodwards, to reduce the Floor Space Ratio from 10.68 to 10.0322, being the amount equivalent to the amenity bonus density transferred to 711 West Broadway, be approved.

CARRIED UNANIMOUSLY

4. TEXT AMENDMENT: 1600-1636 West 1st Avenue

An application by Robert Dewaayer, was considered as follows:

Summary: Amendments to a CD-1 By-law, which applies to an existing building, making 0.50 FSR of manufacturing uses optional rather than required, thereby increasing the maximum permitted FSR for office and service uses from 1.0 to 1.5 FSR. The overall FSR would remain unchanged. These proposed amendments are consistent with the Burrard Slopes IC Districts Interim Rezoning Policies and Guidelines.

The Director of Planning recommended approval.

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 Cadman

THAT the application by R. Dewaayer, on behalf of The Owners, Strata Plan LMS 2622, to amend CD-1 #339 (By-law No. 7476) for 1600-1636 West 1st Avenue to remove the requirement that a minimum of 0.5 FSR be for manufacturing uses and increase the maximum permitted floor space ratio for office and service uses within an existing building, generally as presented in Appendix A, to the Policy Report dated December 1, 2009, entitled "CD-1 Rezoning - 1600-1636 West 1st Avenue", be approved.

CARRIED UNANIMOUSLY

**REPORT TO COUNCIL
SPECIAL COUNCIL MEETING MINUTES**

JANUARY 19, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, January 19, 2010, at 7:30 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning, Official Development Plan, and Heritage By-laws.

PRESENT: Mayor Gregor Robertson
Councillor Suzanne Anton
Councillor David Cadman
Councillor George Chow
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Ellen Woodsworth

ABSENT: Councillor Heather Deal
Councillor Tim Stevenson (Leave of Absence)

CITY CLERK'S OFFICE: Lori Isfeld, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

1. HERITAGE DESIGNATION: 208 East Georgia Street

An application by Grant Gibson, owner, was considered as follows:

Summary: To designate and rehabilitate this heritage building (London Hotel) through the Heritage Building Rehabilitation Program and an HRA. The proposal includes 73 existing Single Room Accommodation (SRA) units and 2 retail units at grade. The SRA units will remain designated in the SRA By-law.

The Director of Planning recommended approval.

Summary of Correspondence

No correspondence had been received on this application.