



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060
planning@vancouver.ca

CD-1 (453)

2999 Grandview Highway

By-law No. 9420

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

Effective January 30, 2007

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 (453).

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 (453) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Manufacturing Uses, limited to Bakery Products Manufacturing, Batteries Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing – Class B, Clothing Manufacturing, Dairy Products Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Ice Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Machinery or Equipment Manufacturing, Metal Products Manufacturing - Class B, Miscellaneous Products Manufacturing - Class B, Motor Vehicle Parts Manufacturing, Non-metallic Mineral Products Manufacturing - Class B, Paper Manufacturing, Paper Products Manufacturing, Plastic Products Manufacturing, Printing or Publishing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Software Manufacturing, Textiles or Knit Goods Manufacturing, Tobacco Products Manufacturing, Transportation Equipment Manufacturing, and Wood Products Manufacturing - Class B;
- (b) Office Uses, limited to General Office, but not including offices of accountants, lawyers, notaries public, and real estate, advertising, insurance, travel and ticket agencies;
- (c) Retail Uses, limited to Furniture or Appliance Store, Gasoline Station - Full Serve, Gasoline Station - Split Island, Retail Store, and Vehicle Dealer;
- (d) Service Uses, limited to Animal Clinic, Auction Hall, Catering Establishment, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, School - Vocational or Trade, Sign Painting Shop, and Work Shop;
- (e) Transportation and Storage Uses, limited to Cold Storage Plant, Mini-Storage Warehouse, Packaging Plant, Storage Warehouse, Storage Yard, Taxicab or Limousine Station, Truck Terminal or Courier Depot, Weighing or Inspection Station, and Works Yard;
- (f) Utility and Communication Uses, limited to Public Utility, Radiocommunication Station, and Recycling Depot;
- (g) Wholesale Uses, limited to Cardlock Fuel Station, Junk Yard or Shop, Lumber and Building Materials Establishment, Wholesaling - Class A, and Wholesaling - Class B; and
- (h) Accessory Uses customarily ancillary to the uses listed in this section 2.2, except that:
 - (i) the total area of all accessory uses must not exceed 33 1/3% of gross floor area of the principal and accessory uses combined, and
 - (ii) a wall must separate the floor area in accessory uses accessible to the general public from the floor area in other uses.

3 Conditions of use

3.1 Each retail store and furniture or appliance store must consist of at least 929 m² of gross floor area.

3.2 Despite section 2.2, a use must not include:

- (a) except for transportation and storage uses approved by development permit, the bulk storage, pending distribution off site, of explosives, fireworks, ammunition, matches, flares, radioactive material, coal tar products or derivatives, or, except for a gasoline station – full serve or gasoline station – split island, compressed gas or petroleum;
- (b) the bulk storage, other than wholly within a completely enclosed building or suitably contained for distribution off-site, of lime, fertilizer, toxic or corrosive chemicals or acids, flammable liquids or solids, scrap or junk, rags or cotton waste, fungicides, herbicides or pesticides, paint, varnish, oil shellac or turpentine, grain, hops or sugar, fish, fish oil or meal, animal oil or fat, or vegetable oil;
- (c) except for an animal clinic, laboratory or retail store, the keeping of live animals; or
- (d) except for a gasoline station – full serve, the storage of goods or materials other than within a completely enclosed building unless a suitable fence or wall restricting public access encloses the yard or portion of the yard containing the goods or materials.

4 Density

4.1 Computation of floor area must assume that the site includes all parcels to which this By-law applies, and consists of 5 859 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses combined must not exceed 0.56.

4.3 All general office uses, combined, must not exceed the greater of 235 m² or 33 1/3% of the total gross floor area of all principal and accessory uses combined.

4.4 Computation of floor space ratio must include all floors of all buildings, including accessory buildings, both above and below ground, measured to the extreme outer limits of the building.

4.5 Computation of floor space ratio must exclude:

- (a) 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) are above 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; and
- (b) 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 is not to apply to walls in existence before March 14, 2000.

5 Building height

5.1 The building height, measured above base surface, must not exceed 9.0 m.

6 Setbacks

6.1 Despite anything to the contrary in Schedule C to the Zoning and Development By-law, the depth of the setback for landscaping, with respect only to the building existing on the date of enactment of this By-law, for long as it includes furniture or appliance store use, must not be less than 3.0 m along Grandview Highway for the width of the site and measured from the street line for Grandview Highway adjacent to the site.

- 6.2** With respect to any building and use other than that mentioned in section 6.1, Schedule C of the Zoning and Development By-law applies.
- 7 Parking, loading, bicycle, and passenger spaces
Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, bicycle spaces, and passenger spaces, all as defined under the Parking By-law, except that a furniture or appliance store use within the building that exists on the date of enactment of this By-law requires at least 50 parking spaces, one Class B loading space, and one Class C loading space.
- 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 *[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.]*



2999 Grandview Highway

BY-LAW NO. 9420

**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-582(b) 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 (453).

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 (453) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Manufacturing Uses, limited to Bakery Products Manufacturing, Batteries Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Ice Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Machinery or Equipment Manufacturing, Metal Products Manufacturing - Class B, Miscellaneous Products Manufacturing - Class B, Motor Vehicle Parts Manufacturing, Non-metallic Mineral Products Manufacturing - Class B, Paper Manufacturing, Paper Products Manufacturing, Plastic Products Manufacturing, Printing or Publishing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Software Manufacturing, Textiles or Knit Goods Manufacturing, Tobacco Products Manufacturing, Transportation Equipment Manufacturing, and Wood Products Manufacturing - Class B;
- (b) Office Uses, limited to General Office, but not including offices of accountants, lawyers, notaries public, and real estate, advertising, insurance, travel and ticket agencies;

- (c) Retail Uses, limited to Furniture or Appliance Store, Gasoline Station - Full Serve, Gasoline Station - Split Island, Retail Store, and Vehicle Dealer;
- (d) Service Uses, limited to Animal Clinic, Auction Hall, Catering Establishment, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, School - Vocational or Trade, Sign Painting Shop, and Work Shop;
- (e) Transportation and Storage Uses, limited to Cold Storage Plant, Mini-Storage Warehouse, Packaging Plant, Storage Warehouse, Storage Yard, Taxicab or Limousine Station, Truck Terminal or Courier Depot, Weighing or Inspection Station, and Works Yard;
- (f) Utility and Communication Uses, limited to Public Utility, Radiocommunication Station, and Recycling Depot;
- (g) Wholesale Uses, limited to Cardlock Fuel Station, Junk Yard or Shop, Lumber and Building Materials Establishment, Wholesaling - Class A, and Wholesaling - Class B; and
- (h) Accessory Uses customarily ancillary to the uses listed in this section 2.2, except that:
 - (i) the total area of all accessory uses must not exceed 33 1/3% of gross floor area of the principal and accessory uses combined, and
 - (ii) a wall must separate the floor area in accessory uses accessible to the general public from the floor area in other uses.

Conditions of use

3.1 Each retail store and furniture or appliance store must consist of at least 929 m² of gross floor area.

3.2 Despite section 2.2, a use must not include:

- (a) except for transportation and storage uses approved by development permit, the bulk storage, pending distribution off site, of explosives, fireworks, ammunition, matches, flares, radioactive material, coal tar products or derivatives, or, except for a gasoline station - full serve or gasoline station - split island, compressed gas or petroleum;
- (b) the bulk storage, other than wholly within a completely enclosed building or suitably contained for distribution off-site, of lime, fertilizer, toxic or corrosive chemicals or acids, flammable liquids or solids, scrap or junk, rags or cotton waste, fungicides, herbicides or pesticides, paint, varnish, oil shellac or turpentine, grain, hops or sugar, fish, fish oil or meal, animal oil or fat, or vegetable oil;

- (c) except for an animal clinic, laboratory or retail store, the keeping of live animals; or
- (d) except for a gasoline station - full serve, the storage of goods or materials other than within a completely enclosed building unless a suitable fence or wall restricting public access encloses the yard or portion of the yard containing the goods or materials.

Density

4.1 Computation of floor area must assume that the site includes all parcels to which this By-law applies, and consists of 5 859 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses combined must not exceed 0.56.

4.3 All general office uses, combined, must not exceed the greater of 235 m² or 33 1/3% of the total gross floor area of all principal and accessory uses combined.

4.4 Computation of floor space ratio must include all floors of all buildings, including accessory buildings, both above and below ground, measured to the extreme outer limits of the building.

4.5 Computation of floor space ratio must exclude:

- (a) 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) are above 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; and
- (b) 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 is not to apply to walls in existence before March 14, 2000.

Building height

5.1 The building height, measured above base surface, must not exceed 9.0 m.

Setbacks

6.1 Despite anything to the contrary in Schedule C to the Zoning and Development By-law, the depth of the setback for landscaping, with respect only to the building existing on the date of enactment of this By-law, for long as it includes furniture or appliance store use, must not be less than 3.0 m along Grandview Highway for the width of the site and measured from the street line for Grandview Highway adjacent to the site.

6.2 With respect to any building and use other than that mentioned in section 6.1, Schedule C of the Zoning and Development By-law applies.

Parking, loading, bicycle, and passenger spaces

7. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, bicycle spaces, and passenger spaces, all as defined under the Parking By-law, except that a furniture or appliance store use within the building that exists on the date of enactment of this By-law requires at least 50 parking spaces, one Class B loading space, and one Class C loading space.

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.

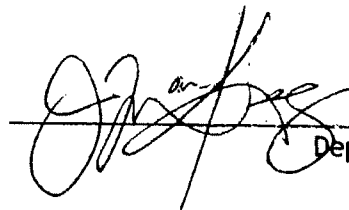
Force and effect

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

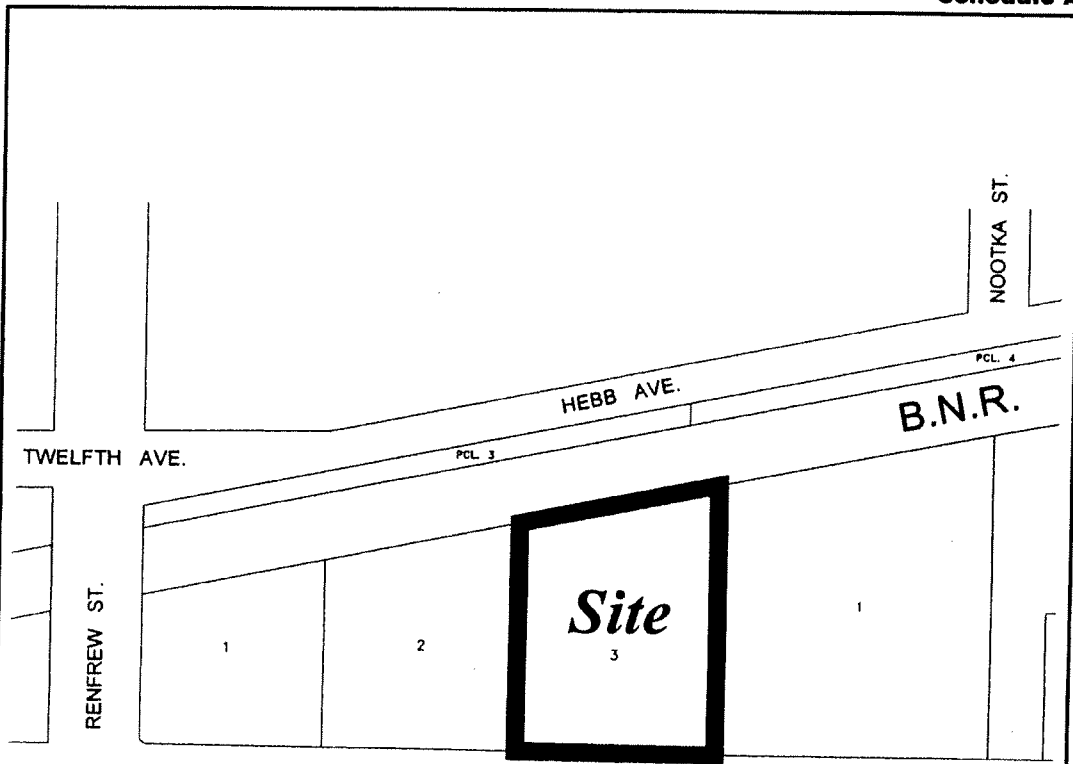
ENACTED by Council this 30th day of January, 2007



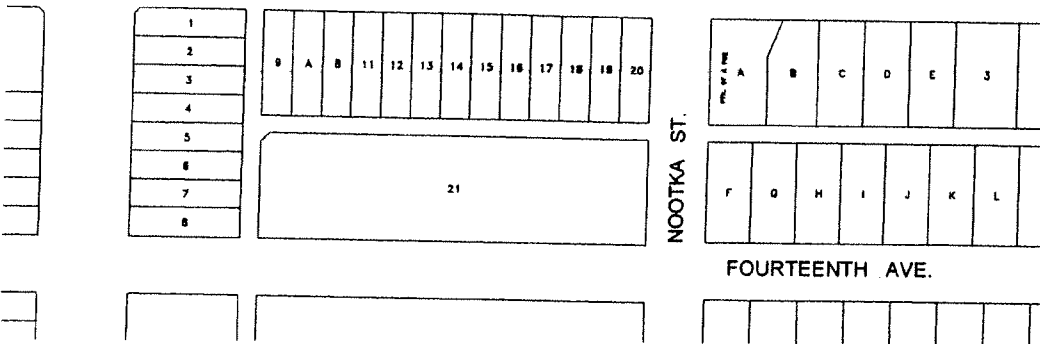
Mayor



Deputy City Clerk



GRANDVIEW HWY.



Z582(b)

RZ - 2999 Grandview Hwy

map: 1 of 1
scale: 1:2000



City of Vancouver

date: June 9, 2006

BY-LAWS

MOVED by Councillor Capri
SECONDED by Councillor Ball

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 6 inclusive, and by-laws 8 and 9, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. **A By-law to to regulate the construction of buildings and related matters and to adopt the British Columbia Building Code (2007 Building By-law) (By-law No. 9419)**
2. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 2999 Grandview Highway) (By-law No. 9420)**
3. **A By-law to amend Sign By-law No. 6510 (re 2999 Grandview Highway) (By-law No. 9421)**
4. **A By-law to amend CD-1 By-law No. 7820 (re 1762 Davie Street) (By-law No.9422)**
5. **A By-law to amend CD-1 By-law No. 8349 re 1128 West Hastings Street (By-law No. 9423)**
6. **A By-law to amend Parking By-law No. 6059 (Relaxation and Payment-in-lieu 412 Carrall Street) (By-law No. 9424)**
7. **A By-law to amend Secondhand Dealers and Pawnbrokers By-law No. 2807 regarding miscellaneous matters - WITHDRAWN**
8. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (53 West Hastings Street) (By-law No. 9425)**
9. **Heritage Taxation Exemption By-law for 53 West Hastings Street (By-law No. 9426) (Requires two-thirds affirmative votes of those members present)**

Certificates of Compliance have been provided to the City by the Ministry of Water, Land and Air Protection.

- B. THAT a consequential amendment to the Sign By-law, to establish regulations for the CD-1 in accordance with Schedule "B" (IC-1) be approved.
- C. THAT, subject to approval of the rezoning at the Public Hearing on July 11, 2006, the Noise Control By-law be amended to add the CD-1 to Schedule "A" (Activity Zone).

CARRIED UNANIMOUSLY

5. REZONING: 2999 Grandview Highway (The Brick)

An application by Chris Franiek, Xamax Industrial Investments was considered as follows:

Summary: To rezone from I-2 Industrial District to CD-1 Comprehensive Development District to permit an existing highway oriented retail use and some I-2 uses in an existing building.

The Director of Current Planning recommended approval.

Also before Council was a memorandum from Michael Naylor, Rezoning Planner, dated June 27, 2006, which provided an additional staff recommendation as follows:

D. THAT the CD-1 By-law be amended as follows:

- (i) Section 2.2 (c) to be amended by deleting "Liquor Store".

This amendment is in accord with Council's decision made at the Public Hearing on June 13, 2006, to delete certain non-industrial uses from both the I-2 and M-2 (Industrial) District Schedules.

Staff Opening Comments

Michael Naylor, Rezoning Planner, was present to respond to questions.

Applicant Comments

Bobby Minhas, Manager, The Brick, was present to respond to questions on behalf of the applicant.

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 Capri

- A. THAT the application, by Xamax Industrial Investments Ltd. to rezone 2999 Grandview Highway (Lot 3, Block A, Sec. 36 SW Qtr. and SE Qtr., THSL Plan 8292) from I-2 to CD-1 to permit Highway-Oriented Retail use in an existing building, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 2999 Grandview Highway (The Brick)" dated June 13, 2006, be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as represented by plans approved for development permit no. 207692, issued January 17, 1989.

DEVELOPMENT APPROVAL

- (b) THAT, prior to enactment of the CD-1 By-law and prior to final approval by Council of the form of development, the registered owner shall obtain approval of a development application by the Director of Planning who shall have particular regard to, among other things, the following:

Drawing Requirements

- (i) The applicant shall provide up-to-date drawings of the existing building indicating interior partitions and assigning principal and accessory uses, and showing the parking and loading layout; and

Landscape

- (ii) Provide a planted landscape strip in the 3.0 m wide setback at the front property line (except at access driveways). The landscape strip shall contain one high-branched tree (minimum 8 cm caliper) for every 6 m of property line and an underplanting of low mixed and deciduous shrubs with ground cover underneath. (Note to applicant: There should be approximately eight trees).
- (iii) Provide a full Landscape Plan illustrating proposed plant materials (common and botanical names), sizes and quantities; notation of existing trees and major plantings to be retained; paving, walls, fences, light fixtures and other landscape elements; and site grading. Proposed plant material should be clearly illustrated on the Landscape Plan. The landscape plan should be at 1:100 (1/8" = 1'-0") minimum scale.

Engineering

- (iv) Parking, loading and bicycle parking are to be provided as per Section 4.2.5.1, Section 5.2.5 and Section 6.2.5.1 of the Vancouver Parking By-law, except that for up to 3 300 m² of a "Furniture or Appliance Store", a minimum of 50 parking spaces, 1 Class C (14 m, existing) loading space and 1 Class B loading space shall be provided, the relaxation and exemption provisions of the Vancouver Parking By-law are to be available for this site.
- (iv) Clarification of access and manoeuvring to the loading bays, identifying any parking spaces which obstruct the loading manoeuvring aisle. If necessary, provide a management plan for loading times and for control of parking in the vicinity of the loading bays.

AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall make arrangements for the following to the satisfaction of the Director of Planning, on terms and conditions satisfactory to the Director of Legal Services:
 - (i) modify or release charge 122990M, a restrictive covenant which applies to the southerly 40 feet of the property, to eliminate a conflict between the covenant and the landscape setback provision of the CD-1 By-law which allows a parking encroachment for the existing building.
- B. THAT a consequential amendment to the Sign By-law, to establish regulations for the CD-1 in accordance with Schedule "B" (I-2), be approved.
- C. THAT, subject to approval of the rezoning at the Public Hearing, the Noise Control By-law be amended to add the CD-1 to Schedule "A" (Activity Zone).
- D. THAT the CD-1 By-law be amended as follows:
 - (i) Section 2.2 (c) to be amended by deleting "Liquor Store".

CARRIED UNANIMOUSLY

6. REZONING: 3585 Grandview Highway (Costco)

An application by Soren Rasmussen, Soren Rasmussen Architects Inc. was considered as follows:

Summary: To rezone from I-2 Industrial District to CD-1 Comprehensive Development District to permit highway oriented retail use and some I-2 uses in an existing building, while providing for I-2 density and height for future site redevelopment. Future retail space would be limited to the size of the existing building.

The Director of Current Planning recommended approval.