



City of Vancouver *Zoning and Development By-law*

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CD-1 (460)

388 West 1st Avenue

By-law No. 9573

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

Effective December 11, 2007

(Amended up to and including By-law No. 9674, dated June 24, 2008)

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 (460).

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

- (a) Dwelling Uses;
- (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, Community Care Facility and Group Residence; [9674; 08 06 24]
- (c) Live-Work Use;
- (d) Accessory Uses customarily ancillary to the uses listed in this section 2.2; and
- (e) Interim Uses not listed in this section 2.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (460), and
 - (iv) any development permit for an interim use has a time limit of three years.

3 Conditions of use

3.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

3.2 The design and lay-out of at least 22% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

3.3 Any development permit issued for live-work uses must stipulate as permitted uses:

- (a) dwelling units;
- (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
- (c) dwelling unit combined with any uses set out in subsection (b).

4 Density

4.1 Computation of floor area must assume that the site consists of 1 683 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 3.5.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9573 or provides an explanatory note.*

4.3 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, 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.

4.4 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, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) 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 is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 1 000 m²; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (d) passive solar appurtenances to reduce solar gain; and
- (e) structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture.

4.6 The use of floor space excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

5 Building height

5.1 The building height, measured above base surface, must not exceed 21.3 m.

5.2 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that if:

- (a) in the opinion of the Director of Planning or Development Permit Board, higher structures such as:
 - (i) elevator enclosures, lobbies, and stairwells that provide access for building occupants to rooftop common area,
 - (ii) guardrails that do not exceed the minimum height specified in the Building By-law, and
 - (iii) pergolas, trellises, and tool sheds that support the use of intensive green roofs and urban agriculture,

will not unduly harm the liveability and environmental quality of the surrounding neighbourhood; and

- (b) the Director of Planning or Development Permit Board first considers:
 - (i) all applicable policies and guidelines adopted by Council,
 - (ii) the submission of any advisory group, property owner, or tenant, and
 - (iii) the effects on public and private views, shadowing, privacy, and open spaces,

the Director of Planning or Development Permit Board may allow a greater height for any such structure.

6 Parking, loading, and bicycle 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, and bicycle spaces, all as defined under the Parking By-law.

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 *[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.]*



388 West 1st Avenue

BY-LAW NO. 9573

**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-589 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 (460).

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

- (a) Dwelling Uses;
- (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Special Needs Residential Facility;
- (c) Live-Work Use;
- (d) Accessory Uses customarily ancillary to the uses listed in this section 2.2; and
- (e) Interim Uses not listed in this section 2.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,

- (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (460), and
- (iv) any development permit for an interim use has a time limit of three years.

Conditions of use

3.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

3.2 The design and lay-out of at least 22% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

3.3 Any development permit issued for live-work uses must stipulate as permitted uses:

- (a) dwelling units;
- (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio - class A; and
- (c) dwelling unit combined with any uses set out in subsection (b).

Density

4.1 Computation of floor area must assume that the site consists of 1 683 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 3.5.

4.3 Computation of floor space ratio must include:

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- (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.

4.4 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, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) 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 is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 1 000 m²; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

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

- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (d) passive solar appurtenances to reduce solar gain; and
- (e) structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture.

4.6 The use of floor space excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

Building height

5.1 The building height, measured above base surface, must not exceed 21.3 m.

5.2 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that if:

- (a) in the opinion of the Director of Planning or Development Permit Board, higher structures such as:
 - (i) elevator enclosures, lobbies, and stairwells that provide access for building occupants to rooftop common area,
 - (ii) guardrails that do not exceed the minimum height specified in the Building By-law, and
 - (iii) pergolas, trellises, and tool sheds that support the use of intensive green roofs and urban agriculture,

will not unduly harm the liveability and environmental quality of the surrounding neighbourhood; and

- (b) the Director of Planning or Development Permit Board first considers:
 - (i) all applicable policies and guidelines adopted by Council,
 - (ii) the submission of any advisory group, property owner, or tenant, and
 - (iii) the effects on public and private views, shadowing, privacy, and open spaces,

the Director of Planning or Development Permit Board may allow a greater height for any such structure.

Parking, loading, and bicycle spaces

6. 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, and bicycle spaces, all as defined under the Parking By-law.

Acoustics

7.1 All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of 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

7.2 The Director of Planning or Development Permit Board may relax the noise levels listed in section 7.1 in case of a heritage building for which a conservation plan includes the retention of existing windows and glazing.

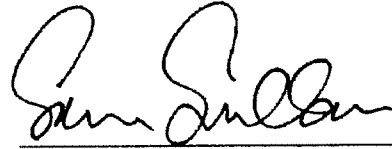
Severability

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.

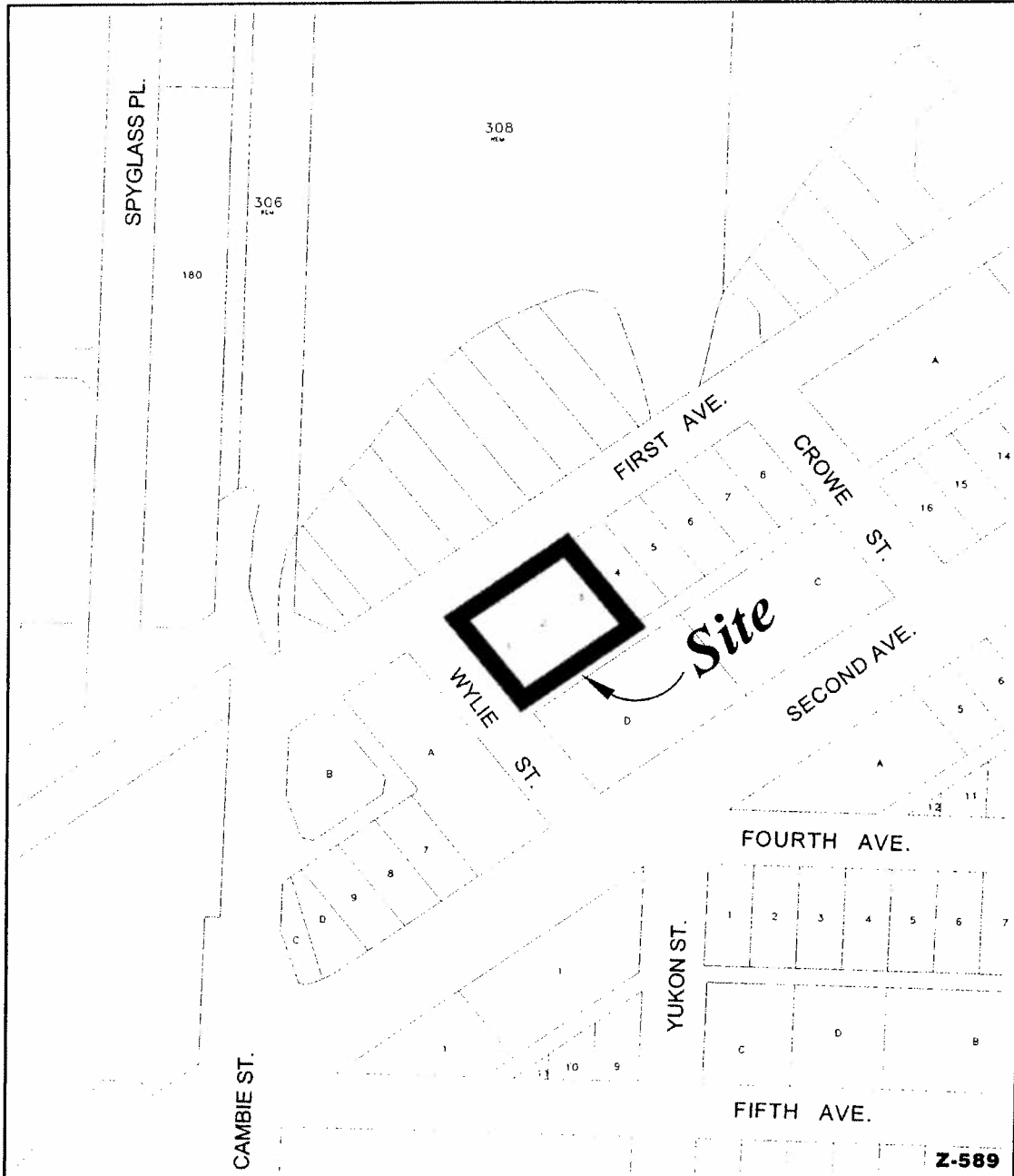
ENACTED by Council this 11TH day of December, 2007

A handwritten signature in black ink, appearing to read "Sam Sullivan", written above a horizontal line.

Mayor

A handwritten signature in black ink, appearing to read "Duff Guter", written above a horizontal line.

City Clerk



RZ - 388 West 1st Avenue

map: 1 of 1

scale: NTS



City of Vancouver

date: Feb. 2007

12. **A By-law to amend Parking By-law No. 6059 to expand the boundaries of the payment-in-lieu map (By-law No. 9569)**
13. **A By-law to amend 2007 Taxation Exemption By-law No. 9392 regarding the Baptist Foundation of B.C. (By-law No. 9570)**
14. **A By-law to exempt from taxation certain lands and improvements pursuant to section 396 of the Vancouver Charter (By-law No. 9571)**
15. **A By-law to amend Vehicles for Hire By-law No. 6066 regarding 2008 taxicab fee increases (By-law No. 9572)**
16. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 388 West 1st Avenue) (By-law No. 9573)**
(Councillor Deal ineligible to vote on By-law No. 16)
17. **A By-law to amend Sign By-law No. 6510 (re 388 West 1st Avenue) (By-law No. 9574)**
(Councillor Deal ineligible to vote on By-law No. 17)
18. **A By-law to amend CD-1 By-law No. 9195 (re 1133 West Georgia Street)**
(By-law No. 9575)
19. **A By-law to authorize the borrowing of certain sums of money from January 8, 2008 to January 7, 2009, pending the collection of real property taxes**
(By-law No. 9576)
20. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 1529 West 33rd Avenue) (By-law No. 9577)**
(Councillor Chow ineligible to vote on By-law No. 20)
21. **A By-law to designate certain real property as protected heritage property (re 1529 West 33rd Avenue) (By-law No. 9578)**
(Councillor Chow ineligible to vote on By-law No. 21)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Stevenson
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

1. **A By-law to amend Solid Waste By-law No. 8417 regarding recyclable material amendments and 2008 fee increases (By-law No. 9558)**
2. **A By-law to amend Water Works By-law No. 4848 regarding 2008 fee increases (By-law No. 9559)**
3. **A By-law to amend Sewer and Watercourse By-law No. 8093 regarding 2008 fee increases (By-law No. 9560)**
4. **A By-law to amend Building By-law No. 9419 to increase fees (By-law No. 9561)**
5. **A By-law to amend Electrical By-law No. 5563 to increase fees (By-law No. 9562)**
6. **A By-law to amend Gas Fitting By-law No. 3507 to increase fees (By-law No. 9563)**
7. **A By-law to amend Miscellaneous Fees By-law No. 5664 regarding fee increases (By-law No. 9564)**
8. **A By-law to amend Private Property Tree By-law No. 7347 to increase fees (By-law No. 9565)**
9. **A By-law to amend Secondary Suite Inspection Fee By-law No. 6553 to increase fees (By-law No. 9566)**
10. **A By-law to amend Sign By-law No. 6510 to increase fees (By-law No. 9567)**
11. **A By-law to amend Subdivision By-law No. 5208 to increase fees (By-law No. 9568)**

2. REZONING & HERITAGE REVITALIZATION AGREEMENT: 368 West 1st Avenue

An application by Burrowes Huggins Architects on behalf of PCI Developments Corp was considered as follows:

Summary: To rezone the site from M-2 (Industrial) to CD-1 (Comprehensive Development District) and enter into a Heritage Revitalization Agreement to designate and rehabilitate a 4-storey heritage building and permit the development of a 6-storey residential building on the balance of the site.

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

Also before Council were the following:

- Memorandum dated February 15, 2007, from P. Mondor, Senior Rezoning Planner, which noted the draft CD-1 By-law prepared by staff differs from the draft CD-1 By-law provisions presented in Appendix A of the Policy Report dated January 16, 2007, entitled "CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue", in two matters: family housing requirement and horizontal angle of daylight regulation. Staff recommend for this development that the 25% minimum requirement which has been approved by City Council in the CD-1 rezonings of SEFC ODP private lands to date be reduced to 20% and support deletion of the horizontal angle of daylight (HAD) requirement to support the heritage character of both the existing and new buildings.
- Memorandum dated February 27, 2007, from P. Mondor, Senior Rezoning Planner, to address an oversight in the draft CD-1 By-law, and put forward the following additional recommendation:

THAT the draft CD-1 By-law be amended by adding the following to Section 7: "The Director of Planning or Development Permit Board may relax the noise levels listed above in the case of a heritage building for which a conservation plan includes the retention of existing windows and glazing.

Staff Comments

Phil Mondor, Senior Rezoning Planner, Rezoning Centre, made a brief presentation, and drew Council's attention to the information and recommendations contained in the above referenced memorandums. Mr. Mondor responded to questions from Council related to staff's recommendation to reduce the minimum requirement for family housing from 25 to 20 percent, off-site transfers of bonus density, and the rationale for the request to relax noise levels for this application. Mr. Mondor advised the applicant has agreed the family housing component could be increased from 20 to 22 percent for this development.

Applicant Comments

Mr. Michael Huggins, Burrowes Huggins Architect, provided Council with clarification on acoustics related to the site, noted the project is compliant with SEFC guidelines and advised the new building would support a green roof on the upper most roof, and provided details on the configuration of both the studio and 2-bedroom units proposed.

Summary of Correspondence

Council received no correspondence on this item 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 Anton

- A. THAT the application by Burrowes Huggins Architects on behalf of PCI Developments Corp. to rezone 368 West 1st Avenue (PID: 003-896-196, 003-896-854, 003-896-218; Lots 1-3, Block 3, DL 302, Plan 5832) from M-2 (Industrial) to CD-1 (Comprehensive Development District), generally as represented in Appendix A to Policy Report "CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue" dated January 6, 2007, be approved subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Burrowes Huggins Architects, and stamped "Received Planning Department, May 12, 2006", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning or Development Permit Board, who shall consider the following conditions:

Design Development

- i) consideration to increase the height of the new building to 6 storeys (21.3 m) while avoiding shadow impacts and blank walls on either side of the development;
- ii) design development to strengthen the sense of entry and to emphasize the junction between the existing heritage building and the addition;

- iii) design development to refine the character of the addition to better relate to the rhythm and scale of the heritage building while creating a more distinct contemporary character;

Note to Applicant: the principal façade of the addition should be set back to approximately 3 m (10 ft.), although the proposed bays could project up to 0.6 m (2 ft.) into the setback to relate to the 2.44 m (8 ft.) setback of the proposed building to the east.

- iv) design development to the mid-rise form of the addition to improve its interface with the proposed building and townhouses on the adjacent site to the east, including resolution of issues of privacy and overlook;

- v) design development to the ground floor entry door/window combinations on the eastern portion of the heritage building, to consider a design that more closely reflects the original overhead door configuration.

- vi) design development to provide a more compatible configuration for the windows and balconies on the eastern portion of the heritage building;

Note to Applicant: The proposed keyhole cut-outs in the 1920s addition should be avoided. A window and balcony configuration which contributes to the livability of the dwelling units should nevertheless have a compatible fit with the style and era of the heritage building.

- vii) design development to improve the interface between the site's open space and the public lane;

Note to Applicant: A setback adjacent to the lane should transition from public, semi-private to private open spaces striving not to use fencing or gating.

- viii) provide high quality, durable architectural materials and detailing including rain protection overhangs;

- ix) provide 50 percent of roof as 'green roof'.

Note to Applicant: Intensive 'green roofs' and gardening uses are strongly encouraged. Design development to the roof trellis/canopy to provide robust wood detailing in keeping with the architectural character of the heritage building, and to increase its setback from the parapet.

Crime Prevention Through Environmental Design (CPTED)

- x) design development to take into consideration the principles of CPTED, having particular regard to:

- for reducing opportunities for theft in the underground parking,

- providing secure access for off-site parking users,
- providing a gate to the loading area, and
- reducing opportunities for break and enter and vandalism.

Landscape Design

- xi) Public Realm Treatment: provision of semi-public and semi-private spaces that are consistent with the South East False Creek Public Realm Plan. Aspects to consider include special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, permanent site furniture, weather protection, garbage storage, recycling and loading facilities;
- xii) Open Space & Landscape Treatment: provision at time of development permit application of a detailed rationale outlining intent for the specific programming of individual outdoor spaces and landscape structures, including overall use, pedestrian capacity, storage (e.g., compost, gardening tools), access, security, sustainable design requirements (planting, water, waste, soil, habitat):
 - provision of continuous soil trough to establish climbing plants on walls and structures;
 - provision of durable landscape materials and structures such as plant specific soils, durable planters, wall trellis structures;
- xiii) technical:
 - Grades, retaining walls, walkways and structural elements, such as underground parking, to be designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard). Planted areas adjacent to structures and on slab to contain continuous soil volumes.
 - provision of large scale partial plans, elevations and sections illustrating the detailed treatment of the public realm interface at the streets and lanes; including planters, retaining walls, stairs, planting, soil depth, underground structures, private patios and privacy screens;
 - provision at time of development permit application of a lighting plan;
 - provision of hose bibs for all patios that cannot be serviced using at grade non-potable water;
 - provision at time of development permit application of a full Landscape Plan illustrating proposed plant materials (common and botanical names), sizes and quantities; notation of existing trees to be retained, paving, walls, fences, light fixtures and other landscape elements, including site grading. Proposed plant materials are to be clearly illustrated on the Landscape Plan. The Landscape Plan is to be at 1:100 (1/8" = 1'-0");
- xiv) trees: protect lane edge trees and planting from vehicular impacts by providing metal tree surrounds, bollards or low curbs as needed;

Roof Decks

- xv) design development to provide urban agriculture grow plots, tool storage and hose bibs on common area roof decks;

Note to Applicant: provide notations for hose bibs on landscape plan.

- xvi) provide details of green roof system and soil depth sections thru all roof planters;

Universal Design

- xvii) Applicant to work with a Universal Design consultant to achieve the objectives for Universal Design through implementation of "The Safer Home Certification Criteria" as outlined in Appendix H;

Environmental Sustainability

- xviii) Applicant to achieve the SEFC Green Building Strategy and meet a minimum LEED™ Silver Canada Certified standard (with a target of 36 points), including City of Vancouver prerequisites (with full LEED™ registration and documentation), or equivalency;

Energy

- xix) provide energy efficient design and modelling results to meet or exceed the CBIP (Commercial Buildings Incentive Program) standard for energy efficiency;
- xx) provide full building design to meet ASHRAE 90.1 2004 in its entirety (with the exception of outright energy efficiency, which is covered under provision "xx" above, including:
 - improved envelope options such as "continuous insulation", increased r-values, and thermal breaks for balconies and slab extensions;
 - energy efficient lighting;
 - air exchange effectiveness;
 - full best practice building systems commissioning;
 - daylighting; and
 - provision of vestibules where necessary;

Note to Applicant: A letter from a professional engineer trained in building commissioning outlining provision for this service is to be submitted at the time of application for Building Permit.

- xxi) provide compatible, energy efficient design and details of the heating and domestic hot water for connection to the Neighbourhood Energy Utility;
- xxii) limit vertical glazing to a maximum of 40 percent or provide additional thermal measures such as low-e glass to compensate for the additional heat loss;

- xxiii) provide roughed-in capacity for future individual metering for energy and water supplies;
- xxiv) provide climate zone control for residential and live-work units that is compatible with the False Creek Neighbourhood Energy Utility;
- xxv) fireplaces, if any are listed as a heating appliance, should have a minimum combustion efficiency meeting or exceeding ASHRAE/IESNA Standard 90.1 - 2001 heating appliance standards. No continuous pilot lights and interrupted power ignition are preferred.

Note to Applicant: A letter from a professional engineer outlining provision for these features is to be submitted at the time of application for Building Permit.

Stormwater Management and Green Roofs

- xxvi) provision of a green roof (including useable, intensive roof and or inaccessible, extensive roof) on principal building roofs;
- xxvii) provision of effective impervious area of no more than 60 percent of total site area with 30 percent of useable intensive green roof area in soft landscape (this includes drop off areas, walkways rooftops and plazas);
- xxviii) provision of best current practices for managing water conservation including high efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching;
- xxix) design development to provide a balanced stormwater management system that maximizes on site water quality/quantity (e.g., green roofs, on-site ponds, infiltration galleries, etc.) and potable water conservation through reuse for irrigation, water features, and toilet flushing (e.g., cistern with dual piping, water treatment). Detailed technical drawings of stormwater reuse system will be required at the time of development permit application;

Note to Applicant: Provide a stormwater retention system separated from the potable water system (dual system) for the irrigation of the ground level semi-private open spaces and public realm landscaping is to be sized for the summer drought periods. In addition, water storage for the roof top shared open space should be considered. All hose bibs to be served with potable water unless clearly indicated otherwise.

- xxx) provide details and arrangements for connection and flow rates to meet the SEFC Stormwater Management Plan;
- xxxi) provision of green roof design to meet structural load, soil depths, and access & egress conditions necessary for an intensive green roof/urban agriculture (regardless of initial roof design - intensive or extensive);

Note to Applicant: A letter from a professional engineer outlining provision for these features is to be submitted at the time of application for Building Permit.

In-Building Water Efficiency

- xxxii) provide low water use plumbing fixtures at or below 1.8 gpm for faucets and showerheads and 6L/3L dual flush toilets;

Note to Applicant: A letter from a professional engineer outlining provision for these features is to be submitted at the time of application for Building Permit.

Urban Agriculture

- xxxiii) design development to incorporate the objectives of urban agriculture including provision of garden plots of an adequate size and number which are to be productive and viable. The total amount of gardening spaces is to be appropriate for the size of development. Locate gardening plots to maximize sunlight and respond to programming requirements such as providing an area for composting, non-potable water/irrigation systems, and suitable soil volumes;

Building Durability

- xxxiv) provide high quality, durable architectural materials and detailing including rain protection overhangs to meet or exceed CSA Guidelines on Durability in Buildings; and

Waste Management

- xxxv) provide a Construction and Demolition Waste Management Plan at the time of application for Building Permit ensuring that a minimum of 75 percent landfill diversion through the construction process.

AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, make arrangements for the following, on terms and conditions satisfactory to the Director of Legal Services:

HERITAGE

- i) enter into a Heritage Revitalization Agreement with the City to secure the timely rehabilitation and long-term protection and conservation of the "B" listed heritage building on the site and to provide bonus density for transfer to lands within the South East False Creek Official Development Plan area;

ENGINEERING

Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

- ii) consolidate lots 1, 2 and 3;
- iii) dedicate the north 0.8 metres of the site for road purposes;
- iv) enter into access agreements for shared use of the parkade ramp which will be located on the adjacent Lot 4 to the east;
- v) clarify any existing or proposed encroachments, and appropriate arrangements and modifications should any be required;
- vi) enter into agreements to secure the offsite parking proposed on at 1955 Wylie Street (Lot A, Block 2, Plan 6163, DL 302);
- vii) enter into appropriate arrangements for the upgrading of existing sanitary mains to serve the site, should it become necessary;

Note to applicant: As the current capacity of the sanitary mains is not known, arrangements are needed in case this development requires upgrading of the sanitary main to serve the site. Flow monitoring is being undertaken at this time, please contact Engineering for details.

- viii) provide new sidewalks, curb, pavement, concrete lane crossings, lamp standards, street trees and street furniture adjacent the site in keeping with the SEFC Public Realm Plan;
- ix) provide improvements to the lane south of 1st Ave (between Wylie Street and Crowe Street) in keeping with the SEFC Public Realm Plan;
- x) provide 3 streams of waste removal for the development (regular garbage, recyclable materials and organics);

Note to Applicant: The development is to provide adequate space to accommodate 3 streams of waste removal, including fully outfitted areas that can be made active upon implementation of organics collection system.

- xi) provide for undergrounding of all existing and new utility services from the closest existing suitable service point. All services, and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged.

- xii) include in building design provision for connections to and be compatible with the False Creek Neighbourhood Energy Utility;
- xiii) make arrangements to the satisfaction of the General Manager of Engineering Services, in consultation with the Director of Planning for:
 - (A) the provision, operation, and maintenance of co-operative vehicles and the provision and maintenance of parking spaces for use exclusively by such co-operative vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law; and
 - (B) designation of visitor or surplus parking spaces which are publicly accessible for future use by co-operative vehicles, with such spaces not to be in addition to required parking for residents or visitors;

all as outlined below:

Dwelling Units	Co-operative Vehicle	Co-operative Vehicle Parking Space	Future Converted Co-operative Parking Space
1-49	None	None	1
50-149	1	1	1
150-249	2	2	2
250-349	2	2	3
Each add'l 100 units	+0	+0	+1

OLYMPIC SECURITY REQUIREMENTS

Prior to enactment of the CD-1 By-law, the registered owner of the Lands (the "Owner") shall:

- xiv) enter into a legal agreement, on terms and conditions acceptable to the City's Director of Legal Services and the City's General Manager of Olympic Operations (the "Security Agreement") which shall, inter alia, provide for the following:
 - (A) the Owner may make application for all applicable permits to construct and occupy the improvements permitted pursuant to the Rezoning (the "Improvements") at any time and may construct and occupy the Improvements in accordance with any development permits, building permits and occupancy permits issued in respect of the Improvements. However, if all construction of the Improvements is not fully completed on or before January 12, 2010, the Owner shall, during the period between January 12, 2010 and March 12, 2010;
 - i. cease, or cause to cease, all servicing and/or construction activities on the Lands; and

- ii. not access or use the Lands for any purpose other than for maintenance of and security for the Improvements. The Owner and the Owner's personnel shall comply with any security protocols established by the City during such access or use;
- (B) the Owner shall, during the period January 12, 2010 through March 12, 2010, permit the City and any permittee or licensee of the City including, without limitation, VANOC, access to the Lands and any buildings and improvements located thereon, to erect any fences, security barriers, screens, drapes or other security or pageantry materials or equipment on the Lands deemed necessary by the City or any permittee or licensee for the purpose of facilitating the security and decoration of the Vancouver Olympic Athlete's Village (the "Security Fencing"). The Security Fencing will be at the cost of the City, or its permittee or licensee, as the case may be, and shall be at no cost to the Owner;
- (C) the Owner acknowledges and agrees that vehicular and/or pedestrian access to the Lands from City streets may be restricted or unavailable for a period of time before, during and after the 2010 Olympic Winter Games;
- (D) the Owner shall release the City and its officials, officers, employees, contractors and agents ("City Personnel") from any costs, damages (including special, indirect and consequential damages), injuries or liabilities of any kind suffered or incurred by the Owner and/or the Owner's officers, employees, contractors and agents ("Owner's Personnel") which arise due to the use or occupation of the Lands by the City and/or City Personnel and/or any restrictions placed on the Owner's use, occupation and development of the Lands, as set out in the Security Agreement. The Owner shall indemnify and hold harmless the City and City Personnel for any costs, damages (including special, indirect and consequential damages), injuries or liabilities of any kind suffered or incurred by the City or City Personnel due to the breach of any term or condition of the Security Agreement by the Owner and/or the Owner's Personnel; and

the Security Agreement shall be fully registered in the applicable Land Title Office, to the satisfaction of the Director of Legal Services, prior to the enactment of the CD-1 By-law.

SOILS

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

- xvi) execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance has been provided to the City by the Ministry of Environment.

COMMUNITY AMENITY CONTRIBUTION

- xxvii) the agreed community amenity contribution of \$ 287,902.50 is to be paid to the City and such payment is to be secured prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

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

- B. THAT the application to amend the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)) as set out in Appendix C to Policy Report "CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue" dated January 16, 2007, be approved;
 - C. THAT the Noise Control By-law be amended to include this Comprehensive District in Schedule B as set out in Appendix C to Policy Report "CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue" dated January 16, 2007;
- FURTHER 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;
- D. THAT Council designate the "B" listed building at 368 West 1st Avenue commonly known as the Best Building, as municipally-protected heritage property under Schedule "A" of the Heritage By-law;
 - E. THAT Council approve the Heritage Revitalization Agreement for the building at 368 West 1st Avenue, to secure the timely rehabilitation and long-term protection and

conservation of the heritage building and to provide bonus density for transfer to lands within the South East False Creek Official Development Plan area.

- F. THAT the minimum requirement that 25% of residential units in private lands are to be suitable for families with small children, which has been approved by City Council in the CD-1 rezonings of SEFC ODP private lands to date, be reduced to 22% for this development.
- G. THAT the draft CD-1 By-law be amended by adding the following to Section 7: "The Director of Planning or Development Permit Board may relax the noise levels listed above in the case of a heritage building for which a conservation plan includes the retention of existing windows and glazing".

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

The Special Council adjourned at 8:55 p.m.



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
FEBRUARY 27, 2007

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 27, 2007, 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, Heritage and Sign By-laws.

PRESENT: Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor David Cadman
Councillor Kim Capri
Councillor George Chow
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT: Councillor Heather Deal (Sick Leave)

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 750 Pacific Boulevard

An application by Paragon Gaming Inc. was considered as follows:

Summary: To amend the CD-1 by-law to revise the maximum number of gaming tables permitted from 60 to 75 within the limits of the maximum floor area currently permitted for gaming in order to provide greater flexibility for changing the mix of gaming tables and slot machines.

Special needs residential facilities

BY-LAW NO. 9674

A By-law to amend CD-1 By-law No.'s 3869, 3897, 4271, 4580, 4634, 4671, 5343, 6041, 6070 6072, 6919, 7114, 7193, 7196, 7204, 7210, 7461, 7647, 7679, 7682, 7723, 7852, 8055, 8088, 8111, 8326, 8369, 8457, 8479, 8546, 8880, 9190, 9204, 9454, 9463, 9573, 9594, and 9600

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

- From each of the CD-1 by-laws listed in Column 1 of Table 1, Council strikes out, from each of the sections listed in Column 2, the words set out in Column 3, and variations of those words, and substitutes the words set out in Column 4:

Table 1

Column 1	Column 2	Column 3	Column 4
3869	2 (b) 5.1 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
3897	2 (c) 6 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
4271	2 (a)	special needs residential facility (Community Care Facility)	Community Care Facility
4580	3.1	Special Needs Residential Facility: Community Care Facility	Community Care Facility
4634	2 (e)	special needs residential facility (community care facility)	community care facility
	3 Table A	Special Needs Residential Facilities (Community Care Facilities)	Community Care Facilities
	4(c)	special needs residential facility	community care facility
4671	2.2 (a)	Special Needs Residential Facility - Community Care - Class B, and Special Needs Residential Facility - Group Living	Community Care Facility - Class B and Group Residence
5343	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

6041	2 (c)	Special needs residential facility - community care - Class B	Community care facility - class B
6070	2 (a) (iii)	special - needs residential facility	community care facility or group residence
6072	2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
6919	2 (a)	Special Needs Residential Facility (Community Care Facility)	Community Care Facility
7114	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7193	2 (a)	Special Needs Residential Facility - Community Care	Community Care Facility
7196	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7204	10 (b) (iv)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7210	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7461	6.4 (b)	and special needs residential uses	community care facilities and group residences
7647	2.1 (a)	Special Needs Residential Facilities	of the following: Community Care Facilities or Group Residences
7679	4.1 (d)	and Special Needs Residential Facility	, Community Care Facility and Group Residence
7682	2 (e)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
	10 (d)	Special Needs Residential Facility	Community Care Facility
7723	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7852	2.1 (b)	Special Needs Residential Facility - Class B	Community Care Facility - Class B
	5	Special Needs Residential Facility	Community Care Facility
8055	2 (a)	Special Needs Residential Facility	Community Care Facility and Group Residence
8088	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

8111	2 (a) 5.1	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8326	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8369	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8457	2 (b)	Special Needs Residential Facility - Community care - Class B	Community Care Facility - Class B
8479	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8546	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
8880	3	Special Needs Residential Facility	Community Care Facility, Group Residence
9190	3 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9204	3 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9454	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9463	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9573	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9594	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9600	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence

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 24th day of June, 2008

Mayor

City Clerk

EXPLANATION

A By-law to amend certain CD-1 By-laws re special needs residential facilities

After the public hearing on June 10, 2008, Council resolved to amend certain CD-1 By-laws to refer to community care facilities rather than special needs residential facilities. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
June 24, 2008

17. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 2978 West 5th Avenue) (By-law No. 9687)**
(Councillors Ball, Cadman and Louie ineligible to vote)
18. **A By-law to designate certain real property as protected heritage property (re 2978 West 5th Avenue) (By-law No. 9688)**
(Councillors Ball, Cadman and Louie ineligible to vote)

MOVED by Councillor Lee
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 3 to 7, 9, 10 and 16, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. **A By-law to amend Zoning and Development By-law No. 3575 (re special needs residential facilities) (By-law No. 9673)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
4. **A By-law to amend certain CD-1 By-laws re special needs residential facilities (By-law No. 9674)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
5. **A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re special needs residential facilities) (By-law No. 9675)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
6. **A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re special needs residential facilities) (By-law No. 9676)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
7. **A By-law to amend By-law No. 9488 Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts (re special needs residential facilities) (By-law No. 9677)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
9. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 125 Boundary Road) (By-law No. 9679)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
10. **A By-law to designate certain real property as protected heritage property (re 125 Boundary Road) (By-law No. 9680)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Anton
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, 2, 8, 11, 12, 14, 15, 17 and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

1. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$5,722.78 for certain local improvement lane lighting projects, and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9671)**
2. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$554,777.99 for certain local improvement street work projects, including pavement, curbs, trees and bulges, and lane pavement and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9672)**
8. **A By-law to amend Parking By-law No. 6059 (re special needs residential facilities) (By-law No. 9678)**
11. **A By-law to amend Subdivision By-law No. 5208 regarding miscellaneous amendments (By-law No. 9681)**
12. **A By-law to amend Parking By-law No. 6059 (re bicycle spaces) (By-law No. 9682)**
14. **A By-law to amend Subdivision By-law No. 5208 (re 5475 Dunbar Street and 3625 and 3641 West 39th Avenue) (By-law No. 9684)**
15. **A By-law to amend CD-1 By-law No. 8131 (re Great Northern Way Campus) (By-law No. 9685)**

4. TEXT AMENDMENT: SNRF ZONING AND DEVELOPMENT BY-LAW REVISIONS

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

Summary: To amend the definitions of Special Need Residential Facilities (SNRF) in the Zoning & Development By-law and make consequential changes to the Zoning & Development By-law and relevant CD-1 By-laws; amend references in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws; and amend the Parking By-law. These are housekeeping amendments to update the definitions.

The Directors of Social Planning, Planning, Development Services, Housing Centre, Legal Services, and General Manager of Engineering Services recommended approval.

Also before Council was a memorandum from Anne Kloppenborg, Social Planning, dated May 20, 2008, which noted an addition to Appendix B of the Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines" dated April 15, 2008, in order to conform with the draft By-laws prepared by staff.

Staff Opening Comments

Anne Kloppenborg, Social Planning, reviewed the application, including the memo distributed with the agenda package for the Public Hearing.

Summary of Correspondence

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

Speakers

Sister Elizabeth Kelliher and Johnn Olldym spoke in opposition to the application.

Council Decision

MOVED by Councillor Chow

- A. THAT the application to:
 - i) amend the definitions of Special Needs Residential Facilities in section 2 of the Zoning and Development By-law, and make the necessary consequential changes to the Zoning and Development By-law and to the CD-1 By-laws listed in Appendix A; and
 - ii) amend references to "Special Needs Residential Facilities" in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws,

generally in accordance with Appendix A and B to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008, be approved with the following changes to Appendix B noted in the Memorandum dated May 20, 2008, from Anne Kloppenborg, Social Planning:

In Section 1.1 of the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts, delete *special needs residential facility* and substitute *community care facility or group residence*; and in Section 2.5, delete the reference to *Special Needs Residential Facility Guidelines* and substitute *Community Care Facility and Group Residence Guidelines*.

- B. THAT Council approve amendments to the Parking By-law, generally in accordance with Appendix C to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.
- C. THAT if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the Community Care Facilities and Group Residences Guidelines and the Application Procedures for Development Permits for Community Care Facilities and Group Residences, as outlined in Appendix D to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

CARRIED UNANIMOUSLY