CD-1 (470)

2900 East Broadway By-law No. 9693

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

Effective July 8, 2008

(Amended up to and including By-law No.10211, dated March 1, 2011)

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 Z-595(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Definitions

In this By-law:

"Desktop Publishing" means the creation of page layouts with text, graphic, photos, and other visual elements using computer software." [9738; 08 10 28]

3 Uses

- 3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (470).
- 3.2 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 (470) and the only uses for which the Director of Planning or Development Permit Board will issue permits are:
 - (a) Cultural and Recreational Uses, limited to Artist Studio Class B, Fitness Centre, Personal Training Centre, and Park or Playground;
 - (b) Institutional Uses, limited to Ambulance Station, Child Day Care Facility, Public Authority Use, School Elementary or Secondary, School University or College, and Social Service Centre;
 - (c) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Machinery or Equipment Manufacturing, Miscellaneous Products Manufacturing Class B, Non-metallic Mineral Products Manufacturing Class B, Paper Products Manufacturing, Plastic Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Software Manufacturing, and Textiles or Knit Goods Manufacturing;
 - (d) Office Uses, limited to Desktop Publishing, Information Technology, Financial Institution, Health Care Office, Health Enhancement Centre, and General Office; [9738; 08 10 28] [9927; 09 09 22]
 - (e) Parking Uses;
 - (f) Retail Uses, limited to Limited Service Food Establishment and Retail Store;
 - (g) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laboratory, Laundry or Cleaning Plant, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop Class A, Repair Shop Class B, Restaurant Class 1, School Arts or Self-Improvement, School Business, School Vocational or Trade, Sign Painting Shop, and Work Shop;
 - (h) Transportation and Storage Uses, limited to Cold Storage Plant, Mini-storage Warehouse, Packaging Plant, and Storage Warehouse;
 - (i) Utility and Communication Uses, limited to Public Utility and Radiocommunication Station;
 - (j) Wholesale Uses, limited to Wholesaling Class A and Wholesaling Class B; and
 - (k) Accessory Uses customarily ancillary to any of the uses permitted by this section 3.2.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9693 or provides an explanatory note.

4 Conditions of Use

- Each retail use must be located in the southwest corner of Building 6 as shown on the plan attached to this By-law as Schedule B.
- Each animal clinic, barber shop or beauty salon, beauty and wellness centre, catering establishment, photofinishing or photography studio, repair shop class B, and sign painting shop must be located in the southwest corner of Building 6 as shown on the plan attached to this By-law as Schedule B.

5 Density

- For the purpose of computing floor space ratio, the site is to consist of all parcels included under this By-law, and its size is deemed to be 72 126 m² being the site size at the time of the rezoning application and prior to any dedications.
- **5.2** The floor space ratio for all uses, combined, must not exceed 3.0.
- 5.3 The floor space ratio for cultural and recreational uses, institutional uses, animal clinics, barber shops or beauty salons, beauty and wellness centres, catering establishments, laundry or cleaning plants, photofinishing or photography studios, print shops, repair shops class A, repair shops class B, restaurants class 1, schools arts or self-improvement, schools business, schools vocational or trade, and sign painting shops, combined, must not exceed 1 0
- 5.4 The gross floor area for retail uses, including accessory retail, combined, must not exceed 2 000 m².
- 5.5 The gross floor area for a retail store must not exceed 186 m².
- 5.6 The gross floor area for a beauty and wellness centre must not exceed 200 m².
- 5.7 The gross floor area for a restaurant class 1 must not exceed 300 m², except that the gross floor area for one restaurant class 1 located in the southwest corner of Building 6 as shown on the plan attached to this By-law as Schedule B must not exceed 700 m².
- 5.8 Computation of floor space ratio must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.
- **5.9** 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;
 - (b) amenity areas for the social and recreational enjoyment of employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, except that:
 - (i) the total excluded area must not exceed 20% of the permitted floor space, and
 - (ii) for a child day care facility, the Director of Planning, on the advice of the Director of Social Planning is satisfied that a need exists for a child day care facility in the building or in the immediate neighbourhood; and

- (c) 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.
- Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board, unenclosed outdoor areas at grade underneath building overhangs or covered walkways between buildings if the Director of Planning first approves the design of any overhang or covered walkway.

 [10211; 11 03 01]

6 Building Height

- **6.1** The building height, measured above base surface, must not exceed 18.3 m.
- Despite section 6.1, the Director of Planning or Development Permit Board may permit an increase in the maximum height to 30.5 m, measured above the base surface, if the Director of Planning or Development Permit Board first considers:
 - (a) all applicable policies and guidelines adopted by Council, and the relationship of the development with nearby residential districts,
 - (b) the submission of any advisory group, property owner, or tenant, and
 - (c) the effect on development in nearby residential districts of building height, bulk, and siting on:
 - (i) daylight access, meaning that there is no shadow impact at 10 a.m., noon, and 2 p.m. on September 21 and March 21, and
 - (ii) visual privacy, meaning the separation of building facades by at least 24.4 m.

7 Parking, loading, and bicycle spaces

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

- (a) each manufacturing use, office use, laboratory, production or rehearsal studio, utility and communication use, transportation and storage use, wholesale use, and work shop must have at least one parking space for each 57.5 m² of gross floor area and not more than one parking space for each 37 m² of gross floor area;
- (b) each retail use must have at least one parking space for each 100 m² of gross floor area up to 300 m² of gross floor area, one additional parking space for each additional 20 m² of gross floor area, and not more than that number of parking spaces that is 20% more than the minimum number of parking spaces required;
- (c) each restaurant use must have at least one parking space for each 50 m² of gross floor area up to 100 m² of gross floor area, one additional parking space for each additional 10 m² of gross floor area up to 500 m² of gross floor area, one additional parking space for each additional 20 m² of gross floor area over 500 m² of gross floor area, and not more than that number of parking spaces that is 20% more than the minimum number of parking spaces required; and
- (d) each child day care facility must have at least:
 - (i) two parking spaces for staff of the facility, and
 - (ii) one parking space for every eight children for the purpose of dropping children off at or picking children up from the facility.

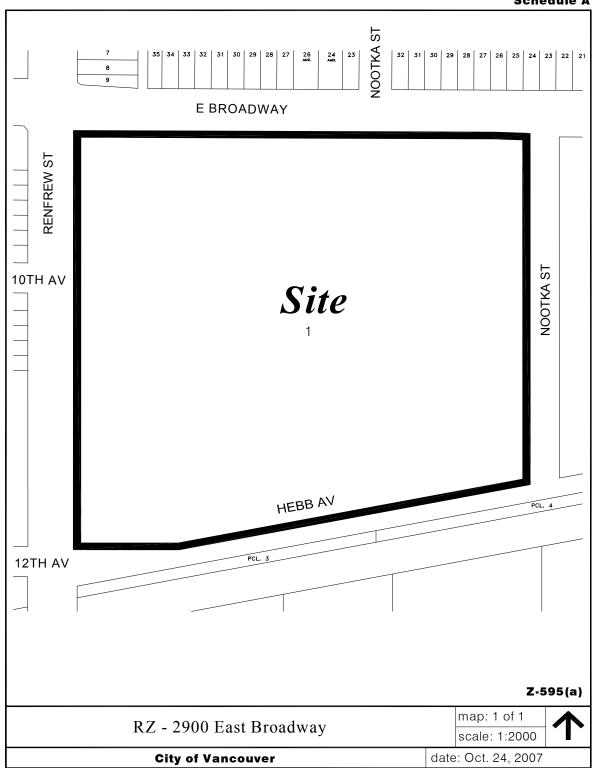
8 Severability

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

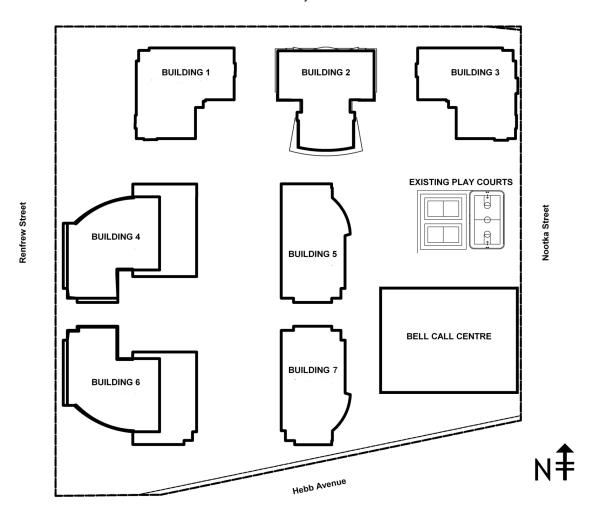
This By-law is to come into force and take effect on the date of its enactment.

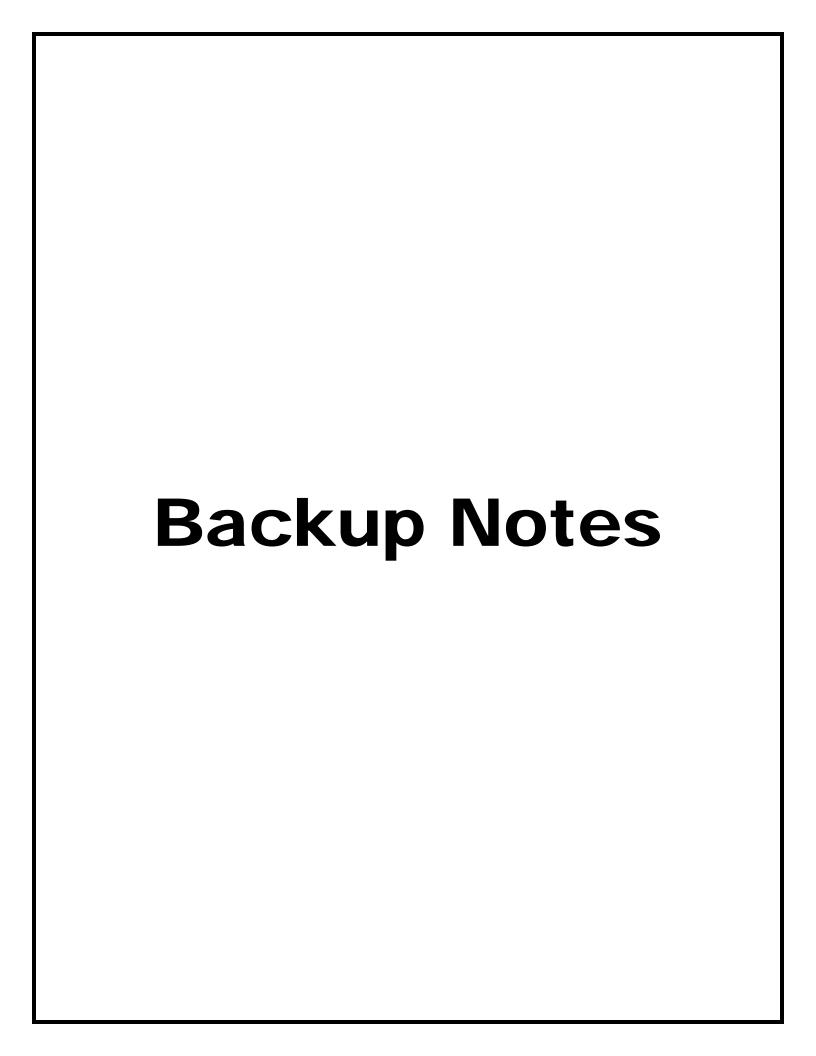
ENACTED by Council this 8th day of July, 2008.



Schedule B

East Broadway





BY-LAW NO. 9693

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-595(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Definitions

- 2. In this By-law:
 - "Desktop Publishing" means the development or production of computer software, and the research or design of computer, electrical, electronic or communications equipment or similar products."

Uses

- 3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (470).
- 3.2 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 (470) and the only uses for which the Director of Planning or Development Permit Board will issue permits are:
 - (a) Cultural and Recreational Uses, limited to Artist Studio Class B, Fitness Centre, Personal Training Centre, and Park or Playground;
 - (b) Institutional Uses, limited to Ambulance Station, Child Day Care Facility, Public Authority Use, School Elementary or Secondary, School University or College, and Social Service Centre;
 - (c) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Machinery or Equipment Manufacturing, Miscellaneous Products Manufacturing -

Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Plastic Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Software Manufacturing, and Textiles or Knit Goods Manufacturing;

- (d) Office Uses, limited to General Office but not including the offices of accountants, lawyers or notaries public, or of real estate, advertising, insurance, travel or ticket agencies;
- (e) Parking Uses;
- (f) Retail Uses, limited to Limited Service Food Establishment and Retail Store;
- Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laboratory, Laundry or Cleaning Plant, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop Class A, Repair Shop Class B, Restaurant Class 1, School Arts or Self-Improvement, School Business, School Vocational or Trade, Sign Painting Shop, and Work Shop;
- (h) Transportation and Storage Uses, limited to Cold Storage Plant, Mini-storage Warehouse, Packaging Plant, and Storage Warehouse;
- (i) Utility and Communication Uses, limited to Public Utility and Radiocommunication Station;
- (j) Wholesale Uses, limited to Wholesaling Class A and Wholesaling Class B; and
- (k) Accessory Uses customarily ancillary to any of the uses permitted by this section 3.2.

Conditions of Use

- 4.1 Each retail use must be located in the southwest corner of Building 6 as shown on the plan attached to this By-law as Schedule B.
- 4.2 Each animal clinic, barber shop or beauty salon, beauty and wellness centre, catering establishment, photofinishing or photography studio, repair shop class A, repair shop class B, and sign painting shop must be located in the southwest corner of Building 6 as shown on the plan attached to this By-law as Schedule B.

Density

5.1 For the purpose of computing floor space ratio, the site is to consist of all parcels included under this By-law, and its size is deemed to be 72 126 m² being the site size at the time of the rezoning application and prior to any dedications.

- 5.2 The floor space ratio for all uses, combined, must not exceed 3.0.
- 5.3 The floor space ratio for general office uses must not exceed 1.0, except that the Development Permit Board or Director of Planning may permit a floor space ratio for information technology or desktop publishing offices not to exceed 3.0 if the Development Permit Board or Director of Planning first considers:
 - (a) all applicable policies and guidelines adopted by Council, and the relationship of the development to any nearby residential uses;
 - (b) the height, bulk, location, and overall design of the building and its effect on the site, surrounding buildings, and streets; and
 - (c) the provision of roads and bikes and pedestrian connections as outlined in plans and policies adopted by Council.
- 5.4 The floor space ratio for cultural and recreational uses, institutional uses, animal clinics, barber shops or beauty salons, beauty and wellness centres, catering establishments, laundry or cleaning plants, photofinishing or photography studios, print shops, repair shops class A, repair shops class B, restaurants class 1, schools arts or self-improvement, schools business, schools vocational or trade, and sign painting shops, combined, must not exceed 1.0.
- 5.5 The gross floor area for retail uses, including accessory retail, combined, must not exceed $2\,000\,\mathrm{m}^2$.
- 5.6 The gross floor area for a retail store must not exceed 186 m².
- 5.7 The gross floor area for a beauty and wellness centre must not exceed 200 m².
- 5.8 The gross floor area for a restaurant class 1 must not exceed 300 m^2 , except that the gross floor area for one restaurant class 1 located in the southwest corner of Building 6 as shown on the plan attached to this By-law as Schedule B must not exceed 700 m^2 .
- 5.9 Computation of floor space ratio must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.
- 5.10 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;
- (b) amenity areas for the social and recreational enjoyment of employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, except that:
 - (i) the total excluded area must not exceed 20% of the permitted floor space, and
 - (ii) for a child day care facility, the Director of Planning, on the advice of the Director of Social Planning is satisfied that a need exists for a child day care facility in the building or in the immediate neighbourhood; and
- where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.
- 5.11 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board, unenclosed outdoor areas at grade underneath building overhangs or covered walkways between buildings if the Director of Planning first approves the design of any overhang or covered walkway.

Building Height

- 6.1 The building height, measured above base surface, must not exceed 18.3 m.
- 6.2 Despite section 6.1, the Director of Planning or Development Permit Board may permit an increase in the maximum height to 30.5 m, measured above the base surface, if the Director of Planning or Development Permit Board first considers:
 - (a) all applicable policies and guidelines adopted by Council, and the relationship of the development with nearby residential districts,
 - (b) the submission of any advisory group, property owner, or tenant, and
 - (c) the effect on development in nearby residential districts of building height, bulk, and siting on:
 - (i) daylight access, meaning that there is no shadow impact at 10 a.m., noon, and 2 p.m. on September 21 and March 21, and
 - (ii) visual privacy, meaning the separation of building facades by at least 24.4 m.

Parking, loading, and bicycle spaces

- 7. Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle spaces, except that:
 - (a) each manufacturing use, office use, laboratory, production or rehearsal studio, utility and communication use, transportation and storage use, wholesale use, and work shop must have at least one parking space for each 57.5 m² of gross floor area and not more than one parking space for each 37 m² of gross floor area;
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 - each restaurant use must have at least one parking space for each 50 m² of gross floor area up to 100 m² of gross floor area, one additional parking space for each additional 10 m² of gross floor area up to 500 m² of gross floor area, one additional parking space for each additional 20 m² of gross floor area over 500 m² of gross floor area, and not more than that number of parking spaces that is 20% more than the minimum number of parking spaces required; and
 - (d) each child day care facility must have at least:
 - (i) two parking spaces for staff of the facility, and
 - (ii) one parking space for every eight children for the purpose of dropping children off at or picking children up from the facility.

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 the By-law.

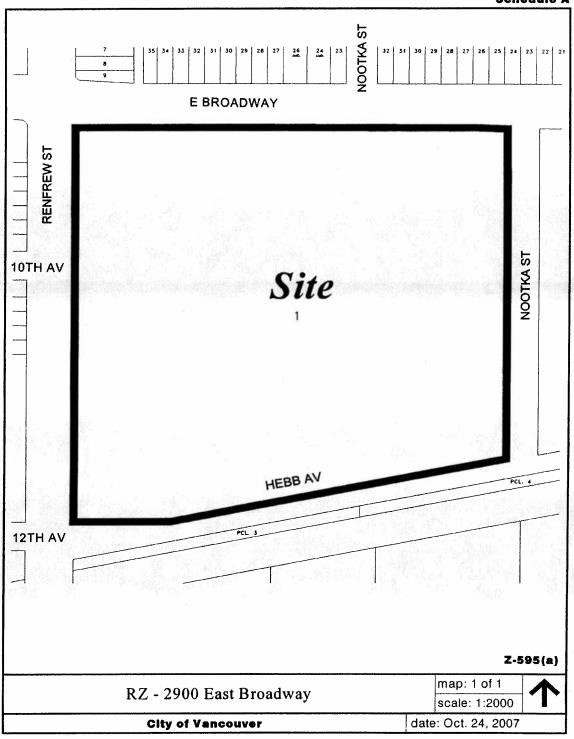
Force and effect

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

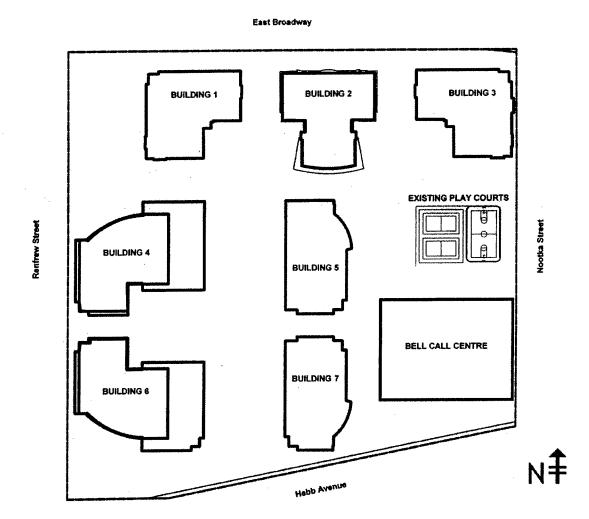
ENACTED by Council this 8th day of July, 2008

Mayor

City Clerk



Schedule B



RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Anton

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Capri SECONDED by Councillor Lee

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Ladner 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 7 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

- 1. A By-law to amend Development Permit Board and Advisory Panel By-law No. 5869 regarding appointments (By-law No. 9689)
- 2. A By-law to amend Noise Control By-law No. 6555 (re 1409 1477 West Pender Street) (By-law No. 9690)
- 3. A By-law to amend Building By-law No. 9419 regarding green building strategy for one family homes, one family homes with secondary suites, and two family homes (By-law No. 9691)
- 4. A By-law to amend Vehicles for Hire By-law No. 6066 regarding taxicab rates and fares (By-law No. 9692)
- 5. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 2900 East Broadway) (By-law No. 9693) (Councillor Chow ineligible to vote)

- 6. A By-law to amend Sign By-law No. 6510 (re 2900 East Broadway [Broadway Tech]) (By-law No. 9694) (Councillor Chow ineligible to vote)
- 7. A By-law to amend Parking By-law No. 6059 (re 2900 East Broadway) (By-law No. 9695)

MOTIONS

- A. Administrative Motions
- 1. Design Guidelines "Grandview Boundary Industrial Area Rezoning & Development Policies and Guidelines" and "Mini-Storage Warehouse Guidelines"

MOVED by Councillor Capri SECONDED by Councillor Stevenson

THAT the documents entitled "Grandview Boundary Industrial Area Rezoning & Development Policies and Guidelines" and "Mini-Storage Warehouse Guidelines" be adopted by Council for use by applicants and staff for development applications in the CD-1 District.

CARRIED UNANIMOUSLY

2. Closure and Sale of a Portion of Lane East of Waterloo Street, Adjacent to 1904 Waterloo Street

MOVED by Councillor Lee SECONDED by Councillor Capri

THAT WHEREAS:

- 1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
- 2. The owner of [PID: 010-795-871] Lot A of Lot 1 Block 24 District Lot 540 Plan 5011 ("Lot A") at 1904 Waterloo Street has made application to purchase the abutting 8 foot wide portion of lane east of Waterloo Street, south from 3rd Avenue;
- 3. The said portion of lane was dedicated by the deposit of Plan 5011 on December 24, 1920;
- 4. The said portion of lane to be closed is no longer required for municipal purposes;
- 5. The said portion of lane will be conveyed to the owner of Lot A and consolidated with Lot A to form a single parcel;

CITY OF VANCOUVER



SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 13, 15, and 27, 2007

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, November 13, 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 and Sign By-laws. Subsequently, the meeting was recessed, and reconvened in the Council Chamber at 7:30 p.m. on both Thursday, November 15, and Tuesday, November 27th, 2007. The minutes have been consolidated for ease of reference.

PRESENT:

*Mayor Sam Sullivan, Chair (November 15 and 17)

Councillor Suzanne Anton Councillor Elizabeth Ball Councillor David Cadman

*Councillor Kim Capri, Acting Chair (November 27)

Councillor Heather Deal Councillor Peter Ladner Councillor B.C. Lee Councillor Raymond Louie Councillor Tim Stevenson

ABSENT:

Councillor George Chow (Leave of Absence)

Mayor Sam Sullivan (November 27)

CITY CLERK'S OFFICE:

Denise Salmon, Meeting Coordinator

At the November 27th portion of the Public Hearing Councillor Capri assumed the Chair due to the absence of the Mayor

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

1. REZONING: 2900 East Broadway

An application by Tom Bunting, Bunting Coady Architects was considered as follows:

Summary: To rezone this site from I-3 (Industrial District) to CD-1 (Comprehensive Development District) to increase the amount of General Office Use and Retail Use on the site.

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

Staff Comments

Joanne Baxter, Rezoning Planner, provided an overview of the application.

Applicant Comments

Tom Bunting, Bunting Coady Architects, addressed Council speaking to the highlights and benefits of the project.

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 Tom Bunting of Bunting Coady Architects, to rezone 2900 East Broadway (PID 024662348, Lot 1, except Part in Plan LMP49647, Section 36, Town of Hastings Suburban Lands, Plan LMP44003) from I-3 Industrial District to CD-1 Comprehensive Development District, to allow for 1.0 FSR General Office Use and 2000 m² of Retail Use, generally as presented in Appendix A to Policy Report "CD-1 Rezoning - 2900 East Broadway" dated June 28, 2007, be approved, subject to the following conditions:

AMENDMENT OF GUIDELINES

- (a) THAT, if approved at Public Hearing, the by-law be accompanied at the time of enactment by:
 - the Grandview Boundary Industrial Area Rezoning and Development Policies and Guidelines to be amended to include a reference to the CD-1 for 2900 East Broadway by resolution of Council;

(ii) the Mini-Storage Warehouse Guidelines to be amended to include a reference to the CD-1 for 2900 East Broadway by resolution of Council.

FORM OF DEVELOPMENT

- (b) THAT the existing form of development for Phase I be approved by Council in principle, generally as shown in development permit (DE404308) drawings on record, provided that the Director of Planning or the Development Permit Board, as the case may be, may allow minor alterations to the form of development, when approving the detailed scheme of development.
- (c) THAT, prior to approval by Council of the form of development which provides for additional land uses (Phase II), on-site parking and loading, the applicant shall obtain approval of a revised development application by the Director of Planning or the Development Permit Board.

AGREEMENTS

(d) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:

ENGINEERING

- (i) make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for the provision of an up-to-date site plan (to be included in the rezoning set of plans) reflecting both the property line changes in the northeast and southwest corners of the site due to road dedications, and the current legal description;
- (ii) make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for the provision of a revised right of way for Virtual Way (currently as shown on Plan LMP44004), to reflect the already built and the proposed final sections of the road and pedestrian areas;
- (iii) make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for the extension of the existing right of way (Plan LMP44777) over Phase II to reach the southwest corner of the site;
- (iv) all public sidewalks required by the General Manager of Engineering Services that serve this development must be, at the discretion of the General Manager of Engineering Services, either be sited on City owned street or contained within statutory rights of way drawn to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Engineering Services;
- (v) make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for amendments to existing

servicing agreements to reflect changes in phasing of the devel opment site and delivery of improvements on public property;

- (vi) make arrangements, to the satisfaction of the General Manager of Engineering Services, for undergrounding of all 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; and
- (vii) make arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for clarification of all charges registered in the Land Title Office against title to the lands (a charge summary, including copies of all charges, must be provided) and the modification, extension or release of any charges deemed necessary by the Director of Legal Services.

CHILDCARE

(viii) make the necessary arrangements, to the satisfaction of the Director of Social Planning and the Director of Legal Services, for the provision of a fully fitted up (i.e., ready for immediate occupancy), furnished and equipped, 37-space child day care facility for toddlers and three to five year old children, at a location acceptable to the City;

[Note: Floor area for indoor space excludes additional circulation space required to accommodate the elevator, elevator lobbies and emergency exit stairwells and the outdoor space will be immediately adjacent, fenced and equipped outdoor play space which includes landscaping and grassed areas.]

Both the indoor and outdoor space of the toddler and 3 to 5 Programs must meet all provincial community care facilities licensing and City Childcare Design Guidelines requirements and be satisfactory to the Director of Social Planning. The owner shall bear all start up costs and be responsible for maintaining, repairing and operating the child day care facility in perpetuity, including the building within which the child day care facility is located, and securing a facility operator, to the satisfaction of the Director of Social Planning.

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.

Such 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-law.

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

B. THAT a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" (I-3), generally as presented in Appendix B to Policy Report "CD-1 Rezoning - 2900 East Broadway" dated June 28, 2007, be approved.

CARRIED UNANIMOUSLY

2. REZONING: 26 SW Marine Drive

An application by Joanne Stich, Kasian Architecture Interior Design and Planning, Ltd. was considered as follows:

Summary: To rezone this site from I-2 (Industrial District) to CD-1 (Comprehensive Development District) to permit 1.63 FSR (0.79 retail FSR) large format retail, including Canadian Tire retail and service store, separate retail units, and restaurants, and preservation and heritage designation of the existing post-1940's building facade.

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

Also before Council were the following:

 Memorandum dated November 1, 2007, from T. Timm, General Manager, Engineering Services, submitting a recommended condition as follows to replace proposed condition c (ii)(b) in the referral report:

"Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a maximum 6.0 metre land dedication or other suitable arrangements, and an additional 3.0 metre "option to purchase" along the north property line of the site to accommodate sidewalk and future bikeway facilities and connections. The dedication area is to be reduced where possible, once final road geometrics, sidewalk locations and construction issues have been fully refined.

Should this requested recommendation receive approval, proposed condition c (ii) (b) of this referral report should be deleted as it no longer would be applicable."

BY-LAW NO. 9738

A By-law to amend CD-1 By-law No.'s 4296, 4677, 7655, 9113, and 9693

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

- 1. From section 2(b) of By-law No. 4296 and from section 6.1 of CD-1 By-law No. 7655, Council strikes out "Special Needs Residential Facility Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".
- 2. From section 2(a), under Lot D, of By-law No. 4677, Council strikes out "a multiple dwelling designated solely for families of low income under the provisions of the National Housing Act", and substitutes "Seniors Supportive or Assisted Housing".
- 3. From section 5 of By-law No. 4677, Council strikes out "40", and substitutes "13".
- 4. From section 4 of By-law No. 9113, Council strikes out "13.4" and "17.9", and substitutes "19.1" and "18.9" respectively.
- 5. In By-law No. 9693, Council, in:
 - section 2, repeals the definition of "Desktop Publishing", and substitutes:"Desktop Publishing" means the creation of page layouts with text, graphic, photos, and other visual elements using computer software."; and
 - (b) section 3.2(d), after "limited to", adds "Desktop Publishing, Information Technology, and".
- 6. 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.
- 7. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 28th day of October, 2008

Mayor

City Clerk

Downtown", to review the adopted height limits and view corridors affecting the downtown and recommend changes, if appropriate, to achieve additional development capacity. The staff resources to undertake the work have already been approved, and the public process and consultation budget is anticipated to be available in the Planning Department's operating budget.

- C. THAT staff prioritize the review of the view corridors affecting the False Creek North area.
- D. THAT, in light of environmental and economic imperatives, staff review opportunities to achieve densities in the False Creek North area that are equal to or greater than other areas in the downtown core.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee SECONDED by Councillor Capri

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Stevenson SECONDED by Councillor Ladner

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

CARRIED UNANIMOUSLY

 A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments) (By-law No. 9737)
 (Councillor Ball ineligible to vote.)

- 2. A By-law to amend CD-1 By-laws No.'s 4296, 4677, 7655, 9113, and 9693 (re miscellaneous text amendments) (By-law No. 9738) (Councillor Ball ineligible to vote.)
- 3. A By-law to amend Sign By-law No. 6510 regarding miscellaneous text amendments (By-law No. 9739) (Councillor Ball ineligible to vote.)
- 4. A By-law to amend Parking By-law No. 6059 (re miscellaneous text amendments) (By-law No. 9740)
- 5. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 335, 337, and 349 East 33rd Avenue) (By-law No. 9741) (Councillor Chow ineligible to vote.)
- 6. A By-law to amend Subdivision By-law No. 5208 (re 335, 337, and 349 East 33rd Avenue) (By-law No. 9742)
- 7. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 265 Carrall Street) (By-law No. 9743)
- 8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 1300 Granville Street) (By-law No. 9744) (Councillor Chow ineligible to vote.)
- 9. A By-law to designate certain real property as protected heritage property (re 1300 Granville Street) (By-law No. 9745) (Councillor Chow ineligible to vote.)
- 10. A By-law to amend Energy Utility System By-law No. 9552 regarding pre-occupancy heat service and other matters (By-law No. 9746)
- 11. A By-law to relax Building By-law No. 9419 regarding the regulation of special event facilities for the Vancouver 2010 Olympic and Paralympic Winter Games (By-law No. 9747)
- 12. A By-law to amend License By-law No. 4450 regarding 2009 fee increases (By-law No. 9748)
- 13. A By-law to amend CD-1 By-law No. 8097 (re 333 East Pender Street) (By-law No. 9749)
- 14. A By-law to amend Parking By-law No. 6059 (re miscellaneous text amendments) (By-law No. 9750
- 15. A By-law to amend Impounding By-law No 3519 regarding authority for impounding charges (re housekeeping amendment) (By-law No. 9751)

CITY OF VANCOUVER

CITY OF VANCOUVER.

SPECIAL COUNCIL MEETING MINUTES

OCTOBER 14, 2008

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 14, 2008, at 7:47 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Heritage By-laws and Zoning and Sign By-laws.

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 Raymond Louie Councillor Tim Stevenson

ABSENT:

Councillor Elizabeth Ball

CITY CLERK'S OFFICE:

Nicole Ludwig, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Louie SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY (Councillor Ladner absent for the vote)

4. TEXT AMENDMENTS: Miscellaneous Text Amendments

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

Summary: Miscellaneous text amendments to the Zoning and Development By-law, the

Sign By-law, the Parking By-law, and various Comprehensive Development Districts (CD-1). The amendments achieve the intent of earlier rezonings.

^{*}Denotes absence for a portion of the meeting.

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 Louie

- A. THAT the application by the Director of Planning to amend the Zoning and Development By-law, the Sign By-law and various CD-1 By-laws for miscellaneous amendments generally as presented in Appendix A to Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, Sign By-law and CD-1 By-laws" dated September 2, 2008 be approved.
- B. THAT miscellaneous amendments to the Parking By-law be approved, generally in accordance with Appendix B of Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, Sign By-law and CD-1 By-laws" dated September 2, 2008; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary by-law for enactment.

CARRIED UNANIMOUSLY

BY-LAW NO. 9927

A By-law to amend CD-1 By-law No. 9693

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

- 1. This By-law amends the indicated provisions of CD-1 By-law No. 9693.
- 2. Council repeals section 3.2(d), and substitutes:
 - "(d) Office Uses, limited to Desktop Publishing, Information Technology, Financial Institution, Health Care Office, Health Enhancement Centre, and General Office;".
- 3. From the first line of section 5.3, Council strikes out "general".
- 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 22nd day of September, 2009

Mayor

City Clerk



REPORT TO COUNCIL

SPECIAL COUNCIL MEETING MINUTES

SEPTEMBER 8, 2009

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, September 8, 2009, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed zoning and heritage by-law and official development plan amendments.

PRESENT:

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

ABSENT:

Councillor Heather Deal (Leave of Absence - Civic Business) Councillor Raymond Louie (Leave of Absence - Civic Business) Councillor Tim Stevenson (Leave of Absence - Civic Business)

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 zoning and heritage by-law and official development plan amendments.

CARRIED UNANIMOUSLY

CHATION/HERITAGE REVITALIZATION AGREEMS nd 439 Helmcken Street

An application by Karolina Lindberg, Michael Perreten, and the British columbia Restaurant and Food Services Association, was considered as follows:

Summary: To add the two houses to the Vancouver Heritage Register in the 'C' evaluation category, and designate them as protected heritage property. In exchange for the designation and preservation of the houses, the proposed Heritage Revitalization Agreements (HRAs) will create a small amount of transferable density on each site.

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

2. TEXT AMENDMENT: Downtown Official Development Plan (DODP) Amendment - AREA H

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

Summary: To amend the Downtown Official Development Plan (DODP) by increasing the maximum permitted density for office uses in Area H to 655 floor space ratio (FSR), to strengthen and intensify commercial uses if the Downtown. The allowable density for residential uses and the maximum overall permitted density in Area havill not be affected by this amendment.

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

THAT, in order to strengthen and intensify commercial uses in the Downtown, the application to amend the Downtown Official Development Plan to increase the maximum permitted density for office uses in area H to floor space ratio 6.0, s set out in Appendix A of the Policy Report "DODP Text Amendment - Increase & Permitted Office Density in Area H", dated July 2, 2009, be approved.

3. TEXT AMENDMENT: 2900 East Broadway (Broadway Tech Centre)

An application by Justin Tompson, Bunting Coady Architects and John Cordonier, Bentall LP, was considered as follows:

Summary: To amend existing Comprehensive Development (CD-1) By-law to remove restrictions on General Office and to add Financial Institution, Health Care Office and Health Enhancement Centre uses.

The Director of Planning recommended approval.

Staff Comments

Michael Naylor, Senior Rezoning Planner, Current Planning, responded to questions.

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.

Two speakers expressed concerns about increased parking in the neighbourhood and potential impacts of the health enhancement centre.

Mr. Naylor responded to questions regarding the speakers' concerns.

Council Decision

MOVED by Councillor Anton

THAT the application, by Bunting Coady Architects to amend the land use section of CD-1 #470 (By-law No. 9693) for the Broadway Tech Centre at 2900 East Broadway to remove restrictions on types of General Office use and to add Financial Institution, Health Care Office and Health Enhancement Centre as permitted uses, generally as presented in Appendix A of the Policy Report "CD-1 Text Amendment - 2900 East Broadway (Broadway Tech Centre)", dated July 7, 2009, be approved.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman SECONDED by Councillor Reimer

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

CARRIED UNANIMOUS LY

The Special Council adjourned at 7:52 p.m.

* * * * *



REPORT TO COUNCIL

REGULAR COUNCIL MEETING MINUTES

SEPTEMBER 22, 2009

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, September 22, 2009, at 2:00 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT:

Mayor Gregor Robertson
Councillor Suzanne Anton
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs *
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE:

Penny Ballem, City Manager

CITY CLERK'S OFFICE:

Marg Coulson, Acting City Clerk Laura Kazakoff, Meeting Coordinator

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by Councillor Stevenson.

"IN CAMEDA" MEETING

MOVED by Councillor Woodsworth SECONDED by Councillor Cadman

THAT Council will go into a meeting later this day which is closed to the public, pursuant to Section 15.2(1) of the Vancouver Charter, to discuss matters related to paragraphs:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an entirer, employee or agent of the city or another position appointed by the city; and
- (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.

CARRIED UNANIMOUSLY

^{*}Denotes absence for a portion of the meeting.

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth SECONDED by Councillor Cadman

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

TED LINANIMOUSLY

BY-LAWS

MOVED by Councillor Woodsworth SECONDED by Councillor Jang



THAT Council enact the by-laws listed on the agenda for this meeting as numbers 3 and 8 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

Councillor Deal rose and advised she had received a report of and reviewed the materials from the Public Hearing held September 8, 2009, and she would therefore be voting on the enactment of By-laws 1, 2 and 4 to 7 inclusive.

MOVED by Councillor Woodsworth SECONDED by Councillor Jang

THAT Council, except for those members excused as noted below, enact the by-laws listed on the agenda for this meeting as numbers 1, 2, and 4 to 7 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

(Councillors Louie and Stevenson ineligible to vote)

1. A By-law to amend Downtown Official Development Plan By-law No. 4912 regarding an increase in permitted office density (By-law No. 9926)



- 2. A By-law to amend CD-1 By-law No. 9693 (2900 East Broadway) (By-law No. 9927)
- 3. A By-law to provide for the imposition of interest on delinquent property taxes for 2010 (By-law No. 9928)