



City of Vancouver *Zoning and Development By-law*

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CD-1 (494)

538 - 560 West Broadway

By-law No. 10132

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

Effective September 21, 2010

(Amended up to and including By-law No.10167, dated November 2, 2010)

1 Zoning District Plan amendment

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-616(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (494).

2.2 Subject to approval by Council 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 (494) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Institutional Uses;
- (c) Office Uses;
- (d) Retail Uses;
- (e) Service Uses; and
- (f) Accessory Uses customarily ancillary to any of the uses listed in this section 2.2.

3 Density

3.1 The floor space ratio must not exceed 4.84.

3.2 Computation of floor space ratio must include all floors, including earthen floors, measured to the extreme outer limits of the building.

3.3 Computation of floor space ratio must exclude:

- (a) the floors or portions of floors 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, which are at or below the base surface except that the 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 and general recreation, except that the total area excluded must not exceed 20% of the permitted floor space; [10167; 10 11 02]
- (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, except that this clause does not apply to walls in existence prior to March 14, 2000; and
- (d) with respect to exterior:
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

4 Building height

The building height, measured from the base surface, must not exceed:

- (a) 28.00 m on that portion of the site bounded by the west, north, and south property lines, and by a line that runs from the north to the south property line a distance of 24.00 m from the west property line; and
- (b) 24.40 m for the remainder of the site.

5 Parking 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 and bicycle spaces, all as defined under the Parking By-law, except that there must be at least one:

- (a) Class A loading space for the first 100 m², one additional space for any portion of the next 1 000 m², and one space for each additional 2 500 m²; and
- (b) Class B loading space for the first 100 m², one additional space for any portion of the next 465 m², and one space for each additional 3 300 m².

6 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 the By-law.

7 Force and effect

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

ENACTED by Council this 21st day of September, 2010.



The property outlined in black () is rezoned:

From **C-3A** to **CD-1**

Z-616 (a)

RZ - 538-560 West Broadway

map: 1 of 1

scale: NTS



City of Vancouver

date: 2009-10-14

Backup Notes

Backup Notes

By-law No. 10132, dated September 21, 2010

BY-LAWS

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1 to 4, 6, 8 to 10, 12, 14 and 17 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Reimer absent for the vote)


Councillor Jang rose and declared he had received a report of the Public Hearing in relation to By-law No. 15, and would therefore be voting on the By-law enactment.

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 5, 7, 11, 13, 15, 16, and 18 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Reimer absent for the vote)

1. A By-law to amend By-law No. 9935 regarding miscellaneous amendments
2. A By-law to amend Vancouver Development Cost Levy By-law No. 9755 regarding 2010 rate adjustments
3. A By-law to amend Area Specific Development Cost Levy By-law No. 9418 regarding 2010 rate adjustments
4. A By-law to amend Noise Control By-law No. 6555 (2330-2372 Kingsway & 2319 East 39th Avenue)
5. A By-law to amend Sign By-law 6510 (1201-1215 Bidwell Street & 1702-1726 Davie Street)
(Councillor Cadman and the Mayor ineligible for the vote)
6. A By-law to amend Noise Control By-law No. 6555 (1201-1215 Bidwell Street & 1702-1726 Davie Street)
7. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2304 West 8th Avenue)
(Councillors Louie, Reimer, and Stevenson ineligible for the vote)
8. A By-law to enact a Housing Agreement for 2304 West 8th Avenue

9. A By-law to enact a Housing Agreement for 1772 Comox Street
10. A By-law to amend Energy Utility System By-law No. 9552 regarding miscellaneous amendments
11. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (1142 Granville Street)
(Councillors Chow and Stevenson ineligible for the vote)
12. A By-law to enact a Housing Agreement for 1142 Granville Street
13. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (5912-5970 Oak Street)
(Councillor Meggs ineligible for the vote)
14. A By-law to amend Subdivision By-law No. 5208 (5912-5970 Oak Street)
15. A By-law to amend the Zoning and Development By-law No. 3575 to rezone an area to CD-1 (745 Thurlow Street)
(Councillors Chow, Meggs, Reimer, Woodsworth, and the Mayor ineligible for the vote)
-  16. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (538-560 West Broadway)
(Councillor Reimer ineligible for the vote)
17. A By-law to provide for the imposition of interest on delinquent property taxes for 2011
18. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (3333 Main Street)
(Councillor Cadman ineligible for the vote)

MOTIONS

A. Administrative Motions

1. Expropriation of 4824 Knight Street for the Construction of Left Turn Bays on Knight Street at 33rd Avenue

MOVED by Councillor Woodsworth
SECONDED by Councillor Anton

WHEREAS

- A. The City of Vancouver requires:

Parcel Identifier: 013-635-832, Lot 4, Except: Firstly: The West 7 Feet Now Road, Secondly: Part Plan BCP9378; Block 7, District Lot 705, Plan 2571;

Backup Notes

By-law No. 10167, dated November 2, 2010



REPORT TO COUNCIL

SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 3, 5, 17 AND 24, 2009

A Special Meeting of the Council of the City of Vancouver was convened on Tuesday, November 3, 2009, at 7:30 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning, Official Development Plan, and Heritage By-laws. Subsequently the meeting was recessed and reconvened in the Council Chamber at 7:30 pm on November 5, 2009, 7:45 pm on November 17, 2009, and 7:33 pm on November 24, 2009.

PRESENT:

- Mayor Gregor Robertson*
- Councillor Suzanne Anton
- Councillor David Cadman
- Councillor George Chow*
- Councillor Heather Deal, Acting Chair (November 5, 17 and 24)
- Councillor Kerry Jang*
- Councillor Raymond Louie*
- Councillor Andrea Reimer*
- Councillor Geoff Meggs
- Councillor Tim Stevenson
- Councillor Ellen Woodsworth

ABSENT:

- Mayor Gregor Robertson (Leave of Absence - Civic Business - November 5, Item 5, and November 17 and 24)
- Councillor Andrea Reimer (November 3, Items 1, 2, 3, 4 and 6)
- Councillor Raymond Louie (Leave of Absence - November 5, Item 5, and November 17 and 24)
- Councillor George Chow (November 5, 17 and 24, Item 5)
- Councillor Kerry Jang (Leave of Absence - November 17, portion of Item 5, and November 24)

CITY MANAGER'S OFFICE: Sadhu Johnston, Deputy City Manager (November 3 and 5)

CITY CLERK'S OFFICE: Pat Boomhower, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
 SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY
 (Councillor Louie absent for the vote)

~~Summary of Correspondence~~

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

~~Speakers~~

~~The Mayor called for speakers for and against the application.~~

~~Jack Salmon expressed concern about tower height and increased population in the West End.~~

~~Michael Gordon, Central Area Planner responded to questions.~~

~~Council Decision~~

~~MOVED by Councillor Stevenson~~

~~THAT the application to amend the Downtown Official Development Plan by clarifying the building height limits, generally as set out in Appendix A, to the Policy Report, *"Improvements to Clarity of Height Limits in Downtown Official Development Plan to Express Council's Original Intent"*, dated September 23, 2009, be approved.~~

~~CARRIED UNANIMOUSLY~~

4. REZONING: 538-560 West Broadway

An application by Director of Planning was considered as follows:

Summary: To rezone from C-3A (Commercial District) to CD-1 (Comprehensive Development) District. An increase in the maximum floor space ratio from 3.00 to 4.84 is proposed. Rezoning would allow development of a six-storey building with a mixture of commercial uses.

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

Applicant Comments

Tomas Wolf, Studio One Architecture, Kal Bachra, Orca West Developments Ltd. of the Applicant Team, and Damien Crowell, Environmental Scientist, responded to questions regarding building height and meeting LEED (green building rating system).

Staff Comments

Brent Toderian, Director of Planning, along with Anita Molaro, Urban Design and Development, Current Planning, responded to questions regarding building heights, LEED standards and enhanced roof treatments.

Summary of Correspondence

No correspondence has 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 Deal

- A. THAT the application by Studio One Architecture, to rezone 538-560 West Broadway (Lots 3, 4, 5 and 6, Block 360, D.L. 526, Plan 590; PID:015-183-629, PID:003-723-071, PID:007-723-097, PID:008-899-215) from C-3A to CD-1, to permit development of a six-storey commercial building, over three levels of underground parking, generally as presented in Appendix A to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009, be approved, subject to the following conditions:

PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Studio One Architecture Inc., Architect, and stamped "Received City Planning Department, February 25, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development

- (i) design development to improve the detailing and articulation of the materials treatment of the Broadway façade and canopy elements to enhance pedestrian visual interest;

Note to Applicant: Provision of high quality materials and detailed large-scale (1:50) architectural plans, sections and elevations describing the exterior finishes and articulation, including location of signage, weather protection, landscaping and soil depth is required.

- (ii) design development to enhance the roofscape to improve its visual quality as well as its environmental performance through the provision of a green roof treatment, either intensive or extensive, with modest areas for active uses as outdoor amenity;

Note to Applicant: A green roof treatment is an important component of sustainability for reducing heat island effects. In addition, coordination and screening of mechanical equipment should be undertaken. Access to the roofs outdoor amenity areas should be located to minimize any view impacts of City Hall from False Creek.

- (iii) design development to minimize the impact of mechanical vents;

Note to Applicant: Vents servicing the below-grade parking structure should be located to minimize their impact of the pedestrian environment.

Sustainability

- (iv) compliance with EcoDensity Action Item A-1 with regard to the specific point requirements and identification on the building plans and elevations of all sustainable design features;

Note to Applicant: Clarification and demonstration of the sustainable features establishing a minimum LEED™ Silver equivalent, with a minimum of 3 optimize energy performance points, 1 water efficiency point and 1 storm water point must be shown on the final approved permit drawings.

Landscape Design

- (v) provision of greater coverage for the planters on the third and fifth level deck, in order to provide larger soil volumes for the proposed trees;
- (vi) design development to provide a greener lane edge by setting back part of the ground level in order to provide a 2.0 ft.-wide planter against the blank wall between the gas meters and the recycling area;
- (vii) design development to enhance the pedestrian experience by providing street trees where space permits;

Note to Applicant: Contact Eileen Curran, Streets Engineering, (604.871.6131) to confirm tree planting locations and Park Board staff (604.257.8587) for tree species selection and planting requirements.

- (viii) provision of a full Landscape Plan;

Note to Applicant: The Landscape Plan should illustrate the proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- (ix) provision of large scale sections (1/4"=1' or 1:50) illustrating the soil depth for all deck planters;

Note to Applicant: The sections should include any guardrails that are attached to the outside edges of the planters.

Engineering

- (x) design development to:
1. provide Class A bicycle spaces on the first parking level;
 2. provide Class B loading spaces that will serve the largest truck intended to serve the site (confirmation of truck size from tenants is required);

Note to Applicant: Loading bays are to be independently accessible and a consultant's study showing this operation and associated turning swaths is required. Note the current study confirms that the loading bay design requires modifications.
 3. modify the design of the parking entry to enable vehicles travelling in either direction on the lane to enter and exit simultaneously and for cars to exit westbound in the lane to Ash Street;

Note to Applicant: A "jug handle" design set deeper into the building to position cars perpendicular to the lane for improved turning may be required.
 4. provide separate facilities to contain the proposed garbage compactor outside of the required Class B loading spaces.

Note to Applicant: The compactor can be located at the back of the loading bay but not within the bay itself.

PROPOSED CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the following:
1. consolidate Lots 3, 4, 5 and 6, Block 360, D.L. 526, Plan 590 into a single parcel;
 2. provision of a surface right of way over that portion of the site along Broadway between the northerly property line and the above-grade building setback, measuring 1.9 m at the east property line, tapering to a 0.55 m at the west property line;
 3. undergrounding of all utility services from the from the closest existing suitable service point;

Note to Applicant: 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 Branch. Early contact with the Utilities Branch is recommended.

4. removal or relocation of the wooden utility poles in the lane to ensure adequate two-way traffic flow in the lane and to ensure unobstructed access into the loading bays; and
5. provision of a concrete lane crossing at the intersection of Ash Street and the lane south of Broadway.

Community Amenity Contribution

- (ii) secure the purchase and transfer of heritage density with value of \$603,400 from a suitable donor site.

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-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 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 Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (C-3A), as set out in Appendix C to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009, be approved; and
- C. THAT, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law following approval and enactment of the CD-1 By-law to establish regulations for this Comprehensive District in Schedule B, as set out in Appendix C to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009; and
- D. THAT, the registered property owner shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner of a suitable donor site for the purchase of heritage density as described in this report.

CARRIED
(Councilor Anton opposed to A(b)(ii))

538-560 West Broadway

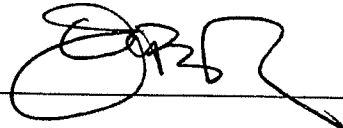
BY-LAW NO. 10167

A By-law to amend CD-1 By-law No. 10132

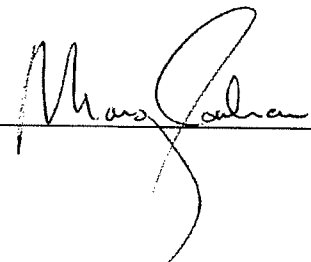
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of CD-1 By-law No. 10132.
2. In subsection 3.3(b), Council deletes the words “the lesser of” and “and 1 000 m²,”.
3. 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.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 2nd day of November, 2010



Mayor




City Clerk

MOVED by Councillor Stevenson
SECONDED by Councillor Jang

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 2, 3, 4 and 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Chow absent)

1. A By-law to amend CD-1 By-law No. 6072 regarding 555 West 12th Avenue (City Square)
2. A By-law to amend Zoning and Development By-law No. 3575 regarding farmers' markets
(Councillor Chow ineligible to vote)
3. A By-law to amend CD-1 By-law No. 10088 (6708-6776 Granville Street)
(Councillor Chow ineligible to vote)
-  4. A By-law to amend CD-1 By-law No. 10132 (538-560 West Broadway)
(Councillor Chow ineligible to vote)
5. A By-law to amend Crossing By-law No. 4644 regarding 2011 fee increases
6. A By-law to amend Encroachment By-law No. 4243 regarding 2011 fee increases
7. A By-law to amend Street Distribution of Publications By-law No. 9350 regarding 2011 fee increases
8. A By-law to amend Street and Traffic By-law No. 2849 regarding 2011 fee increases
9. A By-law to amend Street Vending By-law No. 4781 regarding 2011 fee increases
10. A By-law to designate certain real property as protected heritage property
(Councillor Chow ineligible to vote)

SPECIAL COUNCIL MEETING MINUTES

OCTOBER 19, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 19, 2010, at 7:30 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the zoning, sign and heritage by-laws.

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

ABSENT: Councillor George Chow (Leave of Absence - Civic Business)
Councillor Heather Deal

CITY CLERK'S OFFICE: Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

~~1. **HERITAGE DESIGNATION: 795 East Pender Street**~~

~~An application by Michael Lemon, Birmingham and Wood Architects, was considered as follows:~~

~~Summary: To designate the existing building at 795 East Pender Street as protected heritage property.~~

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

~~**Summary of Correspondence**~~

~~No correspondence had been received on this application.~~

~~Speakers~~

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

~~Council Decision~~

~~MOVED by Councillor Woodsworth~~

- ~~A. THAT the building at 795 East Pender Street, listed in the 'C' evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.~~
- ~~B. THAT Council instruct the Director of Legal services to bring forward for enactment a by-law to designate the building located at 795 East Pender Street as protected heritage property.~~

~~CARRIED UNANIMOUSLY~~

2. TEXT AMENDMENT: Miscellaneous Text Amendments to Zoning and Development By-laws - 6708-6776 Granville Street and 538-560 West Broadway

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

Summary: To amend the Zoning and Development By-law for Farmers' Markets, Comprehensive Development By-laws for 6708-6766 Granville Street, CD-1 (485), and for 538-560 West Broadway, CD-1 (494), for miscellaneous text amendments.

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 Anton

- A. THAT the application to amend the Zoning and Development By-law with regard to Farmers' Markets and Comprehensive Development (CD-1) (485) By-law No. 10088 for 6708-6776 Granville Street with regard to floor space exclusions, for miscellaneous text amendments generally as presented in Appendix A of the Policy Report dated September 7, 2010, entitled "Miscellaneous Text Amendments to the Zoning and Development By-law and to CD-1 By-laws for 6708-6776 Granville Street and for 538-560 West Broadway", be approved.

- B. THAT the application to amend Comprehensive Development (CD-1) (494) By-law for 538-560 West Broadway to increase the amount of amenity space which may be excluded from floor space ratio computation, generally as presented in Appendix A of the Policy Report dated September 7, 2010, entitled "Miscellaneous Text Amendments to the Zoning and Development By-law and to CD-1 By-laws for 6708-6776 Granville Street and for 538-560 West Broadway", be approved.

CARRIED UNANIMOUSLY

~~3. CD-1 TEXT AMENDMENT: 745 Thurlow Street~~

~~An application by Mark Thompson, Musson Cattell Mackey Partnership, was considered as follows:~~

~~Summary: To amend CD-1 By-law (493) for 745 Thurlow Street to increase the maximum allowable floor space ratio (FSR) from 15.4 FSR to 16.1 FSR.~~

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

~~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 Anton~~

- ~~A. THAT the application from Musson Cattell Mackey Partnership to amend the CD-1 By-law (493) 745 Thurlow Street to increase the maximum allowable floor space ratio from 15.4 FSR to 16.1 FSR, generally as presented in Appendix A, to the Policy Report dated September 7, 2010, entitled "CD-1 Text Amendment - 745 Thurlow Street", be approved subject to the following conditions:~~

~~CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT~~

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

~~Design Development~~

- ~~1. Design development to reduce the height of the building to ensure that there is no penetration into the "Heather Bay to Lions" View Cone;~~