



City of Vancouver *Zoning and Development By-law*

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planning@city.vancouver.bc.ca

CD-1 (70)

415 East 5th Avenue

By-law No. 4559

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

Effective June 1, 1971

(Amended up to and including By-law No. 8760, dated December 9, 2003)

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 area shown included within the heavy black outline on Schedule “D” shall be more particularly described as CD-1(70), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Child Day Care Facility,
- (b) Church,
- (c) Elementary School,
- (d) Club, provided that no commercial activities are carried on and the use does not adversely impact the adjoining residential area, and
- (e) Accessory Buildings and Uses customarily ancillary to the above uses including a Rectory and the sale of religious books and religious objects, and [8118; 99 11 02]

2.2 More than one principal building shall be permitted on this site. [8118; 99 02 11]

3 Floor Space Ratio

3.1 The floor space ratio must not exceed 1.05.

3.2 The following shall be included in the computation of floor space ratio:

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

3.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, provided that 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
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length, or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total permitted floor area;
- (e) covered play areas;
- (f) areas of undeveloped floors which are located
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 4559 or provides an explanatory note.*

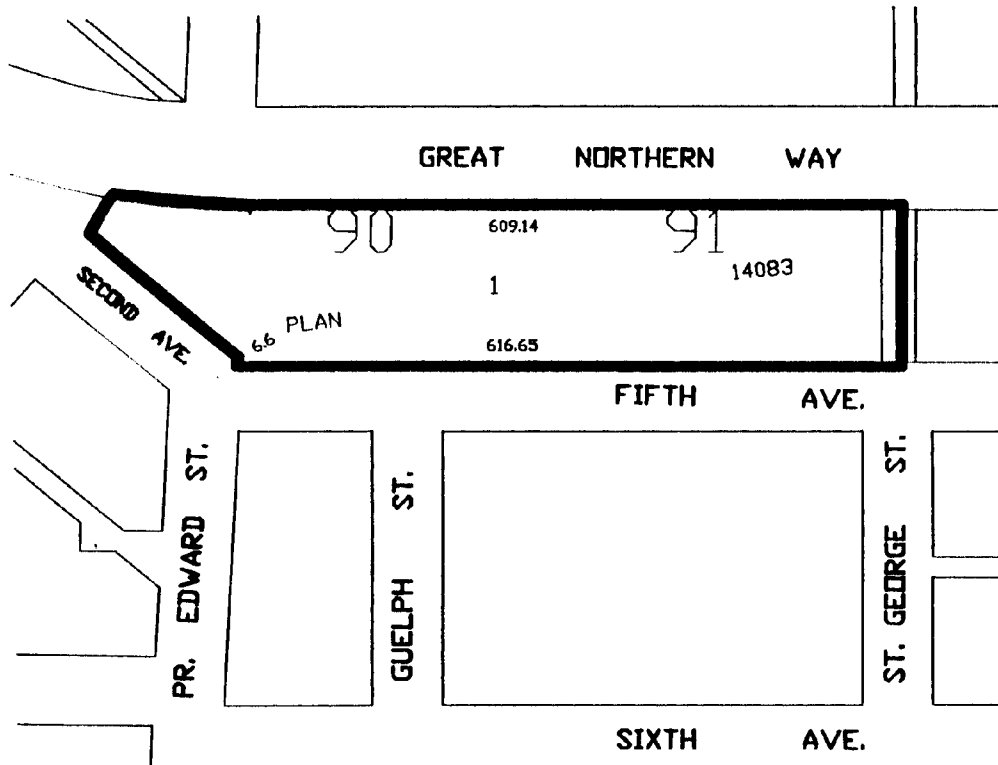
- (g) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and [8760; 03 12 09]
- (h) institutional storage space provided that the space is below base surface; [8118; 99 11 02]
- (i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

4 Height

- 4.1 The maximum building height measured above the base surface is 19.3 m and the building must not extend beyond three storeys.
- 4.2 The Director of Planning may relax the maximum building height by up to 10 percent where it is determined that the base surface is different than that shown in plans prepared by Raymond Ching Architect and stamped "Received, Planning Department, May 14, 1999.
- 4.3 The Director of Planning may permit a greater height than permitted provided that he first considers the effect of the additional height on the amenity of the neighbourhood.

5 Off-Street Parking and Loading

- 5.1 Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 255 off-street parking spaces are to be provided.
- 5.2 The Director of Planning, on the advice of the City Engineer, may permit a relaxation of section 5.1 where such a relaxation will not adversely impact surrounding developments and residents or the parking needs of residents or visitors to the site. [8118; 99 11 02]
- 6 *[Section 6 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*



The property outlined in black (■) was rezoned:
 From **M-2 & RM-3** to **CD-1** by By-law No. 4559

CD-1 (70) 415 East 5th Ave. City of Vancouver Planning Department	date prepared: Feb. 1995	
	sectional(s): Q-12	
scale: 1:2000		

2. Area Between 5th Avenue, Great-Northern Way, Prince Edward and St. George Streets.

An application was received from Robertson, Kolbeins, Teevan and Gallaher Limited to rezone Lots A, B, Block 90 D.L. 264A and Lots C, D, Block 91, D.L. 264A and Lot 13, Block 4, D.L. 200A, N.W.D., being Lands lying between 5th Avenue, Great Northern Way, Prince Edward and St. George Streets.

FROM: M-2 Industrial District and
RM-3 Multiple Dwelling District
TO: CD-1 Comprehensive Development District

The Technical Planning Board and the Town Planning Commission recommended approval of the application subject to certain conditions and also recommended that the Director of Planning be instructed to make application to amend Schedule C of the Zoning and Development By-law.

Council heard a delegation in the person of Mr. Morrison complaining with respect to the noise factor and suggesting improvement of certain streets involved in permitting this rezoning.

MOVED by Alderman Wilson,

THAT the foregoing application be approved subject to the uses being restricted to industrial machinery and equipment storage, sales and rentals, and uses customarily accessory thereto including off-street parking and loading subject to prior compliance by the owners to the following conditions:

- (a) The detailed scheme of development to be first approved by the Technical Planning Board. The Technical Planning Board having particular regard to the provisions of suitable planting, particularly along the southerly, easterly and westerly boundaries of the site, design of all buildings, method of display on the site, all in relation to the residential properties adjacent thereto.
- (b) That the owners first obtain approval from City Council after reports from the City Engineer and the Director of Planning on the acquisition of a portion of both St. George and Pr. Edward Streets.
- (c) Consolidation of all lands into one parcel and so registered in the Land Registry Office.

#70

Block bounded by Great Northern Way,
St George, 5th Avenue & Prince Edward.

(RZ. 5.21)

BY-LAW NO. 4559

A By-law to amend By-law No. 3575, being
the Zoning and Development By-law

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

1. The plan attached to and forming an integral part of By-law No. 3575 and designated as the "Zoning District Plan" and marked as Schedule "D" to said By-law is hereby amended according to the plan marginally numbered Z-133-B annexed to this By-law and marked as Schedule "D" hereto, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited and specified in particularity shown upon said plan annexed hereto; and the various boundaries and districts shown upon the plan hereto annexed respectively are an amendment of and in substitution for the respective districts, designated and marked on said Schedule "D" of said By-law No. 3575 in so far as the same are changed, modified or varied thereby, and the said Schedule "D" annexed to said By-law No. 3575 shall be deemed to be and is hereby declared to be amended accordingly and the said Schedule "D" attached to this By-law is hereby declared to be and shall form an integral part of said plan marked as Schedule "D" to said By-law No. 3575, as if originally incorporated therein, and shall be interpreted accordingly.

2. The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area and the only uses for which development permits will be issued are industrial machinery and equipment storage, sales and rentals, and uses customarily accessory thereto including off-street parking and loading, subject to such conditions as Council may by resolution prescribed pursuant to section 565(f) of the Vancouver Charter.

3. This By-law shall come into force and take effect on and after the date of the final passing hereof.

DONE AND PASSED in open Council this 1st day
of June, 1971.

This By-law received:

1st READING - June 1, 1971

2nd READING - June 1, 1971

3rd READING - June 1, 1971

(sgd) R. Thompson
CITY CLERK

(sgd) Thomas J. Campbell

MAYOR

(sgd) Ronald Thompson

CITY CLERK

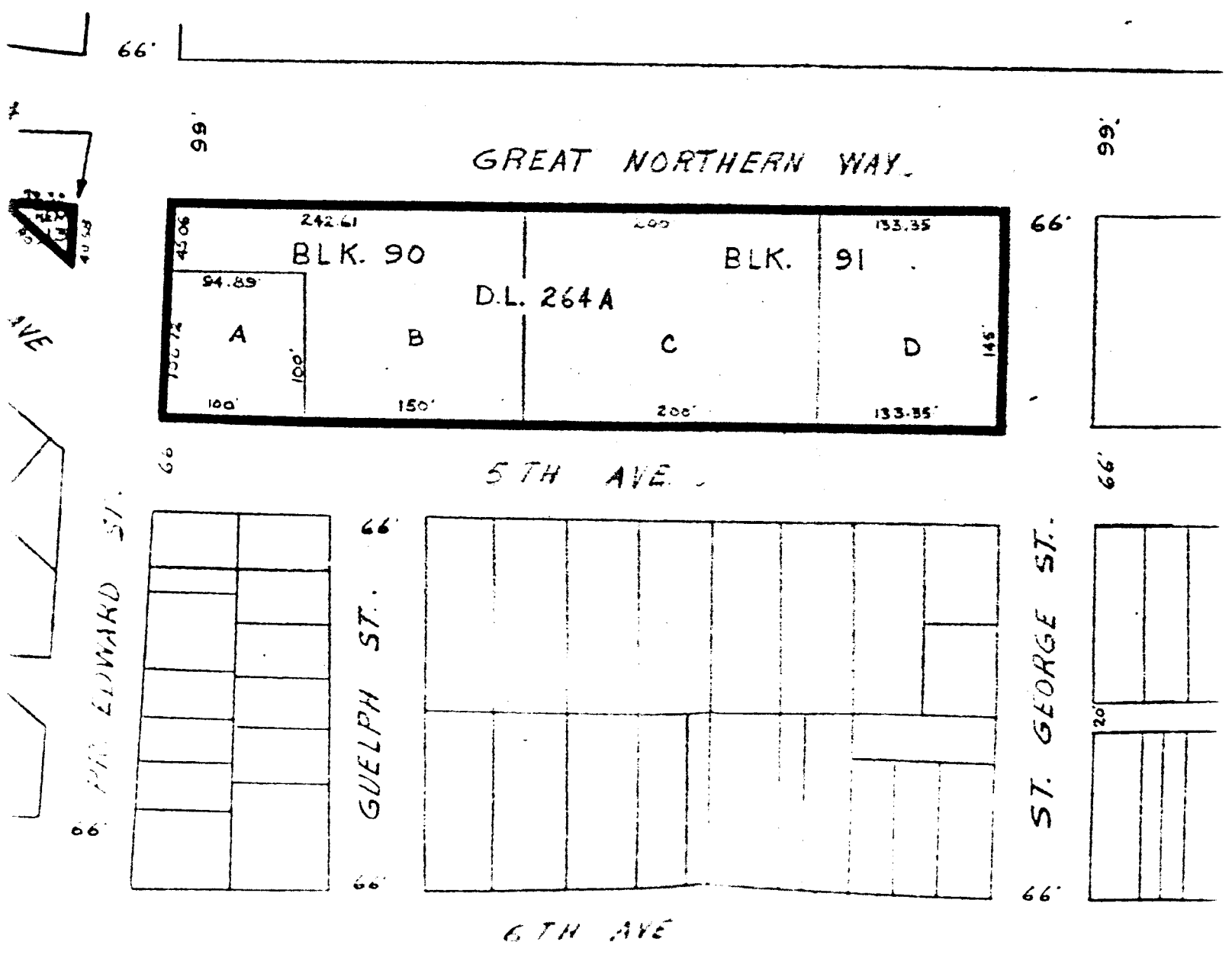
I hereby certify that the foregoing is a correct copy of a By-law duly passed by the Council of the City of Vancouver on the 1st day of June, 1971, and numbered 4559.

CITY CLERK.

4559 BEING A BY-LAW TO AMEND BY-LAW
REGULATING THE ZONING AND DEVELOPMENT BY-LAW

SCHEDULE "A"

THE PROPERTY SHOWN BELOW (——) OUTLINED IN BLACK IS
HEREBY REZONED FROM M-2 INDUSTRIAL DISTRICT AND RM-3
MULTIPLE DWELLING DISTRICT TO CD-1 COMPREHENSIVE
DEVELOPMENT DISTRICT.



FURTHER THAT the Director of Planning be instructed to make application to amend Schedule "C" of the Zoning and Development By-law to delete the following:

- '10. Fifth Avenue,
North Side:
From the easterly limit of Pr. Edward Street to a point 450 feet east thereof, save and except the West 150 feet thereof 12 feet
11. The East Boundary of Lot 'C' of Blocks 90, and 91, District Lot 264A, Group 1, New Westminster District, Plan 10548 12 feet
west from east boundary
of said Lot C.'

- CARRIED

BY-LAW NO. 7370

A By-law to amend
By-law No. 4559,
being a By-law which amended
the Zoning and Development By-law
by rezoning an area to CD-1

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

1. Section 2 of CD-1 By-law No. 4559 is deleted and the following substituted therefor:

"2. Uses

2.1 The area shown included within the heavy black outline on Schedule "D" shall be more particularly described as CD-1(70), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Child Day Care Facility,
- (b) Manufacturing Uses,
- (c) Parking Area,
- (d) Retail Uses, limited to Vehicle Dealer,
- (e) Service Uses, but limited to Catering Establishment, Motor Vehicle Repair Shop, Repair Shop - Class A, School - Vocational or Trade, and Sign Painting Shop,
- (f) Transportation and Storage Uses, but limited to Packaging Plant, Storage Warehouse, Storage Yard, Truck Terminal or Courier Depot and Works Yard or Works Shop,
- (g) Utility and Communication Uses, limited to Radiocommunication Station and Recycling Depot,
- (h) Wholesale Uses, limited to Lumber and Building Materials Establishment, Wholesaling - Class A and Wholesaling - Class B,
- (i) Accessory Uses customarily ancillary to the foregoing, except that floor area in accessory retail use in conjunction with any wholesale use shall not exceed 33 1/3

percent of total floor area, or 500 m², whichever is less, and

- (j) Any other use which is not specifically listed and defined in Section 2 of the Zoning and Development By-law but which the Director of Planning considers comparable in nature to the uses listed above.

2.2 For all uses listed above,

- (a) appropriate measures must be taken, to the satisfaction of the Director of Planning who may seek the advice of surrounding residential property owners, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact with respect to traffic, noise, odour, glare, safety, hours of operation, and related factors that could adversely affect the surrounding residential area, and
- (b) no speakers capable of transmitting amplified sound shall be located outside of a building."

3. This By-law comes into force and takes effect on the date of its passing.

1995. DONE AND PASSED in open Council this 10th day of January ,

"(signed) Philip W. Owen"

Mayor

"(signed) Maria C. Kinsella"

City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 10th day of January 1995, and numbered 7370.

CITY CLERK"



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 20, 2003

A Special Meeting of the Council of the City of Vancouver was held on Thursday, November 20, 2003, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law and to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

PRESENT:

- Mayor Larry Campbell
- Councillor David Cadman
- Councillor Peter Ladner
- Councillor Raymond Louie
- Councillor Tim Louis
- Councillor Anne Roberts
- Councillor Tim Stevenson
- *Councillor Sam Sullivan
- Councillor Ellen Woodsworth

ABSENT:

- Councillor Fred Bass (Leave of Absence - Civic Business)
- Councillor Jim Green (Civic Business)

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
 SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law, to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

1. Text Amendment: Zoning and Development By-law, CD-1s, and Official Development Plans

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

Summary: Housekeeping amendments to the Zoning and Development By-law, including CD-1s and Official Development Plans.

The Director of Current Planning recommended approval.

Staff Comments

Dave Thomsett, Senior Planner, Rezoning Centre, was present to respond to questions.

Summary of Correspondence

No correspondence was received since the date the application was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Louis

THAT the application by the Director of Current Planning to amend the Zoning & Development By-law, CD-1 By-laws and Official Development Plans generally as set out in Appendices A & B of the Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws, and Official Development Plans, Zoning and Development Fee By-law and Policies and Guidelines" dated September 23, 2003, be approved.

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments) (By-law No. 8758)
2. A By-law to amend By-law Nos. 6180, 6320, and 8587 which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (By-law No. 8759)
3. A By-law to amend miscellaneous CD-1 By-laws (re miscellaneous text and residential storage amendments) (By-law 8760)

(Councillors Bass, Green and Sullivan excused from voting)

4. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text and residential storage amendments) (By-law 8761)

(Councillors Bass, Green and Sullivan excused from voting)

5. A By-law to amend Downtown District Official Development Plan By-law No. 4912, Downtown-Eastside/Oppenheimer District Official Development Plan By-law No. 5532, and Southeast Granville Slopes Official Development Plan By-law No. 5752 (By-law 8762)

(Councillors Bass, Green and Sullivan excused from voting)

6. A By-law to amend Solid Waste and Recycling By-law No. 8417 to regulate certain 2004 utility fees and miscellaneous amendments (By-law 8763)

7. A By-law to amend Water Works By-law No. 4848 (2004 Fees and miscellaneous amendments) (By-law 8764)

8. A By-law to authorize the borrowing of certain sums of money from January 8, 2004 to January 7, 2005 pending the collection of real property taxes (By-law No. 8765)

9. A By-law to amend By-law No. 8093, being the Sewer and Watercourse By-law (Establishment of 2004 Sewer Use and Connection Rates) (By-law No. 8766)

10. A By-law to amend License By-law No. 4450 re 2004 marina operator fee increases

(By-law No. 8767)

11. A By-law to amend Impounding By-law No. 3519 (2004 Charges re Towing Service Contract) (By-law 8768)