



# **City of Vancouver** *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060  
[planning@vancouver.ca](mailto:planning@vancouver.ca)

## **CD-1 (190)**

*2908 West 33rd Avenue*

*By-law No. 6155*

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

**Effective June 16, 1987**

*(Amended up to and including By-law No. 10192, dated December 14, 2010)*

BY-LAW NO. 6155

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 Zoning District Plan Amendment**

The “Zoning District Plan” annexed to By-Law No. 3575 as Schedule “D” is hereby amended according to the plan marginally numbered Z-328c and attached to this By-law as Schedule “A”, and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule “A” of this By-law, and Schedule “A” of this By-law is hereby incorporated as an integral part of Schedule “D” of By-law No. 3575.

[10192; 10 12 14]

**2 Uses**

2.1 The description of the area shown within the heavy black outline on Schedule A is CD 1 (190).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (190) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Fitness Centre;
- (b) Dwelling Uses, limited to Dwelling units in conjunction with any of the uses listed in this By-law except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building facing Mackenzie Street and extending across 50% of the width of the building facing Mackenzie Street shall be used for any residential purpose except as entrances to the residential portion;
- (c) Office Uses, limited to Financial Institution, General Office, Health Care Office, Health Enhancement Centre;
- (d) Retail Uses, limited to Neighbourhood Grocery Store, Retail Store;
- (e) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1; and
- (f) Accessory uses customarily ancillary to the above uses.

[10192; 10 12 14]

**3 Density**

3.1 Computation of floor space ratio must assume that the site consists of 1 198 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The number of Dwelling Units must not exceed 10.

3.3 The floor space ratio for all uses, combined, must not exceed 1.25, except that the floor space ratio for all dwelling uses must not exceed 1.1.

3.4 Computation of floor space ratio must include:

- (a) all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building, and

- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.5 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the permitted residential floor area;
- (b) patios and roof gardens for residential purposes only, if the Director of Planning first approves the design of sunroofs and walls;
- (c) 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:
  - (i) are at or below the base surface, except that the maximum exclusion for a parking space must 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, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas including recreation facilities, and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (f) 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 shall not apply to walls in existence prior to March 14, 2000; and
- (g) 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 subsection (ii) meets the standards set out therein.

3.6 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board, enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
- (b) enclosure of the excluded balcony floor area must not exceed 50%.

3.7 The use of floor space excluded under section 3.5 and 3.6 must not include any purpose other than that which justified the exclusion.

[10192; 10 12 14]

## **4 Height**

4.1 The building height of the mixed-use building on the site, measured from base surface, must not exceed 12.2 m.

4.2 The building height of the Two-Family Dwelling on the site, measured from base surface, must not exceed 10.7 m.

[10192; 10 12 14]

## **5 Setbacks**

5.1 The setback of the mixed-use building on the site must be at least:

- (a) 0.91 m from the north front yard property line;
- (b) 0.30 m from the east side yard property line; and
- (c) 0.44 m from the south rear yard property line.

5.2 The setback of the Two-Family Dwelling on the site must be at least:

- (a) 4.42 m from the north front yard property line;
- (b) 1.52 m from the west side yard property line; and
- (c) 0.44 m from the south rear yard property line.

[10192; 10 12 14]

## **6 Parking, loading, and bicycle spaces**

6.1 Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

[10192; 10 12 14]

## **7 Horizontal angle of daylight**

7.1 Each habitable room must have at least one window on an exterior wall of a building.

7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

7.5 An obstruction referred to in section 7.2 means:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the site;
- (b) accessory buildings located on the same site as the principal building;
- (c) any part of the same building including permitted projections; or
- (d) the largest building permitted under the zoning on any site adjoining CD-1 #190.

7.6 A habitable room referred to in section 7.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) less than 10% of the total floor area of the dwelling unit, or
  - (ii) less than 9.3 m<sup>2</sup>.

[10192; 10 12 14]

## 8 Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

[10192; 10 12 14]

## 9 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.

[10192; 10 12 14]

## 10 Force and effect

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

DONE AND PASSED in open Council this 16th day of June 1987.

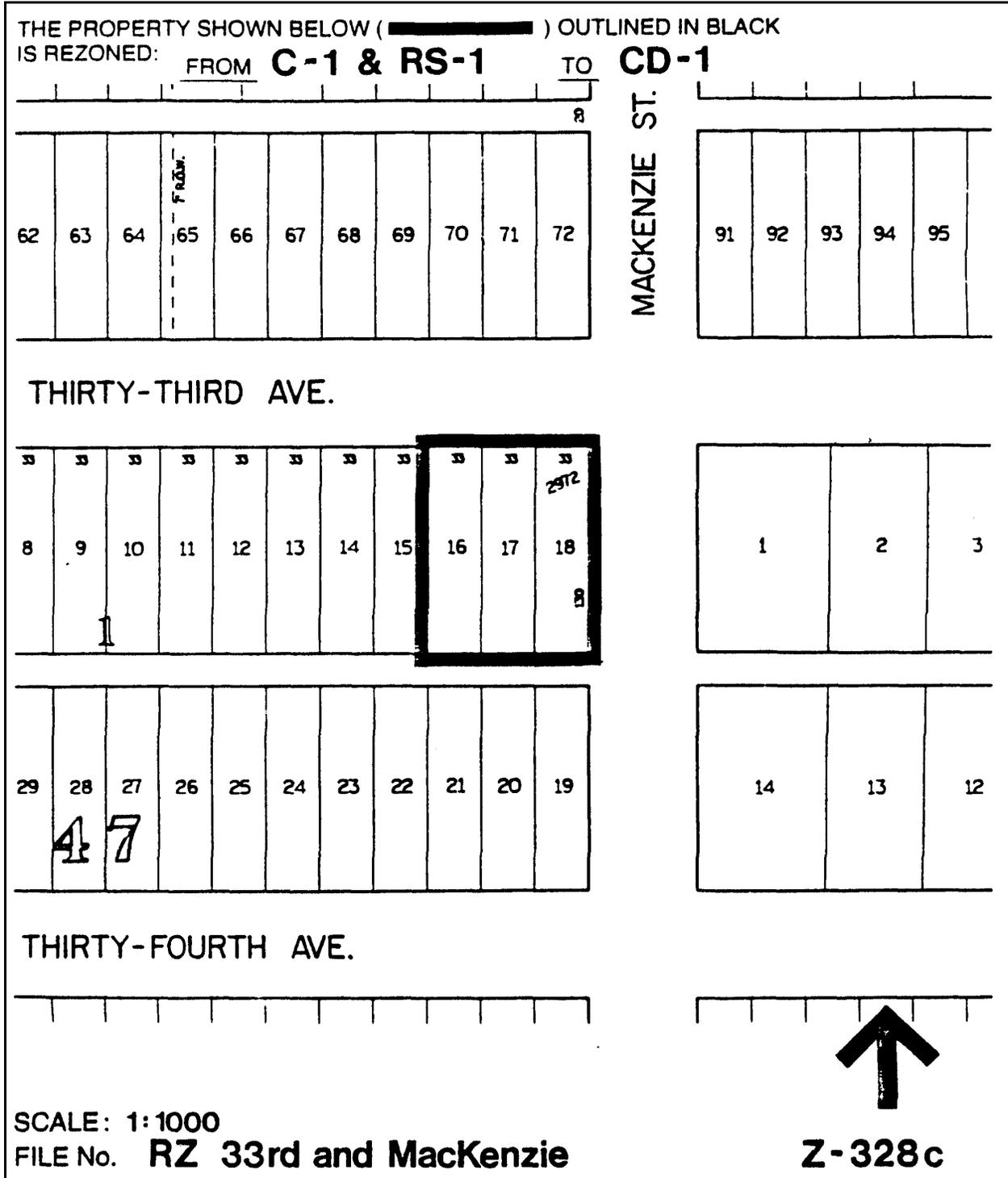
(signed) Gordon Campbell  
Mayor

(signed) M. 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 16th day of June 1987, and numbered 6155.

CITY CLERK”

**By-law No. 6155 being a By-law to amend By-law No. 3575 being the Zoning and Development By-law**



# Backup Notes

CITY OF VANCOUVER  
MEMORANDUM

2908 W 33rd  
CD-1#197  
Planning  
11/5/86

From: CITY CLERK

Date: 5th November 1986

To: CITY MANAGER  
DIRECTOR OF PLANNING  
ASSOCIATE DIRECTOR - ZONING  
CITY ENGINEER  
URBAN DESIGN PANEL  
CLERK, PUBLIC HEARING

NOV 6 1986  
H 5813  
DmLD  
RJS

Refer File: 5302

Subject: REZONING: SOUTHWEST CORNER OF 33RD AVENUE AND MACKENZIE STREET

Please be advised that City Council, at its meeting on Tuesday, November 4, 1986, approved the recommendation of the City Manager as contained in his attached report dated October 31, 1986, with regard to the above matter.

CITY CLERK

GJohnson:mfm  
Att.

Also sent to:

Mr. Ed Koshowski, 2908 West 33rd Avenue V6L 2B7

5. Rezoning: Southwest Corner of 33rd Avenue and MacKenzie Street

The Director of Planning reports as follows:

" PURPOSE

This report assesses an application from Mr. Ed Koshowski, to rezone the S.W. Corner of 33rd Avenue and MacKenzie Street (Lots 16, 17 and 18, Block 47, D.L. 2027), as follows:

Present Zoning: C-1 Commercial District and RS-1 One-Family Dwelling District.

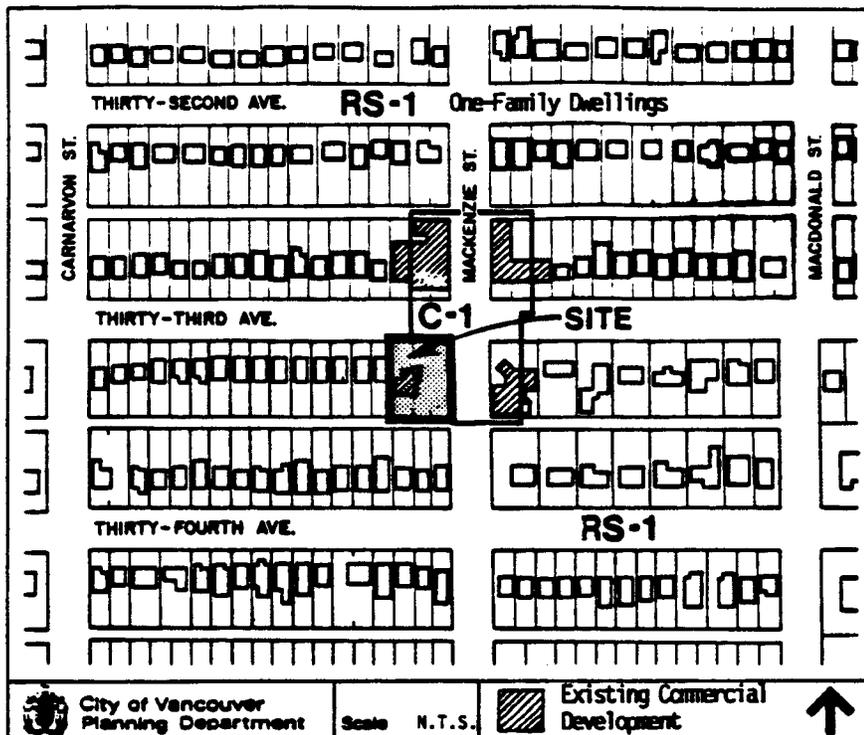
Requested Zoning: CD-1 Comprehensive Development District.

Stated Purpose: To redevelop the existing full-serve gasoline station on this site with a larger full-serve gasoline station.

SITE, EXISTING ZONING AND DEVELOPMENT

The site, existing zoning and development is as illustrated in Diagram 1 below:

DIAGRAM 1.



Clause No. 5 Continued

The rezoning site is made up of three existing parcels, having a combined frontage of 30.18 m (99 ft.) on 33rd Avenue, a frontage of 39.62 m (130 ft.) on MacKenzie Street and a total area of 1 195.66 m<sup>2</sup> (12,870 sq.ft.). The site is presently developed with a one-storey full-serve gasoline station, having two service bays oriented towards the lane and two pump islands with access from both 33rd Avenue and MacKenzie Street. There is a substantial drop in grade through the site, with a difference of approximately 1.83 m (6 ft.) between the high point on 33rd Avenue and the low point on the lane.

The site is presently split-zoned with the two parcels closest to MacKenzie Street being C-1 Commercial District, and the third, the most westerly parcel, being RS-1 One-Family Dwelling District. The existing building is sited on all three parcels.

The site is part of a small commercial node at 33rd and MacKenzie. Across the street on the southeast corner is another full-serve gasoline station, also owned by the applicant and a retail tire store. On the northeast and northwest corners are two one-storey retail buildings containing a number of small convenience/commercial tenancies. While both of these buildings are built to the property line on MacKenzie Street, they are set back from 33rd Avenue to conform with the adjacent residential development.

Lands surrounding the site are mainly developed with well-maintained one-family dwellings. To the west of MacKenzie, these dwellings are generally one-storey-plus-basement bungalows built in the 1950s. To the east of MacKenzie the scale of buildings is generally larger, typically 1-1/2- or 2-storey-plus-basement structures built in the 1920s or '30s.

As with the rezoning site, the adjacent corners are zoned C-1 with commercial uses extending beyond the existing commercial zoning.

**BACKGROUND**

The gasoline station was approved on the site in 1951. The three-parcel site was shown on the building permit as "local commercial zoning". With the introduction of the Zoning and Development By-law No. 3575 in 1956, however, the local commercial zone was clearly defined as only the two parcels with a combined width of 20.12 m (66 ft.) to the west of MacKenzie Street. The westerly one-third of the site is therefore non-conforming as to use.

In 1976 an application was submitted to rezone the split-zoned property at the southeast corner, from C-1 and RS-1 to C-1, in conformity with its actual use. The Director of Planning recommended that the application either be refused or that all four corners be referred to the same Public Hearing. Council chose the latter and refused the application in all four corners mainly because of concerns raised by neighbours that expansion should not be approved without their being able to review specific plans for redevelopment. The need for additional commercial zoning in the area at that time was also questionable.

On September 5, 1985, the current application was submitted, proposing to rezone the westerly lot on the subject site and a portion of the split-zoned lot on the southeast corner of 33rd and MacKenzie from RS-1 to C-1. Within a few weeks of the posting of the sign on the sites, 40 letters and two petitions were received. Of the letters, 35 objected to the proposed commercial rezoning, with five in support. One petition containing over 220 signatures objected to the extension of commercial zoning and one petition with 135 signatures supported the redevelopment of the gasoline station.

Clause No. 5 Continued

Following this response and discussions with staff, the applicant reconsidered his request and on July 10, 1986, the application was revised to delete rezoning consideration of the southeast corner and amend the application for the southwest corner to a CD-1 with a proposed limitation on use and form of development.

**PROPOSED DEVELOPMENT**

The submitted plans indicate a one-storey-plus-mezzanine, full-serve gasoline station. Of the total building area of 362.32 m<sup>2</sup> (3,900 sq.ft.), approximately 149 m<sup>2</sup> (1,600 sq.ft.) is ancillary retail office and storage, with the remaining 214 m<sup>2</sup> (2,300 sq.ft.) being for automotive repair. The latter consists of four service bays - two oriented toward 33rd Avenue, and two oriented toward MacKenzie Street. The two pump islands, one facing 33rd Avenue and one facing MacKenzie Street, will remain with access from the four existing curb crossings. A canopy has been added over the MacKenzie Street island.

The building design features peaked roofs and exterior materials consistent with the residential neighbourhood. A site plan and elevations are included in Appendix 'A'.

**COMMENTS FROM REVIEWING AGENCIES**

Urban Design Panel

The Urban Design Panel reviewed this application on two occasions. First, on August 13, 1986 they were not supportive of the design, noting concerns relating to the compatibility of the then-proposed "high-tech" image and the residential neighbourhood, and recommending stronger landscaped definition of the site edges.

A revised application was endorsed by the Panel on October 22, 1986. They supported the more residential character of the roof forms but suggested some design improvement. They also suggested closer-spaced and more substantial planting along the westerly property line and the planting of a large tree at each of the northwest and southeast corners of the property as well.

Engineering Department

The Engineering Department finds the rezoning proposal acceptable, provided that the development permit application complies with the Parking By-law and related Engineering Department standards.

**ANALYSIS AND ASSESSMENT**

Use

While only two of the three lots which comprise the site are zoned for commercial purposes, the entire site has been used as a full-serve gasoline station since 1951. The existing building is sited on portions of all three parcels. This includes a 10-foot section of the RS-1 zoned site, the remainder of which is used for storage of equipment, vehicles and refuse.

During the consideration of the initial application to rezone the RS-1 lot to C-1, a number of objections were received. While a few were directly related to the enlargement of the service station, most expressed concern about the extension of the C-1 zoning without a guarantee of the future uses, with the potential for all-night convenience stores, restaurants and other uses which could produce negative impacts.

Clause No. 5 Continued

The proposed rezoning to CD-1 would not only guarantee the future use and form of development, but also exclude the possibility of the redevelopment of the site with convenience-commercial. Following the revision of the application to a CD-1 rezoning, the site sign was amended and a notification letter was sent to the surrounding property owners advising of the change. Since that time no correspondence has been received.

The proposed full-serve gasoline station reflects the existing use of the site and is listed as a conditional approval use under the C-1 District Schedule. A comparison of the proposed CD-1 and the C-1 and RS-1 District Schedules is included as Table 1 below:

TABLE 1.

	Proposed CD-1	C-1	RS-1
Site Area	12,870 sq.ft.	same	same
Floor Area	3,900 sq.ft.	15,444 sq.ft.	7,722 sq.ft.
FSR	0.30	1.20	0.60
Site Coverage	22%	N/A	45%
Front Yard	44 ft.	24 ft.	24 ft.
Rear Yard	41 ft. to c/l of lane	35 ft. to c/l of lane	58.5 ft. to c/l of lane
Side Yard (west)	5 ft.	3 ft.	9.9 ft.
Height	26 ft. (to roof peak)	30 ft.	30 ft.
Parking	6	5	1/dwelling unit

**Density**

As indicated in Table 1, the proposed floor area and resulting FSR are well below that permitted in both C-1 and RS-1 zones. This is also reflected in the low site coverage.

**Form**

When the original "high-tech" proposal was reviewed by the Urban Design Panel, they suggested that because the site was part of a small-scale commercial centre within a single-family neighbourhood, the proposal should be redesigned to reflect the residential character of the area. The new design features a varied peaked-roof form and exterior materials which include cedar shingles, stucco and brick to create a residential image. In addition, landscaping was increased along all site edges.

The proposed design respects the relationship with neighbouring properties. While the building is sited closer to the RS-1 lot on the west than the existing structure, a 1.52 m (5 ft.) landscaped setback has been added. There is currently no landscaping in this area and the present use of the space for miscellaneous storage creates a poor transition to the residential area. The smaller setback is felt to be an improvement as it is large enough for planting, yet too small to be used for storage. Measures to reduce the transmission of noise to the residential neighbourhood include the use of glass block and no-opening windows on the west elevation.

Clause No. 5 Continued

On the south property line, access to the two existing service bays is taken from the lane. The intermittent noise disruption and the seepage of oil down the slope into the lane are concerns about the present operation, as expressed by residents to the south. The proposed design indicates a landscaped setback from the lane and no access to the lane. As well, the four proposed service bays face towards the two flanking streets, away from the residential properties.

The proposed design is a significant improvement over the existing situation. There are, however, several concerns which can be corrected with minor design changes:

- 1) The proposal shows a large overhead door on the south elevation that the applicant advises will be used for convenience only and not vehicular traffic. Even if not used for vehicles, if left open it would be a source of noise directed towards the residents to the south. This wall should be redesigned without openings, with the exception of the small "exit door" and the use of glass block for the transmission of light.
- 2) The design shows two mezzanines - one at the northeast and one at the southeast corners of the building. Staff are not supportive of the higher roof element at the southwest corner as it would impact the adjacent rear yard to the west. This portion of the building should be deleted.
- 3) Another recommended improvement relates to the north elevation. It is felt by both staff and the Urban Design Panel that the main peaked element evident on Mackenzie Street should be repeated on 33rd Avenue. The extension of the ridge toward 33rd would also increase the area of the mezzanine at this location, helping to make up for the loss of the mezzanine level on the southwest corner.
- 4) In terms of landscaping, the 10-foot-high coniferous screen proposed along the westerly property line should be extended almost to the northerly property line, ending in a larger tree as suggested by the Design Panel. This would provide more privacy and visual amenity for the adjacent residences and would better define the transition between residential and commercial uses. The remainder of the landscaping is satisfactory.

**CONCLUSION**

While the neighbourhood was concerned about the lack of a specific use or form of development under the all-C-1 zoning originally proposed for this site, these concerns have been satisfied by the amendment of the application to a CD-1 proposal. With the designation of use as a full-serve gasoline station, the neighbourhood's concerns relating to a convenience-commercial development have been allayed, even the portion of the site now zoned C-1.

Regarding the design, the addition of peaked roofs and use of exterior materials which develop a residential character, has resulted in a design which fits in the neighbourhood. The orientation of the service bays towards the flanking streets reduces the impact of noise directed towards single-family dwellings to the south. The deletion of lane access from the garage reduces traffic in the lane. Finally, the addition of landscaping along the edges of the site will also help to improve the transition between the commercial and residential uses.

Subject to minor design revisions, as noted in the report, the Director of Planning supports this application.

Clause No. 5 Continued

**RECOMMENDATION**

The Director of Planning recommends the following be received and referred to Public Hearing:

THAT the application to rezone 2908 West 33rd Avenue from C-1 and RS-1 to CD-1, generally in accordance with the design statistics presented and the [REDACTED] and with the recommendations contained in [REDACTED], be approved. "

The City Manager RECOMMENDS that the recommendation of the Director of Planning be approved.

APPROVED. COUNCIL, November 4, 1986.





CITY OF VANCOUVER

SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, December 9, 1986 in the Council Chamber, Third Floor, City Hall, at approximately 7:30 p.m., for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

PRESENT: Mayor Campbell  
Aldermen Baker, Bellamy, Boyce,  
Caravetta, Owen, Price,  
Puil and Taylor

ABSENT: Aldermen Davies and Eriksen

CLERK TO THE COUNCIL: Mrs. J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,  
SECONDED by Ald. Boyce,

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

- CARRIED UNANIMOUSLY

1. Rezoning - Location - Southwest Corner  
West 33rd Avenue and Mackenzie Street

The Council considered an application submitted by Mr. E. Koshowski as follows:

REZONING: LOCATION - SOUTHWEST CORNER WEST 33RD AVENUE AND  
MACKENZIE STREET (Lots 16, 17 and 18 of 1,  
Block 47, D.L. 2027)

Present Zoning: C-1 Commercial District and RS-1  
One-Family Dwelling District

Proposed Zoning: CD-1 Comprehensive Development District

(i) The draft CD-1 By-law, if approved, would accommodate the use and development of the site generally as follows:

- gasoline full-service station
- a maximum floor space ratio of 0.27;
- a maximum height of 7.93 m (26 ft.); and
- provisions regarding off-street parking and loading.

(ii) Amend Sign By-law, No. 4810 to establish sign regulations for the newly-created CD-1 District.

(iii) Any consequential amendments.

Cont'd.....

Rezoning - Location - Southwest Corner  
West 33rd Avenue and Mackenzie Street (Cont'd)

The Director of Planning recommended approval subject to the following conditions which were circulated at the Public Hearing to Council members and the public, as an addendum to the agenda. The Director recommended adoption by resolution of Council of the following:

- a) That the detailed scheme of development in a development permit application is first approved by the Director of Planning, with particular regard to:
  - redesign of the south elevation to include no openings, with the exception of the small "exit door" and the use of glass block for the transmission of light;
  - deletion of the mezzanine at the southwest corner of the proposed building;
  - redesign of the north elevation to include the repetition of the main peaked element evident on the MacKenzie Street elevation;
  - extension of the 10-foot-high coniferous screen along the westerly property line almost to the northerly property line, ending in a larger tree.
- b) That the approved form of development is generally as prepared by CTA Design Group, and stamped "Received, City Planning Department, October 8, 1986", provided that the Director of Planning may allow alterations to this approved form of development when approving the detailed scheme of development as outlined in resolution (a) above.

Mr. D. Thomsett, Zoning Division, reviewed the application and explained the rationale for the conditions now recommended. An initial proposal received unfavourable neighbourhood response due to concern about the extension of C1-1 zoning without a particular form of development or use. Neighbours were worried about inappropriate retail uses such as a late night grocery store but were supportive of a new gasoline service station to replace that currently on the site. The project was redesigned and a one-storey plus mezzanine full serve gasoline station containing four service bays with some ancillary retail office and storage space was now proposed.

Mr. Thomsett noted the Director of Planning had some concerns about sound transmission and did not like the overhead doors at the south elevation. However, the applicant approached the neighbours across the lane who raised no objections and signed a petition to this effect. On that basis the Director of Planning was withdrawing the following condition set out in (a) paragraph 2, above:

- redesign of the south elevation to include no openings, with the exception of the small "exit door" and the use of glass block for the transmission of light.

A member of the Council questioned whether the proposed CD-1 zoning, being a specific use, would preclude any change to a self serve or split island gasoline station. Upon being assured that the new use would be restricted to a full serve station, the Council member asked that this be recorded in the minutes of the Public Hearing.

Cont'd....

Rezoning - Location - Southwest Corner  
West 33rd Avenue and Mackenzie Street (Cont'd)

Mr. Zale Tanner, architect, advised the applicant would have no problems satisfying the conditions proposed by the Director of Planning with the exception of the mezzanine. He would like to retain the mezzanine in such a fashion that it would not protrude at the gable end of the building and overshadow the adjacent residence to the west. The mezzanine could be designed within the slope of the building, possibly slightly higher than the existing roof but not in a vertical fashion.

Mr. Thomsett indicated there would be no objection to this proposal provided there was no vertical projection or overshadowing. The relevant condition could be amended accordingly.

The Mayor called for speakers for or against the application and representations were made by the following:

Ms. Priscilla King, on behalf of her mother, who resides in the house immediately to the west of the site, noted the garage would be only six feet from the kitchen and expressed concern about an increase in noise from the service bays.

Council members suggested, as a means of ameliorating the noise factor, that the wall between the properties be extended slightly beyond the residence. Planning staff were directed to investigate this with the applicant and home owner.

Mr. John Guerny, 2879 West 33rd Avenue, requested implementation of controls on hours of operation, on-street parking and late night deliveries by gasoline trucks.

Mr. Douglas Lynn, 2875 West 34th Avenue, also questioned restrictions on hours of operation and sought clarification on the provisions of the proposed Sign By-law amendment.

MOVED by Ald. Bellamy,

THAT the application be approved, subject to the conditions proposed by the Director of Planning and as amended by Council this day, as follows:

- a) That the detailed scheme of development in a development permit application is first approved by the Director of Planning, with particular regard to:
  - design development of the roof envelope at the southwest corner of the proposed building to accommodate the mezzanine without exceeding significantly the present height or pitch of the roof.
  - redesign of the north elevation to include the repetition of the main peaked element evident on the MacKenzie Street elevation;
  - extension of the 10-foot-high coniferous screen along the westerly property line almost to the northerly property line, ending in a larger tree.
  - extension of the westerly wall of the building to a point just in front of the adjacent dwelling. The details of such a design to be resolved to the satisfaction of the adjacent owner and the applicant.

Cont'd....

Rezoning - Location - Southwest Corner  
West 33rd Avenue and Mackenzie Street (Cont'd)

- b) That the approved form of development is generally as prepared by CTA Design Group, and stamped "Received, City Planning Department, October 8, 1986", provided that the Director of Planning may allow alterations to this approved form of development when approving the detailed scheme of development as outlined in resolution (a) above.

- CARRIED UNANIMOUSLY

MOVED by Ald. Puil,

THAT the CD-1 By-law require that the retail component be restricted to merchandise related to the automotive industry.

- CARRIED UNANIMOUSLY

As applications #2 and #3 were related, it was agreed to consider them concurrently; however, for clarity, they are dealt with separately in this Minute of the Public Hearing.

2. Rezoning - Location - Various Properties  
within the 1900-2800 Blocks and 3300-3600  
Blocks East Hastings Street

The Council considered an application by the Director of Planning as follows:

REZONING: LOCATION - VARIOUS PROPERTIES WITHIN THE  
1900-2800 BLOCKS AND 3300-3600 BLOCKS  
EAST HASTINGS STREET

Present Zoning: C-2 Commercial District

Proposed Zoning: C-2C and C-2C1 Commercial District

- (i) The proposed rezoning, if approved, would delimit and reinforce the existing commercial district by discouraging development which will disrupt the pedestrian-oriented character of the area. It will also encourage a greater mix of uses in new development by permitting a larger amount of housing on the upper floors than is presently permitted. C-2C will be applied to the pedestrian-oriented core areas while C-2C1 will be applied to the fringe areas of the Hastings Street commercial district.
- (ii) Any consequential amendments.

The Director of Planning recommended approval of the application.

Mr. M. Gordon, Hastings/Sunrise Area Planner, reviewed the application and described the lengthy process of community discussion resulting in input from neighbourhood and business representatives. The rezoning now requested would ensure that East Hastings would remain a vital commercial district.

During discussion a member of Council questioned the discretionary aspects of the proposed zoning and its possible application in other similar areas in the City.

Cont'd....

#190

2908 W. 33rd.  
(33rd & MACKENZIE)

33rd and MacKenzie

BY-LAW NO. 6155

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

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

1. The "Zoning District Plan" annexed to By-Law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-328c and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.
2. The area shown included within the heavy black outline on Schedule "A" is rezoned to CD-1, and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:
  - (a) Gasoline full-service station;
  - (b) Accessory uses customarily ancillary to the above use provided that any retailing is restricted to merchandise related to the automotive industry only.
3. Floor Space Ratio  

The floor space ratio for all uses, measured in accordance with the provisions of the C-1 District Schedule, shall not exceed 0.27.
4. Height  

The maximum building height, measured above the base surface, shall be 7.93 m (26 ft.).
5. Off-street Parking and Loading  

Off-street parking and loading shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law.

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

DONE AND PASSED in open Council this 16th day of June , 1987.

(signed) Gordon Campbell  
\_\_\_\_\_  
Mayor

(signed) M. Kinsella  
\_\_\_\_\_  
City Clerk

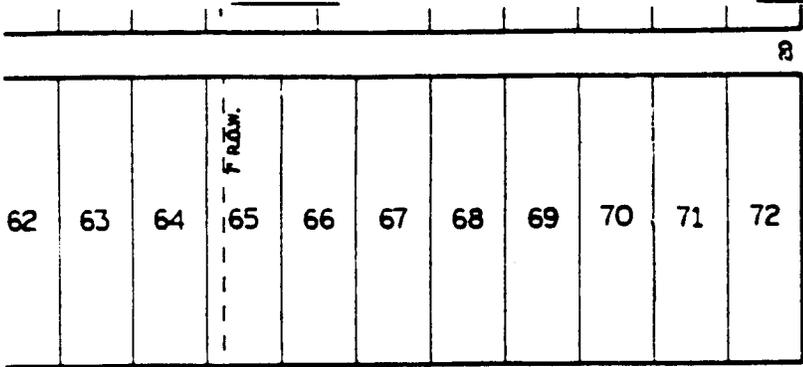
"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 16th day of June 1987, and numbered 6155.

CITY CLERK"

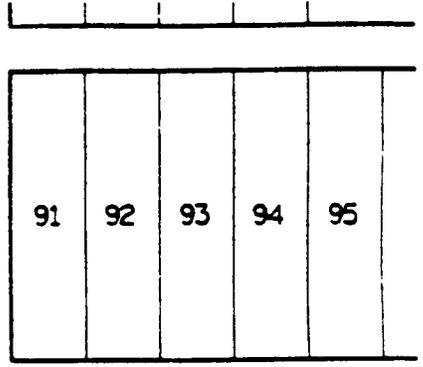
J

BY-LAW No. 6155 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW

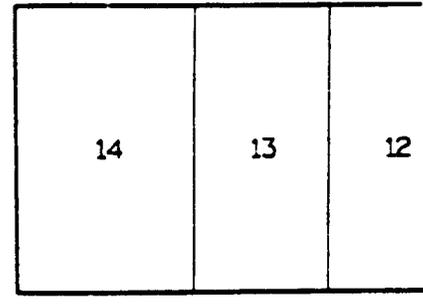
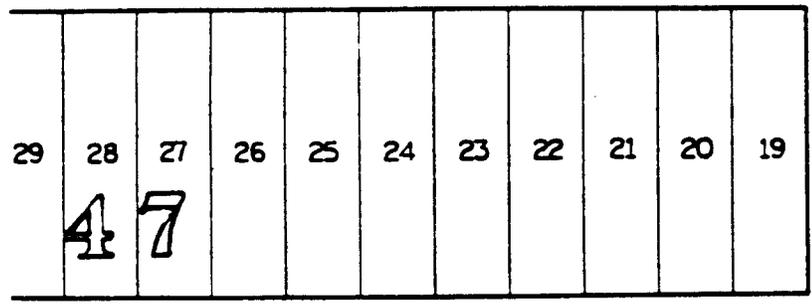
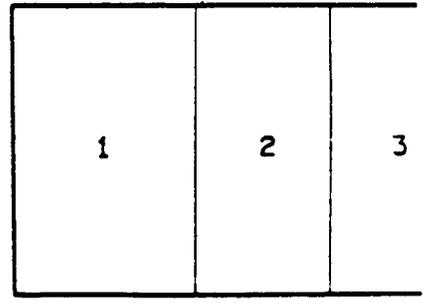
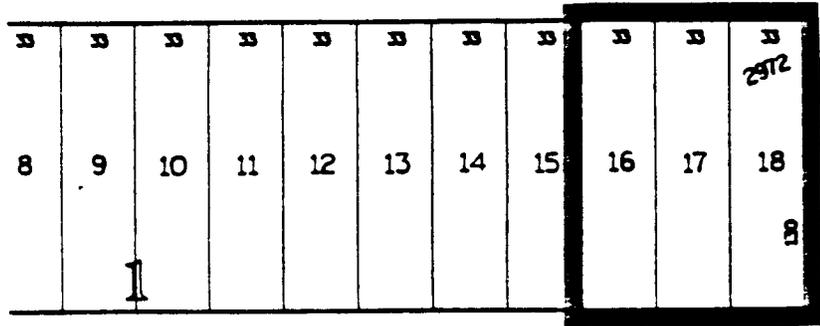
THE PROPERTY SHOWN BELOW (  ) OUTLINED IN BLACK SCHEDULE A  
IS REZONED: FROM **C-1 & RS-1** TO **CD-1**



MACKENZIE ST.



THIRTY-THIRD AVE.



THIRTY-FOURTH AVE.



SCALE: 1:1000  
FILE No. **RZ 33rd and MacKenzie**

**Z-328c**

33rd & McKenzie

BY-LAW NO. 6178

A By-law to amend By-law No. 4810  
being the Sign By-law

*Superseded by Sign By-law 6510*

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

1. Schedule "I" of By-law No. 4810 is amended by inserting the  
following as Map Index No. 173:

"33rd & McKenzie By-law No. 6155 B (Local Comm. C-1)"

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

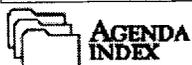
DONE AND PASSED in open Council this 7th day of  
July , 1987.

(signed) Gordon Campbell  
Mayor

(signed) Maria 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 7th day of  
July 1987, and numbered 6178.

CITY CLERK"



**CITY OF VANCOUVER**

**SPECIAL COUNCIL MEETING MINUTES**

**FEBRUARY 24, 2000**

A Special Meeting of the Council of the City of Vancouver was held on Thursday, February 24, 2000, at 7:35 p.m., in Council Chambers, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law and Official Development Plans.

**PRESENT:** Mayor Philip Owen  
 Councillor Fred Bass  
 Councillor Jennifer Clarke  
 Councillor Daniel Lee  
 Councillor Don Lee  
 Councillor Sandy McCormick  
 Councillor Sam Sullivan

**ABSENT:** Councillor Lynne Kennedy  
 Councillor Tim Louis  
 Councillor Gordon Price (Sick Leave)  
 Councillor George Puil (Civic Business)

**CITY CLERK'S OFFICE:** Tarja Tuominen, Meeting Coordinator

**COMMITTEE OF THE WHOLE**

MOVED by Cllr. Don Lee,  
 SECONDED by Cllr. Daniel Lee,

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Zoning and Development By-law and Official Development Plans.

- CARRIED UNANIMOUSLY

**1. Text Amendments: District Schedules, Official Development Plans and**

**CD-1 By-laws - Floor Space Exclusions**

### [Barrett Commission]

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

Summary: The proposed text amendments would provide floor space exclusions to provide construction incentives to control building envelope leaks.

The Director of Current Planning recommended approval.

### Staff Comments

Jacqui Forbes-Roberts, General Manager of Community Services, provided a brief introduction to the report, noting the proposed text amendments would affect new construction and repairs and restoration of existing buildings. Ms. Forbes-Roberts also requested an amendment to the proposed draft by-law to amend By-law 3575 to add RS1 to Section 4.7.3, (d).

Doug Watts, Building Envelope Specialist, with the aid of a slide presentation, described the specifics of the technical and different design issues of the proposed amendments, and explained what steps other municipalities have taken to address the recommendations arising from the Barrett Commission.

### Summary of Correspondence

Council was advised the following correspondence was received since the date the application was referred to Public Hearing:

one letter in support of 'Option A'.

### Speakers

Mayor Owen called for speakers for and against the application.

The following spoke in support of 'Option A':

John Fowler, Canadian Precast/Prestressed Concrete Institute  
Bill McEwen, Masonry Institute of British Columbia (brief filed)  
Peter Reese

The foregoing speakers supported 'Option A' based on one or more of the following points:

application of the current FSR calculations has prevented a wide-spread use of precast concrete exterior walls; there have been very few problems with the use of pre-cast concrete, which has proven to be a versatile and durable material;

thicker exterior walls are better walls, because they can include an airspace cavity behind the cladding which provides a "rainscreen" system, more efficient insulation, thicker, more durable cladding materials; current FSR calculations discourage the foregoing;

the proposed changes in FSR definitions will immediately encourage better wall design;

brick and stone-faced walls should be encouraged.

The following generally supported 'Option A' but felt the proposed text amendments should be referred back to staff for further study and discussion with the industry:

John O'Donnell, AIBC  
Stuart Howard, Vancouver Planning Coalition

The following is a summary of the foregoing speakers' comments:

Option 'A' is supported in principle; however the text amendments also should address overhangs, balconies, elevated walkways, yard setbacks, and site coverage; staff should accept the electronic calculation of areas and the calculations of the Architect, given under seal; letters of assurance from a building envelope specialist are redundant at an early stage; the proposed text amendments should cover everything instead of the City issuing administrative bulletins to address further changes.

### **Staff Closing Comments**

Ralph Segal, Planner; Eric Fiss, Planner; and Doug Watts responded to the issues raised by the speakers: the proposed text amendments are the result of a fair bit of consultation with the industry; a building envelope specialist is required to be involved in the process earlier as technical details are to be submitted at the development permit stage; staff are taking a further look at other issues, such as recesses, balconies and walkways.

Ms. Forbes-Roberts advised Council may proceed with the proposed amendments to the floor space exclusions and request staff to come back with additional amendments. Staff and the industry would prefer the FSR exclusions not be delayed.

MOVED by Cllr. Don Lee,

A. THAT the application by the Director of Current Planning to amend various District Schedules, Official Development Plans and CD-1 By-laws to provide floor space exclusions to provide construction incentives to control building envelope leaks be approved.

FURTHER THAT the draft By-law 3575, section 4.7.3, be amended as follows:

(d) as clause (h) in the following district schedules:

*RS-1 and RS-1S RT-4, etc.*

*(Italics denote amendment)*

B. THAT staff report back on other aspects affecting leakage of buildings, such as overhangs, protection of upper balconies, recesses, etc.

- CARRIED UNANIMOUSLY

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Cllr. Don Lee,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Cllr. Clarke,  
SECONDED BY Cllr. Don Lee,

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

- CARRIED UNANIMOUSLY

The Special Council adjourned at 9:20 p.m.

\* \* \* \* \*



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Comments or questions? You can send us [email](#).

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[COMMUNITIES](#)

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**EXPLANATION**

**Zoning and Development  
Various CD-1 by-laws**

**Amendments re Exterior Wall Exclusion (Barrett Commission Recommendations)**

Following a public hearing on February 24, 2000 Council approved an application, as noted above. There were no prior-to conditions and the Director of Current Planning has advised that the attached by-law can now be enacted to implement Council's resolution.

**Director of Legal Services  
14 March 2000**

I:\BYLAWS\WPDOCS\PORTER\CD-1CONS.WPD

Exterior Wall Exclusion

BY-LAW NO. 8169

A By-law to amend  
By-laws Nos.

3568 3632 3706 3712 3865 3869 3885 3897 3907 3914 3983 4037 4049 4085 4131  
4238 4271 4358 4397 4412 4559 4580 4597 4634 4674 4677 4775 4825 4829 4860  
4861 4900 4918 4926 4928 4930 4940 4954 4958 4999 5009 5011 5014 5028 5060  
5091 5145 5179 5184 5222 5224 5229 5376 5343 5381 5383 5407 5411 5416 5418  
5477 5510 5548 5555 5579 5597 5683 5702 5717 5762 5773 5810 5836 5838 5852  
5863 5890 5927 5937 5950 5975 5976 5997 6009 6039 6041 6057 6063 6064 6070  
6072 6117 6155 6161 6169 6180 6221 6245 6246 6254 6260 6263 6272 6277 6297  
6305 6307 6310 6312 6313 6314 6315 6316 6317 6318 6319 6320 6321 6322 6323  
6325 6361 6362 6363 6394 6420 6421 6423 6425 6427 6428 6429 6448 6449 6475  
6486 6489 6528 6533 6538 6564 6577 6582 6594 6597 6654 6663 6676 6688 6710  
6713 6714 6715 6718 6730 6731 6738 6739 6740 6744 6747 6757 6759 6760 6768  
6779 6787 6817 6819 6827 6838 6876 6883 6884 6911 6919 6953 6962 6963 6965  
7006 7045 7087 7091 7101 7114 7135 7155 7156 7157 7158 7159 7163 7164 7173  
7174 7175 7189 7193 7196 7198 7200 7201 7204 7208 7209 7210 7223 7224 7230  
7232 7235 7246 7248 7249 7317 7325 7337 7340 7371 7381 7389 7405 7419 7425  
7431 7434 7435 7459 7461 7476 7516 7519 7522 7531 7551 7552 7556 7592 7601  
7602 7638 7639 7645 7647 7648 7649 7651 7652 7654 7655 7656 7672 7673 7675  
7677 7679 7681 7682 7684 7705 7715 7723 7820 7829 7834 7835 7852 7853 7879  
7904 7927 7932 7948 7958 7971 7995 7996 8016 8034 8043 8055 8073 8082 8088  
8097 8109 8111 8116 8130 8131

being By-laws which amended the  
Zoning and Development By-law  
by rezoning areas to CD-1

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

1. By-law No. 3907 is amended in Section 2 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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."

2. By-law No. 4412 is amended in Section 2 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3. By-law No. 5376 is amended in Section 2 by deleting the period from the end of subclause (iii) and substituting it with a semi-colon and by adding the following subclause:

"(iv) 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 subclause shall not apply to walls in existence prior to March 14, 2000."

4. By-laws No. 4825 and 6325 are each amended in Section 3 by deleting the period from the end of subclause (ii) and substituting it with a semi-colon and by adding the following subclause:

"(iii) 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, shall be excluded in the computation of floor space ratio, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

5. By-law No. 5343 is amended in Section 3 by deleting the period from the end of clause (iii) and substituting it with a semi-colon and by adding the following clause:

"(iv) 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"

6. By-laws No. 4775, 4829, 5222, 5224, 5773 and 6039 are each amended in Section 3 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7. By-laws No. 4085, 5411, and 5416 are each amended in Section 3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) 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."

8. By-law No. 5407 is amended in Section 3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) 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."

9. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.1 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

3568 3712 3885 4271 4358 4634 4674 4861 4900 4918 4926 4928  
4930 4940 4958 4999 5009 5011 5014 5028 5060 5145 5179 5184  
5229 5418 5477 5836 5838 5863 5937 5950 5975 5976 4954 6041  
6064 6072 6117 6155 6161 6180 6245 6246 6260 6263 6277 6297  
6305 6307 6394 6420 6425 6427 6428 6429 6448 6449 6489 6538  
6577 6594 6564 6654 6663 6759 6760 6779 6876 6911

10. By-laws No. 6314 and 6582 are each amended in Section 3.1 by deleting the period from the end of clause (ii) and substituting it with a semi-colon and by adding the following clause:

"(iii) 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."

11. By-law No. 6272 is amended in Section 3.1 by deleting the word "and" from the end of subclause (c)(i), by deleting the period from the end of subclause (c)(ii) and substituting it with a semi-colon and by adding the following subclause:

"(iii) 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."

12. By-law No. 4580 is amended in Section 3.2 by deleting the period at the end of the section and substituting it with a semi-colon, by relettering the existing text as clause (a) and by adding the following clause:

"(b) 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, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

13. By-law No. 6884 is amended in Section 3.1 by deleting the word "and" from the end of clause (a), by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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."

14. By-law No. 5683 is amended in Section 3.2 by deleting the period at the end of this section and substituting it with a semi-colon and by adding the following clause:

"(b) 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, shall be excluded in the computation of floor

space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

15. By-law No. 8088 is amended in Section 3.2 by adding the following clause:

"(d) 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."

16. By-law No. 6009 is amended in Section 3.2 by deleting the period at the end of subclause (e)(vii) and substituting it with a semi-colon and by adding the following clause:

"(f) 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."

17. By-law No. 4677 is amended in Section 3.2 by deleting the period at the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

18. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.3 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

4238 4860 5579 5717 5810 5852 5890 6057 6070 6310 6312 6313  
6316 6320 6361 6363 6423 6528 6714 6715

19. By-law No. 7684 is amended in Section 3.3 by deleting the period from the end of clause (a) and substituting it with a semi-colon and by adding the following clause:

"(b) 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."

20. The By-laws listed below are each amended in Section 3.3 by deleting the and from clause (a) and by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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."

7705 7459 7435 7434 7419 7389 6718

21. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) 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."

5458 5548 5597 6962 7045 7682

22. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) 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."

3897 3983 5510 7144 7208 7476 7516 7820 7927 7996

23. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

" (f) 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."

5091 6486 6676 6688 6713 6730 6787 6817 7159 7337 7531 7552  
7556 7645 7652 7715 7835 7971 8111

24. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

4391 4049 4397 4597 6421 6710 6731 6738 6739 6740 6768  
6827 6838 6919 6953 6963 6965 7006 7091 7092 7101 7135  
7155 7157 7158 7163 7166 7175 7189 7193 7196 7198 7210  
7223 7224 7230 7325 7340 7381 7519 7551 7602 7638 7639  
7647 7651 7655 7723 7932 7948 8082

25. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) 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."

3869 7173 7522 7601 7656 7672 7834 7852 7853 7904 7958

26. By-laws No. 4559, 7209, 7425 and 7431 are each amended in Section 3.3 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(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."

27. By-laws No. 5997 and 7829 are each amended in Section 3.3 by deleting the period from the end of clause (i) and substituting it with a semi-colon and by adding the following clause:

"(j) 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."

28. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.4 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

5762 5927 6315 6317 6318 6319 6321 6323 6362

29. By-law No. 7980 is amended

(a) in Section 3.4 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) 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.", and

(b) in Section 3.7 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

30. By-laws No. 7087 and 7174 are each amended in Section 3.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

31. By-law No. 7246 is amended in Section 3.4 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(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."

32. By-laws No. 8034, 8043 and 8116 are each amended in Section 3.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

33. By-laws No. 6322 and 6597 are each amended in Section 3 by adding the following section:

"3.5 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

34. By-law No. 8016 is amended in Section 3.5 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) 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."

35. By-law No. 8055 is amended in Section 3.5 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(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."

36. By-law No. 8130 is amended in Section 3.6 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) 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."

37. By-law No. 7648 is amended in Section 3.6 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

38. By-laws No. 6063 and 6221 are each amended in Section 3 by adding the following section:

"4.1 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

39. By-law No. 5555 is amended in Section 4 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

40. By-law No. 5705 is amended in Section 4 by adding the following section:

"4.3 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

41. By-law No. 7371 is amended in Section 4.3 by deleting the period from the end of clause (a) and substituting it with a semi-colon and by adding the following clause:

"(b) 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."

42. By-law No. 7249 is amended in Section 4.3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) 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."

43. By-laws No. 5702 and 7673 are each amended in Section 4.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) 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."

44. By-laws No. 6819 and 7238 are each amended in Section 4.3 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) 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."

45. The By-laws listed below are each amended in Section 4.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

3632 3706 4131 7649 7995 8073 8097

46. By-law No. 5381 is amended in Section 4.3.3 by adding after the existing text the following:

" - 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."

47. By-law No. 7592 is amended in Section 4.4 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) 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."

48. By-law No. 6883 is amended in Section 4.4 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) 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."

49. By-laws No. 4037 and 7405 are each amended in Section 4.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

50. By-law No. 7201 is amended in Section 4.5 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) 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."

51. By-law No. 5383 is amended in Section 5 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) 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."

52. By-law No. 6533 is amended in Section 5.2.4 by deleting the period at the end of the existing text and substituting it with a semi-colon and by adding the following:

" - 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."

53. By-law No. 7654 is amended in Section 5.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

54. By-law No. 7677 is amended in Section 5.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) 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."

55. By-laws No. 7675, 7681 and 8109 are each amended in Section 5.3 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(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."

56. By-laws No. 3865 and 6475 are each amended in Section 5.3.3 by deleting the period from the end of the existing text and substituting it with a semi-colon and by adding the following:

" - 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."

57. By-law No. 7879 is amended in Section 5.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

58. By-law No. 8131 is amended in Section 5.4 by deleting the period from the end of clause (j) and substituting it with a semi-colon and by adding the following clause:

"(k) 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."

59. By-law No. 6169 is amended in Section 6 by adding the following section:

"6.1 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

60. By-law No. 7679 is amended in Section 6.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) 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."

61. By-law No. 7317 is amended in Section 6.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

62. By-laws No. 7156, 7200, and 7232 are each amended in Section 6.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) 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."

63. By-law No. 7461 is amended in Section 6.3 of Schedule B by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(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."

64. By-law No. 7248 is amended in Section 6.3 by deleting the period from the end of clause (i) and substituting it with a semi-colon and by adding the following clause:

"(j) 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."

65. By-law No. 6744 is amended in Section 6.3 by deleting the period from the end of clause (j) and substituting it with a semi-colon and by adding the following clause:

"(k) 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."

66. By-laws No. 6747 and 7204 are each amended in Section 7.3 of Schedule B, by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) 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."

67. By-law No. 6757 is amended in Section 7.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) 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."

68. By-law No. 6254 is amended in Section 8 by deleting the period from the end of the second clause (a), which clause ends with the word "computation", and substituting a semi-colon and by inserting the following clause:

"(b) 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;"

69.

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

DONE AND PASSED in open Council this 14th day of March , 2000.

(Signed) Philip W. Owen  
Mayor

(Signed) Ulli S. Watkiss  
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 14th day of March 2000, and numbered 8169.

CITY CLERK"

# **Backup Notes**

**By-law No. 10192, dated December 14, 2010**

**BY-LAW NO. 10192**

**A By-law to amend CD-1 By-law No. 6155**

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. 6155.
2. Before section 1, Council inserts the heading:  
**“Zoning District Plan Amendment”**
3. Before section 2, Council inserts:  
**“Uses”**
4. Council repeals section 2 and substitutes:  

“2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (190).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (190) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

  - (a) Cultural and Recreational Uses, limited to Fitness Centre;
  - (b) Dwelling Uses, limited to Dwelling units in conjunction with any of the uses listed in this By-law except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building facing Mackenzie Street and extending across 50% of the width of the building facing Mackenzie Street shall be used for any residential purpose except as entrances to the residential portion;
  - (c) Office Uses, limited to Financial Institution, General Office, Health Care Office, Health Enhancement Centre;
  - (d) Retail Uses, limited to Neighbourhood Grocery Store, Retail Store;

- (e) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B , Restaurant - Class 1; and
  - (f) Accessory uses customarily ancillary to the above uses.”
- 5. Council repeals section 3, and substitutes:
  - “Density
  - 3.1 Computation of floor space ratio must assume that the site consists of 1 198 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
  - 3.2 The number of Dwelling Units must not exceed 10.
  - 3.3 The floor space ratio for all uses, combined, must not exceed 1.25, except that the floor space ratio for all dwelling uses must not exceed 1.1.
  - 3.4 Computation of floor space ratio must include:
    - (a) all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building, and
    - (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
  - 3.5 Computation of floor space ratio must exclude:
    - (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the permitted residential floor area;
    - (b) patios and roof gardens for residential purposes only, if the Director of Planning first approves the design of sunroofs and walls;
    - (c) 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;

- (i) are at or below the base surface, except that the maximum exclusion for a parking space must 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, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas including recreation facilities, and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (f) 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 shall not apply to walls in existence prior to March 14, 2000; and
- (g) 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 subsection (ii) meets the standards set out therein.

3.6 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board, enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and

(b) enclosure of the excluded balcony floor area must not exceed 50%.

3.7 The use of floor space excluded under section 3.5 and 3.6 must not include any purpose other than that which justified the exclusion.”

6. Council repeals section 4, and substitutes:

**“Height**

4.1 The building height of the mixed-use building on the site, measured from base surface, must not exceed 12.2 m.

4.2 The building height of the Two-Family Dwelling on the site, measured from base surface, must not exceed 10.7 m.”

7. Council repeals section 5, and substitutes:

**“Setbacks**

5.1 The setback of the mixed-use building on the site must be at least:

- (a) 0.91 m from the north front yard property line;
- (b) 0.30 m from the east side yard property line; and
- (c) 0.44 m from the south rear yard property line.

5.2 The setback of the Two-Family Dwelling on the site must be at least:

- (a) 4.42 m from the north front yard property line;
- (b) 1.52 m from the west side yard property line; and
- (c) 0.44 m from the south rear yard property line.”

8. After section 5.2, Council inserts:

**“Parking, loading, and bicycle spaces**

6.1 Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

**Horizontal angle of daylight**

7.1 Each habitable room must have at least one window on an exterior wall of a building.

7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 If:

(a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

7.5 An obstruction referred to in section 7.2 means:

(a) the theoretically equivalent buildings located on any adjoining sites in any R district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the site;

(b) accessory buildings located on the same site as the principal building;

(c) any part of the same building including permitted projections; or

(d) the largest building permitted under the zoning on any site adjoining CD-1 #190.

7.6 A habitable room referred to in section 7.1 does not include:

(a) a bathroom; or

(b) a kitchen whose floor area is the lesser of:

(i) less than 10% of the total floor area of the dwelling unit, or

(ii) less than 9.3 m<sup>2</sup>.

#### Acoustics

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

portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

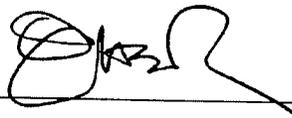
Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45"

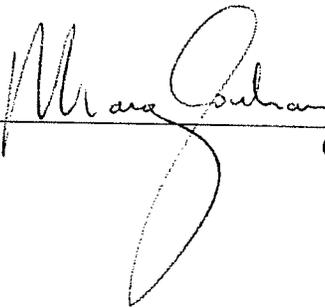
**Severability**

9. 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.

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

ENACTED by Council this 14<sup>th</sup> day of December, 2010

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

~~ADOPT REPORT OF COMMITTEE OF THE WHOLE~~

~~MOVED by Councillor Jang  
SECONDED by Councillor Cadman~~

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

~~CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)~~

BY-LAWS

MOVED by Councillor Reimer  
SECONDED by Councillor Deal

THAT Council enact the by-law listed on the agenda for this meeting as numbers 1 and 4, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer  
SECONDED by Councillor Cadman

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as numbers 2, 3, 5, 7 and 8, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer  
SECONDED by Councillor Cadman

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as number 6, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

1. **A By-law to amend Energy Utility System By-law No. 9552 regarding miscellaneous amendments** (By-law No. 10188)
2. **A By-law to amend Noise Control By-law No. 6555 (2665 Renfrew Street)**  
(By-law No. 10189)  
(Councillors Anton and Stevenson ineligible to vote)

3. A By-law to amend Sign By-law No. 6510 (2665 Renfrew Street)  
(By-law No. 10190)  
(Councillors Anton and Stevenson ineligible to vote)
4. A By-law to amend Solid Waste By-law No. 8417 regarding 2011 fees and miscellaneous amendments (By-law No. 10191)
5. A By-law to amend CD-1 By-law No. 6155 regarding 2908 West 33<sup>rd</sup> Avenue  
(By-law No. 10192)  
(Councillor Meggs ineligible for the vote)
6. A By-law to amend East Fraser Lands Official Development Plan By-law No. 9393  
(Miscellaneous Text Amendments) (By-law No. 10193)  
(Councillors Deal and Stevenson ineligible for the vote)
7. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (Area 2 North - East Fraser Lands) (By-law No. 10194)  
(Councillors Deal and Stevenson ineligible for the vote)
8. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (By-law No. 10195)  
(Councillors Deal and Stevenson ineligible for the vote)

~~MOTIONS~~

~~Administrative Motions~~

1. Establishing Road along the Fraser River between Kerr Street and Kinross Street  
(East Fraser Lands Area 2 South)

MOVED by Councillor Meggs  
SECONDED by Councillor Deal

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All of Lot 11 District Lot 330 Group 1 New Westminster District Plan BCP\_\_\_\_\_ as shown on Subdivision Plan prepared by Gary Sundvick, B.C.L.S., completed and checked on the 2<sup>nd</sup> day of December 2010, and marginally noted "Dwg: 3052-AREA2-PH1-REV3".

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of road.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

SPECIAL COUNCIL MEETING MINUTES

MAY 18 AND 20, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, May 18, 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, official development plan, sign and heritage by-laws. Subsequently, the meeting was recessed and reconvened on Thursday, May 20, 2010, at 7:38 pm.

**PRESENT:**

Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman (May 18, 2010)  
Councillor George Chow  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs (May 20, 2010)  
Councillor Andrea Reimer  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth

**ABSENT:**

Councillor Geoff Meggs (Leave of Absence - May 18, 2010 -  
Items 1 through 9)  
Councillor David Cadman (Sick Leave - May 20, 2010 - Item 10)

**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 amendments to the zoning, official development plan, sign and heritage by-laws.

CARRIED UNANIMOUSLY

~~Heritage Designation: 1476 Graveley Street~~

~~An application by Cinnamon Bhayani and Galib Bhayani was considered as follows:~~

~~Summary: A heritage designation to preserve and protect the exterior of this heritage house as part of the Vancouver Heritage Foundation's *Restore It* grant program.~~

~~The Director of Planning recommended approval.~~

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

- B. THAT, subject to approval of the rezoning at a Public Hearing, the Subdivision By-law be amended as set out in Appendix C, to the Policy Report, "CD-1 Rezoning - 5912-5970 Oak Street", dated April 6, 2010; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

CARRIED UNANIMOUSLY

\*\*\*\*\*

*Prior to dealing with Item 8 it was*

*MOVED by Councillor Deal*

*THAT due to time constraints, Item 10 regarding 3333 Main Street be referred to Thursday, May 20, 2010, 7:30 pm.*

*CARRIED  
(Councillor Anton opposed)*

\*\*\*\*\*

#### **8. TEXT AMENDMENT: 2908 West 33<sup>rd</sup> Avenue**

An application by Geoffrey Glotman, Mackenzie Street Development Inc., was considered as follows:

Summary: To amend Comprehensive Development (CD-1) #190 to permit a three-storey mixed residential development with retail on the corner.

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

#### **Staff Opening Comments**

Rezoning Centre staff reviewed the application and responded to questions

#### **Summary of Correspondence**

No correspondence had been received since referral to Public Hearing.

### Speakers

The Mayor called for speakers for and against the application.

The following spoke in general support, some of whom provided additional comments or suggestions:

Jim Hall, Chair, ARKS Vision Committee  
Kary McGavin, ARKS Housing Subcommittee  
Robert Lilly  
Joel Silverman

The following requested that the site be considered for seniors' housing:

Bill Rapanos, Dunbar Housing Trust  
Donna Webb

### Applicant Closing Comments

Doug Ramsay, Architect, Ramsay Worden Architects provided closing comments.

### Council Decision

MOVED by Councillor Anton

THAT the application by Mackenzie Street Development Inc., to amend CD-1 #190 (By-law No. 6155) for 2908 West 33rd Avenue (PID 013-283-006, 013-283-014, and 013-283-031; Lots 16, 17, and 18, all of Lot 1; Block 47; District Lot 2027; N.W.D; Plan 2972), to permit construction of a mixed-use development with 10 residential units and 4 commercial units at a floor space ratio (FSR) of 1.25, generally as presented in Appendix A, to the Policy Report, "*CD-1 Text Amendment - 2908 West 33rd Avenue*", dated April 6, 2010, be approved, subject to 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 Ramsay Worden Architects Ltd., and stamped "Received City Planning Department, November 18, 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 the Mackenzie Street elevation to improve integration of the upper storeys with the ground level storey.

Note to Applicant: This can be achieved by shifting the mass of the storeys above the commercial use to the east. This will also broaden the separation between the two buildings, reducing privacy impacts.

- (ii) Design development to the roof and expression of the western building to reduce the impacts to the western neighbour.

Note to Applicant: The west elevation of the two-family building presents a large portion of blank wall, blocky massing with upper bulk, long building depth, and a high springline to the western neighbour. Design development considering composition, privacy, materials, and detailing is required to reduce the impact. An alternate roof shape with a lower springline should also be considered. The Kitsilano RT-7 and RT-8 Guidelines may provide a useful reference.

#### **Sustainability**

- (iii) Submission of details on strategies necessary to achieve BuiltGreen™ BC Gold with a score of Energuide 80.

Note to Applicant: In particular, features, which will reduce building energy and water consumption, should be identified on the final approved permit drawings.

#### **Crime Prevention through Environmental Design (CPTED)**

- (iv) Design development to take into consideration the principles of CPTED having particular regard for reducing opportunities for:
- Unintended cut-throughs;
  - Theft in the underground parking;
  - Break and enter;
  - Mischief in alcoves; and
  - Nuisance activity such as graffiti.

#### **Landscape Design**

- (v) Provision of a fully illustrated and detailed Landscape Plan.
- (vi) Resolution of the conflict between retained trees on the subject and neighbouring sites and proposed construction as outlined on the Landscape Plans submitted by Durante and Kreuk Ltd. and date stamped received November 2009.

Note to Applicant: Further design development is needed to limit excavation within the drip line of the 12 inch neighbour-owned Maple and the 14 inch Maple on the development site. Talk with the neighbour about risks to tree health. Neighbour's written consent is required for tree removal. Shift proposed hard landscaping away from the trunk of the retained 14 inch Maple in the front yard of West 33rd Avenue.

- (vii) An arborist report submitted by an ISA Certified Arborist confirming the method of safe retention of retained trees and a letter of assurance confirming arborist supervision during excavation and construction as needed.
- (viii) Design development to maximize security for the residents and visitors to the Courtyard Mews by providing the mews entryways with gates, and illustrated on the Landscape Plan.
- (ix) Provision of illustration details at ¼"=1'-0" scale showing the project's public realm interface at the street edge; include illustration of semi-private front yards with privacy screening, planter walls, fence and or gates, stairs, landscaping, street trees and bus stop.
- (x) Provision of large scale illustration/section details at ½"=1'0" scale confirming soil depth in planters.

#### **Engineering**

- (xi) Provision of required bicycle parking spaces within a bicycle room.  
  
Note to Applicant: Where bicycle spaces are proposed near the parking space, these should be enclosed within a hard shell locker.
- (xii) Provision of correctly dimensioned disability parking space as per the Parking By-law.  
  
Note to Applicant: The required width is 4.0 m.
- (xiii) Provision of a loading bay throat as per the Engineering Parking and Loading Design supplement.  
  
Note to Applicant: This will require changes to the position of the adjacent disability parking space to set it further back, thereby allowing the loading throat to be provided.
- (xiv) Provision of a parking ramp slope not to exceed 10% for the first 20 ft. from the property line and a maximum 12.5% thereafter.  
  
Note to Applicant: If a ramp slope steeper than 12.5% is required after the first 20 ft., provision of a transition slope of 7.5 to 10% at the bottom will be required.
- (xv) Provision of a parabolic mirror in the bottom corner of the parking ramp to allow drivers of exiting vehicles visibility of oncoming vehicles on the parking ramp.
- (xvi) Provision of column setback from the entrance into the parking space as per the Engineering Parking and Loading Design Supplement.

Note to Applicant: 2 ft. long columns which encroach into the standard parking space must be set back 2 ft. from the end of the space.

- (xvii) Relocate the overhead security gate to the top of the parking ramp at the building line.

Note to Applicant: For CPTED reasons, this is necessary.

- (xviii) Delete landscaping and curbing shown in the lane.
- (xix) Make arrangements to the satisfaction of the General Manager of Engineering Services for relation of the bus stop and bench on Mackenzie Street. (Note: A bench located adjacent to the most southern CRU is preferred by Engineering and Coast Mountain Bus Company. A widened canopy and bench should be provided to achieve this. If not the default location for the bench will place it in front of a residential unit.)
- (xx) Clarify proposed canopy design of the CRU's. Canopies must be fully demountable and drained to the buildings internal drainage system. (Note: The proposed canopy appears to be an extension of the concrete slab which is not an acceptable design). Engineering encourages the provision of wide canopies to provide shelter for transit users.
- (xxi) Make separate application to the General Manager of Engineering Services for the proposed sidewalk café. (The development permit process will not provide an approval for the sidewalk café).
- (xxii) Clarify garbage pick up operations. Please provide confirmation from a waste hauler that they can access and pick up from the location shown without reliance of bin storage on the City lane, or provide garbage storage at grade adjacent the lane so bins can be picked up and immediately be returned to the storage area and not remain in the lane.
- (xxiii) Provision of separate retail and residential garbage storage areas.
- (xxiv) Delete specialty sidewalk/paving and landscaping area shown as a sidewalk café and make separate application to the General Manager of Engineering Services.
- (xxv) Sidewalk relocation should result in a 4 ft. exposed aggregate front filler and a 6 ft. wide standard sidewalk with the balance in either grass or concrete in the back filler area as necessary.

#### **PROPOSED CONDITIONS OF BY-LAW ENACTMENT**

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

### Engineering

- (i) Consolidation of lots 16, 17 and 18 is required.
- (ii) Release of easement and indemnity agreement 145906M (crossing agreement) prior to occupancy of the site.
- (iii) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required.
- (iv) Provision of upgraded disability ramps at the south west corner of West 33rd Avenue and Mackenzie Street to current Engineering standards.
- (v) Provision of an improved lane entry including standard concrete curb returns, at the lane south of West 33rd Avenue on the west side of Mackenzie Street.
- (vi) Provision of an infill street light on Mackenzie Street at West 33rd Avenue to achieve minimum lighting standards.
- (vii) Provision of street trees adjacent the site where space permits.
- (viii) 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.

### Soils

- (ix) The applicant will do all things and/or enter into such agreements deemed necessary by the City to fulfill the requirements of Section 571B of the Vancouver Charter, on terms and conditions satisfactory to the Manager of Environmental Protection and the Director of Legal Services in their sole discretion.
- (x) The applicant will execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance or other instruments acceptable to the City have been provided to the City by the Ministry of Environment.

- (xi) Provision of an off-site contamination agreement that requires contamination in the road to be remediated to City standards on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deems necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the road has been remediated.

#### Community Amenity Contribution

- (xii) Offering to the City of a Community Amenity Contribution (CAC) in the amount of \$37,911.

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 it 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, and letters of credit, and provide for the withholding of permits, as deems appropriate by, and in form and contents 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.

CARRIED UNANIMOUSLY

#### ~~9. REZONING: 2250 Commercial Drive~~

~~An application by Francois Marchand, Ankenmen Marchand Architects, was considered as follows:~~

~~Summary: To rezone from C-2C (Commercial) to CD-1 (Comprehensive Development) District for additional height, an extra floor of development, and alternate setback requirements, to permit the partial demolition and rebuilding of an existing 3-storey retail/office building and its conversion to a mixed-use building with 4 floors of residential over one floor of commercial, containing 58 residential units. The majority of the existing structure would be retained.~~

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