



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060

planning@city.vancouver.bc.ca

CD-1 (229)

900 Burrard Street

By-law No. 6421

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

Effective November 8, 1988

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

Guidelines:

900 Burrard Street

CD-1 Guidelines By-law No. 6421

CD-1 No. 229

1 *[Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*

2 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (229), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Dwelling Units in multiple dwellings or in conjunction with any of the uses listed below;
- (b) Cultural and Recreational Uses;
- (c) Office Uses;
- (d) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split-Island, and Vehicle Dealer;
- (e) Service Uses, but not including Bed and Breakfast Accommodation, Body-rub Parlour, Drive-through Service, Funeral Home, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Repair Shop - Class A, Restaurant - Drive-in and Sign Painting Shop;
- (f) Parking Uses;
- (g) Accessory Uses customarily ancillary to the above uses.

[7236; 93 11 09]

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 8.148, subject to the following: [7382;95 02 14]

- (a) the maximum floor space ratio for office use is 6.0;
- (b) the maximum floor space ratio for retail or service use, except hotels described in clause (c), is 1.5;
- (c) the maximum floor space ratio for hotel use where the floor-to-floor heights for the portion of the building containing guest accommodation, ancillary corridors, service and access areas does not exceed 3.1 m is 6.0;
- (d) the maximum floor space ratio for residential use is 6.0.

[7236; 93 11 09]

3.2 The following will be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, to be measured to the extreme outer limits of the building. [7236; 93 11 09]

3.3 The following will be excluded in the computation of floor area:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating, or mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 6421 or provides an explanatory note.

- (d) area of undeveloped floors located above the highest storey or half-storey with a ceiling height of less than 1.2 m and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09] and
- (f) amenity areas accessory to residential use, provided that the total area excluded does not exceed 1 000 m²; [7236; 93 11 09]
- (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. [8169; 00 03 14]

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed and
- (b) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 600 m²;
 - (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

[7512; 96 01 11]

[7236; 93 11 09]

4 Height

The maximum building height, measured above the base surface, including the mechanical penthouse, is 68.6 m. [7236; 93 11 09]

5 Off-street Parking and Loading

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except as follows:

- (a) for dwelling uses, a minimum of 1 off-street parking space must be provided for each 80 m² of gross floor area;
- (b) in addition to the spaces required by clause (a) and the Parking By-law, a further 150 off-street parking spaces shall be provided; and
- (c) one off-street loading bay must be provided for every 200 dwelling units. [7236; 93 11 09]

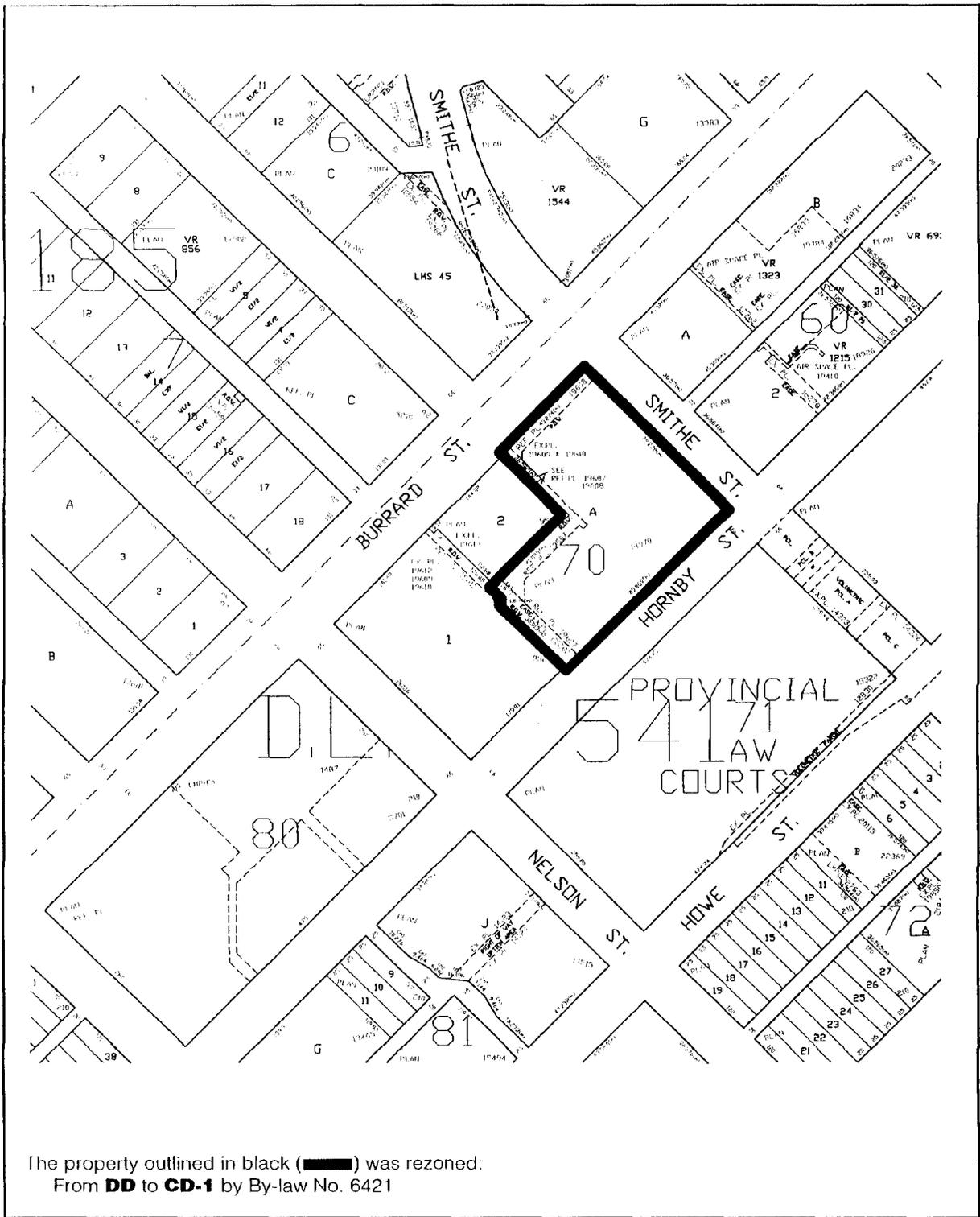
6 Acoustics

All development permit applications will require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will 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 will be defined simply as noise level in decibels.

Portions of Dwelling Units	Noise Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7515; 96 01 11]

7 *[Section 7 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*



The property outlined in black (■) was rezoned:
From **DD** to **CD-1** by By-law No. 6421

CD-1 (229) 900 Burrard St.

City of Vancouver Planning Department

date prepared: Apr. 1994

sectional(s): N-8

scale: 1:2000



CITY OF VANCOUVER
MEMORANDUM

88-178
#229
900 Burrard

From: CITY CLERK

Date: September 10, 1988

To: City Manager
Director of Planning
Director of Legal Services
Associate Director - Zoning
City Engineer
M.H.O.

Refer File: P.H. 206

RECEIVED	
CITY OF VANCOUVER	
SEP 12 1988	
NUMBER	1051
REFERRED TO	PTS/LEB
COPY TO	
ANSWER REQ'D	

Subject: Public Hearing Minutes - August 25, 1988

I wish to inform you of the attached minutes from the Special Council Meeting (Public Hearing) held on August 25, 1988.

Please note any matters contained therein for your attention.

CITY CLERK

- Also Sent To:
- EM Architecture Inc., 615 Stamps Landing
Vancouver, B.C. V5Z 3Z1
 - Chinese Freemasons Housing Society of B.C.
116 East Pender Street, Vancouver, B.C.
V6A 1T3
 - Strathcona Community Gardeners Society
601 Keefer Street, Vancouver, B.C.
V6A 3V8
 - Messrs. Aitken, Wreglesworth Associates, Architects
206 - 171 West Esplanade, North Vancouver, B.C.
V7M 1A1
 - Mr. James Cheng, Architect
75 West Broadway, Vancouver, B.C. V5Y 1P1

CITY OF VANCOUVER

SPECIAL COUNCIL MEETING

A Special Meeting of the City of Vancouver was held on Thursday, August 25, 1988 in Strathcona Community Centre, 601 Keefer Street, at approximately 8:00 p.m. for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

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

ABSENT: Alderman Bellamy

CLERK TO THE COUNCIL: Mrs. J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Boyce,
SECONDED by Ald. Owen,
THAT this Council resolve itself into Committee of the Whole,
Mayor Campbell in the Chair, to consider proposed amendments to the
Zoning and Development, Sign and Parking By-laws.

- CARRIED UNANIMOUSLY

MOVED by Ald. Puil,
THAT the agenda be varied and items 2, 3, 4 and 5 be brought
forward.

- CARRIED UNANIMOUSLY

Items 2 and 3, being related, were considered concurrently.

2. Rezoning - 900 Burrard Street
3. Rezoning - 901 Burrard Street

The Council considered the applications submitted by Aitken
Wreglesworth Associates as follows:

REZONING: LOCATION - 900 BARRARD STREET (Block 70 except Lots 1
and 2, D.L. 541, Grp. 1, N.W.D.)

Present Zoning: DD Downtown District
Proposed Zoning: CD-1 Comprehensive Development District

Cont'd....

Items 2 and 3 Continued

- (i) If approved, the CD-1 By-law would permit the use and development of the site generally as follows:
 - commercial use;
 - maximum floor space ratio of 6.0;
 - maximum height of 225 ft.;
 - provisions regarding off-street parking and loading.
- (ii) Amend Sign By-law, No. 4810.
- (iii) Any consequential amendments.

The Director of Planning recommended approval subject to the following conditions proposed for adoption by Council:

- (a) That the approved form of development be adopted in principle, generally as prepared by Aitken Wreglesworth Assoc., and stamped "Received, City Planning Department April 22, 1988," provided that the Director of Planning may allow minor alterations to this approved form of development when approving the detailed scheme of development in a development permit.
- (b) That, in considering the development permit application, the Director of Planning have particular regard to:
 - design development of the upper levels of the office tower to reduce its bulk;
 - design development to the lower office building to provide a greater sense of street wall and pedestrian interest;
 - design development to ensure the Hornby office building responds to the lane and the blank wall of the Dal Grauer substation.
- (c) Also, prior to the issuance of any development permit:
 - the lane in Block 70, D.L. 541 shall be closed and the site consolidated, with the consolidation being registered in the Land Title Office;
 - The property owners shall enter into an agreement, to the satisfaction of the City Engineer and the Director of Legal Services, to ensure the relocation of all services as a result of the lane closure. This relocation will be at the owner's expense.

REZONING: LOCATION - 901 BURRARD STREET (Lot 3, Block 6; D.L. 185, Grp. 1, N.W.D.)

Present Zoning: DD Downtown District
Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved, the CD-1 By-law would permit the use and development of the site generally as follows:
 - maximum of 185 dwelling units;
 - commercial use;
 - maximum floor space ratio of 6.0, of which a maximum of 1.0 can be commercial;
 - maximum height of 280 ft.;
 - provisions regarding off-street parking and loading.
- (ii) Amend Sign By-law, No. 4810.
- (iii) Any consequential amendments.

Cont'd.....

Items 2 and 3 Continued

The Director of Planning recommended approval subject to the following conditions proposed for adoption by Council:

- (a) That, prior to the enactment of the CD-1 by-law, the detailed scheme of development in a development permit application be first approved by the Director of Planning.
- (b) That the approved form of development be adopted in principle, generally as prepared by Aitken Wreglesworth Assoc., and stamped "Received, City Planning Department April 22, 1988," provided that the Director of Planning may allow minor alterations to this approved form of development when approving the detailed scheme of development.

Council was advised the Director of Planning is proposing an amendment to Section 5 (off-street parking) of the draft by-law respecting 900 Burrard Street whereby the following words be added to the Section:

".....except that 608 off-street parking spaces shall be provided".

Mr. L. Beasley, Associate Director - Central Area Division, reviewed the applications noting the two sites, located on both sides of the 900 block Burrard Street, are in two distinct areas in the Downtown District. The easterly Block 70 site, north of the B.C. Hydro building, is in the Robson Square character area I, and the westerly Lot 3 site, adjacent to the West End is in the developing Burrard Street corridor, north of Nelson Street. The applicant proposes to transfer density between the two properties in a mixed use zone to allow construction of a predominantly residential development on Lot 3, having approximately 5.0 f.s.r. residential and 1.00 f.s.r. commercial for a total development of 6.0 f.s.r.; and commercial development on Block 70, having a total development of 6.0 f.s.r.

With respect to parking requirements, Mr. Beasley stated it was the City Engineer's view that not only existing parking be replaced but the parking requirements for the B.C. Hydro Building, which currently has no parking on site, be brought up to standard. The applicants contend that only the existing surface parking requires to be replaced and therefore they are proposing a reduction of 112 to 496 parking spaces.

Mr. David Aitken, for B.C. Hydro, referred to the parking issue, noting he had only become aware of the recalculated figures a few days ago. He requested Council approve the draft by-law excluding the parking figures suggested by City staff in order to give the applicant an opportunity to work with civic staff to achieve a satisfactory solution.

In response to questions from a Council member respecting the massing of the development on Lot 70 and impact on the Robson Square complex and surrounding streetscape, Mr. Beasley advised these details would be fully explored at the Development Permit stage.

There were no speakers to the applications.

Cont'd....

Items 2 and 3 Continued

MOVED by Ald. Taylor,

THAT the applications for 900 Burrard and 901 Burrard Street be approved subject to the conditions proposed by the Director of Planning, as set out in this minute of the Public Hearing, except that Section 5 of the draft by-law respecting 900 Burrard Street be amended as follows:

5. Off-Street Parking

Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that 608 off-street parking spaces shall be provided.

- CARRIED UNANIMOUSLY

NOTE FROM CLERK:

At the Regular Council Meeting on August 30, 1988, Council was advised delegations wishing to speak to the rezoning application for 901 Burrard Street arrived too late to address the Public Hearing, due to the reordering of the agenda items. Council, therefore, resolved that the approval given to this rezoning application be rescinded and a new Public Hearing be scheduled for Tuesday, September 13, 1988 at 2:00 p.m. in the Council Chamber.

4. Rezoning - 1500 Alberni Street

An application by Mr. James K.M. Cheng, Architect, was considered as follows:

REZONING: LOCATION - 1500 ALBERNI STREET (Lot G, Block 43, D.L. 185, Grp. 1, N.W.D.)

Present Zoning: DD Downtown District
Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved, the CD-1 by-law would permit the use and development of the site generally as follows:
 - maximum of 75 dwelling units in a multiple dwelling;
 - maximum floor space ratio of 6.0;
 - maximum height of 300 ft.;
 - provisions regarding off-street parking.
- (ii) Any consequential amendments.

The Director of Planning recommended the application be approved subject to the following conditions proposed for adoption by resolution of Council:

- (a) That, prior to the enactment of the CD-1 by-law, the detailed scheme of development in a development permit application be first approved by the Director of Planning, having particular regard to:
 - design development of the tower and Alberni Street podium wall;
 - refinement of the entrance to provide a presence on Alberni Street;

Cont'd...

900 Burrard Street

BY-LAW NO. 6421

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-352b 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) commercial;
- (b) social, recreational and cultural;
- (c) accessory uses customarily ancillary to the above uses.

3. Floor Space Ratio

The maximum floor space ratio, computed in accordance with the applicable provisions of the Downtown District Official Development Plan, shall be 6.00, except that amenity areas for the social and recreational enjoyment of the employees, or providing a service to the public, including facilities for general fitness and recreation and day care are excluded from the floor space measurement, provided that:

- (1) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space, or 929.03 m² (10,000 sq.ft.); and

- (11) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied of a need for the facility in the immediate neighbourhood.

4. Height

The maximum building height, measured above the base surface, excluding the mechanical penthouse, shall be 68.58 m (225 ft.).

5. Off-Street Parking

Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that 608 off-street parking spaces shall be provided.

6. Off-Street Loading

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

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

DONE AND PASSED in open Council this 8th day of
November, 1988.

(signed) Alderman P. Owen
Deputy Mayor

(signed) Dennis Back
Deputy 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 8th day of November, 1988, and numbered 6421.

DEPUTY CITY CLERK"

#229

BY-LAW NO. 6435

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 Indexes No. 183, 184, 185 and 186, respectively:

"901 Burrard	6420	B (Downtown Comm. DD)"
"900 Burrard	6421	B (Downtown Comm. DD)"
"3185 Grandview Highway	6423	B (Suburban Comm. C-2)"
"Southside, 2700 Block Grandview Highway	6425	B (Suburban Comm. C-2)"

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

DONE AND PASSED in open Council this 29th day of
November , 1988.

(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 29th day of November, 1988, and numbered 6435.

CITY CLERK"



City of Vancouver

PLANNING DEPARTMENT
453 West 12th Ave., Vancouver,
British Columbia, Canada V5Y 1V4,
TEL: (604) 873-7344 FAX: (604) 873-7060
T. H. FLETCHER, Director

1991 07 15

Mr. G. Elias
First City Development
1700 - 777 Hornby Street
Vancouver, B.C.
V6Z 2K0

Dear Mr. Elias:

RE: Hotel Use, Hotel Bonus and CD-1 By-law 6421 (Attached) (CD-1 229,
900 Burrard)

Regarding your request on this issue, I can confirm the following.

CD-1 By-law 6421, involving the site bounded by Burrard, Smithe, Hornby and the B.C. Hydro building, lists 'commercial' as a permitted use. Hotel can be considered a commercial use.

The CD-1 By-law further stipulates that the Floor Space Ratio is to be computed in accordance with the applicable provisions of the Downtown District Official Development Plan (D.D.O.D.P.). This means the provisions of the D.D.O.D.P. at the time CD-1 By-law 6421 was enacted on November 8, 1988. Therefore, the current D.D.O.D.P. hotel bonus provision will continue to be applicable on this site, even if it is removed at some future date from the D.D.O.D.P.. This situation could only change if CD-1 6421 was also amended and there is no current initiative to do this.

I should also confirm that the hotel bonus is calculated on the basis of only those floors which are used for hotel accommodation (i.e. with the lower floor-to-floor heights) and it is not always possible to achieve the 15% bonus. The Development Permit Board must first consider issues such as the impact of additional density on built form, neighbouring sites and development, livability, views, shadowing and local pedestrian and vehicular circulation.

I trust this information is helpful in clarifying development options for this site.

Yours truly,

Rob Jenkins
/ds

R. Jenkins
Central Area Planner

RAJ:c1/ds

cc: L. Beasley, Associate Director of Planning - Central Area
P. Johnston, Planner - Zoning ←

JEN/001-0689.DOC

CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK

Date: August 10, 1993

Refer File:

PH #275
RECEIVED
 PLANNING DEPARTMENT
 AUG 12 1993
 NUMBER... P 7331
 REFERRED TO... FAS
 COPY TO... THF
 ANSWER REQ'D.....

To: Ken Dobell, City Manager
 Tom Fletcher, Director of Planning
 Rick Scobie, Associate Director -
 Land Use & Development
 Robert Lemon, Heritage Planner
 John Mulberry, Director of Legal Services
 Dave Rudberg, City Engineer
 Joyce Preston, Director of Social Planning
 Victoria Garland, Director of Housing & Properties
 Linda Ruiz, Facilites Coordinator, Health Department
 Jack Perri, Director of Permits & Licenses

Subject: Public Hearing - July 27, 1993

Attached are Minutes of the Special Council meeting (Public Hearing) of July 27, 1993, regarding various rezonings and text amendments.

Please note any items contained therein for your attention.

DEPUTY CITY CLERK SK

SK:ci
Att.

Also sent to:

Mr. Paul Merrick
 Paul Merrick Architects Ltd.
 1 Gaolers Mew
 Vancouver V6B 4K7

Mr. Terry Partington
 Partington Real Estate
 Advisors Ltd.
 2580 Rosebery
 West Vancouver V7V 2Z9

Mr. Matti Saar
 Perkins & Co.
 #210 - 111 Water St.
 Vancouver V6B 1A7

Mr. Bob McKay
 Quadrant Developments
 11th Floor
 1100 Melville St.
 Vancouver V6E 4A6

Mr. Tony Green
 Matsuzaki Wright Architects
 #2410 - 1177 West Hastings St.
 Vancouver V6E 2K3

Mr. Greg Boorman
 26 - 9394 - 122nd St.
 Surrey V3V 4L6

Delegations and Letter Writers

CITY OF VANCOUVER

6

SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 27, 1993, at 7:30 p.m., in the Council Chamber, City Hall, Third Floor, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

PRESENT:

Mayor Campbell
Councillors Bellamy, Chan, Davies,
Kennedy, Owen, Price,
Puil, Rankin and Wilson

ABSENT:

Councillor Eriksen

CLERK TO THE COUNCIL:

S. Kautz

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Wilson,

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

- CARRIED UNANIMOUSLY

Council considered items 1(a) and 1(b) concurrently.

- 1(a) Rezoning: 970 Burrard Street (former B.C. Hydro Building)
1(b) Text Amendment: 900 Burrard Street

Applications by Paul Merrick Architects Ltd. were considered as follows:

REZONING: 970 BURRARD STREET (former B.C. Hydro building)

Present Zoning: DD Downtown District

Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved, the rezoning would permit the use and development of the site generally as follows:
- conversion of the B.C. Hydro building (Floors 3 through 21) to residential use;
 - retention of office use on the mezzanine, first and second floors;

Clause No. 1 cont'd

- retention of the existing lobby and open space, plus provision of limited retail and service commercial use at grade;
- accessory uses;
- maximum height of 91.0 m (299 ft.);
- acoustical provisions; and
- provisions regarding off-street parking and loading.

(ii) Amend Sign By-law No. 6510.

(iii) Any consequential amendments.

TEXT AMENDMENT: 900 BURRARD STREET

(i) If approved, the amendment to Comprehensive Development District By-law No. 6421 would permit development of residential, commercial or mixed-use development. The maximum floor space ratio of 8.5 would include a heritage density bonus from the adjoining former B.C. Hydro site at 970 Burrard Street.

(ii) Any consequential amendments.

The Director of Planning recommended approval, subject to the following conditions proposed for adoption by resolution of Council:

(a) THAT the proposed form of development for 970 Burrard Street (former B.C. Hydro building) be approved in principle by Council, as shown in drawings prepared by Paul Merrick Architects and stamped "Received City Planning Department, March 31, 1993," provided that the Director of Planning may allow or require minor alterations to this form of development, as outlined in condition (b) below.

(b) THAT prior to enactment, further design developments undertaken having regard to the following:

(i) submission of a detailed design for proposed changes to the north and south curtain walls, indicating modifications to the size of glass panels and the horizontal spandrels (such modifications should ensure the continued horizontal character of this spandrel); and

Clause No. 1 cont'd

- (ii) submission of plans and elevations of the retail proposed on Nelson and Hornby Streets, providing details of windows, entrances and weather protection; while pedestrian-oriented retail is encouraged, as much of the glass tile mosaic walls as possible should be retained and refurbished.
- (c) THAT the proposed design guidelines entitled, "900 Burrard Street CD-1 Guidelines, July 1993", be adopted by resolution of Council at the time of enactment of the CD-1 By-law.
- (d) THAT the form of development for 900 Burrard Street be approved by Council following the approval of (900 Burrard Street) a development application by the Director of Planning and designed in accordance with the CD-1 By-law and Guidelines.
- (e) THAT prior to the enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
 - (i) execute an agreement, satisfactory to the Directors of Legal Services and Planning, limiting development on 900 Burrard Street to a maximum of 7.5 FSR as defined in the CD-1 By-law, of which the office or residential use shall be a maximum of 6.0 FSR;
 - (ii) execute an agreement, satisfactory to the Director of Legal Services and the City Engineer, to provide 150 parking spaces for 970 Burrard Street on the 900 Burrard Street site; in the short-term this represents the continuation of the surface parking; in the long-term these spaces shall be provided in the new development, in addition to by-law requirements for 900 Burrard Street; and
 - (iii) execute an agreement, satisfactory to the Director of Legal Services and the City Engineer, to ensure that all electrical and telephone services are provided underground within and adjacent to the site from the closest existing suitable service point.

Clause No. 1 cont'd

- (f) Recycling facilities are to be provided, to the satisfaction of the City Engineer.
- (g) THAT as and where required by the Plumbing By-law, energy conservation features be provided, including the provision of low-flow toilets, shower heads and faucets as standard features for all new fixtures installed in this development.
- (h) THAT prior to enactment of the CD-1 by-law, the registered owner shall execute an agreement, satisfactory to the Directors of Legal Services and Social Planning, to provide for the restoration, repair or replacement of the B.C. Hydro building's ground plane elements, including the mosaic tiles, plaza, lobby and cornices etc. and the mechanical penthouse, in lieu of a contribution for public art on the 900-70 Burrard Street site, representing a value not less than the combined public art requirement for the entire site.
- (i) Execute an agreement, satisfactory to the Director of Legal Services, providing that owners will not discriminate against families with children in the sale of their property.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as covenants pursuant to Section 215 of the Land Title Act.

The preceding agreements are to be tendered, at the option of the Director of Legal Services, for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-laws; such agreements are to have priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

Clause No. 1 cont'd

The agenda package included the following summaries of the proposed changes:

970 Burrard Street

	Current Status	Proposed Amendments
Zone	DD	CD-1
Use	Office; Retail and Other Commercial; Residential; Hotel; Light Industrial; Public and Institutional; Social Recreational and Cultural; Parks and Parking	Dwelling Units; Office, Retail and Service Commercial.
Maximum FSR	6.0 (7.6 existing)	7.6
Maximum Height	91.5 m (300 ft.)	91 m (299 ft.)

900 Burrard Street

	Current Status	Proposed Amendments
Zone	CD-1	CD-1
Use	Commercial; Social, Recreational and Cultural	Dwelling Units; Office, Retail and Service Commercial; Cultural and Recreational Uses
Maximum FSR	6.0	8.5
Maximum Height	68.6 m (225 ft.)	68.6 m (225 ft.)

Clause No. 1 cont'd

Mr. Ian Smith, Planner, provided the following additional condition proposed for adoption by resolution of Council:

- (j) THAT prior to enactment of the CD-1 by-law for 970 Burrard Street, the registered property owner list the former B.C. Hydro building on the Vancouver Heritage Inventory and obtain municipal heritage designation of the same.

There was no correspondence received on these applications.

Mr. Smith reviewed the two applications, which propose the retention and conversion of the B.C. Hydro building to primarily residential use, including 242 housing units on floors 3 through 21. The mezzanine and the first and second floors would be converted to office and commercial space. A full range of amenities for residents would be provided at grade, with pedestrian-oriented retail along Hornby Street. Also as part of the application, the building's glass tile mosaic murals and ground plane elements would be restored and maintained. This work represents the public art contribution for the entire site. The B.C. Hydro building has significant heritage merit and as a condition of enactment of the CD-1 by-law for the site, the owners are required to list the building on the Vancouver Heritage Inventory.

Mr. Smith reviewed further design developments to be undertaken, including detailed plans for proposed retail development on Nelson Street and Hornby Street, to include the retention of as much glass tile mosaic wall as possible. Further consideration is given to the proposed changes to the north and south curtain walls, consisting of approximately 50% horizontal metal spandrels and 50% windows. The current application proposes the spandrels be reduced to approximately 33% of the walls.

Mr. Smith discussed the proposed heritage bonus for the site, calculated at 150,000 sq. ft. The bonus results from the expense of restoring the building; the foreseen comparatively low selling price of the residential units, due to the lack of balconies and limited parking; and that the Hydro building will have 100,000 sq. ft. less marketable residential space than a potential new building on that site.

Clause No. 1 cont'd

The applicant proposes to transfer the heritage bonus to Site B, 900 Burrard, which would increase the fsr on this site to 8.5. Staff, however, feel there are constraints on this site that will limit its buildable density to 7.5 and height to 225 feet. The constraints include the view corridor to the Lions; continuity of the street edge on Hornby Street; and a desire to preserve the landmark quality of the Hydro building site. Therefore, as a condition of rezoning, the owner will be required to enter into an agreement to limit the development of 900 Burrard to a maximum fsr of 7.5. The applicant has advised the difference in densities, some 60,000 sq. ft., shall be the subject of a future rezoning application for transfer of density.

Responding to a question from Council, Mr. Smith confirmed the applicant is aware Council can make no commitment to any consideration of this transfer, and that Council will be reconsidering its policies on transfer of density in the future.

A Council member queried Mr. Smith regarding a future location for the "O Canada" horns, currently atop the B.C. Hydro building. Mr. Smith advised negotiations in this regard are still under way, and possible sites are being considered.

A Council member enquired as to parking arrangements for future residents of the B.C. Hydro building. Mr. Smith replied 150 parking stalls will be supplied at 900 Burrard and an additional 68 parking stalls reserved in the Vancouver Tower, in fulfilment of the requirements of the Parking By-law.

Mr. Terry Partington, President, Partington Real Estate Advisors Limited, spoke on behalf of the applicant. The application strikes a balance between adaptive reuse of the building and the preservation of its heritage character. Mr. Partington urged Council to support the rezoning application, and suggested the current application sufficiently addresses the heritage issues regarding the building's horizontal spandrels. Further, Mr. Partington expressed disappointment at the loss of the hotel bonus for 900 Burrard. It was suggested the agreement limiting density on 900 Burrard identify a framework for the owner to achieve the value of the undeveloped density, to be the subject of future transfers.

Mr. Ken Dobell, City Manager, clarified the staff position on the design issues and advised it would be inappropriate to discuss structural issues at this time.

Clause No. 1 cont'd

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

MOVED by Cllr. Bellamy,

THAT the applications be approved, subject to the conditions set out in this Minute of the Public Hearing.

- CARRIED UNANIMOUSLY

2. Rezoning: 2455 and 2517 East Broadway

An application by Perkins and Cheung Ltd. was considered as follows:

REZONING: 2455 AND 2517 EAST BROADWAY

Present Zoning: C-2 Commercial District and RS-1S One Family Dwelling District

Proposed Zoning: CD-1 Comprehensive Development District

(i) If approved, the proposed zoning would permit the use and development of the site generally as follows:

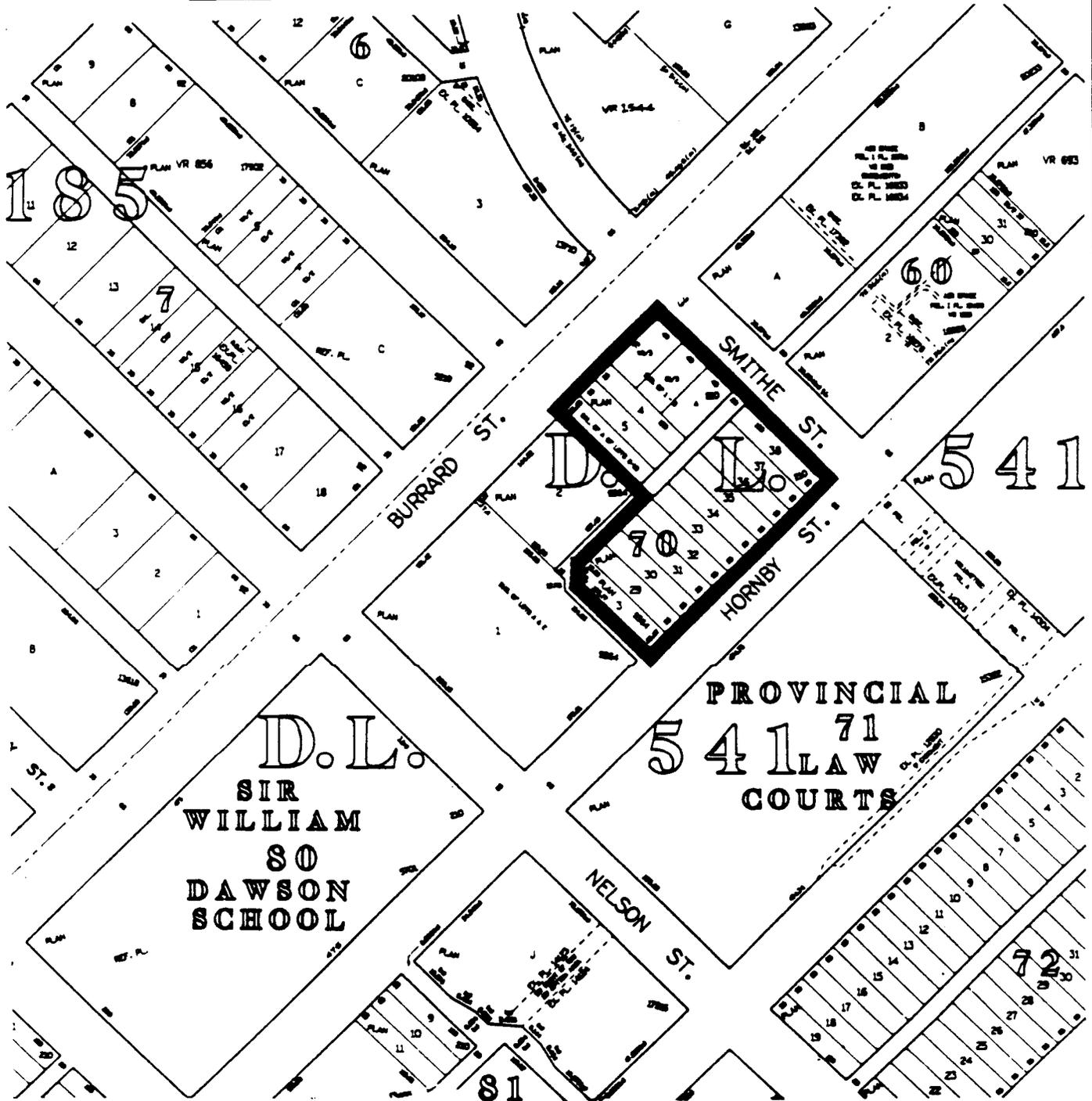
- an 80-bed, four-storey care facility;
- two four-storey apartment buildings providing 68 dwelling units, in total;
- 19 two and one-half-storey townhouses;
- accessory uses;
- a total gross floor area of 11 315 m² (121,800 sq. ft.) is proposed;
- maximum floor space ratio for the total development of 1.57;
- maximum height of 16.1 m (53 ft.);
- acoustical provisions; and
- provisions regarding off-street parking and loading, including 167 parking spaces.

(ii) Any consequential amendments.

BY-LAW No. 6421 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW

SCHEDULE A

THE PROPERTY SHOWN BELOW () OUTLINED IN BLACK
IS REZONED: FROM **DD** TO **CD-1**



SCALE: 1:2000
FILE No. RZ 900 Burrard

Z-352 b 

900 Burrard Street

BY-LAW NO. 7236

A By-law to amend
By-law No. 6421, being a
by-law which amended the
Zoning and Development By-law
by rezoning an area to CD-1

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

1. Sections 2 to 6 inclusive are deleted and the following substituted:

"2. Uses

The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1 (229), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe and the only uses for which development permits will be issued are:

- (a) Dwelling Units in multiple dwellings or in conjunction with any of the uses listed below;
- (b) Cultural and Recreational Uses;
- (c) Office Uses;
- (d) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split-Island, and Vehicle Dealer;
- (e) Service Uses, but not including Bed and Breakfast Accommodation, Body-rub Parlour, Drive-through Service, Funeral Home, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Repair Shop - Class A, Restaurant - Drive-in and Sign Painting Shop;
- (f) Parking Uses;
- (g) Accessory Uses customarily ancillary to the above uses.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 8.5, subject to the following:

- (a) the maximum floor space ratio for office use is 6.0;

- (b) the maximum floor space ratio for retail or service use, except hotels described in clause (c), is 1.5;
- (c) the maximum floor space ratio for hotel use where the floor-to-floor heights for the portion of the building containing guest accommodation, ancillary corridors, service and access areas does not exceed 3.1 m is 6.0;
- (d) the maximum floor space ratio for residential use is 6.0.

3.2 The following will be included in the computation of floor area:

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

3.3 The following will be excluded in the computation of floor area:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating, or mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) area of undeveloped floors located above the highest storey or half-storey with a ceiling height of less than 1.2 m and to which there is no permanent means of access other than a hatch;
- (e) residential storage space provided that where space is located at or above the base surface, the maximum exclusion shall be 3.7 m² per dwelling unit; and
- (f) amenity areas accessory to residential use, provided that the total area excluded does not exceed 1 000 m².

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, and provided further that the total area of all open

and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

- (b) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 600 m²;
 - (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4. Height

The maximum building height, measured above the base surface, including the mechanical penthouse, is 68.6 m.

5. Off-Street Parking and Loading

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except as follows:

- (a) for dwelling uses, a minimum of 1 off-street parking space must be provided for each 80 m² of gross floor area;
- (b) in addition to the spaces required by clause (a) and the Parking By-law, a further 150 off-street parking spaces shall be provided; and
- (c) one off-street loading bay must be provided for every 200 dwelling units.

6. Acoustics

All development permit applications will require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will 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 will be 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	
terraces, patios, balconies	60	"

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

DONE AND PASSED in open Council this 9th day of
November , 1993.

(signed) Gordon Campbell
Mayor

(signed) Maria C. Kinsella
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 9th day of November 1993, and numbered 7236.

CITY CLERK"



CITY OF VANCOUVER

Planning

Price \$1.00
November 1993

Land Use and Development Policies and Guidelines

900 Burrard Street CD-1 Guidelines (By-law No. 6421)(CD-1 No. 229)

Adopted by City Council November 30, 1993.

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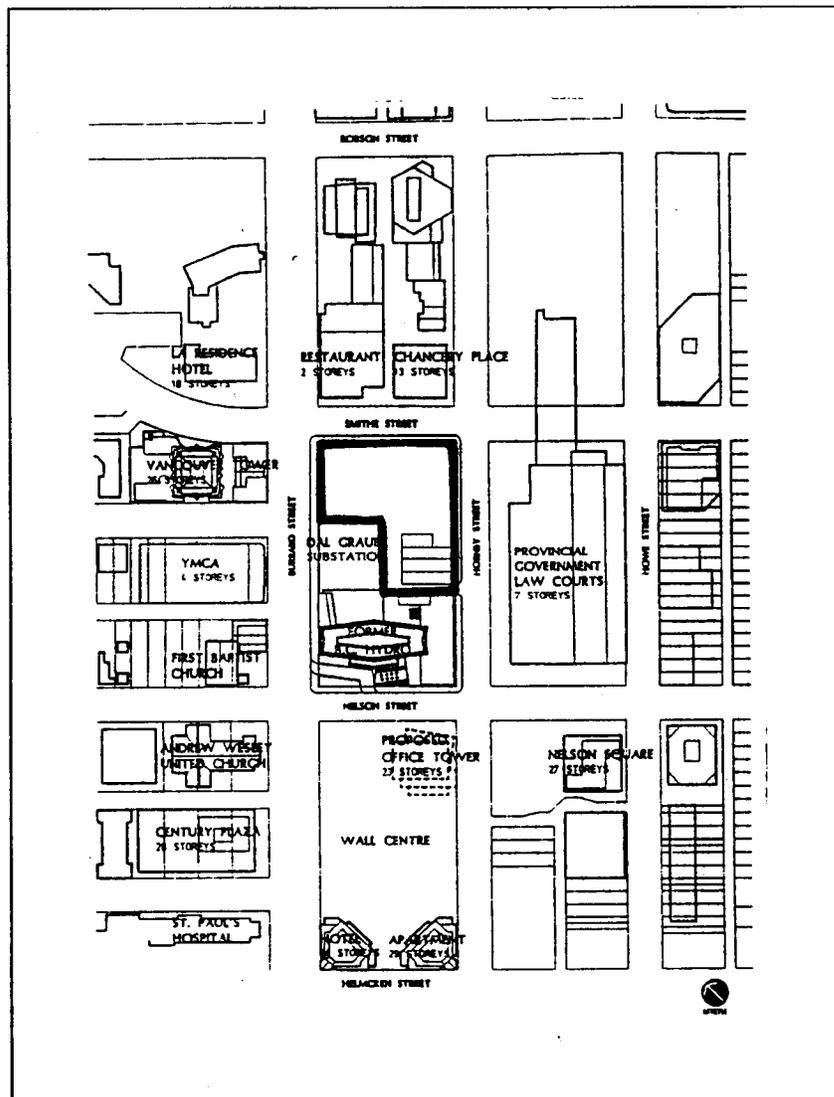
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APPLICATION AND INTENT

These guidelines should be used in conjunction with the 900 Burrard Street CD-1 By-law to guide development of this site. As well as assisting the development permit applicant, the guidelines will be used by City staff in evaluating the proposed development.

The intent of the guidelines is to achieve a high quality development that respects and is responsive to both the heritage and landmark qualities of the former B.C. Hydro building, and to ensure compatibility with development in the surrounding area. Limited variations may be considered where they improve the overall design. As was the case with the former B.C. Hydro building, a design team approach involving architects, engineers and artists should be used in designing new buildings on the 900 Burrard Street site. As well, it would be valuable if the rezoning architect and possibly the original B.C. Hydro building architect are involved in the detailed design development.

Figure 1. Site Plan



2 GENERAL DESIGN CONSIDERATIONS

2.1 Organizing Principles

Key principles organizing development on this site include:

- (a) Respecting the landmark and heritage quality of the former B.C. Hydro building;
- (b) Providing an appropriate scale transition from the Dal Grauer sub-station on Burrard Street and the low-rise portion of the former B.C. Hydro building on Hornby Street;
- (c) Responding to the scale of and providing containment for the Robson Square and Courthouse complex;
- (d) Creating a safe and interesting pedestrian environment on all streets; and
- (e) Responding to the character of the former B.C. Hydro building in detailing, materials and colour.

2.2 Siting

- (a) On both Hornby and Smithe Streets, lower building elements should define the street, with commercial use or residential lobbies being developed along the property line;
- (b) On Burrard Street, lower building elements should be sited to ensure that the tiled northerly portion of the Dal Grauer sub-station is exposed. A 4.5 m setback should be provided at grade and treated as an extension of the public realm; and
- (c) New development along the southern property line should be as close as possible to screen existing development and eliminate views of the blank sidewalls of the former B.C. Hydro building and sub-station.

2.3 Orientation

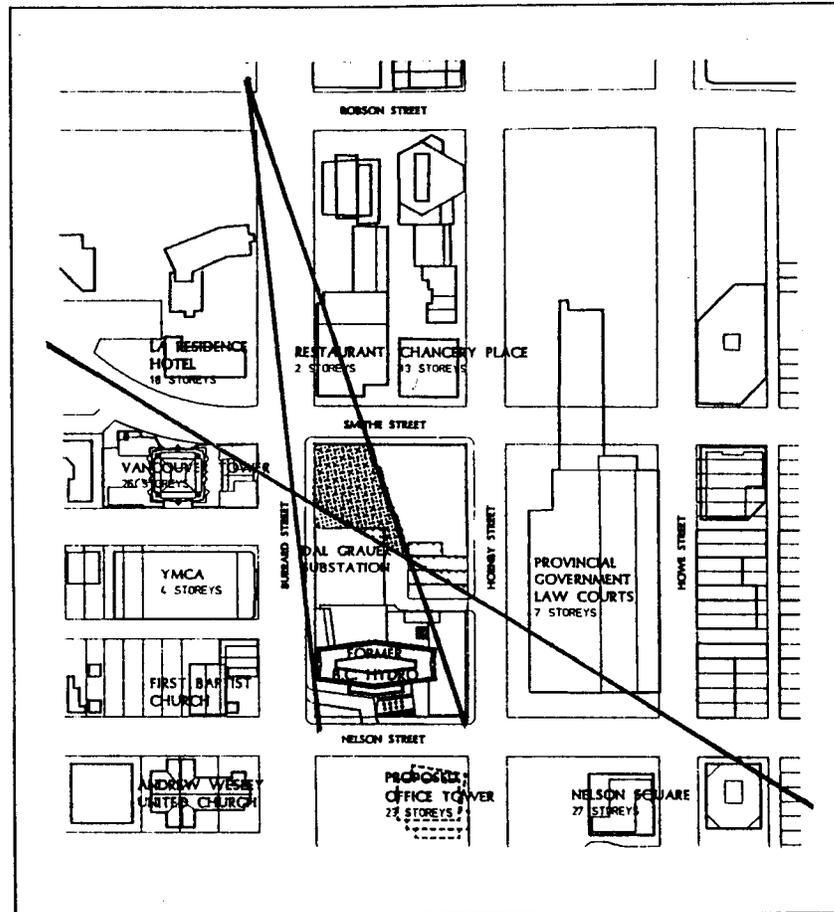
Buildings lower than 35.0 m should generally define the streets by being built to the property line or set back to build to lines as stipulated. Buildings higher than 35.0 m should generally orient to the established downtown grid.

2.4 Views

Figure 2 illustrates the principal public view across the site, from Heather Bay to the Lions. This limits maximum building height to 68.6 m.

Views of the former B.C. Hydro building from the northwest and the southwest corners of Burrard and Robson Streets should also be maintained. Buildings within the shaded portion of Figure 2 should not exceed 30.0 m in height.

Figure 2. Public View Preservation



2.5 Massing Controls

2.5.1 General Massing

The maximum building envelope should reflect a mixed-use character, having a commercial base of up to 1.5 FSR generally containing retail and service uses at grade, and up to an additional 3.0 FSR of office use above with typical commercial floor-to-floor heights. The balance should consist of 3.1 m floor to floor heights, as is typical for residential or hotel use. Some variations may be considered for uses with higher floor to floor requirements (e.g. predominantly office) where the floor area is located on internal facades which do not affect building bulk as seen from the street and the use is less dependent on generous semi-private open space. Care should be taken to minimize the bulk and impact on livability of this building mass on adjacent housing units in the former B.C. Hydro building.

2.5.2 Street Enclosure Buildings

Low-rise buildings ranging from a minimum of two to a maximum of ten storeys should generally define the streets. The scale of large block faces should be broken down into individual elements by developing a separate identity and articulation of building detail to reinforce a human scale.

These buildings form part of the streetscape, and are important to the public realm and pedestrian character of the streets. Detailing of materials and patterns of fenestration should be used to achieve a comfortable pedestrian scale, and enhance the "close-up" view for the pedestrian.

Commercial uses should be located at grade on Hornby, Smithe and Burrard Streets. A diversity of street front tenancy should be encouraged with individual tenancies generally not exceeding 15.0 m, except on corners. All uses should have direct pedestrian access from the street. Display windows, signage and individual tenancy design could be used to enhance pedestrian interest. Residential and commercial entries should be separate and clearly identified.

Along Hornby Street, a built form edge should be established to respond to the lower elements of the former B.C. Hydro building and to contain the Robson Square complex. This lower building mass should be continuous but articulated and should align with the existing street base of the former B.C. Hydro building. It should range in height from 22.0 m to 28.0 m and should be capped by a strong horizontal element such as a cornice or parapet. Building mass above should be set back a minimum of 3.1 m to reinforce this horizontal edge. Changes in material should be considered to differentiate the base from the higher elements.

The transition from the former Hydro building street base on Hornby to the built form edge of new development should occur as close as possible to the common property line, in a manner which respects the scale and makes a sensitive transition from the existing building.

On Burrard Street, building mass should step down from the Smithe Street corner to the height of the Dal Grauer substation.

2.5.3 Higher Building Elements

Higher building elements should be located to minimize shadowing of Robson Square, the Burrard Street sidewalks, and the courtyard for La Residence/Le Meridien Hotel. Building mass should generally step up to the Hornby/Smithe corner, where the highest building elements should generally be located.

Where expressed, the tower form should acknowledge the context of its neighbours, particularly the former Hydro B.C. building. For residential use, the maximum tower floorplate should not exceed 650 m², including all interior storage space, but excluding balconies, up to 8 percent of the total residential floor area in the tower. For commercial use, the tower floorplate should not exceed 1 100 m², including all interior space.

Building mass should step down along Smithe to the Burrard/Smithe corner where the height should not exceed 10 storeys to maintain views of the former B.C. Hydro building from the Burrard/Robson intersection.

Change in massing, fenestration, size and/or shape and materials may all be used to emphasize the top of the tower. The tower top treatment should complement the former Hydro building.

Elevator penthouses should be screened or integrated into the roof structure which should be designed to complement the massing and roofscape.

2.6 Architectural Expression, Materials and Colour

2.6.1 Grade level commercial uses should present a pedestrian scale and image in treatment and detailing. Retail uses should incorporate display windows, lighting and outdoor display. Low-rise and tower elements should be designed to complement the form and treatment of the former B.C. Hydro building. Colours should be sympathetic to the former B.C. Hydro building and the context.

Dominant materials should be durable and of high quality, such as those used on the former B.C. Hydro building. Materials encouraged include concrete, metal, glass curtain walls and mosaic tiles. Stucco should not be used as a principal building material.

2.6.2 Roofs

Low-rise building roofs should be designed to be attractive when seen from above. Careful attention should be paid to the choice of landscape, roofing material and colour to ensure compatibility with adjacent finishes. This treatment should, if possible, include the roof of the Dal Grauer substation.

Vents, mechanical rooms, equipment and elevator penthouses should be integrated with the architectural treatment of the roof or screened in a manner compatible with the building.

2.6.3 Balconies

Balconies should be designed as an integral part of the building, rather than appearing "tacked on". Balconies should be at least partially and preferably fully recessed into the building face.

Balconies may be enclosed for environmental purposes, such as sound attenuation, subject to conformance with the Council-adopted "Balcony Enclosure Guidelines".

Balconies should appear transparent. While low parapet walls are permitted, completely solid enclosures which exceed .6 m in height are discouraged, so as to complement the curtain wall treatment of the former B.C. Hydro building.

2.6.4 Awnings and Canopies

Weather protection should be provided for all grade-level commercial frontages, in conformance with the Council-adopted "Central Area Pedestrian Weather Protection" guidelines.

It should be expressed as a connected series of separate awnings or canopies with a minimum depth of 1.5 m to permit outdoor displays, as well as protect the walking space. Weather protection should also be provided at entries to residential and commercial uses.

Weather protection features at entrances should be used to reinforce identity and a sense of address for buildings, both for residential and commercial uses, by enhancing their size and scale.

2.7 Residential Livability

2.7.1 Residential livability for each development and dwelling unit should be designed with consideration of:

(a) Privacy and Territoriality:

- (i) Each unit should have direct access to a private outdoor space or an enclosed balcony having a minimum depth of 2.0 m and a minimum area of 4 m²;

(b) Individuality and Identity:

- (i) Each building should have its main entrance fronting a street;
- (ii) Ground or podium level floors of all buildings should be designed to express individual units with a coherent massing; and
- (iii) Where landscaping of units occurs in the private zones of those units, it should permit reasonable customization by residents, e.g., planting bed and soft landscaping variations at grade, opportunities to place planters, at balconies, etc.;

(c) Choice and Convenience:

- (i) Each residential development should provide on-site amenities suitable for the anticipated population;

(d) Safety and Security:

- (i) Each residential development and unit should be designed to be safe and secure yet not fortress-like;
- (ii) Buildings should be designed with windows providing overview to afford both "eyes on the street" and doors on the street;
- (iii) Public, semi-public and semi-private spaces should have some degree of overlook from residents' homes and, where practical, good visibility from the street; and
- (iv) Landscaping and lighting should enhance security.

(e) Interaction with the physical environment:

- (i) Habitable rooms must have access to daylight and where possible, direct sunlight;
- (ii) Units should have one unobstructed view of a minimum length of 25.0 m and should be oriented to longer views where these exist; and
- (iii) Semi-private outdoor spaces should be located so as to receive direct sunlight during most days of the year.

2.8 Parking Access

Parking entrances should be integrated into the buildings or landscape, and exposed walls and soffits should be carefully treated. Good visibility should be provided for vehicles at access points. Servicing should occur off-street, generally in internal corridors.

Parking for retail/commercial uses should be separated from residential parking and designed for safety and security.

CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK

Date: December 3, 1993

Refer File: 5303-3

To:  Ken Dobell, City Manager
Tom Fletcher, Director of Planning
John Mulberry, Director of Legal Services

RECEIVED	
PLANNING DEPARTMENT	
DEC - 6 1993	
NUMBER.	P10548
REFERRED TO.	FAS
COPY TO.	(JH)
ANSWER REQ'D.	

Subject: 900 Burrard Street Guidelines

On November 30, 1993, Vancouver City Council passed the following motion:

THAT the document entitled "900 Burrard Street CD-1 Guidelines" be adopted by Council for use by applicants and staff for development applications on this site.

CITY CLERK

MCross:dmy

Letter to: Mr. Gabor Elias
989 Nelson Street, Vancouver V6Z 2S1

Clause No. 2(a) (cont'd)

Applicant Closing Comments

Mr. Hulbert advised the current proposal is for a two-storey building with a third storey on a portion of the site. It will only be developed to 1.6 FSR at this time with no structural provision for expansion. If the owner wishes to develop to the full allowable FSR of 3.6 in future, this will require a demolition and total rebuild. Responding to concerns regarding security in the lane, Mr. Hulbert advised the parking will be operated by a carpark operator and the garbage facilities will be secured.

Staff Closing Comments

Mr. Whitlock advised the zoning on Robson Street allows for a 70-foot height limit and this has been in place for at least the last 10 years.

MOVED by Cllr. Puil,

THAT the application be approved be subject to the conditions as set out in this minute of the Public Hearing, with the exception that showers not be required as part of the bicycle parking requirement and that seven additional parking spaces be permitted to be used for short-term transient parking.

- CARRIED

(Councillor Kwan opposed to the elimination of the requirement for showers and the approval for the of construction seven additional parking spaces.)

2(b) 900 Burrard Street

An application by the Associate Director of Planning - Land Use & Development was considered as follows:

The proposed amendment to CD-1 Comprehensive Development District Zoning By-law No. 6421 would reduce the maximum permitted density on this site from 8.5 to 8.148 floor space ratio.

The Associate Director of Planning - Land Use & Development recommended approval.

MOVED by Cllr. Hemer,

THAT this application be approved.

- CARRIED UNANIMOUSLY

Balcony Exclusions
Option A.2

BY-LAW NO. 7512

A By-law to amend By-law Nos.
6421, 6688, 6710, 6731, 6757, 6787, 6817, 7006,
7156, 7173, 7189, 7193, 7200, 7204, 7209, 7223,
7224, 7232, 7246, 7248, 7317, 7337, 7340, 7381,
7431 and 7461, 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. The following By-laws are each amended by deleting section 3.4
and by substituting the following new section 3.4:

"3.4 The Director of Planning may permit the following to be excluded in
the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of
Planning first considers all applicable policies and guidelines
adopted by Council and approves the design of any balcony enclosure
subject to the following:

(i) the total area of all open and enclosed balcony or sundeck
exclusions does not exceed eight percent of the residential
floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor
area may be enclosed."

6688	7006	7337
6710	7173	7340
6731	7189	7381
6787	7223	7431
6817	7224	

2. By-law Nos. 6421, 7193 and 7209 are each amended in section 3.4 by
deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of
Planning first considers all applicable policies and guidelines
adopted by Council and approves the design of any balcony enclosure
subject to the following:

(i) the total area of all open and enclosed balcony or sundeck
exclusions does not exceed eight percent of the residential
floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

3. By-law No. 7246 is amended in section 3.5 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

4. By-law Nos. 7156, 7200, 7232 and 7248 are each amended in section 6.4 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

5. By-law No. 7317 is amended in section 6.4 by deleting clause (a) and by substituting the following new clause (a):

"(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed."

6. By-law No. 7461 is amended in section 6.4 of Schedule "B" by deleting clause (a) and by substituting the following new clause (a):

- "(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed."

7. By-law No. 6757 is amended in section 7.4 by deleting clause (a) and by substituting the following new clause (a):

- "(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

8. By-law No. 7204 is amended in section 7.4 of Schedule "B" by deleting clause (a) and by substituting the following new clause (a):

- "(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed;"

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

DONE AND PASSED in open Council this 11th day of
January, 1996.

"(signed) Jennifer Clarke"
Deputy Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 11th day of January 1996, and numbered 7512.

CITY CLERK"

Clause 1(a) and (b) (cont'd)

This development is also in keeping with Council's strategy of reducing traffic congestion by encouraging residential development in this area and reducing commuters. The application also provides for a substantial amount of bicycle parking within the new residential complex.

Staff Closing Comments

Staff offered no additional comments.

Council Decision

Prior to making a decision, several members of Council expressed the view that staff need to reconsider their approach when notifying residents about rezoning applications, as well as other City-related issues. Members of Council also referred to a previously requested report on waterfront tower height and Council expressed a desire to see this report as soon as possible.

MOVED by Cllr. Bellamy,

THAT this application be approved, subject to the conditions as set out in this minute of the Public Hearing.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Price,

THAT the City Manager ensure that when the anticipated report from the Housing Centre on housing affordability comes back, it deals with the issues related to Triangle West and new neighbourhoods.

- CARRIED UNANIMOUSLY

2. Balcony Enclosures and Acoustic Requirements /

An application by the Director of Land Use and Development was considered as follows:

The proposed amendments to various zoning District Schedules, Official Development Plans and CD-1 Comprehensive Development District By-laws, would either:

- not allow any of the permitted residential floor area to be excluded from Floor Space Ratio (FSR) for enclosed balconies except in buildings existing prior to April 23, 1985 in which case the present regulations would apply; or

cont'd....

Clause No. 2 (cont'd)

- continue to permit a maximum of 8 percent of permitted residential floor area to be excluded form Floor Space Ratio (FSR) for balconies BUT to permit no more than half of excluded floor area to be enclosed; or
- permit no more than 8 percent of permitted residential floor area to be excluded from Floor Space Ratio (FSR) for enclosed balconies.

The proposed acoustic amendments would delete the acoustic requirement for balconies, terraces, patios, etc.

Amended Balcony Enclosure Guidelines and Policies are also proposed.

The Director of Land Use and Development recommended approval of this application.

Staff Opening Comments

Mr. Ralph Segal, Planner, provided background on this issue and introduced the options before Council this evening.

In 1964, in order to improve livability in higher density multiple dwelling developments, open balconies were excluded from FSR to a maximum of eight percent of residential floor area. In the early 1980s, the City received numerous requests from owners of units in existing buildings to enclose their balconies for reasons of poor insulation and acoustics, air drafts and other interior problems. In response, Council in 1985 adopted balcony enclosure guidelines by which enclosed balconies would continue to be excluded from FSR.

Subsequently, in response to the development industry's request for equity, Council permitted this exclusion to apply to new construction, subject to adherence to the guidelines. Since then, new buildings have, to an increasing degree, incorporated enclosed balconies as additional interior space displacing the private open space, the open balconies, for which the FSR exclusion had been originally provided.

Since enclosed balcony space has been successfully marketed at the full per square foot price of the rest of the dwelling unit, many developers have been more and more aggressive in seeking the full eight percent exclusion for enclosed balconies. This differs from a mix of open and enclosed balconies that were anticipated when the exclusion was first put in place.

cont'd....

Clause No. 2 (cont'd)

With the aid of photographs distributed to Council (on file in the City Clerk's Office), Mr. Segal explained that enclosure of most or all balconies bulks up buildings by filling in the volumes of open balconies and intends to create less residential, more office-like buildings. Exclusions from FSR are usually given to encourage developers to provide facilities that are considered important for livability but would likely not be provided without that incentive. In this case, bonuses are being permitted when they the negative affect of displacing the private open space for which the FSR exclusion was intended.

Recommendation A1 would eliminate the FSR exclusion for enclosed balconies except in the buildings existing prior to 1985, as per the original intent of the balcony enclosure provisions. Alternatively, should Council consider that enclosed balconies do have merit, A2 is offered which states that no more than half of the excluded balcony area may be enclosed. The third option, A3 is to simply allow outright the full eight percent exclusion to be enclosed.

This application also proposes an acoustic amendment. At present, acoustic requirements in many district schedules and CD-1 by-laws apply to standards in both rooms within the unit as well as exterior balconies and patios. As the current standard often requires balconies to be enclosed, even when this is not desired, the proposed amendment will delete this requirement. Mr. Segal also explained that amendments are proposed to the balcony enclosure guidelines which would delete provisions calling for easy conversion of enclosed balconies back to open balconies, as well as adding several additional clauses which will clarify the design intent in new construction.

Responding to a question from a member of Council, Mr. Segal advised of an error in the memorandum dated July 18, 1995 from the City Clerk, which referred this matter to Public Hearing. Recommendation A1 makes reference to excluding floor space ratio for enclosed balconies except in buildings existing prior to April 23, 1995. This should read April 23, 1985.

A member of Council enquired whether these guidelines would permit a style of balcony sometimes referred to a french balconies. Mr. Segal advised this style would not be permitted under the proposed guidelines.

Council members also enquired whether thresholds will still be required between the interior unit and the closed balconies. It was confirmed the proposed guidelines still contain this threshold requirement.

cont'd....

Clause No. 2 (cont'd)

Correspondence

All correspondence received prior to this matter being referred to Public Hearing was included as Appendix E in the Council report. One additional letter stressing the need for more open balconies in Vancouver and another favouring option A2, were also received.

Speakers

The Mayor called for speakers for and against the application, and the following addressed Council.

Mr. Hans Schmidt, representing the Society of Soundscape Preservation, expressed concern with the proposed deletion of acoustic requirements, on the grounds that if these requirements are deleted, the City is simply accommodating the noise which exists and not attempting to eliminate or reduce it. A greater emphasis should be directed towards elimination of the source of noise.

Mr. Dugal Purdie, on behalf of the Urban Development Institute (UDI), indicated his support for option A2 as it represents an appropriate compromise. The UDI is strongly opposed to A1 as this would affect proformas upon which construction was predicated upon. Mr. Purdie urged Council to support recommendation A2 with an amendment to exclude the applicability of the guidelines to enclosed space, as the Institute believes the total design of the building should be left with the architects and reviewed through the existing development permit process, without the addition of guidelines.

Mr. Stuart Howard, on behalf of the Architectural Institute of British Columbia (AIBC), lent his support to option A2, as it represents a compromise position. AIBC would ultimately prefer option 5 as stated in its May 30, 1995 brief to Council, but is willing to accept the compromise position. Mr. Howard suggested the Planning Department is naive in its support of option A1 because apartments are now significantly smaller in size and the continued requirement of an open balcony would result in a small, unusable space.

cont'd....

Clause No. 2 (cont'd)

MOVED by Cllr. Kennedy,

THAT the City continue to permit a maximum of eight percent of permitted residential floor area to be excluded from Floor Space Ratio (FSR) for balconies, but to permit no more than half of excluded floor area to be enclosed;

FURTHER THAT the requirement that thresholds be included in enclosed balconies be removed.

- CARRIED

(Councillors Chiavario, Kwan and Price opposed)

MOVED by Cllr. Kennedy,

THAT those District Schedules and CD-1 by-laws containing an acoustic regulation be amended, to delete the acoustic requirement for on-site open space (i.e., balconies, terraces, patios, etc.), generally as outlined in Appendix A of the Policy Report dated June 6, 1995.

- CARRIED

(Councillor Sullivan opposed)

MOVED by Cllr. Kennedy,

THAT the Balcony Enclosure Guidelines and Policies, amended as noted in Appendix B of the Policy Report dated June 6, 1995, to reflect more practical utilization by residents, be approved.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Kennedy,

THAT Council advise the Planning Department that it supports "French Balconies" where appropriate and that language be incorporated in the balcony regulations and/or guidelines that would encourage their provision.

- CARRIED UNANIMOUSLY

Acoustic Requirements

BY-LAW NO. 7515

A By-law to amend
By-law Nos. 3712, 4037, 4049, 4397, 4677, 5381,
5836, 5852, 6272, 6310, 6312, 6313, 6314, 6315,
6316, 6317, 6318, 6319, 6320, 6321, 6322, 6323,
6325, 6361, 6362, 6363, ~~6421~~, 6425, 6429, 6475,
6489, 6528, 6533, 6564, 6582, 6597, 6663, 6688,
6710, 6713, 6714, 6715, 6730, 6731, 6738, 6739,
6740, 6744, 6747, 6757, 6768, 6779, 6787, 6817,
6827, 6965, 7006, 7087, 7092, 7101, 7114, 7135,
7155, 7156, 7157, 7158, 7163, 7166, 7173, 7174,
7175, 7180, 7189, 7193, 7198, 7200, 7204, 7209,
7223, 7224, 7230, 7232, 7246, 7248, 7317, 7337,
7340, 7381, 7425, 7431, 7434 and 7461, 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 Nos. 6429, 6597, 7092, 7101, 7224 and 7340 are each amended in section 5 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

2. The following By-laws are each amended in section 6 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column:

4037	6688	7087	7180
4397	6710	7155	7189
4677	6713	7157	7209
5852	6731	7163	7246
6272	6738	7166	7381
6363	6768	7173	7425
6421	6787	7174	7431
6582	6827	7175	7434
6663			

3. By-law No. 6730 is amended in section 6.1 by deleting the words "Terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

4. The following By-laws are each amended in section 7 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

5836	6321	6564	7114
6310	6322	6739	7135
6312	6323	6740	7158
6315	6325	6817	7223
6319	6528	6965	7230
6320			

5. By-law Nos. 6313, 6314, 6316, 6317, 6318 and 6361 are each amended in section 7.1 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
6. By-law Nos. 3712, 4049, 6362, 6425, 6489, 6714, 6715, 7193 and 7337 are each amended in section 8 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
7. By-law No. 6779 is amended in section 9 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
8. By-law No. 7198 is amended in section 10 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
9. By-law Nos. 7156, 7200, 7232 and 7248 are each amended in section 11 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
10. By-law No. 6744 is amended in section 12 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
11. By-law Nos. 6747 and 6757 are both amended in section 13 by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.
12. By-law No. 5381 is amended in section 4.8.1 by
 - (a) deleting clause (d), and
 - (b) relettering clauses (e) and (f) as (d) and (e), respectively.
13. By-law No. 6533 is amended in section 5.6.1 by deleting clause (d).
14. By-law No. 6475 is amended in section 5.8.1 by deleting clause (d).
15. By-law No. 7006 is amended in section 7 by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

16. By-law No. 7317 is amended in section 9 by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

17. By-law No. 7461 is amended in section 9 of Schedule "B" by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

18. By-law No. 7204 is amended in section 12 of Schedule "B" by deleting the words "common-use roof decks and patios" from the left column and the corresponding number "55" from the right column.

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

DONE AND PASSED in open Council this 11th day of
January , 1996.

"(signed) Jennifer Clarke"
Deputy Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 11th day of January 1996, and numbered 7515.

CITY CLERK"

Clause 1(a) and (b) (cont'd)

This development is also in keeping with Council's strategy of reducing traffic congestion by encouraging residential development in this area and reducing commuters. The application also provides for a substantial amount of bicycle parking within the new residential complex.

Staff Closing Comments

Staff offered no additional comments.

Council Decision

Prior to making a decision, several members of Council expressed the view that staff need to reconsider their approach when notifying residents about rezoning applications, as well as other City-related issues. Members of Council also referred to a previously requested report on waterfront tower height and Council expressed a desire to see this report as soon as possible.

MOVED by Cllr. Bellamy,

THAT this application be approved, subject to the conditions as set out in this minute of the Public Hearing.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Price,

THAT the City Manager ensure that when the anticipated report from the Housing Centre on housing affordability comes back, it deals with the issues related to Triangle West and new neighbourhoods.

- CARRIED UNANIMOUSLY

2. Balcony Enclosures and Acoustic Requirements

An application by the Director of Land Use and Development was considered as follows:

The proposed amendments to various zoning District Schedules, Official Development Plans and CD-1 Comprehensive Development District By-laws, would either:

- not allow any of the permitted residential floor area to be excluded from Floor Space Ratio (FSR) for enclosed balconies except in buildings existing prior to April 23, 1985 in which case the present regulations would apply; or

cont'd....

Clause No. 2 (cont'd)

- continue to permit a maximum of 8 percent of permitted residential floor area to be excluded form Floor Space Ratio (FSR) for balconies BUT to permit no more than half of excluded floor area to be enclosed; or
- permit no more than 8 percent of permitted residential floor area to be excluded from Floor Space Ratio (FSR) for enclosed balconies.

The proposed acoustic amendments would delete the acoustic requirement for balconies, terraces, patios, etc.

Amended Balcony Enclosure Guidelines and Policies are also proposed.

The Director of Land Use and Development recommended approval of this application.

Staff Opening Comments

Mr. Ralph Segal, Planner, provided background on this issue and introduced the options before Council this evening.

In 1964, in order to improve livability in higher density multiple dwelling developments, open balconies were excluded from FSR to a maximum of eight percent of residential floor area. In the early 1980s, the City received numerous requests from owners of units in existing buildings to enclose their balconies for reasons of poor insulation and acoustics, air drafts and other interior problems. In response, Council in 1985 adopted balcony enclosure guidelines by which enclosed balconies would continue to be excluded from FSR.

Subsequently, in response to the development industry's request for equity, Council permitted this exclusion to apply to new construction, subject to adherence to the guidelines. Since then, new buildings have, to an increasing degree, incorporated enclosed balconies as additional interior space displacing the private open space, the open balconies, for which the FSR exclusion had been originally provided.

Since enclosed balcony space has been successfully marketed at the full per square foot price of the rest of the dwelling unit, many developers have been more and more aggressive in seeking the full eight percent exclusion for enclosed balconies. This differs from a mix of open and enclosed balconies that were anticipated when the exclusion was first put in place.

cont'd....

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With the aid of photographs distributed to Council (on file in the City Clerk's Office), Mr. Segal explained that enclosure of most or all balconies bulks up buildings by filling in the volumes of open balconies and intends to create less residential, more office-like buildings. Exclusions from FSR are usually given to encourage developers to provide facilities that are considered important for livability but would likely not be provided without that incentive. In this case, bonuses are being permitted when they the negative affect of displacing the private open space for which the FSR exclusion was intended.

Recommendation A1 would eliminate the FSR exclusion for enclosed balconies except in the buildings existing prior to 1985, as per the original intent of the balcony enclosure provisions. Alternatively, should Council consider that enclosed balconies do have merit, A2 is offered which states that no more than half of the excluded balcony area may be enclosed. The third option, A3 is to simply allow outright the full eight percent exclusion to be enclosed.

This application also proposes an acoustic amendment. At present, acoustic requirements in many district schedules and CD-1 by-laws apply to standards in both rooms within the unit as well as exterior balconies and patios. As the current standard often requires balconies to be enclosed, even when this is not desired, the proposed amendment will delete this requirement. Mr. Segal also explained that amendments are proposed to the balcony enclosure guidelines which would delete provisions calling for easy conversion of enclosed balconies back to open balconies, as well as adding several additional clauses which will clarify the design intent in new construction.

Responding to a question from a member of Council, Mr. Segal advised of an error in the memorandum dated July 18, 1995 from the City Clerk, which referred this matter to Public Hearing. Recommendation A1 makes reference to excluding floor space ratio for enclosed balconies except in buildings existing prior to April 23, 1995. This should read April 23, 1985.

A member of Council enquired whether these guidelines would permit a style of balcony sometimes referred to a french balconies. Mr. Segal advised this style would not be permitted under the proposed guidelines.

Council members also enquired whether thresholds will still be required between the interior unit and the closed balconies. It was confirmed the proposed guidelines still contain this threshold requirement.

cont'd....

Clause No. 2 (cont'd)

Correspondence

All correspondence received prior to this matter being referred to Public Hearing was included as Appendix E in the Council report. One additional letter stressing the need for more open balconies in Vancouver and another favouring option A2, were also received.

Speakers

The Mayor called for speakers for and against the application, and the following addressed Council.

Mr. Hans Schmidt, representing the Society of Soundscape Preservation, expressed concern with the proposed deletion of acoustic requirements, on the grounds that if these requirements are deleted, the City is simply accommodating the noise which exists and not attempting to eliminate or reduce it. A greater emphasis should be directed towards elimination of the source of noise.

Mr. Dugal Purdie, on behalf of the Urban Development Institute (UDI), indicated his support for option A2 as it represents an appropriate compromise. The UDI is strongly opposed to A1 as this would affect proformas upon which construction was predicated upon. Mr. Purdie urged Council to support recommendation A2 with an amendment to exclude the applicability of the guidelines to enclosed space, as the Institute believes the total design of the building should be left with the architects and reviewed through the existing development permit process, without the addition of guidelines.

Mr. Stuart Howard, on behalf of the Architectural Institute of British Columbia (AIBC), lent his support to option A2, as it represents a compromise position. AIBC would ultimately prefer option 5 as stated in its May 30, 1995 brief to Council, but is willing to accept the compromise position. Mr. Howard suggested the Planning Department is naive in its support of option A1 because apartments are now significantly smaller in size and the continued requirement of an open balcony would result in a small, unusable space.

cont'd....

Clause No. 2 (cont'd)

MOVED by Cllr. Kennedy,

THAT the City continue to permit a maximum of eight percent of permitted residential floor area to be excluded from Floor Space Ratio (FSR) for balconies, but to permit no more than half of excluded floor area to be enclosed;

FURTHER THAT the requirement that thresholds be included in enclosed balconies be removed.

- CARRIED

(Councillors Chiavario, Kwan and Price opposed)

MOVED by Cllr. Kennedy,

THAT those District Schedules and CD-1 by-laws containing an acoustic regulation be amended, to delete the acoustic requirement for on-site open space (i.e., balconies, terraces, patios, etc.), generally as outlined in Appendix A of the Policy Report dated June 6, 1995.

- CARRIED

(Councillor Sullivan opposed)

MOVED by Cllr. Kennedy,

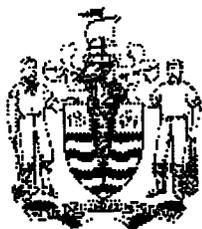
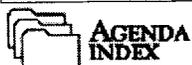
THAT the Balcony Enclosure Guidelines and Policies, amended as noted in Appendix B of the Policy Report dated June 6, 1995, to reflect more practical utilization by residents, be approved.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Kennedy,

THAT Council advise the Planning Department that it supports "French Balconies" where appropriate and that language be incorporated in the balcony regulations and/or guidelines that would encourage their provision.

- CARRIED UNANIMOUSLY



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.

* * * * *



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

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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**

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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"

8. Form of Development: 900 Burrard Street

November 12, 2002 (File 2604)

THAT the form of development for the CD-1 zoned site known as 900 Burrard Street be approved generally as illustrated in the Development Application Number DE406534, prepared by Foad Raffi, Architect and stamped "Received, Community Services, Development Services July 31, 2002", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

ADOPTED ON CONSENT
(Councillor Kennedy absent for the vote)

ADMINISTRATIVE REPORT

Date: November 12, 2002
Author/Local: J. Baxter/6656
RTS No: 02992
CC File No: 2604
Council: November 26, 2002

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: Form of Development: 900 Burrard Street

RECOMMENDATION

THAT the form of development for the CD-1 zoned site known as 900 Burrard Street be approved generally as illustrated in the Development Application Number DE406534, prepared by Foad Raffi, Architect and stamped "Received, Community Services, Development Services July 31, 2002", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

There is no applicable Council policy except that Council did approve in principle the form of development for this site when the rezoning was approved, following a Public Hearing.

PURPOSE

In accordance with *Charter* requirements, this report seeks Council's approval for the form of development for the above-noted CD-1 zoned site.

BACKGROUND AND SITE DESCRIPTION

At a Public Hearing on August 25, 1988, City Council approved a rezoning of this site from DD (Downtown District) to CD-1 (Comprehensive Development District). Council also approved in principle the form of development for these lands. CD-1 By-law No. 6421 was enacted on November 8, 1988. Companion Guidelines (900 Burrard Street CD-1 Guidelines) were subsequently adopted by Council on November 30, 1993.

At a subsequent Public Hearing on July 27, 1993, Council approved an amendment to permit development of residential, commercial or mixed-use development on this site. This amendment (By-law No. 7236) was enacted on November 9, 1993.

A further amendment (By-law No. 8169) to provide a floor space ratio exclusion for construction incentives to control building envelope leaks was enacted on March 14, 2000, following a Public Hearing on February 24, 2000.

The site is located on the south side of Smithe Street between Burrard and Hornby Streets. The site and surrounding zoning are shown on the attached Appendix 'A'.

Subsequent to Council's approval of the CD-1 rezoning, the Development Permit Board approved Development Application Number DE406534. This approval was subject to various conditions, including Council's approval of the form of development. The latter condition is one of the few outstanding prior to permit issuance.

DISCUSSION

The proposal involves the construction of a 24-storey residential/ commercial/ entertainment building including a total of 456 residential dwelling units, 2,084.9 square metres (22,442 sq. ft.) of commercial space, 9 theatres and 5 levels of underground parking providing 677 off-street parking spaces (of which 150 spaces are to be designated for "The Electra" building at 989 Nelson Street), having vehicular access from an existing internal driveway.

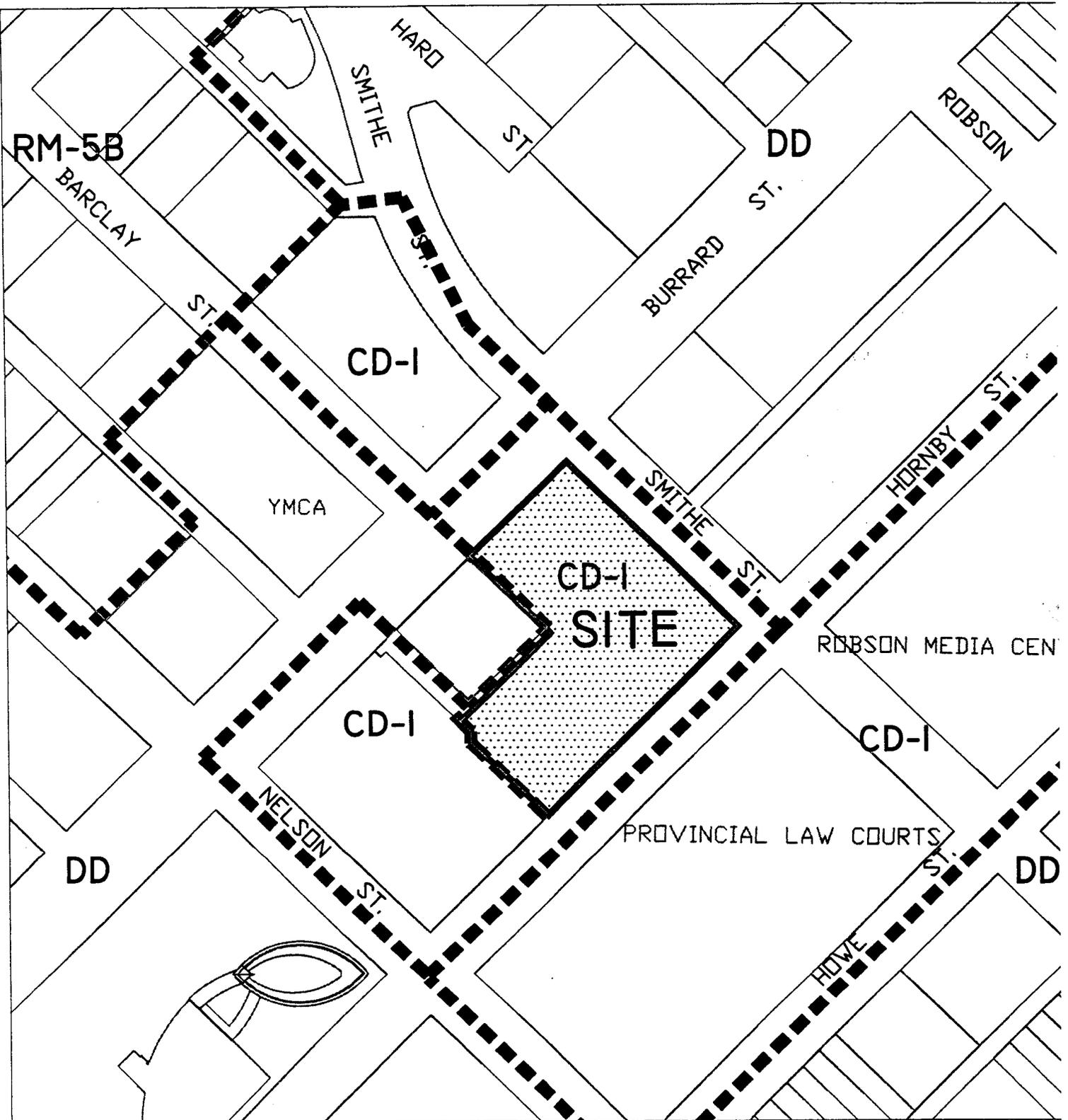
The proposed development has been assessed against the CD-1 By-law and Council-approved guidelines and responds to the stated objectives.

Simplified plans, including a site plan and elevations of the proposal, have been included in Appendix 'B'.

CONCLUSION

The Development Permit Board has approved Development Application Number DE406534, subject to various conditions to be met prior to the issuance of the development permit. One of these conditions is that the form of development first be approved by Council.

*** * * * ***



900 BURRARD STREET DE 406534

DATE 2002 09 25

DRAWN WGS & DY



CITY OF VANCOUVER PLANNING DEPARTMENT

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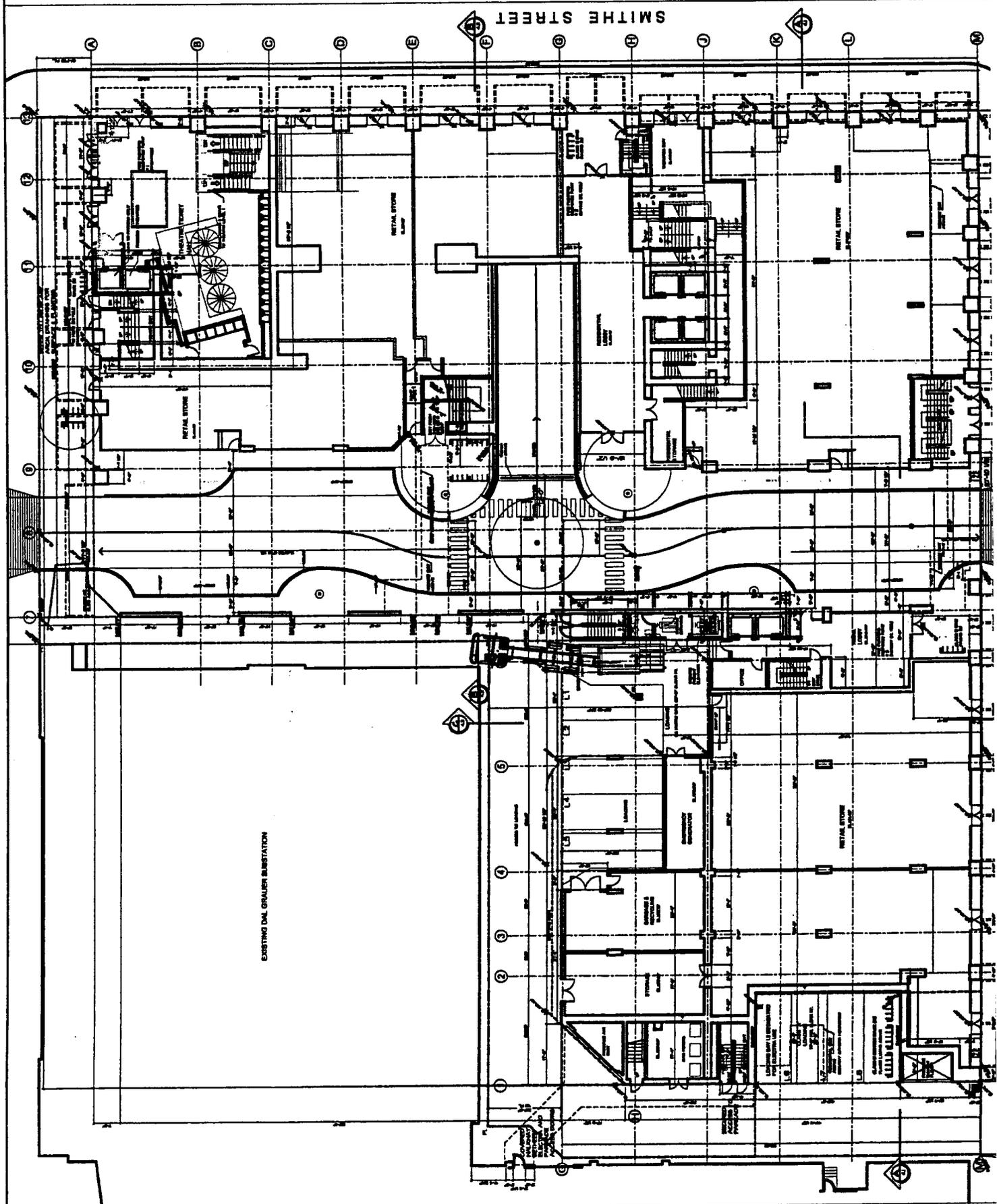
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FLOOR PL





CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
NOVEMBER 20, 2003

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

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

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

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

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

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

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

The Director of Current Planning recommended approval.

Staff Comments

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

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Louis

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

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 11 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

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

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

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

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

(By-law No. 8767)

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