



**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](mailto:planning@city.vancouver.bc.ca)

## **CD-1 (255)**

*321 Princess Street*

*By-law No. 6713*

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

**Effective August 28, 1990**

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

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

**2** The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, which area shall be more particularly described as CD-1(255), 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) Multiple Dwelling containing a maximum of 60 dwelling units all of which shall be eligible for Government funding;
- (b) Storage Warehouse limited to the storage of offal from the processing plant on the adjacent site, provided that any development permit shall be limited in time;
- (c) Accessory Uses customarily ancillary to the multiple dwelling.

### **3 Floor Space Ratio**

**3.1** The floor space ratio shall not exceed 2.5.

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

- (a) all floors having a minimum ceiling height of 1.25 m (4.10 ft.), including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building.

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

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed 8 percent of the residential floor area being provided;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs, and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.30 m (23.95 ft.) feet in length;
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
- (e) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 20 percent of the total floor area or 929 m<sup>2</sup> (10,000 sq. ft.) whichever is the lesser;
- (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. [8169; 00 03 14]

### **4 Height**

The maximum building height measured above the base surface shall not exceed 18.6 m (61 ft.) and the building shall not extend beyond 6 storeys.

### **5 Off-Street Parking and Loading**

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

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 6713 or provides an explanatory note.*

**6 Acoustics**

All development permit applications shall 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 shall 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.

<b>Portions of Dwelling Units</b>	<b>Noise Level (Decibels)</b>
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.]*

BY-LAW No. 6713 BEING A BY-LAW TO AMEND BY-LAW No.3575  
BEING THE ZONING AND DEVELOPMENT BY-LAW

SCHEDULE A

THE PROPERTY SHOWN BELOW (  ) OUTLINED IN BLACK  
IS REZONED:

FROM DEOD TO CD-1



SCALE:1:2500  
FILE No.RZ-321 Princess Ave.

Z-374 (a)





CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: March 21, 1990

To: City Manager  
Director of Planning  
~~Associate Director, Zoning Division~~  
Director of Legal Services  
City Engineer  
Medical Health Officer

Refer File: P.H. #229

Subject: Public Hearing - March 6, 1990

RECEIVED
PLANNING DEPARTMENT
MAR 22 1990
NUMBER L 2045
REFERRED TO FAS
COPY TO THF
ANSWER REQ'D

I wish to advise you of the attached Minutes from the Special Council meeting (Public Hearing) held on March 6, 1990.

Please note any matters contained therein for your attention.



CITY CLERK

JT:ci  
Att.

Also sent to: Joe Y. Wai Architects  
1107 Homer Street  
Vancouver, B.C.  
V6B 2Y1

CITY OF VANCOUVERSPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, March 6, 1990, in the Council Chamber, Third Floor, City Hall, at approximately 2:10 p.m., for the purpose of holding a Public Hearing to amend the Zoning & Development By-law.

PRESENT: Mayor Campbell  
Aldermen Baker, Bellamy, Davies,  
Eriksen, Owen, Price,  
Puil, Rankin, Taylor and  
Wilking

CLERK TO THE COUNCIL: Mrs. J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,  
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 & Development By-law.

- CARRIED UNANIMOUSLY

1. Rezoning: 321 Princess Avenue and  
546 Cordova Street

An application of Joe Y. Wai Architects was considered as follows:

REZONING: LOCATION - 321 Princess Avenue and 546 Cordova Street  
(Lots 10 to 16, Block 58, Plan 196, D.L. 196)

Present Zoning: DEOD Downtown-Eastside/Oppenheimer 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:
- multiple dwelling containing a maximum of 60 dwelling units all of which shall be eligible for government funding;
  - warehouse for the storage of chicken offal;
  - maximum floor space ratio of 2.5;
  - maximum height of 18.6 m (61 ft.) or six storeys;
  - acoustical provisions; and
  - provisions for off-street parking and loading.
- (ii) Any consequential amendments, including amendments to the Downtown-Eastside/Oppenheimer Official Development Plan.

Clause No. 1 cont'd

The position of the Director of Planning was set out in a Manager's Report dated February 20, 1990, contained within the agenda material. The Director of Planning noted the negative impacts from an adjacent chicken processing plant made the site unsuitable for housing at this time, but given the limited opportunities for redevelopment of the site and the urgent need for low-cost family housing in the City, the question of rezoning was submitted for Council's consideration. In the event Council made a decision to approve the application, the Director of Planning submitted the following amendments and conditions of approval:

- (1) THAT the draft by-law be amended to eliminate the storage of offal as a permitted use;
- (2) THAT the draft by-law be amended to reduce the maximum height from 6 to 5 1/2 storeys;
- (3) THAT prior to the enactment of the by-law, the detailed scheme of development in a development application be first approved by the Director of Planning, having particular regard to:
  - (a) provision of a high wall and suitable landscaping to buffer the development from the adjacent chicken plant;
  - (b) redesign and relocation away from the elevators, or elimination of the children's play spaces on the 2nd to 6th floors;
  - (c) redesign of the stairwells to permit visual contact while moving from units to the ground level play area;
  - (d) relocation of some of the units on the 6th floor to achieve a 5 1/2 storey height limit;
  - (e) provision of usable roof-deck open space adjacent to the top half-storey; and
  - (f) provision of an adequate storage area for residential garbage recycling;
- (4) THAT as a condition of development approval:
  - (a) a letter of undertaking be provided by the sponsor group stating that the units which have no visual access to the ground level open space not be occupied by families with children; and
  - (b) each prospective tenant be advised of the proximity of the chicken plant and its offensive impacts; the notice to contain information to the satisfaction of the Medical Health Officer, including the inability of the City to provide any relief from the offensive nature of the plant if it is complying with City regulations;

Clause No. 1 cont'd

- (5) THAT the approved form of development be adopted in principle, generally as presented in the drawings prepared by Joe Wai Architects and stamped Received, City Planning Department January 19, 1990 and modified by (1) to (3) and 4(a) above, provided that the Director of Planning may allow alterations to this approved form of development to accommodate (1) to (3) and 4(a) above when approving the detailed scheme of development;
- (6) THAT prior to enactment of the by-law, agreements be made satisfactory to the Director of Legal Services and City Engineer for the undergrounding of B.C. Hydro and B.C. Telephone services within and adjacent to the site from the closest suitable existing utilities.

Mr. R. Scobie, Associate Director - Zoning Division, advised the Public Hearing, the Director of Planning recommended Condition (5) be amended by including the words "and March 1, 1990" after the date January 19, 1990. This would incorporate the most recent drawings submitted by the applicant which indicated:

- proposed landscaping, specifically in the southwest corner of the site;
- proposed site treatment, both with and without the 20' x 30' offal storage facility;
- development of a 20' high concrete wall, heavily landscaped along the westerly edge of the property, to provide a more compatible relationship to the adjacent chicken plant.

Mr. Scobie made particular reference to Condition 4(a) and the application of Council's guidelines for housing families at high densities. He stated the specific proposal now before Council and other applications were being viewed quite closely by other developers of family housing - Concord Pacific, particularly. Council was cautioned about deviating significantly from the guidelines in this case, in view of the precedent that may be set for future applications on other sites.

Mr. Scobie reviewed the Manager's Report noting the Development Permit Board, Design Panel and the Health Department shared the concerns of Planning Department staff about the incompatibility of a chicken processing plant immediately adjacent to a 60-unit family housing project and, therefore, did not support the application. The preference of staff was one of refusal, but three principal factors had to be noted:

- 1) the site had been rezoned to encourage multiple housing;
- 2) there are no alternative uses allowed for in the existing DEOD ODP that might present a more compatible use for the adjacent chicken plant;
- 3) there is an urgent need for low cost family housing in the city.

Mr. J.Y. Wai, applicant, advised the project had received CMHC additional unit allocation, which was very difficult to secure. He had worked closely with the sponsor group, The Affordable Housing Advisory Association, and the developer, to find solutions to the less than perfect conditions. The negative aspects of the adjacent use were recognized and it was hoped the building of a well ventilated concrete enclosure for the offal storage, heavy landscaping and a 20-foot wall would mitigate most of the undesirable elements.

Clause No. 1 cont'd

While the chicken processing plant is a viable economic operation now, he believed it would be encouraged to relocate in the future. Therefore, in proposing the form of development, a long term view of the property and the block had been taken.

Mr. Wai referred to changes to the development proposed by the Director of Planning respecting rotation of the building away from the adjacent plant and lowering the height to 5 1/2 storeys. He pointed out the form of development he was proposing had a sunny orientation to the south with a large open space. The intention was that the space be extended westward to another family housing proposal when the chicken plant is relocated. Reducing the building to 5 1/2 storeys would result in smaller units and the loss of the common outdoor space on each floor.

Mr. Wai reviewed the amenities proposed to be incorporated in the development: there would be no ground level units except for the manager's quarters and almost the entire ground floor had been assigned to amenity space, including three separate areas for young children - one area being licensable for a day care. Common outdoor space connecting to an enclosed lounge will be provided on each floor. All play space areas will be visible from the units. There has been considerable interest in these features and they may serve as a prototype for other family housing developments. It was proposed to realign the elevator area and include a glass wall for visual access of parents going up and down the six storeys.

The Mayor called for speakers for or against the proposal and the following speakers addressed the Public Hearing:

Mr. Dennis Loepky, Affordable Housing Advisory Association, advised his organization currently owns and manages ten family housing projects. The location of the proposed development had raised concerns with City staff, but the chicken plant was surrounded by residences. These neighbours had been surveyed - half did not see the plant as a problem, the other half, some resident for six years, noted problems on hot days.

There had been so much concentration on negative aspects that the very innovative features of the proposed development tended to be overlooked. Council was urged to approve the rezoning.

In response to questions from Council members, Mr. Loepky stated tenants of the building will be advised of the proximity of the chicken plant and will be required to sign a disclaimer to alleviate future complaints.

Mr. Don Larson, 8392 Fremlin Street, spoke in support of the full 6-storey building and hoped a system would be established to ensure that residents of the Downtown Eastside are given priority in renting the units.

Clause No. 1 cont'd

MOVED by Ald. Rankin,

THAT the application be approved at a maximum height of six storeys.

- amended

MOVED by Ald. Rankin (in amendment),

1. THAT prior to enactment of the by-law, the detailed scheme of development in a development application be first approved by the Director of Planning, having particular regard to:

- (a) provision of a high wall and suitable landscaping to buffer the development from the adjacent chicken plant;
- (b) that the elevators be designed to include a glass wall to permit outside supervision;
- (c) provision of an adequate storage area for residential garbage recycling.

2. THAT as a condition of development approval:

- (a) a letter of undertaking be provided by the sponsor group stating that the units which have no visual access to the ground level open space not be occupied by families with young children; and
- (b) each prospective tenant be advised of the proximity of the chicken plant and its offensive impacts; the notice to contain information to the satisfaction of the Medical Health Officer, including the inability of the City to provide any relief from the offensive nature of the plant if it is complying with City regulations.

3. THAT the approved form of development be adopted in principle, generally as presented in the drawings prepared by Joe Wai Architects and stamped Received, City Planning Department January 19, 1990 and March 1, 1990, as modified by Council's conditions, as set out in this Minute of the Public Hearing, provided that the Director of Planning may allow alterations to this approved form of development to accommodate Council's conditions aforementioned when approving the detailed scheme of development.

4. THAT prior to enactment of the by-law, agreements be made satisfactory to the Director of Legal Services and City Engineer for the undergrounding of B.C. Hydro and B.C. Telephone services within and adjacent to the site from the closest suitable existing utilities.

- carried unanimously

(Alderman Price and the Mayor opposed to 2(a))

The amendments having carried, the motion of Alderman Rankin was put and CARRIED with Aldermen Baker and Puil opposed.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Ald. Owen,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED by Ald. Owen,

SECONDED by Ald. Bellamy,

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 approximately 3:25 p.m.

321 Princess Street

BY-LAW NO. 6713

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-374(a) 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, which area shall be more particularly described as CD-1(255), 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) Multiple Dwelling containing a maximum of 60 dwelling units all of which shall be eligible for Government funding;
  - (b) Storage Warehouse limited to the storage of offal from the processing plant on the adjacent site, provided that any development permit shall be limited in time;
  - (c) Accessory Uses customarily ancillary to the multiple dwelling.
3. Floor Space Ratio
  - 3.1 The floor space ratio shall not exceed 2.5.
  - 3.2 The following shall be included in the computation of floor space ratio:
    - (a) all floors having a minimum ceiling height of 1.25 m (4.10 ft.), including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building.

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

- (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 8 percent of the residential floor area being provided;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.30 m (23.95 ft.) feet in length;
- (d) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.70 m<sup>2</sup> (39.83 sq. ft.) per dwelling unit;
- (e) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 20 percent of the total floor area or 929 m<sup>2</sup> (10,000 sq. ft.) whichever is the lesser.

#### 4. Height

The maximum building height measured above the base surface shall not exceed 18.6 m (61 ft.) and the building shall not extend beyond 6 storeys.

#### 5. Off-Street Parking and Loading

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

#### 6. Acoustics

All development permit applications shall 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 shall 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

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

DONE AND PASSED in open Council this 28th day of  
August , 1990.

(signed) Gordon Campbell  
Mayor

(signed) Maria C. Kinsella  
City Clerk

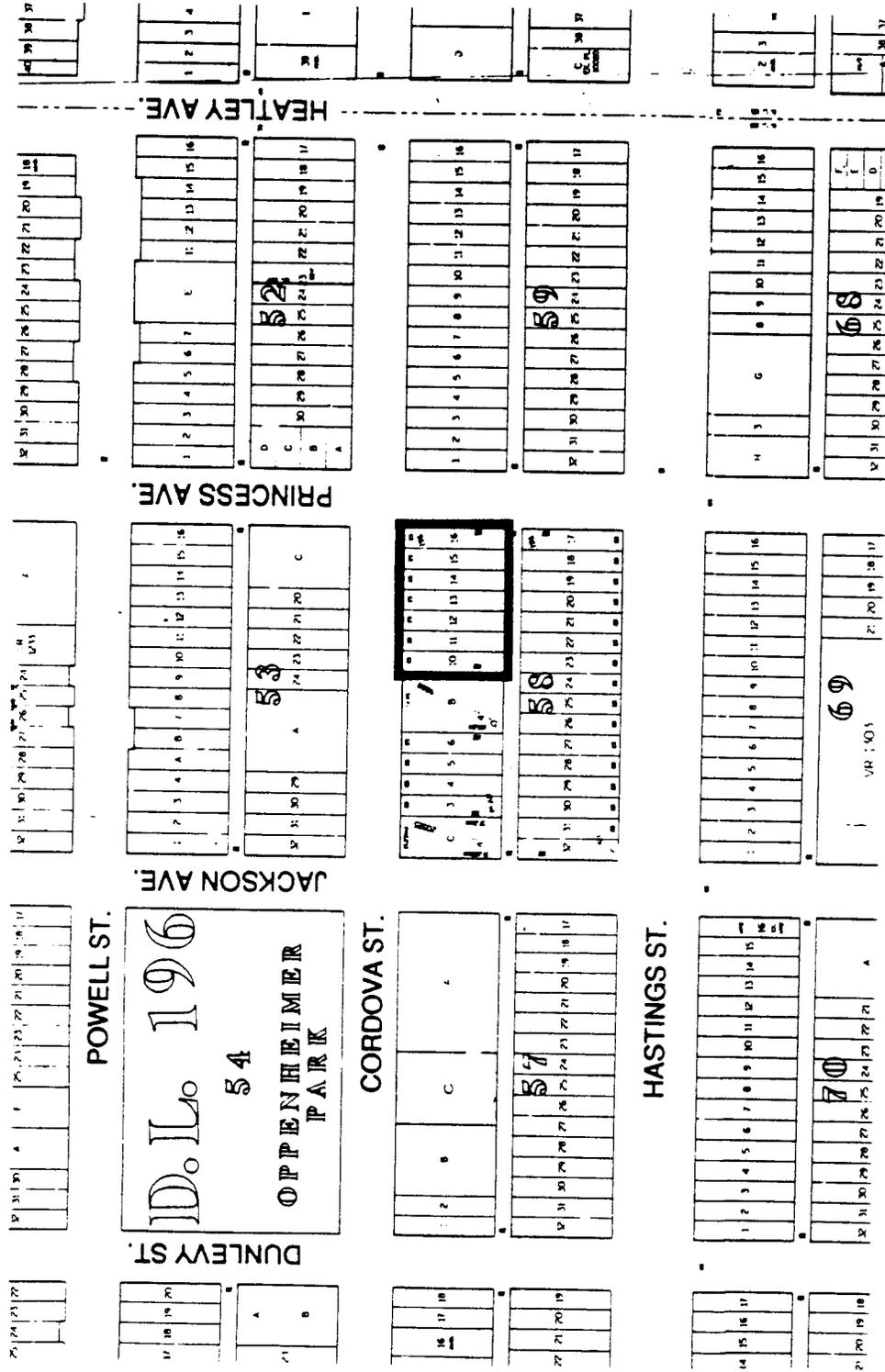
"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 28th day of August 1990, and numbered 6713.

CITY CLERK"

BY-LAW No. 6713 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
 BEING THE ZONING AND DEVELOPMENT BY-LAW

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

SCHEDULE A



SCALE: 1:2500  
 FILE No. RZ-321 Princess Ave.

Z-374 (a)

CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: August 31, 1990

To: CITY MANAGER  
→ DIRECTOR OF PLANNING

RECEIVED	
PLANNING DEPARTMENT	
SEP - 4 1990	
NUMBER...	L5875
REFERRED TO	THP/FAS
COPY TO	
ANSWER RECD	

Refer File: 2604-3/2608-3

Subject: CDD Form of Development  
(321 Princess Avenue and 546 East Cordova Street)

I wish to advise you Vancouver City Council, at its meeting on August 28, 1990, when considering the above matter, resolved as follows:

THAT the approved form of development for the CD-1 zoned site known as 321 Princess Avenue and 546 Cordova Street be generally as illustrated in DA #211077 prepared by Joe Wai Architects, and stamped "Received, City Planning Department July 10, 1990", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.



DEPUTY CITY CLERK



TTuominen:pl

Also letter to:

Mr. Joe Wai, Joe Wai Architects, 1107 Homer St., V6B 2Y1

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.





**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)