



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 (271)

888 Pacific Street

By-law No. 6787

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

Effective February 19, 1991

(Amended up to and including By-law No. 8169, dated March 14, 2000)

- 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(271), 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 dwellings; and
 - (b) accessory uses customarily ancillary to the above uses.
- 3 Floor Space Ratio
- 3.1 The maximum floor space ratio shall be 4.0.
- 3.2 The following shall be included in the computation of floor area:
- (a) all floors having a minimum ceiling height of 1.25 m (4.10 ft.), 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 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, provided that any sunroofs or walls forming part thereof are approved by the Director of Planning;
 - (c) residential storage space provided that where the space is provided at or above the base surface, the maximum exclusion shall be 40 square feet per dwelling unit;
 - (d) off-street parking and loading areas, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing, provided the floor area so used is at or below the base surface or below the highest point of the finished grade around the buildings;
 - (e) social and recreational amenities and facilities primarily for the use of residents and tenants provided that the floor area so used does not exceed 20 percent of the maximum permitted floor area or 929.03 m² (10,000 sq. ft.), whichever is lesser, and including the following: health club, saunas, tennis courts, swimming pools, squash courts, gymnasiums, workout rooms, meeting rooms, games rooms, hobby rooms, and other similar related indoor uses of a social or recreational nature which in the opinion of the Director of Planning are of a type which contribute to social amenity;
 - (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]
- 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 sun deck 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. [7512; 96 01 11]

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 6787 or provides an explanatory note.*

4 **Height**
The height of a building shall not exceed 46.70 m (153.21 ft.) measured above the official City building grade at the S.E. corner of Pacific and Hornby Streets, except that the mechanical roof may extend to a height not exceeding 47.31 m (155.21 ft.) similarly measured. [6967; 92 05 12]

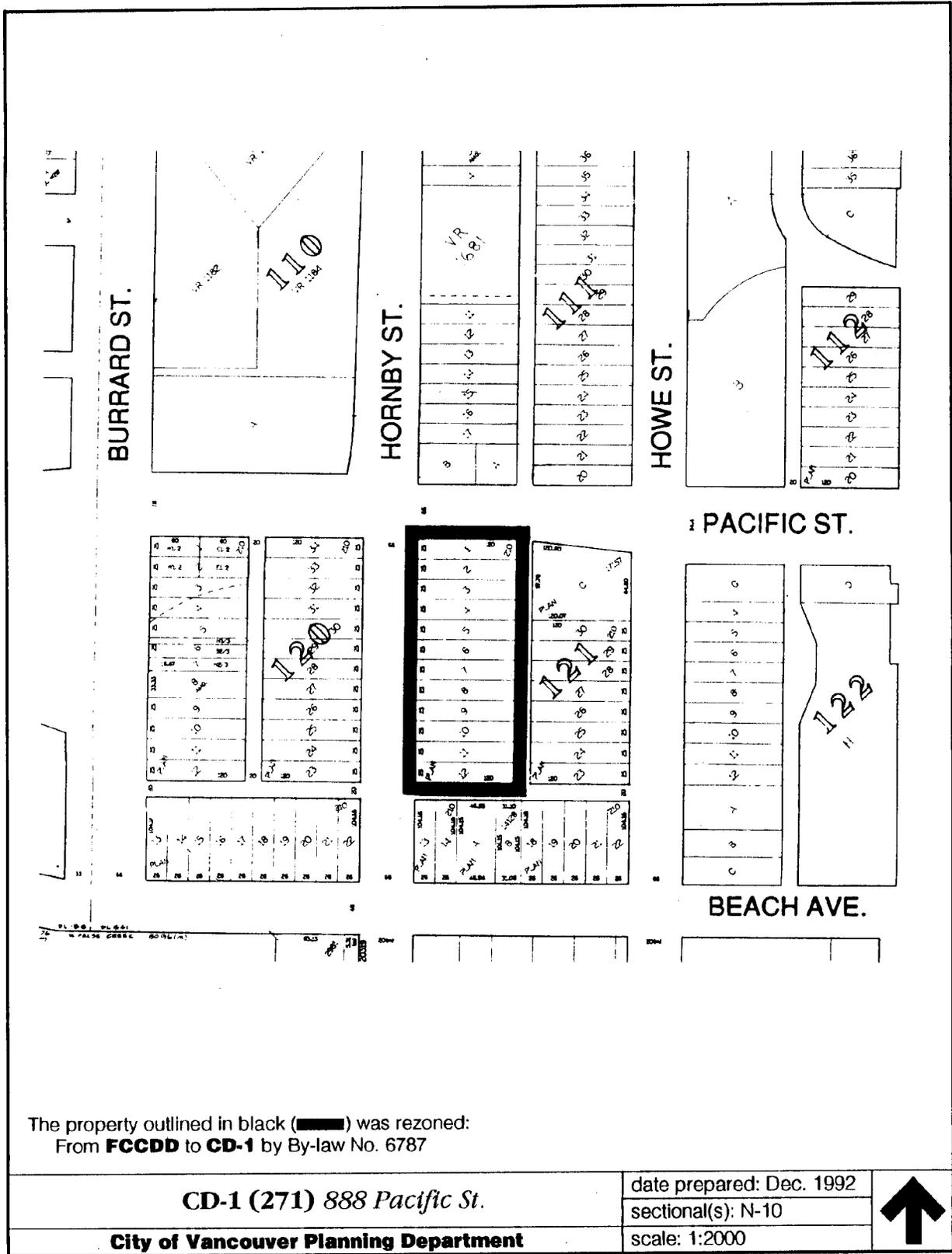
5 **Off-Street Parking and Loading**
Off-street parking and loading shall be provided, developed and maintained at a rate of 0.8 spaces per dwelling unit plus an additional space for each 100 m² of gross floor area of a maximum of 2.2 spaces per dwelling unit.

6 **Acoustics**
All development permit applications shall require evidence in the form of a report 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 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.]*



CITY OF VANCOUVER
MEMORANDUM

3
SSS Pacific

From: CITY CLERK

Date: January 31, 1990

To: City Manager
Director of Planning
Director of Legal Services
→ Associate Director, Zoning Division
City Engineer

Refer File: PH #227

Subject: Public Hearing Minutes - January 18, 1990

RECORDED
PLANNING DEPARTMENT
FEB - 2 1990
NUMBER. 20809
REFERRED TO. FAS
COPY TO. THE
ANSWER FILED

I wish to advise you of the attached Minutes of the Special Council meeting (Public Hearing) of January 18, 1990.

Please note any matters contained therein for your attention.

CITY CLERK
me

MC:ci
Att.

CITY OF VANCOUVER

SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 18, 1990, in the Council Chamber, Third Floor, City Hall, at approximately 7:30 p.m., for the purpose of holding a Public Hearing to amend the Zoning & Development By-law.

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

ABSENT: Alderman Baker

CLERK TO THE COUNCIL: M. Cross

COMMITTEE OF THE WHOLE

MOVED by Ald. Davies,
SECONDED by Ald. Bellamy,
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

As the circumstances surrounding the first three items on the agenda are similar, they were considered at the same time, as follows:

1. Rezoning: 901 Beach Avenue

An application of Brook Development Planning Inc. was considered as follows:

REZONING: LOCATION - 901 Beach Avenue (Lots 13-22 inclusive, Block 120, D.L. 541, Plan 210)

Present Zoning: FCCDD False Creek Comprehensive Development District

Proposed Zoning: CD-1 Comprehensive Development District

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

- multiple dwellings;
- accessory uses;
- maximum floor space ratio of 4.00;
- maximum height of 68.58m (225 ft.);
- accoustical provisions; and
- provisions for off-street parking and loading.

(ii) Any consequential amendments, including Sign By-law amendments.

Cont'd

910 Beach Avenue (cont'd)

- (v) submit to the City a legal agreement, satisfactory to the Director of Legal Services in consultation with the City Engineer, for use of the 1000 Beach Avenue underground parking entrance; and
- (vi) enter into an agreement, to the satisfaction of the City Engineer to ensure provision of underground B.C. Telephone and B.C. Hydro services within the site and to the nearest existing pole.

3. Rezoning: 888 Pacific Street

An application of Waisman Dewar Grout Carter Inc. was considered as follows:

REZONING: LOCATION - 888 Pacific Street (Lots 1-12 inclusive, Block 121, D.L. 541, Plan 210)

Present Zoning: FCCDD False Creek Comprehensive Development District

Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved, the zoning would permit the use and development of the site generally as follows:
 - multiple dwellings;
 - accessory uses;
 - maximum floor space ratio of 4.00;
 - maximum height of 45.72m (150 ft.);
 - acoustical provisions; and
 - provisions for off-street parking and loading.

- (ii) Any consequential amendments, including Sign By-law 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 be approved in principle, generally as prepared by Waisman Dewar Grout Carter Inc. and stamped "Received City Planning Department - January 5, 1990", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in resolution (b) below.
- (b) That, prior to the enactment of the CD-1 by-law, the detailed scheme of development in a development permit application be approved by the Director of Planning, having particular regard to the following items, as outlined in the City Manager's report dated December 5, 1989:
 - (i) tower height not exceeding 150 feet to mechanical roof-top and a minimum 30-foot tower setback from the easterly property line;
 - (ii) limiting the tower floor plate to no greater than 6,500 square feet;

Cont'd

888 Pacific Street (cont'd)

- (iii) consideration of a maximum six-storey, low-rise building on Hornby and the south lane, to assist the redistribution of mass from the lowered tower, subject to stepping development back 10 feet above the third or fourth floor of the low-rise;
 - (iv) design development of the tower cap to integrate it into the tower form and sculpting of the tower to reduce bulk;
 - (v) further design development of the low-rise component and the tower grade level on Pacific to address urban design concerns, and ensure pedestrian interest and an adequate public realm;
 - (vi) confirmation of the intended use of the community amenity facility on Pacific and its possible exclusion from density calculations;
 - (vii) the submission and implementation of an acoustical consultant's report to the satisfaction of the Medical Health Officer; and
 - (viii) provision of facilities for recycling and collection of refuse.
- (c) That, prior to enactment of the CD-1 by-law, the registered property owner shall, at no cost to the City:
- (i) consolidate the site into one parcel, registered in the Land Title Office;
 - (ii) obtain and submit to the City a letter from the B.C. Ministry of Environment indicating that a soils analysis site characterization has been completed by a professional recognized in this field and (a) has identified no unacceptable hazard for residential use of this site resulting from potential contamination of soil or building materials; or (b) that a remediation program concurred with by the B.C. Ministry of Environment as being adequate to eliminate such a hazard has been completed as certified by such a professional;
- The requirement to complete remediation prior to enactment contained in this condition shall not apply if amendments to City of Vancouver By-laws have been enacted to permit a program of remediation approved by the B.C. Ministry of Environment during construction in a sequence of steps to be prescribed, monitored and certified complete by a professional;
- done* (iii) enter into an agreement with the City establishing responsibility for design and development for public sidewalk and boulevard treatment, to the satisfaction of the City Engineer, in consultation with the Director of Planning;
- (iv) contribute to the City an amount of \$907,000, for basic community amenities;

Cont'd

888 Pacific Street (cont'd)

- (v) dedicate to the City 27 ft. from the north end of the site for road widening, a 6.6 ft. x 6.6 ft. corner cut-off at the northwest corner of the site, and a 10 ft. x 10 ft. corner cut-off at the intersection of two lanes at the southeast corner of the site; and
- (vi) enter into an agreement, to the satisfaction of the City Engineer to ensure provision of underground B.C. Telephone and B.C. Hydro services within and adjacent to the site from the nearest existing pole.

Mr. L. Beasley, Associate Director - Central Area Planning Division, outlined the proposed developments in Granville Slopes. The applicants wish to develop the sites prior to the new area zoning which has been deferred pending approval of Charter amendments permitting development levies.

The applications are generally consistent with the Granville Slopes Neighbourhood Concept Plan, and details with respect to urban design, livability and neighbourliness would be considered at the Development Permit Board stage.

Mr. Beasley suggested the following amendments to all three applications:

- deletion of "including Sign By-law amendments" from (ii);
- in (c), deletion of "registered" so as to read 'That, prior to enactment of the CD-1 by-law, the property owner shall, at no cost to the City'.

In Item 2, (910 Beach), Mr. Beasley suggested the following amendment:

- add under 2(b) the following (and amend necessary punctuation):
 - (vi) design development to reduce the length of exterior corridors.

In Item 3, (888 Pacific), Mr. Beasley suggested the following amendments:

- in (a), delete "January 5" and substitute "January 9";
- amend (b)(i) to read "tower height to the parapet not to exceed 150 feet as measured above the base surface, and a minimum 20-foot tower setback from the easterly property line".

With respect to the contributions for basic community amenities, Mr. Beasley submitted the following amendment at the suggestion of one of the developers:

- the following to be added to the end of clause (c)(iv) after the word 'amenities' for each of the three rezonings:

...amenities "in the form of a cash payment, or an Irrevocable Letter of Credit in a form to the satisfaction of the Director of Legal Services, to be called on the soonest of (a) issuance of an Occupancy Permit, (b) the commencement of the park development, as determined by the Director of Planning, or (c) December 31, 1991;"

901 Beach Avenue
910 Beach Avenue
888 Pacific Street (cont'd)

A member of Council sought assurances that all three applications would proceed to enactment, preferably at the same time, to ensure that full contributions for community amenities are received.

The following appeared on behalf of the applicants:

Mr. C. Brook, Brook Development Planning Inc., on behalf of the 901 Beach Development Team, advised that significant changes were made to the development to comply with the Neighbourhood Concept Plan endorsed by Council. He supported the amendment with respect to the Irrevocable Letter of Credit.

Mr. G. Hamilton, Hamilton Doyle Architects, on behalf of 910 Beach Avenue, also supported the amendments put forward by the Director of Planning.

Mr. M. Geller, on behalf of 888 Pacific, supported the amendments. He would hope a sense of commitment by the applicants would ensure all three applications proceeded to enactment and development.

Ms. R. Morin, Southeast Granville Slopes resident, supported the applications and the process that allowed the residents to have a say in how the area would develop.

Ms. S. Lea Richmond, Granville Slopes community representative, indicated the community supports the applications as they have evolved to meet the proposed Granville Slopes area study.

MOVED by Ald. Puil,
THAT the applications of:

1. Brook Development Planning Inc., for 901 Beach Avenue
2. Hamilton Doyle Architects, for 910 Beach Avenue
3. Waisman Dewar Grout Carter Inc., for 888 Pacific Street,

as recommended by the Director of Planning be approved, subject to the conditions, including those submitted today by the Director of Planning, as set out in this Minute of the Public Hearing.

- CARRIED UNANIMOUSLY

4. Rezoning: Sunset Secondary Suite Study Area 51

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

REZONING: LOCATION - Sunset Secondary Suite Study Area 51

Present Zoning: RS-1 One-Family Dwelling District
Proposed Zoning: RS-1S One-Family Dwelling District

(i) If approved, the zoning of the area would permit a two-unit multiple conversion dwelling or a two-family dwelling (permanent secondary suite) in addition to uses allowed in the RS-1 District.

(ii) Any consequential amendments.

The Director of Planning recommended approval.

Cont'd

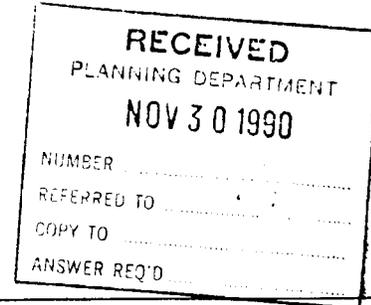
CITY OF VANCOUVER
MEMORANDUM

From: CITY CLERK

Date: November 29, 1990

To: CITY MANAGER
→ DIRECTOR OF PLANNING
DIRECTOR OF LEGAL SERVICES

Refer File: 5307-3



Subject: Conditions of Zoning Enactment
888 Pacific Street

I wish to advise you Vancouver City Council, at its meeting on Tuesday, November 27, 1990, approved the recommendations of the City Manager, as contained in the attached report dated November 22, 1990, regarding the above matter.

M. Hiseela
CITY CLERK
h

TT:mjh
Attachment

Letter Also Sent To:

Mr. Michael Geller, The Geller Group
601 West Cordova, Vancouver, B.C., V6B 1G1

G

MANAGER'S REPORT

DATE: November 22, 1990

TO: Vancouver City Council

SUBJECT: Conditions of Zoning Enactment
888 Pacific Street

CLASSIFICATION: RECOMMENDATION

The Director of Planning reports as follows:

"PURPOSE

This report assesses progress towards completion of prior-to enactment of zoning conditions for the approved rezoning of 888 Pacific Street. It recommends that Council defer certain conditions in order to facilitate enactment.

ANALYSIS

Council, on November 6, 1990, approved staff recommendations respecting the amendment of prior-to enactment conditions for rezoning applications for 833 Helmcken, 2110-48 West 38th Avenue, 405-425 Alexander Street, and 2740 East Broadway/2633-77 East Broadway.

It has been anticipated that prior-to enactment conditions for 888 Pacific could not and need not be completed in order to enable enactment on November 27, 1990; however, the applicant is anxious to achieve enactment at this time, or as soon thereafter as possible.

This rezoning application, to permit construction of a 109-unit residential development with a 22-storey tower and a low-rise building, all at a total FSR of 4.0, was approved by Council at Public Hearing on January 18, 1990. Prior-to enactment conditions are being met. This includes arrangements which are being made to complete a letter of credit to contribute \$907,000 to basic community amenities (primarily park).

However, four conditions are beyond the applicant's ability to comply before November 27, 1990. These include conditions:

- "(b) That prior-to enactment of the CD-1 by-law, the detailed scheme of development in a development permit application be approved by the Director of Planning, ..."

Status:

A development application was submitted November 7, 1990. Although endorsed by the Urban Design Panel, permit approval will likely not occur until January 1991.

In keeping with current practice, Planning staff favour deferral of this condition to completion prior to approval by Council of the form of development.

"(c)(i) consolidate the site into one parcel, registered in the Land Title Office;

(c)(ii) obtain and submit to the City a letter from the B.C. Ministry of Environment indicating that a soils analysis site characterization has been completed by a professional recognized in this field and (a) has identified no unacceptable hazard for residential use of this site resulting from potential contamination of soil or building materials; or (b) that a remediation program concurred with by the B.C. Ministry of Environment as being adequate to eliminate such a hazard has been completed as certified by such a professional;

The requirement to complete remediation prior to enactment contained in this condition shall not apply if amendments to City of Vancouver By-laws have been enacted to permit a program of remediation approved by the B.C. Ministry of Environment during construction in a sequence of steps to be prescribed, monitored and certified complete by a professional;

(c)(v) dedicate to the City 27 ft. from the north end of the site for road widening, a 6.6 ft. x 6.6 ft. corner cut-off at the northwest corner of the site, and a 10 ft. x 10 ft. corner cut-off at the intersection of two lanes at the southwest corner of the site."

Status:

These last three conditions all require evidence of no soil contamination, or that soil remediation has been completed. Since soils contamination has been found, a remediation plan has been completed to the satisfaction of the Ministry of Environment. The applicant wishes to enter into an agreement which would secure completion of the required soils remediation and would prohibit occupation of development on the site prior to certification that remediation has been duly completed. The agreement would apply to both the site and required road dedications.

Current City practice is either to require full remediation prior to by-law enactment or to require that a suitable covenant be registered on title securing completion of remediation. This differs from the more restrictive approach adopted at the January 1990 Public Hearing on 888 Pacific Street.

CONCLUSION

Planning staff favour deferral of development permit condition (b) in keeping with current practice. In this instance staff also favour amendment of condition (c)(iv) thereby permitting use of the proposed agreement to defer but assure soils remediation. These changes would enable earlier CD-1 by-law enactment and thereby assure contribution of funds to park development.

RECOMMENDATIONS

The Director of Planning recommends:

- A. THAT Council defer prior-to enactment condition (b) involving approval of a development application for 888 Pacific Street, approved at Public Hearing January 18, 1990 and require instead that this condition be completed prior to approval by Council of any form of development under the CD-1 zoning.
- B. THAT Council amend condition (c)(iv) requiring soils remediation for 888 Pacific Street prior to by-law enactment, to allow for the substitution of a binding agreement to the satisfaction of the Director of Legal Services to ensure that remediation will be completed prior to occupation of development on the site, for both the site and required road dedications, in accordance with a soils remediation plan approved by the B.C. Ministry of Environment."

The City Manager RECOMMENDS approval of A and B.

888 Pacific Avenue

BY-LAW NO. 6787

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-372(c) 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(271), 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 dwellings; and
- (b) accessory uses customarily ancillary to the above uses.

3. Floor Space Ratio

3.1 The maximum floor space ratio shall be 4.0.

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

- (a) all floors having a minimum ceiling height of 1.25 m (4.10 ft.), 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 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, provided that any sunroofs or walls forming part thereof are approved by the Director of Planning;
- (c) residential storage space provided that where the space is provided at or above the base surface, the maximum exclusion shall be 40 square feet per dwelling unit;
- (d) off-street parking and loading areas, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing, provided the floor area so used is at or below the base surface or below the highest point of the finished grade around the buildings;
- (e) social and recreational amenities and facilities primarily for the use of residents and tenants provided that the floor area so used does not exceed 20 percent of the maximum permitted floor area or 929.03 m² (10,000 sq. ft.), whichever is lesser, and including the following: health club, saunas, tennis courts, swimming pools, squash courts, gymnasiums, workout rooms, meeting rooms, games rooms, hobby rooms, and other similar related indoor uses of a social or recreational nature which in the opinion of the Director of Planning are of a type which contribute to social amenity.

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, 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.

4. Height

The maximum building height measured above the base surface shall be 45.72 m (150 ft.), subject to section 10.11 of the Zoning and Development By-law.

5. Off-Street Parking and Loading

Off-street parking and loading shall be provided, developed and maintained at a rate of 0.8 spaces per dwelling unit plus an additional space for each 100 m² of gross floor area to a maximum of 2.2 spaces per dwelling unit.

6. Acoustics

All development permit applications shall require evidence in the form of a report 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.

<u>PORTIONS OF DWELLING UNITS</u>	<u>NOISE LEVELS (DECIBELS)</u>
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 19th day of
February , 1991.

(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 19th day of February 1991, and numbered 6787.

CITY CLERK "

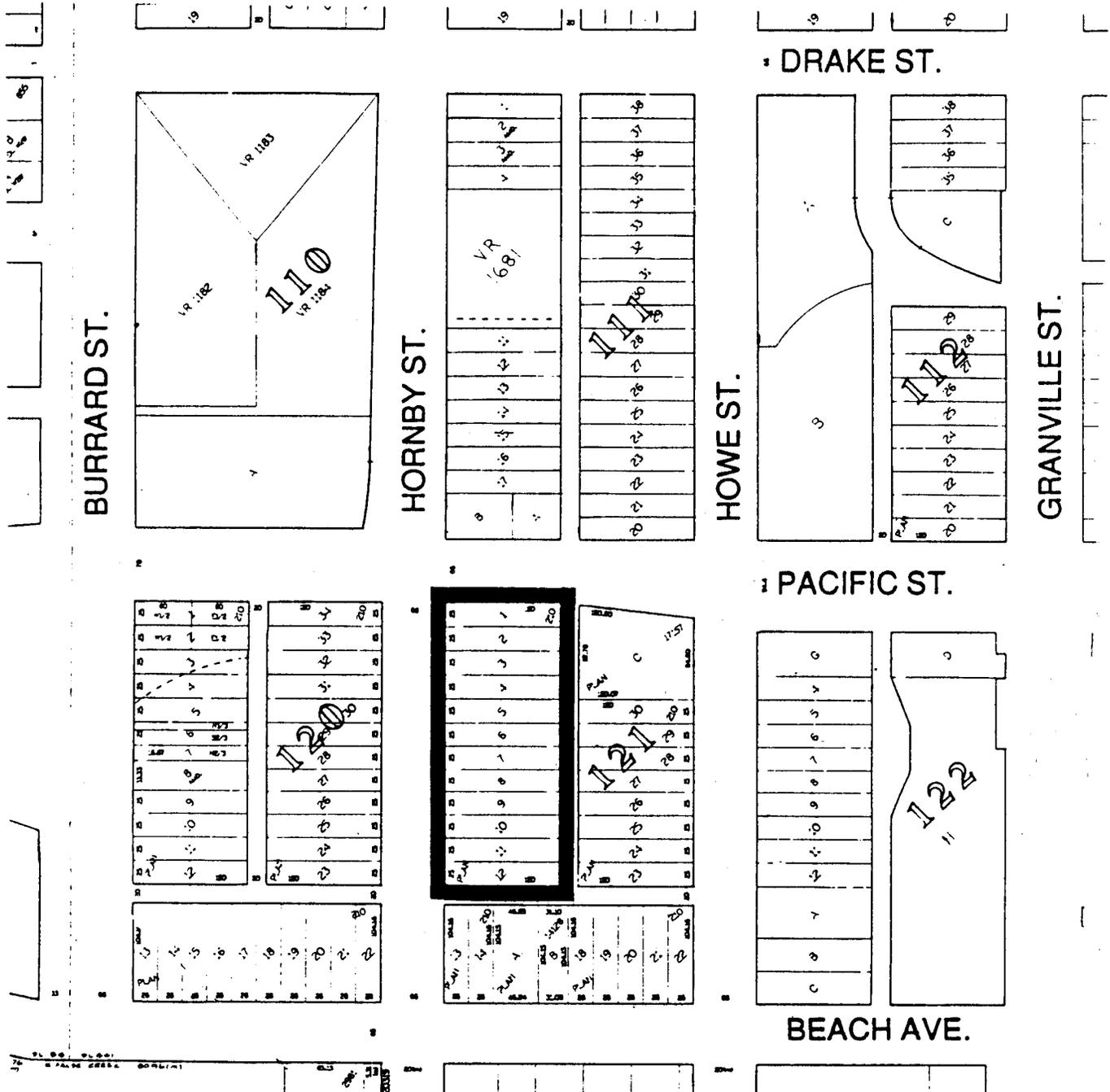
BY-LAW No. 6787 BEING A BY-LAW TO AMEND BY-LAW No.3575
BEING THE ZONING AND DEVELOPMENT BY-LAW

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

SCHEDULE A

FROM FCCDD

TO CD-1



SCALE:1:2000

FILE No. RZ-888 Pacific St.

Z-372(c)



CITY OF VANCOUVER
MEMORANDUM

CD-1 Binners
1419 Hornby

From: CITY CLERK

Date: April 10, 1992

To: City Manager
Director of Planning
Associate Director, Land Use & Development
City Engineer
Director of Legal Services

Refer File: P.H. #259

Subject: Public Hearing - March 26, 1992

RECEIVED	
PLANNING DEPARTMENT	
APR 14 1992	
NUMBER	N 2515
REFERRED TO	MP/
COPY TO	THP
ANSWER REQ'D	

I wish to advise you of the attached Minutes of the Special Council Meeting (Public Hearing) of March 26, 1992, regarding various rezonings and text amendments.

[Handwritten Signature]
CITY CLERK

JThomas:dmy
Att.

Also sent to: Mr. Bernard Decosse, Project Architect
Hancock Nicolson Tamaki Architects
503-134 Abbott Street, Vancouver V6B 2K4

Ms. Rene Rose, Project Manager
Bastion Development Corporation
500-1681 Chestnut Street, Vancouver V6J 4M6

Mr. Brian McCauley, Davidson Yuen Architects
1401-510 West Hastings, Vancouver V6B 1L8

Mr. Gerald Hamilton, Hamilton Doyle Architects
200-1450 Creekside, Vancouver V6J 5B6

CITY OF VANCOUVER

SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, March 26, 1992, in the Council Chamber, Third Floor, City Hall, at approximately 7:30 p.m., for the purpose of holding a Public Hearing to amend the Zoning & Development By-law.

PRESENT: Mayor Campbell
Aldermen Bellamy, Chan, Eriksen,
Owen, Price, Puil, Rankin
and Wilson

ABSENT: Alderman Davies
Alderman Yorke (Leave of Absence)

CLERK TO THE COUNCIL: J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,
SECONDED by Ald. Chan,
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

Items #1 and #2, being related, were considered concurrently and are so minuted in this report.

1. Rezoning: 1899 West 1st Avenue
Seaforth Place, Phase 3
2. Rezoning: 1899 West 1st Avenue
Seaforth Place, Phase 4

Applications by Hancock Nicolson Tamaki, Architects, were considered as follows:

Clause Nos. 1 and 2 cont'd

REZONING: 1899 WEST 1ST AVENUE - SEAFORTH PLACE, PHASE 3,
(Lot D, Block 207, District Lot 526, LMP 926)

Present Zoning: M-1A Industrial 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:
 - a commercial/residential mixed-use building, containing 23 dwelling units and a maximum of 2,230 m² of commercial use;
 - accessory uses customarily ancillary to the above uses;
 - maximum floor space ratio of 2.55;
 - maximum height not to exceed 17.1 m or 5 storeys;
 - acoustic provisions; and
 - provisions regarding off-street parking and loading.
- (ii) Amend Sign By-law, No. 6510.
- (iii) 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 Phase 3 of Seaforth Place be approved by Council in principle, generally as prepared by Hancock Nicolson Tamaki and stamped "Received City Planning December 24, 1991", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Clause Nos. 1 and 2 cont'd

- (i) further design development to improve the relationship with a possible adjacent office building on the Phase 4 site of Seaforth Place, in the event it is decided to proceed with office development on the Phase 4 site under existing M-1A zoning;
 - (ii) further design development to the Cypress Street and 1st Avenue facades to achieve greater setbacks from the street above the second storey, to better reflect the scale and massing continuity of Seaforth Place Phase 2, and to achieve a friendlier, less commercial facade treatment more responsive to the residential character across Cypress Street and 1st Avenue;
 - (iii) submission of landscape design details for the landscaped court, the residential courtyard and related streetscape and lane treatment;
 - (iv) arrangements to be made, to the satisfaction of the Director of Planning and the Director of Legal Services, for access and use of the 185.8 m² (2,000 sq. ft.) amenity area (fitness centre locker room and washroom area) by residents of Seaforth Place Phases 3 and 4;
 - (v) provision of bicycle parking, to the satisfaction of the City Engineer, in consultation with the Director of Planning; and
 - (vi) provision of garbage and recycling facilities, to the satisfaction of the City Engineer.
- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
- (i) make arrangements, to the satisfaction of the City Engineer and the Director of Legal Services, for the provision of sidewalk adjacent to the site on the east side of Cypress Street;

Clause Nos. 1 and 2 cont'd

- (ii) make arrangements, to the satisfaction of the City Engineer and the Director of Legal Services, for securing the provision of parking for Phases 1 and 2 (that were previously approved with a temporary shortfall of parking until Phases 3 and 4 proceed), and for entering into parking access agreements between all phases. Information is also required on a clear signage system for access to the parking areas in all phases of Seaforth Place, to the satisfaction of the City Engineer and the Director of Planning, noting that the signage is to be placed on private property;
- (iii) make suitable arrangements, to the satisfaction of the City Engineer, for undergrounding of all electrical and telephone services from the closest existing suitable service point; and
- (iv) provide a legal agreement with the City to not discriminate against families with children in the sale of units if any are not sold as an equity co-op.

REZONING: 1890 YORK AVENUE - SEAFORTH PLACE, PHASE 4
(Lots 1 - 4, Block 207, District Lot 526, Plan 2301)

Present Zoning: M-1A Industrial 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:
 - a primarily residential building containing 45 dwelling units, and motor vehicle repair shop use not exceeding 130 m²;
 - accessory uses customarily ancillary to the above uses;
 - maximum floor space ratio of 3.10;
 - maximum height not to exceed 22.9 m or 8 storeys;
 - acoustic provisions; and
 - provisions regarding off-street parking and loading.

Clause Nos. 1 and 2 cont'd

- (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 Phase 4 of Seaforth Place be approved by Council in principle, generally as prepared by Hancock Nicolson Tamaki and stamped "Received City Planning December 24, 1991", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:
 - (i) further design development to improve the relationship with a possible adjacent office building on the Phase 3 site of Seaforth Place, in the event it is decided to proceed with office development on the Phase 3 site under existing M-1A zoning;
 - (ii) further design development to the Cypress Street facade to achieve a greater setback from Cypress Street for the upper three floors relative to the lower three floors;
 - (iii) submission of landscape design details for the residential courtyard, the setback from Cypress Street and related streetscape and lane treatment;
 - (iv) arrangements to be made, to the satisfaction of the City Engineer and Director of Legal Services, to ensure adequate public access to the parking areas, loading bays, service bays and garbage and recycling areas from the private driveway located on the west portion of Lot 5, Block 207, DL 526, Plan 2301;
 - (v) provision of bicycle parking, to the satisfaction of the City Engineer, in consultation with the Director of Planning; and

Clause Nos. 1 and 2 cont'd

- (vi) provision of garbage and recycling facilities, to the satisfaction of the City Engineer.
- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
 - (i) make arrangements, to the satisfaction of the City Engineer and the Director of Legal Services, for the provision of sidewalk adjacent to the site on the east side of Cypress Street and on the south side of York Avenue;
 - (ii) make arrangements, to the satisfaction of the City Engineer and the Director of Legal Services, for the provision of parking for Phases 1 and 2 (that were previously approved with a temporary shortfall of parking until Phases 3 and 4 proceed), and for entering into parking access agreements between all phases. Information is also required on a clear signage system for access to the parking areas in all phases of Seaforth Place, to the satisfaction of the City Engineer and the Director of Planning, noting that the signage is to be placed on private property;
 - (iii) make suitable arrangements, to the satisfaction of the City Engineer, for undergrounding of all electrical and telephone services from the closest existing suitable service point;
 - (iv) provide a legal agreement with the City to not discriminate against families with children in the sale of units if any are not sold as an equity co-op; and
 - (v) consolidate the site (Lots 1-4, Block 207, DL 526, Plan 2301) into one parcel.

Clause Nos. 1 and 2 cont'd

The proposed changes for both applications were summarized as follows:

	Current Status	Proposed Amendments 1899 W. 1st Ave. (Phase 3)	Proposed Amendments 1890 York Ave. (Phase 4)
Zone	M-1A	CD-1	CD-1
Use	Industrial Institutional Cultural/ Recreational Office Retail Service	Dwelling Units Fitness Centre Office Retail Service	Dwelling Units Motor Vehicle Repair Shop
Maximum FSR	5.0	2.55	3.10
Maximum Height	18.3 m	17.1 m	22.9 m

Mr. J. Winsor, Planner, reviewed both applications noting the two sites comprise the western half of the block bounded by 1st Avenue, Cypress Street, York Avenue and Chestnut Street. A five-storey residential/commercial building (density 2.55 fsr) is proposed for the southern portion and an eight-storey residential building (density 3.08 fsr) for the northern portion.

Clause Nos. 1 and 2 cont'd

Mr. Winsor referred to past histories and applications for the site dating from 1989. The current application was supported by the Director of Planning for five principal reasons:

- the residential land use is strongly supported by neighbouring residents;
- the densities proposed are considered compatible with surrounding developments and consistent with the City's policies on Clouds of Change, Creating our Future, the Central Area Plan and Council's direction to encourage a residential rezoning application;
- both staff and the Urban Design Panel feel the form of development fits in with surrounding development and heights have been reduced significantly from the earlier proposals;
- the traffic generation from the mainly residential uses is estimated to be half that of commercial office uses;
- public input appears to indicate acceptability.

Design changes proposed by the Director of Planning in his conditions of approval, are already being addressed by the developers and will be further reviewed at the development permit stage.

Ms. Rene Rose (brief on file), addressed the Public Hearing on behalf of the property owners. The owners acquired the site in 1985, and over the past seven years, have developed two adjacent buildings - the Bekins warehouse building and a five-storey office building. Ms. Rose noted several proposals involving many different designs have been discussed with the community and Planning staff and rejected. The projects now presented have had the benefit of neighbourhood input and Planning advice and it is felt they will be compatible and complementary to adjacent developments. Meetings have taken place with interested residents and as a result of those discussions and concerns respecting heights, the owners have revised the height of the building for Phase 3 from eight storeys to five storeys.

Clause Nos. 1 and 2 cont'd

It was submitted the owners have listened to the community, responded to the residents' parameters and addressed all the issues.

The Mayor called for speakers for or against the applications and the following delegations addressed the Hearing:

Richard Copley, 1800 Block West 3rd Avenue, filed a petition with 22 signatures objecting to the proposed building at 1890 York Avenue, due to its height and morning shadowing effect on the Henry Hudson School building and playground. The petitioners also expressed concern about the building at 1898 West 1st Avenue, submitting the lack of an adequate setback from the sidewalk will impact on the existing pedestrian-friendly atmosphere of Cypress Street. Council was asked to not approve the applications without insisting on a setback from Cypress Street, and provision of landscaping and an open landscaped pedestrian area at the corner of 1st and Cypress.

Margaret McGillivray, 1700 Block Cypress Street, advised, as a neighbour directly across the street, she has concerns about the impacts of density, height and the commercial uses. Specific concerns were restaurant uses (there are already three in the area), video stores and a proposed fitness centre.

Karen Ramsey, 2000 Block West 1st Avenue, spoke in support. She felt the buildings were pleasing to the eye.

Gayleen Culling, 2500 Block Hemlock, support, requested trees and landscaping on 1st Avenue.

Mary Jane Joyce, 4000 Block West 16th Avenue, support, welcomed provision of more residential units in Kitsilano.

Elaine Dubensky, 4000 Block West 16th Avenue, supported the proposal.

Peter Barton, 1700 Block Cypress, stated he favoured the proposal for 1899 West 1st Avenue, but had some concerns about the height and bulk of the building and the setback on 1st Avenue, which should be increased to allow green space and trees.

Dan Lum, 2400 Block East 39th Avenue, questioned the commercial component, submitting 100% residential would result in a better fit with the neighbourhood.

Clause Nos. 1 and 2 cont'd

Elizabeth Hope, 1900 Block West 2nd Avenue, supported the mix of residential, restaurant and retail uses.

Francis Connolly, 3700 Block St. George's Avenue, support, stated the application now presented was more acceptable than previous proposals.

Guy S. Pilch, 2700 Block West 2nd Avenue, applauded the changes made by the developers but felt they did not go far enough in dealing with the height and setback, particularly in Phase 4 and no provision had been made for affordable housing. He could not endorse the project.

Scott Howard, 1700 Block Cypress Street, generally supported the type of development proposed but had concerns about the effect on the pedestrian environment of Cypress Street. With improved setbacks, he felt the project mix and height were suitable.

Correspondence (on file) was noted from the Principal of Henry Hudson School and the Co-Chair of the School's Consultative Committee, requesting the inclusion of family rental units and expressing concern about traffic generation, shadowing impact on the school property, need for increased setbacks and relocation of open courtyard space.

Questioned by Council members, Ms. Rose advised the developers wanted to encourage a pedestrian-friendly atmosphere on 1st Avenue and to that end, they had designed a 12 foot setback that extends 75 feet. In addition, there will be a landscaped open plaza area with a southern exposure, benches and flower containers.

During discussion, Council members referred to residents' concerns respecting appropriate retail uses and advised staff flashing all-night signs would be inappropriate for the development. Late night restaurant uses should also be monitored to ensure compatibility with a residential neighbourhood. Mr. Winsor noted these issues would be addressed at the development permit stage. If there were concerns about a 24-hour restaurant, Council could request the Director of Planning to issue a time limited development permit for such a use.

Clause Nos . 1 and 2 cont'd

City staff and the developers were commended on working with the community to achieve a development responsive to the neighbourhood character and needs.

MOVED by Ald. Bellamy,

THAT the applications be approved, subject to the conditions proposed by the Director of Planning, as set out in this Minute of the Public Hearing;

FURTHER THAT the Director of Planning be advised it is Council's wish that retail and restaurant uses be subject to a time limited development permit in order to monitor the performance and neighbourliness of such operations prior to any subsequent extensions.

- CARRIED UNANIMOUSLY

3. Rezoning: 2955 Horley Street

An application by Davidson Yuen, Architects, was considered as follows:

REZONING: 2955 HORLEY STREET (Blocks 107 and 108, Except part in Expl. Plan 3813, District Lot 37, Plan 630 A)

Present Zoning: RS-1 One-Family Dwelling District

Proposed Zoning: CD-1 Comprehensive Development District

(i) If approved, the CD-1 By-law would permit redevelopment of the present Lion's View Seniors' Housing project, including use and development generally as follows:

- maximum of 174 dwelling units for seniors;
- accessory uses customarily ancillary to the above uses;
- maximum floor space ratio of 1.05;
- maximum height of 3½ storeys.

(ii) Any consequential amendments.

Clause No. 3 cont'd

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 be approved by Council in principle, generally as prepared by Davidson Yuen Architects, and stamped "Received City Planning Department January 17, 1992"*, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:
 - (i) further design development of the open space and landscape plan to program and maximize the area of useable open space for residents, particularly for the courtyard between buildings C and D;

Consideration should be given to increasing the area of sunny open space and improving connections between open spaces and with interior amenity spaces. A barrier should not be created between the market and non-market open spaces. Reflecting the legacy of the original landscape and topography is desirable.

- (ii) further design development of the built form to:
 - reduce the height of the east wall of building B to 3½-storeys and the blankness of end walls on building B to improve the relationship with adjacent houses;
 - break down the large scale of blocks to achieve a character more compatible with the context of single-family houses. Consideration should be given to measures such as introducing an incremental vertical rhythm, expressing individual units with entries at grade and smaller scale residential detailing;

*Date subsequently amended to January 27, 1992.

Clause No. 3 cont'd

- fully integrate fourth floor areas within traditional steep pitched roof forms to reduce the apparent mass of blocks and generally achieve a maximum roof height not to exceed existing roof elevations by greater than 3 m (9.8 ft.);
 - provide a stronger sense of entry identity and orientation to the existing streets for all blocks to be compatible with the existing pattern of the neighbourhood; and
 - minimize below-grade units and amenity areas which would have limited access to views and daylight.
- (iii) provision of a tree management plan indicating retention, relocation or replacement in compliance with the Zoning & Development By-law.
- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:
- (i) make suitable arrangements, to the satisfaction of the City Engineer, for all electrical and telephone services to be undergrounded within and adjacent to the site from the closest existing, suitable service point;
 - (ii) consolidate the site;
 - (iii) make adequate arrangements, to the satisfaction of the City Engineer, for provision of water service; and
 - (iv) provide a legal agreement with the City to not discriminate against families with children in the sale of units if any are not sold as a senior's equity co-op.

Clause No. 3 cont'd

The agenda material included the following summary of the proposed changes:

	Current Status	Proposed Amendments
Zone	RS-1	CD-1
Use	One-Family Dwellings Cultural/Recreational Institutional	Multiple Dwellings
Maximum FSR	0.60	1.05
Maximum Height	2½ storeys	3½ storeys

Mr. Tom Phipps, Planner, reviewed the application, noting it is proposed to redevelop the existing Lions View seniors housing site by replacing the existing 91 outdated non-market rental units with 174 new units.

Mr. Phipps also read into the record a change to the date in Condition (a) which should read: January 27, 1992.

Mr. R. Yuen, for the applicant, requested consideration of the following amendments to the draft by-law and Condition (b):

Draft By-law Section 2:

- 2(a) Multiple Dwelling, containing a maximum of 92 dwelling units eligible for government funding as of (date of enactment) and limited to occupancy by at least one person that meets the age criteria of the senior government subsidized housing program for seniors;
- (c) Multiple Dwelling, containing a maximum of 37 dwelling units limited to occupancy by at least one person that meets the age criteria of the senior government subsidized housing program for seniors;

Clause No. 3 cont'd

Condition (b)(ii) paragraph 3:

- fully integrate fourth floor areas within traditional steep pitched roof forms to reduce the apparent mass of blocks and generally achieve a maximum roof height not to exceed the maximum existing roof elevations by greater than 3 m (9.8 ft.); with the exception of Building D, north east corner, the roof height would be increased from 3.0 m to 3.5 m for that building only.

(Underlining denotes amendment)

The Mayor called for speakers for or against the application and one delegation addressed the Public Hearing:

Ms. Laurie Winter, Collingwood Neighbourhood House, strongly endorsed the application.

Forty (40) letters of support (pre-circulated to Council members) were also noted.

MOVED by Ald. Bellamy,

THAT the application be approved, subject to the conditions, as amended, proposed by the Director of Planning, as set out in this Minute of the Public Hearing, and also subject to review by the Director of Planning and Director of Legal Services of the applicant's proposed amended wording to Section 2(a) and Section 2(c) of the draft by-law, set out as follows:

- 2(a) Multiple Dwelling, containing a maximum of 92 dwelling units eligible for government funding as of (date of enactment) and limited to occupancy by at least one person that meets the age criteria of the senior government subsidized housing program for seniors;
- (c) Multiple Dwelling, containing a maximum of 37 dwelling units limited to occupancy by a least one person that meets the age criteria of the senior government subsidized housing program for seniors;

Clause No. 3 cont'd

FURTHER THAT condition (b)(ii), paragraph 3, be amended and approved as follows:

- fully integrate fourth floor areas within traditional steep pitched roof forms to reduce the apparent mass of blocks and generally achieve a maximum roof height not to exceed the maximum existing roof elevations by greater than 3 m (9.8 ft.); with the exception of Building D, north east corner, the roof height would be increased from 3.0 m to 3.5 m for that building only.

- CARRIED UNANIMOUSLY

(Underlining denotes amendment)

4. Text Amendments: Downtown Official Development Plan, Subsection 2; and Central Waterfront Official Development Plan, Section 4.3

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

TEXT AMENDMENTS: DOWNTOWN OFFICIAL DEVELOPMENT PLAN, SUBSECTION 2; AND CENTRAL WATERFRONT OFFICIAL DEVELOPMENT PLAN, SECTION 4.3

- (i) If approved, the proposed text amendments would amend and continue the present 15% floor space ratio bonus provision for new hotels in the downtown office core area, and would remove this provision in areas where City policies encourage residential development.
- (ii) Any consequential amendments.*

The Director of Planning recommended approval.

Mr. Rob Jenkins, Planner, briefly reviewed the application.

There were no speakers.

MOVED by Ald. Pull,
THAT the application be approved.

- CARRIED UNANIMOUSLY

5. Text Amendment: 1414 Hornby Street
(888 Pacific Street)

An application by Hamilton Doyle, Architects, was considered as follows:

TEXT AMENDMENT: 1414 HORNBY STREET (888 PACIFIC STREET)
(Lot D, Block 121, District Lot 541, Plan VAP 23176)

- (i) If approved, the draft By-law would amend CD-1 By-law No. 6787 to increase maximum permitted building height by 1.2 m, thereby allowing an additional floor level and a slimmer residential tower form.
- (ii) Any consequential amendments.

The Director of Planning recommended approval.

Mr. Tom Phipps, Planner, briefly reviewed the application.

There were no speakers.

MOVED by Ald. Puil,
THAT the application be approved.

- CARRIED UNANIMOUSLY

6. Text Amendments: Section 4.7.3 of
All R District Schedules

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

TEXT AMENDMENTS: SECTION 4.7.3 OF ALL R DISTRICT SCHEDULES

- (i) If approved, the proposed text amendments would correct a deficiency in the present method of measurement of floor area applicable to undeveloped floor areas adjacent to half-storeys and storeys.
- (ii) Any consequential amendments.

Clause No. 6 cont'd

The Director of Planning recommended approval.

There were no speakers.

MOVED by Ald. Puil,
THAT the application be approved.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Ald. Chan,
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Ald. Chan,
SECONDED by Ald. Puil,
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 8:45 p.m.

888 Pacific Street
(1414 Hornby)

BY-LAW NO. 6967

A By-law to amend
By-law No. 6787, being a
By-law which amended the Zoning
and Development By-law by
rezoning land to CD-1

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

1. Section 4 of By-law No. 6787 is deleted and the following
substituted therefor:

"4. Height

The height of a building shall not exceed 46.70 m
(153.21 ft.) measured above the official City building grade
at the S.E. corner of Pacific and Hornby Streets, except that
the mechanical roof may extend to a height not exceeding
47.31 m (155.21 ft.) similarly measured."

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

DONE AND PASSED in open Council this 12th day of
May , 1992.

(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 12th day of May 1992, and
numbered 6967.

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

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"



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2000

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

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

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

CITY CLERK'S OFFICE: Tarja Tuominen, Meeting Coordinator

COMMITTEE OF THE WHOLE

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

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

- CARRIED UNANIMOUSLY

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

CD-1 By-laws - Floor Space Exclusions

[Barrett Commission]

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

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

The Director of Current Planning recommended approval.

Staff Comments

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

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

Summary of Correspondence

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

one letter in support of 'Option A'.

Speakers

Mayor Owen called for speakers for and against the application.

The following spoke in support of 'Option A':

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

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

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

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

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

brick and stone-faced walls should be encouraged.

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

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

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

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

Staff Closing Comments

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

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

MOVED by Cllr. Don Lee,

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

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

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

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

(Italics denote amendment)

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

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

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

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

- CARRIED UNANIMOUSLY

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

* * * * *



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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"