



City of Vancouver *Zoning and Development By-law*
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CD-1 (344)

325 West 59th Avenue

By-law No. 7522

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

Effective January 27, 1996

(Amended up to and including By-law No. 8865, dated June 8, 2004)

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

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (344).

2.2 The only uses permitted within CD-1 (344), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwellings containing a maximum of 43 dwelling units; and
- (b) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

3 Density

3.1 The floor space ratio for all permitted uses must not exceed 1.0.

3.2 For the purpose of computing floor space ratio, the site consists of all parcels covered by this By-law, and Council deems the site size to be 5 700 m², being the site size at the time of the rezoning application and before dedication of any part of the site.

3.3 Computation of floor space ratio must include:

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

3.4 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks, covered patios and entries, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used which are:
 - (i) at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) above base surface, and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas including day care facilities, recreation facilities, and meeting rooms to a maximum of 10% of the total permitted floor area;
- (e) areas of undeveloped floors located:
 - (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7522 or provides an explanatory note.

- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

4 Building Height

The building height, measured above base surface, must not exceed 12.8 m.

5 Parking, Loading, and Bicycle Spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, including a minimum of 1.1 parking spaces for each dwelling unit and one additional parking space for each 200 m² of gross floor area, except that a dwelling unit requires no more than two parking spaces.

6 Acoustics

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

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

7 Severability

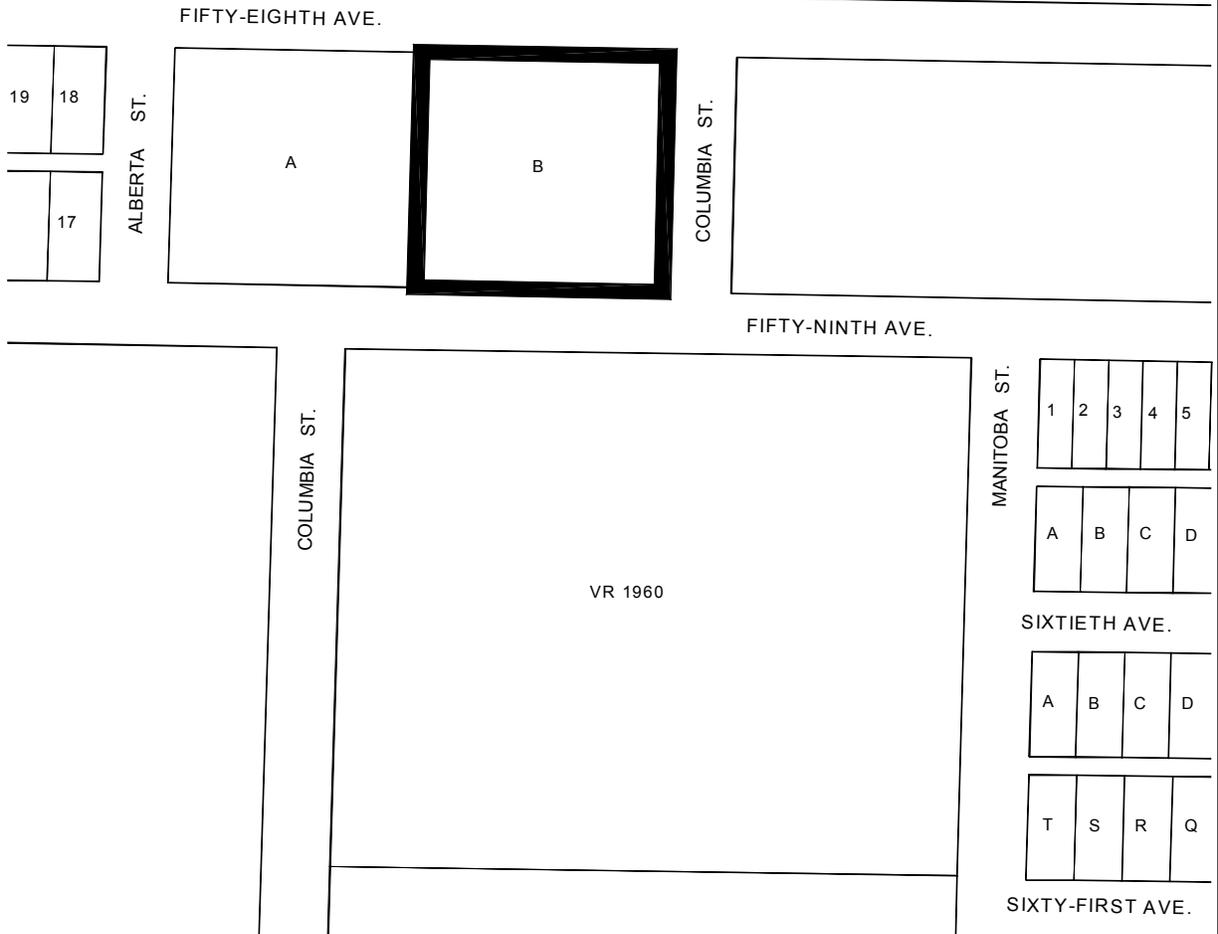
A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

[8865; 04 06 08]

- 8** *[Section 8 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*

By-law No. 7522 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black () is rezoned:
From **RS-1** to **CD-1**

Z-438(b)

RZ - 325 W. 59th Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver

[8865; 04 06 08]

LATE DISTRIBUTION
FOR COUNCIL JANUARY 31, 1995

6

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 19, 1995, at 7:30 p.m., in the Ballroom, Sheraton Plaza 500 Hotel, 500 West 12th Avenue, Vancouver, B.C., for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning & Development By-law.

PRESENT: Mayor Owen
Councillors Chiavario, Clarke, Hemer, Ip,
Kennedy, Kwan, Price and Sullivan

ABSENT: Councillor Bellamy (Civic Business)
Councillor Puil

ALSO PRESENT: Ted Droettboom, General Manager,
Community Services

CLERK TO THE COUNCIL: Gary MacIsaac

COMMITTEE OF THE WHOLE

MOVED by Cllr. Hemer,
SECONDED by Cllr. Ip,

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

- CARRIED UNANIMOUSLY

1. Rezoning: 325 West 59th Avenue

An application by Neale Staniszki Doll Adams Architects was considered as follows:

The proposed rezoning, from RS-1 Single-Family Dwelling District to CD-1 Comprehensive Development District, would:

- permit the development of a two-storey, 80-bed multi-level care facility plus accessory uses, to replace the existing South Pines Private Hospital;
- permit a maximum density of floor space ratio 1.0, which is increased from the originally proposed 0.89 to include mechanical floor space;

cont'd....

Clause No. 1 (cont'd)

- permit a maximum height of 12.8 m (42 ft.);
- require approximately 38 underground parking spaces; and
- include possible consequential amendments.

The Associate Director of Planning, Land Use & Development, 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 Neale Staniszkis Doll Adams and stamped "Received City Planning Department, July 14, 1994", 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) retention and protection of all trees identified to be retained on the landscape concept plan received July 14, 1994;
 - ii) provision of a minimum 5 m (16.4 ft.) setback and semi-natural landscape zone with existing trees retained adjoining the north property line;
 - iii) retention of rhododendrons located in the front setback fronting 59th Avenue;
 - iv) elimination of structures other than patios at the end of building wings beyond the southerly setback limit;
 - v) retention of maple tree clump in front setback fronting 59th Avenue; and
 - vi) parking and loading access from Columbia Street only.
- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall:
 - i) make arrangements for all electrical and telephone services to be underground within and adjacent the site from the closest existing suitable service point;

cont'd....

Clause No. 1 (cont'd)

- ii) make arrangements to the satisfaction of the City Engineer to provide a sidewalk on the 59th Avenue and Columbia Street frontages of this site; and
- iii) make arrangements to the satisfaction of the City Engineer to curb, gutter and pave Columbia Street adjacent to the site.

Staff Opening Comments

Mr. Tom Phipps, Planner, advised the South Pines application proposes to replace an outdated 32-bed private hospital with an 80-bed multi-level care facility which meets current licensing standards. The Health Department staff are highly supportive of this proposal.

This use has been on the site since 1956. The site is aesthetically desirable for this use and it is relatively isolated from sites with lower density uses such as single family.

The facility would be in a two-storey building with a main administrative service block near the 58th Avenue walkway and two wings with rooms extending towards 59th Avenue. However, the building requires extensive mechanical services in the roof area above the second storey which is calculable floor space. Therefore, staff have recommended a density of 1.0 FSR to accommodate for all the calculated floor area. This increase from the originally proposed 0.89 FSR is not an increase in the size of the building.

The height originally proposed was 45 feet but staff are recommending a limit of 42 feet. This reflects a need to retain wheelchair access at proper grades into the building and in the building itself, and the importance of relocating the underground parking access from 59th Avenue onto Columbia Street which is at a higher point than the 59th Avenue grade.

Mr. Phipps advised the trees on site have been assessed by an arborist and some are worth keeping or transplanting, but most are of poor quality and the applicant's proposal for planting new trees is preferable.

cont'd....

Clause No. 1 (cont'd)

Applicant Opening Comments

Mr. Ken Wong, Architect, advised the applicant has met with neighbours and received feedback which has been incorporated into the design. As a result of comments from neighbours, the applicant has relocated the entrance off 59th Avenue and moved it to Columbia Street. As well, they have attempted to address comments about saving trees. Meetings have been held with the Amherst Hospital, the Park Board and the School Board who have no objections to the project.

Mr. Wong emphasized that the mechanical space is hidden within the roof lines and does not add any extra bulk to the building.

Mr. Rob Maruyana, Landscape Architect, provided the results of an arborist's report which assessed the trees on the site. In total, there are 42 trees and 16 of them are outside of the building envelope. A total of 17 to 21 trees are within the building envelope so they will be removed off-site. The remaining trees are on the neighbouring property line.

Mr. Maruyana advised the trees that are transplantable will be those lower than one-eight inch diameter. The larger trees on the site will likely come down, and the trees on the periphery will remain.

Summary of Correspondence

A review of the correspondence on this matter showed three letters supporting the application.

Speakers

Mayor Owen called for speakers for and against the application.

Mr. Fred Katz, 200 Block West 59th Avenue, expressed concern with the height of the proposed building as it will be higher than other buildings in the neighbourhood. Mr. Katz advised the mechanical services will require seven to eight feet in height and this translates into an additional storey on the building.

Ms. Sandra Magid, 200 Block Waterford Drive, advised she is a resident of the Springs at Langara and many of the residents share her concerns. Ms. Magid expressed concern those trees facing the north side of the site will come down and what is actually being

cont'd....

Clause No. 1 (cont'd)

saved are the trees on the back of the building along the golf course side. It was stated this development should do more to blend with the existing neighbourhood. Concern was also expressed about construction interruptions as there are 66 families in the townhome complex which use one driveway which is in front of the nursing home.

Mr. William Thomson, 400 Block West 59th Avenue, advised of traffic concerns in the area. At present there are ambulances going to and from the Pearson Hospital as well as fire emergency vehicles going the neighbourhood on a regular basis. It was suggested that a traffic light is required at the intersection of Cambie and 59th Avenue.

Applicant Closing Comments

Mr. Ken Wong referred to a statement made by one of the delegations regarding the accuracy of the site plans and he reiterated that the models and drawings before Council do reflect the actual roof line that is proposed. The mechanical space is at the high point of the roof but is not the full width of the project. The mechanical space is between 8 to 8.5 feet high as stated by the delegation.

In terms of the overall height of the building, Mr. Wong advised the site slopes about six meters from the north side to the south side. The applicant is trying to get the tip of the roof under the 42-foot height maximum, while the rest of the building will be about four to six feet below this height.

Mr. Rob Maruyana advised the majority of trees along 59th Avenue are of substantial size. The arborist has recommended removal of these trees due to their condition and in fact a lot of these trees are actually hazards to the site. In terms of the new planting, the applicant plans to do some along the peripheral edge of the site and likely will use trees which are ornamental in nature.

Staff Closing Comments

Mr. Phipps addressed some of the issues raised by the delegations. They were as follows:

- Staff felt the pitch roof was a desirable element in the design of this building in a residential area. Staff did support the 42-foot height given how little of the roof line actually goes above 40 feet. If the height of the building

cont'd....

Clause No. 1 (cont'd)

was further reduced, it would impact on the ability of the applicant to move the parking access from 59th Avenue onto Columbia, which is seen as an improvement because it is better visually and from a traffic point of view.

- Staff were also concerned with the number of trees which will be lost on this site, but in order to save more trees on the south side it would mean setting the building back further on the site. This would impact on the floor space and number of units and according to the Health Department, the facility would need a minimum of 80 beds to allow it to function efficiently. Also the quality of the trees was insufficient to warrant such a design trade-off.
- Projections indicate this development will result in one additional emergency ambulance per month and two non-emergency ambulances per week. This information has been shared with the Engineering Department and it does not suggest a dramatic increase in the number of emergency vehicles.

Members of Council enquired about the impact of construction on the neighbours. Mr. Ted Droettboom, General Manager, Community Services, advised the applicant would have to obtain a permit during the construction phase and this will ensure that access is not blocked.

MOVED by Cllr. Clarke,

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

FURTHER THAT the issue of a traffic light at 59th Avenue and Cambie Street be referred to the Vancouver Traffic Commission to be considered as part of the annual signal program.

- CARRIED UNANIMOUSLY

2. Rezoning: 3211-3245 Oak Street

An application by Hemingway Nelson Architects Ltd. was considered as follows:

The proposed rezoning, from RM-3A Multiple Dwelling District and C-1 Commercial District to CD-1 Comprehensive Development District, would:

cont'd....

B. Perry

325 West 59th Avenue

BY-LAW NO. 7522

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

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

1. The "Zoning District Plan" annexed to By-law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-438(b) 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. Uses

The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(344), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Special Needs Residential Facility - Community Care - Class B, containing a maximum of 80 beds, and
- (b) Accessory Uses customarily ancillary to the above use.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 1.0. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 5 700 m², being the site size at time of application for rezoning, prior to any dedications.

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

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

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below an elevation of 35.5 m, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey of half-storey, with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.7 m² per dwelling unit;
- (g) floors which are covered but not enclosed, to a maximum exclusion of 400 m².

4. Height

The maximum building height measured above the base surface is 12.8 m.

5. Setbacks

The minimum setback of a building from the south property boundary is 6.1 m, except that patios and their supporting structures may extend southward from each wing of the building to a minimum setback of 4.0 m from the south property line.

The minimum setback of a building or structure from the north property line is 5.0 m.

The minimum setback of a building from the east and west property lines is 5.0 m.

6. Acoustics

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

<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 27th day of February , 1996.

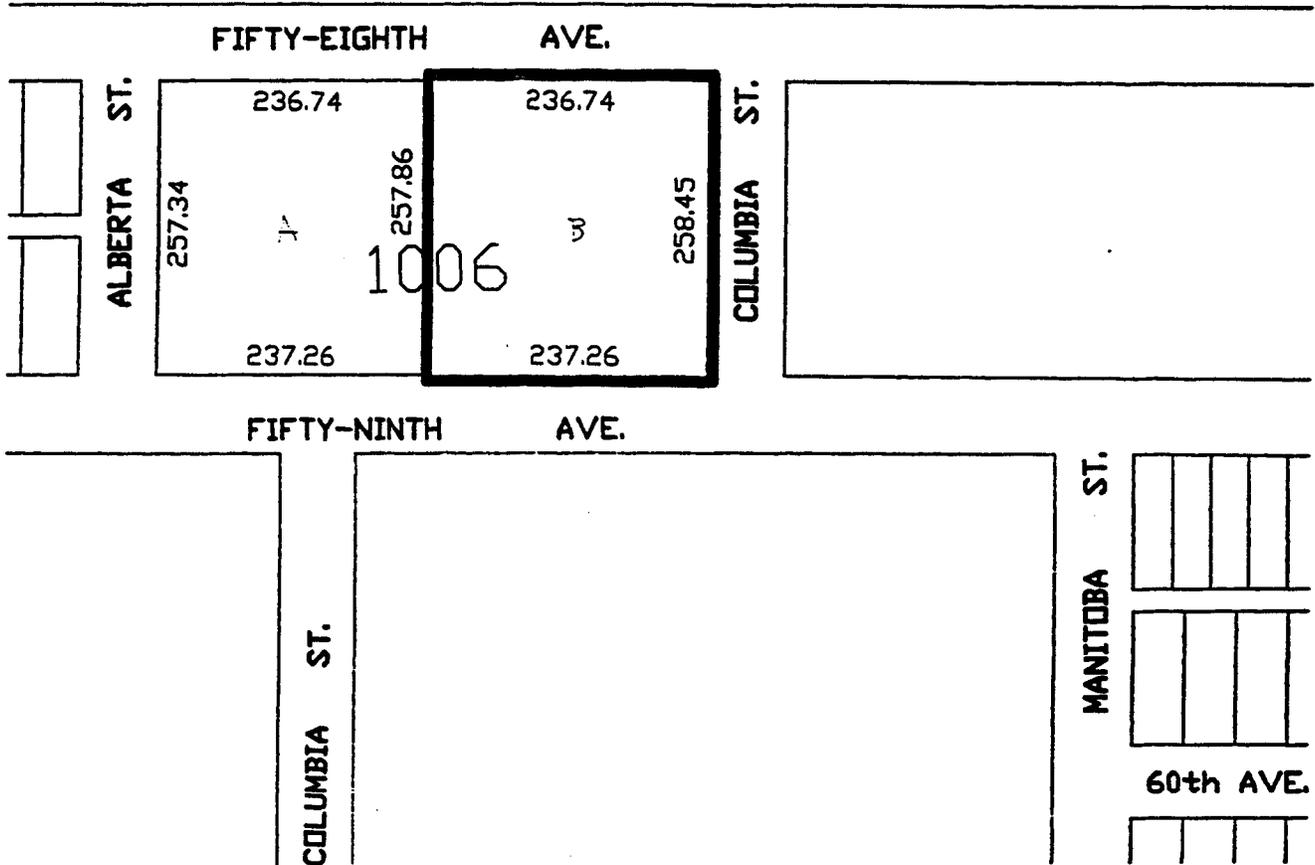
"(signed) Philip W. Owen"
Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 27th day of February 1996, and numberd 7522.

CITY CLERK"

BY-LAW No. 7522 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black () is rezoned:
From **RS-1** To **CD-1**

Z-438(b)

RZ 325 W. 59th Avenue

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



Miscellaneous Text (CD-1)

BY-LAW NO. 7874

(2011)
A By-law to amend By-laws No.
6744, 7522, 7531, 7551, 7556, 7601,
7654, 7655, 7677, 7681, and 7682, 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. 6744 is amended by deleting section 9.3 and by renumbering section 9.4 as section 9.3.
2. By-laws No. 7531 and 7556 are each amended by deleting section 3.4, and substituting the following:
 - "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."
3. By-law No. 7551 is amended in section 3.4, and By-laws No. 7654, 7677 and 7681 are each amended in section 5.4, by deleting clause (a) and 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-laws No. 7522, 7531, 7551 and 7556 are each amended in section 6, By-law No. 7601 is amended in section 8, By-law No. 7655 is amended in section 7, By-laws No. 7677 and 7681 are each amended in section 10, and By-law No. 7682 is amended in section 11, in each case by deleting the words "terraces, patios, balconies" from the left column and the corresponding number "60" from the right column.

5. By-law No. 7654 is further amended in section 8 by deleting the words "common use roof decks and patios" from the left column and the corresponding number "55" from the right column.

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

DONE AND PASSED in open Council this 21st day of April
1998.

(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 21st day of April 1998, and numbered 7874.

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**

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

Exterior Wall Exclusion

BY-LAW NO. 8169

A By-law to amend
By-laws Nos.

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

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

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

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(iv) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

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

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

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

"(iv) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000"

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the

Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"3.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

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

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

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor

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

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

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"3.3 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

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

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

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7705 7459 7435 7434 7419 7389 6718

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

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

5458 5548 5597 6962 7045 7682

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

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3897 3983 5510 7144 7208 7476 7516 7820 7927 7996

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

" (f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

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

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3869 7173 7522 7601 7656 7672 7834 7852 7853 7904 7958

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

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(j) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"3.4 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

5762 5927 6315 6317 6318 6319 6321 6323 6362

29. By-law No. 7980 is amended

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

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000.", and

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"3.5 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

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

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"4.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"4.3 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

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

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3632 3706 4131 7649 7995 8073 8097

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

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum

exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum

exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"6.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the

Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

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

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(j) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

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

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000;"

69.

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

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

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 14th day of March 2000, and numbered 8169.

CITY CLERK"



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 20, 2003

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

PRESENT:

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

ABSENT:

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

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
 SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

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

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

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

The Director of Current Planning recommended approval.

Staff Comments

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

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Louis

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

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

(Councillors Bass, Green and Sullivan excused from voting)

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

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

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

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

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

(By-law No. 8767)

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

325 West 59th Avenue

BY-LAW NO. 8865

**A By-law to amend By-law No. 7522 which amended
Zoning and Development By-Law No. 3575
by rezoning an area to CD-1**

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

1. Council repeals sections 1 to 6 of By-law No. 7522, and substitutes:

“Zoning District Plan amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-438(b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (344).

2.2 The only uses permitted within CD-1 (344), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

(a) Dwelling Uses, limited to Multiple Dwellings containing a maximum of 43 dwelling units; and

(b) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

Density

3.1 The floor space ratio for all permitted uses must not exceed 1.0.

3.2 For the purpose of computing floor space ratio, the site consists of all parcels covered by this By-law, and Council deems the site size to be 5 700 m², being the site size at the time of the rezoning application and before dedication of any part of the site.

3.3 Computation of floor space ratio must include:

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

3.4 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks, covered patios and entries, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used which are:
 - (i) at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) above base surface, and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas including day care facilities, recreation facilities, and meeting rooms to a maximum of 10% of the total permitted floor area;

- (e) areas of undeveloped floors located:
 - (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

Building Height

4. The building height, measured above base surface, must not exceed 12.8 m.

Parking, loading, and bicycle spaces

5. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, including a minimum of 1.1 parking spaces for each dwelling unit and one additional parking space for each 200 m² of gross floor area, except that a dwelling unit requires no more than two parking spaces.

Acoustics

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

Portions of dwelling units

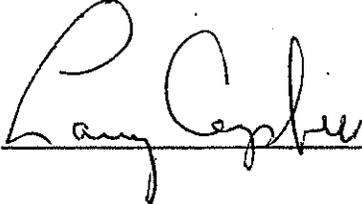
Noise levels (Decibels)

bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

Severability

7. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law."
2. Council repeals Schedule A attached to By-law No. 7522, and substitutes Schedule A attached to this By-law which is to form part of By-law No. 7522.
3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 8th day of June, 2004



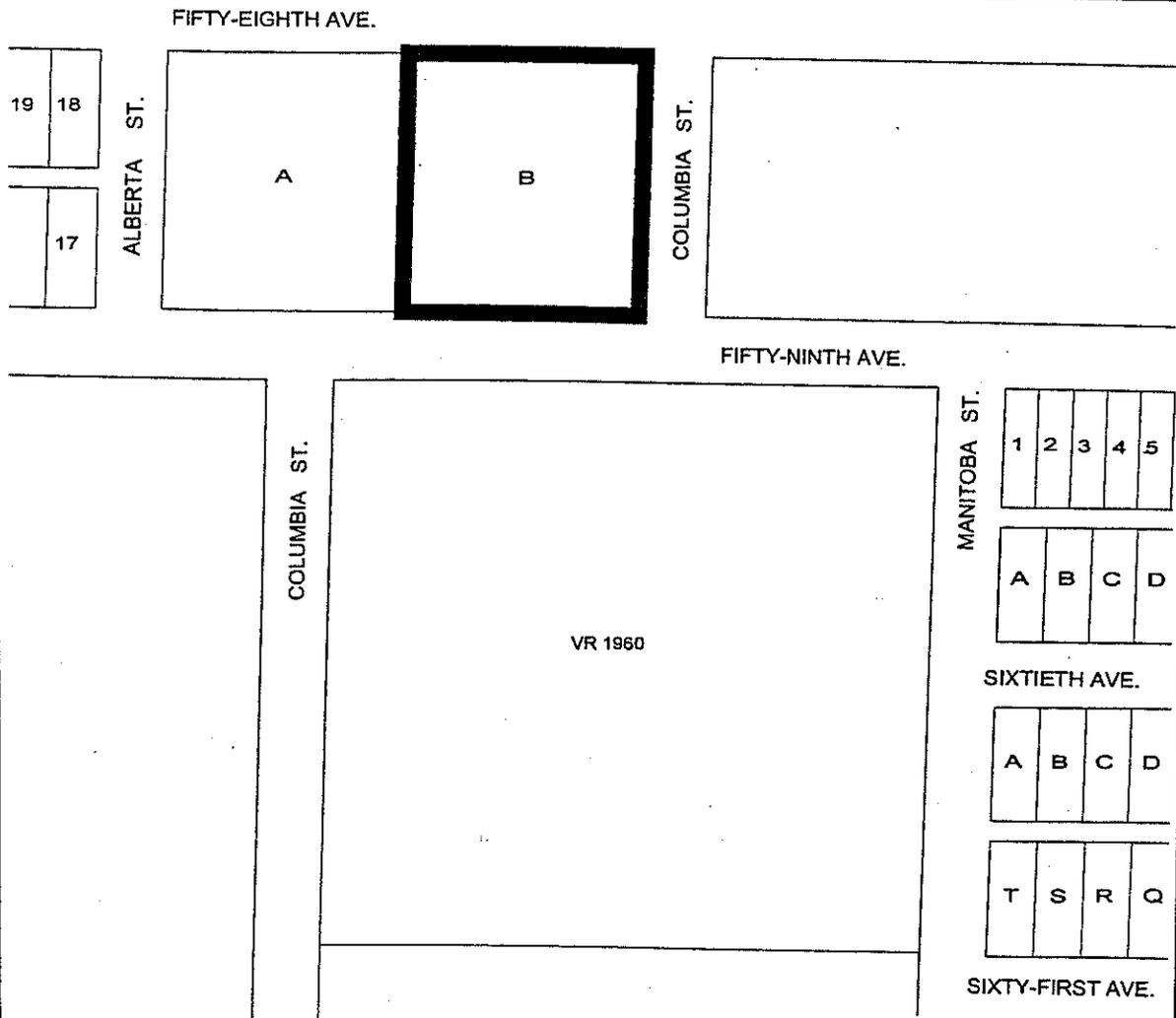
Mayor



City Clerk

By-law No. 7522 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black (**■**) is rezoned:
From **RS-1** to **CD-1**

Z-438(b)

RZ - 325 W. 59th Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

JANUARY 29, 2004

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 29, 2004, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law, to designate heritage property and enter into Heritage Revitalization Agreements.

PRESENT:

Deputy Mayor Tim Louis
*Councillor Fred Bass
Councillor David Cadman
*Councillor Jim Green
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Anne Roberts
*Councillor Sam Sullivan
Councillor Ellen Woodsworth

ABSENT:

Mayor Larry Campbell (Leave of Absence)
Councillor Tim Stevenson (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE:

Lori Isfeld, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Louis in the Chair, to consider proposed amendments to the Zoning and Development By-law, to designate heritage property and enter into Heritage Revitalization Agreements.

CARRIED UNANIMOUSLY

1. **Text Amendment: C-2 District Schedule**

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

Summary: The proposed text amendment would correct an error in the recently enacted C-2 District Schedule.

The Director of Current Planning recommended approval.

to another non-profit reporting society also registered in British Columbia, and

- (3) development on sub-area A comply with the exemption provisions for social housing in the relevant DCL By-law and the Interim City-wide CAC Policy.

The provisions of the Housing Agreement as outlined above may need adjustment to accommodate the mortgage financing requirements of Canada Mortgage and Housing Corporation or the future needs of the housing society related to the Shannon Oaks West component of the project. Any such changes will be reported by the Director of the Housing Centre as part of Council's subsequent approval of the Housing Agreement, which will occur before enactment of the zoning changes.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances effecting the subject site, as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

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

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

CARRIED UNANIMOUSLY

7. Text Amendment: 325 West 59th Avenue

An application by Dale Staples, Integra Architects, was considered as follows:

Summary: The proposed amendments permit a 43 unit market townhouse with underground parking development.

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

Staff Opening Comments

Dave Thomsett, Senior Planner, Rezoning Centre, reviewed the application, and with Larry Beasley, Director of Current Planning, responded to questions regarding volunteer amenity contributions, and impacts of the fire lane on the public pathway and trees around Langara Golf Course. In response to a speaker's comments, Mr. Beasley noted good quality, aesthetically attractive recreational space is a condition of the application.

Applicant Comments

Dale Staples, Integra Architects, was present to respond to questions.

Summary of Correspondence

Council received no correspondence on this application since referral to Public Hearing:

Speakers

Deputy Mayor Louis called for speakers for and against the application.

Enrico Diano spoke in opposition to the application because the neighbourhood would lose the jogging track, green space and the pleasant atmosphere in the trees. Mr. Diano also noted there would be an increase in general and cut-through traffic and negative impacts from the fire lane.

Applicant Closing Comments

Dale Staples, Integra Architects, reviewed the proposed jogging track enhancements and tree replanting.

Council Decision

MOVED by Councillor Woodsworth

THAT the application by Dale Staples, Integra Architects to amend CD-1 By-law No. 7522 for 325 West 59th Avenue to permit a 43 unit market townhouse development generally outlined in Appendix A of the Policy report dated November 25, 2003 entitled "CD-1 Text Amendment - 325 West 59th Avenue" be approved, subject to the following conditions:

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Dale Staples, Architect, and stamped "Received City Planning Department" October 17, 2003 and November 13, 2003, 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) design development to:

- 1) improve on-site circulation by providing semi-private pathways between yards;
- 2) provide details of stormwater retention for the existing streambed culvert;
- 3) provide details of the West 59th Avenue fire access route materials and curbing in coordination with the Fire Department requirements;
- 4) locate and screen any gas metres, exhaust ducts or transformers; and
- 5) provide details of the entrance porches for the 2 units facing the streambed;

(ii) design development to take into consideration the principles of CPTED having particular regard for;

- theft in the underground parking by relocating perimeter exit stairs to be more accessible and visible to residents,
- break and enter by reducing solid hedging in front of units, and
- mischief such as graffiti;

(iii) design development to create a natural looking and visually open view from the public pathway to the north of the site to adjacent private patios by providing a low split rail fence along the property line, as well as a planting edge next to the pathway of native trees, low shrubs and groundcover;

Note to applicant: The privacy of the patios adjacent to the public pathway can be enhanced by pulling back the patio paving approximately 1.0 metre and edging the patio with a border of mixed shrubs that provide partial screening.

(iv) design development to maintain the visually open character of the townhouse to public realm interface along West 59th Avenue and Columbia Street by ensuring that the shrubs and or hedges surrounding the semi-private patios adjacent to the two streets provide low screening suitable for someone seated;

Note to applicant: Any proposed shrubs should not be able to screen a standing person. Suggest a 1.2 metre maximum height at full growth.

(v) design development to ensure that all planting proposed for the inside and outside boulevard next to the dry creek bed meets the requirements of the City of Vancouver Engineering Department Special Boulevard Guidelines and Greenway Design Standards; and

- (vi) design development to ensure any grade changes between properties are compatible and do not create a hazardous condition for the trees growing on adjacent properties.

Note to applicant: There are six pine trees growing close to the west property line that could be damaged by grade changes.

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall:

- (i) make arrangements to the satisfaction of the City Engineer and the Director of Legal Services for provision of the following:

- 1) clarification of all charges shown on title. A charge summary is required;
- 2) curb, gutter, sidewalk, street trees and pavement to the proposed east curb line of Columbia Street adjacent the site and a cul-de-sac termination at the north end of Columbia Street;
- 3) a concrete sidewalk and street trees on the north side of West 59th Avenue, adjacent the site consistent with the "greenways" plans for the area, such greenways improvements to include pedestrian lighting, drinking fountains and landscaping at the discretion of the General Manager of Engineering Services;
- 4) extension of the concrete sidewalk described under (3), above, west from the site to provide pedestrian access to Winona Park;
- 5) the installation of a city fire hydrant on the north west corner of West 59th Avenue and Columbia Street;* and
- 6) undergrounding of all new hydro, telephone and cable services to the site including a review of the overhead cabling necessary to serve the site to determine impacts on the neighbourhood;

- (ii) Enter into an agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services in consultation with the Director of Planning and the General Manager of Parks and Recreation for the upgrading of the public pathway within the West 58th Avenue Right-of-Way, including thinning the underbrush and planting new native plant material;*

- (iii) Enter into an agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services in consultation with the Director of Planning and the General Manager of Parks and Recreation that, if it is determined at the development application stage that a fire lane must be provided from Columbia Street to the west along the West 58th Avenue Right-of-Way, the applicant shall prepare a detailed design plan for and physical modifications to the West 58th Avenue Right-of-Way that includes modifications to the pedestrian pathway such that it can act as a fire truck access route and be maintained as an aesthetic recreational trail;

Note: this agreement is to be null and void if it is determined a fire lane is not required along the West 58th Avenue Right-of-Way.

- (iv) Enter into agreements to the satisfaction of the General Manager of Parks and Recreation and the Director of Legal Services in consultation with the Director of Planning for the provision of the following:
- 1) acoustical measures at the Langara Golf Course service yard that include, but are not limited to the construction of an acoustic wall along the property line south of the service yard, and modifications to the service yard building which would provide access to the golf course from the northern side of the building;* and
 - 2) relocation of the gravel storage currently located on the West 58th Avenue Right-of-Way into the Langara Golf Course service yard, with the vacated area to be integrated into the public pathway through quality landscaping.*

*Note: These elements are offered by the applicant as a voluntary amenity contribution.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances effecting the subject site, as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

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

The provision of all the foregoing in this subsection (c) shall be at no cost to the City.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Ladner
SECONDED by Councillor Louie

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 24 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

~~CARRIED UNANIMOUSLY~~

1. A By-law to levy rates on qualifying real property in the Downtown Vancouver Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8847)
2. A By-law to levy rates on qualifying real property in the Robson Street Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8848)
3. A By-law to levy rates on qualifying real property in the Kerrisdale Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8849)
4. A By-law to levy rates on qualifying real property in the Mount Pleasant Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8850)
5. A By-law to levy rates on qualifying real property in the Gastown Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8851)
6. A By-law to levy rates on qualifying real property in the Davie Village Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8852)
7. A By-law to levy rates on qualifying real property in the South Granville Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8853)
8. A By-law to levy rates on qualifying real property in the Yaletown Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8854)
9. A By-law to levy rates on qualifying real property in the Chinatown Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8855)
10. A By-law to levy rates on qualifying real property in the Commercial Drive Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8856)
11. A By-law to levy rates on qualifying real property in the Marpole Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8857)
12. A By-law to levy rates on qualifying real property in the Strathcona Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8858)
13. A By-law to levy rates on qualifying real property in the Collingwood Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8859)
14. A By-law to levy rates on qualifying real property in the Hastings North Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8860)
15. A By-law to levy rates on qualifying real property in the Kitsilano Fourth Avenue Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8861)

16. A By-law to levy rates on qualifying real property in the Point Grey Village Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8862)

17. A By-law to levy rates on qualifying real property in the Victoria Drive Business Improvement Area (2004 Rate Levying By-law) (By-law No. 8863)

18. A By-law to amend Street and Traffic By-law No. 2849 regarding regulation of fighting (By-law No. 8864)



19. A By-law to amend By-law No. 7522 which amended Zoning and Development By-Law No. 3575 by rezoning an area to CD-1 ((325 West 59th Avenue) (By-law No. 8865) (Councillor Stevenson and the Mayor excused from voting on By-law 19)

20. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1226 Homer Street) (By-law No. 8866) (Councillors Green, Roberts and Woodsworth excused from voting on By-law 20)

21. A By-law to designate certain real property as protected heritage property (1226 Homer Street) (By-law No. 8867) (Councillors Green, Roberts and Woodsworth excused from voting on By-law 21)

22. A By-law to designate certain real property as protected heritage property (641 East Georgia Street) (By-law No. 8868) (Councillors Green, Roberts and Woodsworth excused from voting on By-law 22)

23. A By-law to amend Solid Waste and Recycling By-law No. 8417 regarding certain housekeeping amendments (By-law No. 8869)

24. A By-law to amend Vehicles for Hire By-law No. 6066 to change taxicab rates (By-law No. 8870)