



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060
planning@vancouver.ca

CD-1 (356)

2750 East 18th Avenue

By-law No. 7647

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

Effective November 5, 1996

(Amended up to and including By-law No. 9674, dated June 24, 2008)

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 area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (356), 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) A maximum of two of the following: Community Care Facilities or Group Residences, consisting of residential and educational functions and which may include administrative functions, and [9674; 08 06 24]
- (b) Accessory Uses customarily ancillary to the above use.

3 Floor Space Ratio

3.1 The floor space ratio must not exceed 0.50. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 10 634 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, including earthen floor, 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 shall be excluded in the computation of floor space ratio:

- (a) open residential balconies, sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (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, or bicycle storage;
- (d) areas of undeveloped floors which are 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;
- (e) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (f) covered porches, provided that:
 - (i) areas excluded shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law;
 - (ii) the total area being excluded does not exceed 5 percent of the permitted floor area; and
 - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

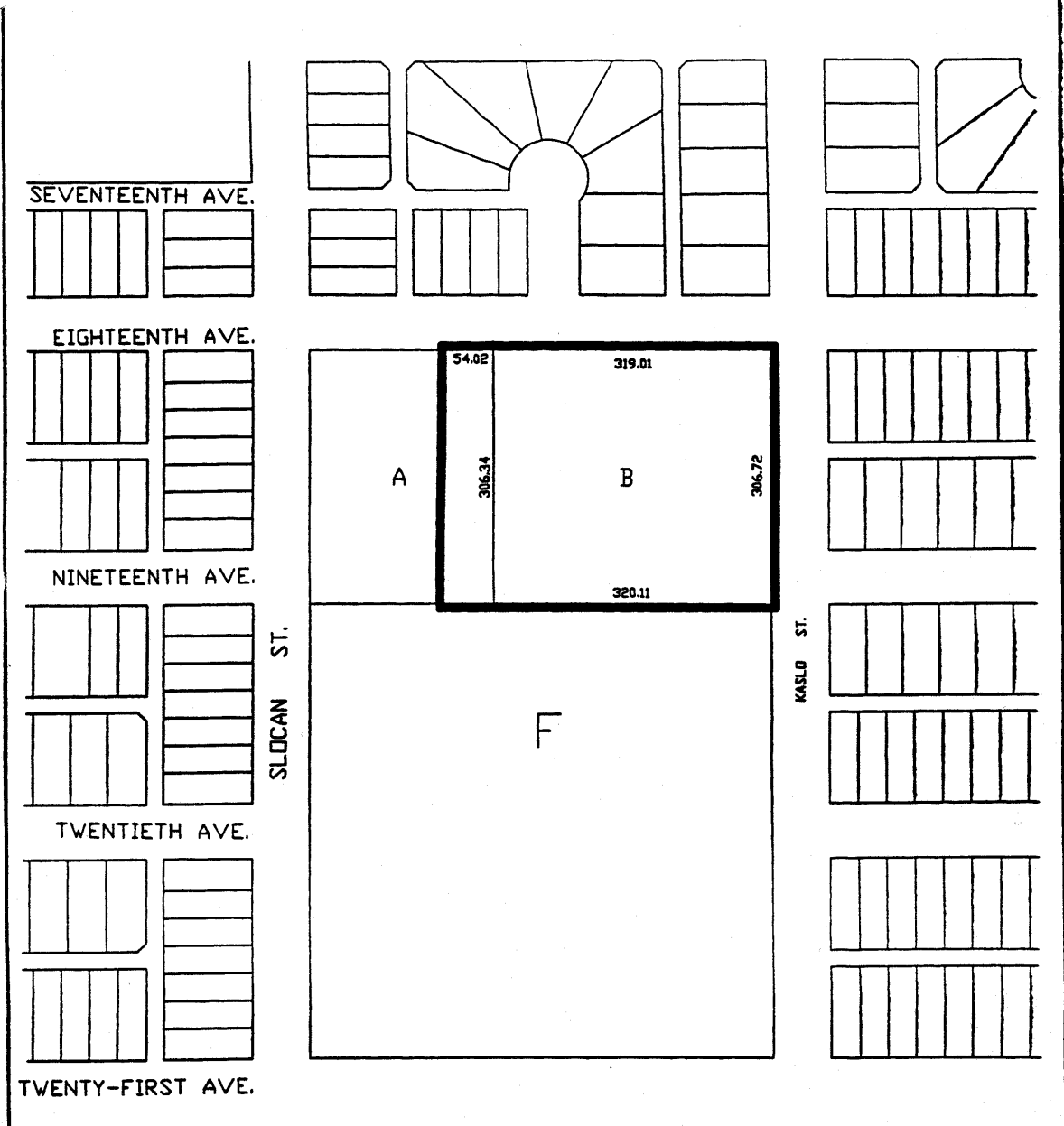
4 Setbacks

The minimum setback of a building is 6.5 m from the north property boundary, 7.0 from the east property boundary and 7.5 from the south property boundary.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7647 or provides an explanatory note.*

- 5 Off-Street Parking and Loading
Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that
- (a) a minimum of 47 off-street parking spaces must be provided, and
 - (b) on the easterly 49 m of the site parking must be provided at a ratio of one space for each 70 m² of gross floor area if the gross floor area of that portion of the site exceeds 1 695 m².
- 6 *[Section 6 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

BY-LAW No. 7647 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-451(b)

RZ 2750 East 18th Avenue	map: 1 of 1	
	scale: 1:2000	
City of Vancouver Planning Department		

3. Rezoning: 2750 East 18th Avenue
(Children's Centre)

An application by Tielker Sim and Associates, Architects, on behalf of the Children's Foundation, was considered as follows:

The proposed rezoning, from RS-1 to CD-1 Comprehensive Development District, would permit replacement of the existing Esther Irwin Home (3440 Slocan Street) with three 2-storey residences, a 1-storey classroom structure and a 1-storey administration building, plus 37 parking spaces. The Eileen Corbett Centre would remain unchanged, on the east half of the site.

The Director of Land Use and Development recommended approval of this application, 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 Tielker Sim and Associates, Architects, and stamped "Received City Planning Department, November 8, 1995", 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 the East 18th Avenue frontage to provide a more residential expression;
 - ii) design development to reduce the prominence of the covered linkage between the school and administration buildings;
 - iii) design development to all elevations to achieve greater compatibility with neighbourhood context;
 - iv) the integration or relocation of the maintenance building from the lane;
 - v) provision of a large shade tree and low hugging landscape ground treatment in place of the proposed maintenance building location;

cont'd....

Clause No. 3 (cont'd)

- vi) clarification of proposed fencing/gating locations and type. Fencing for back yard play areas not to exceed 1.8 m;
 - vii) clarification of proposed site, building and security lighting locations and types. Selection of fixtures along lane in accordance with Sections 4.8.3 and 4.9.3 of the City of Vancouver Parking By-law;
 - viii) provision of a site security/monitoring plan (written) that confirms after hours supervision, hours of use for outdoor play areas, including basketball, road hockey or similar activities and appropriate site edge/interior monitoring and lighting; and
 - ix) tree retention and protection measures should be in accordance with the Tree By-law No. 7347 and the associated guidelines. A certified Arborist should ensure that the trees identified for retention or relocation in the revised landscape plan received January 8, 1996, are adequately protected during construction and that the proposed development, especially building foundations, hard surface treatments and additional planting, accommodate the trees.
- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall:
- i) obtain approval and registration of a subdivision of Lots A and B, Block F, D.L. 44, Plan 11920 to create the proposed new parcel;
 - ii) make arrangements to the satisfaction of the General Manager of Engineering Services for the dedication of a 6.0 m lane extending south from 18th Avenue on the west side of the proposed site, and then running west to connect to Slocan Street. A 3.0 m x 3.0 m corner-cut is also required from the southeast corner of the newly formed lot fronting Slocan Street (formerly Lot A);
 - iii) make arrangements for all electrical and telephone services to be undergrounded within and adjacent the site from the closest existing suitable service point;

cont'd....

Clause No. 3 (cont'd)

- iv) make arrangements to the satisfaction of the General Manager of Engineering Services, for provision of a sewer easement at the southeast corner of Lot B, to service Lot 2 to the south. The easement shall be 6.0 m wide, measured from the east property line extending 15 m north from the south property line of Lot B;
- v) make arrangements to the satisfaction of the General Manager of Engineering Services, for the provision of adequate water service for fire-fighting purposes, at the applicant's expense; and
- vi) make arrangements to the satisfaction of the General Manager of Engineering Services, in consultation with the adjacent neighbourhood regarding protection of trees on the boulevard, for the provision of a sidewalk on the south side of 18th Avenue from Kaslo Street up to the new north/south lane, at the applicant's expense.

Also before Council was a memorandum dated March 28, 1996, from Mr. Rick Scobie, Director of Land Use and Development, which advised that discussions with the applicant subsequent to referral of this application to Public Hearing resulted in recommendations to make two amendments to the draft by-law and to delete three conditions of approval, as noted below:

- i) Staff recommend that the floor space ratio reflected in the draft by-law be increased to 0.50 to accommodate exterior covered areas which are normally calculated as floor space. These areas were not included by the applicant in the original floor space figures, as they were unaware that these areas constitute floor space.
- ii) Floor space calculation methods contained in the draft by-law should be amended to better reflect the institutional form of the proposed development by deleting Section 3.2(c), as interior spaces exceeding 3.7 m in height should not be counted twice as in one family dwellings.
- iii) Conditions of Approval should be amended by deleting conditions (b)(iv), (b)(v) and (c)(v). These changes would permit an accessory building to be located in the southwest corner of the site and reflect the City Engineer's conclusion that waterworks upgrading is not necessary.

cont'd....

Clause No. 3 (cont'd)

Staff also note that the legal description should be corrected to state: "Sec 44 THSL" rather than "D.L. 44" as stated in condition (c)(i).

Staff Opening Comments

Staff offered no additional comments on this application.

Applicant Opening Comments

Mr. Brian Sim requested Council's support for this application.

Correspondence

There was no correspondence received on this matter.

Speakers

Mayor Owen called for speakers for and against the application.

Mr. Ken Pauli, Executive Director, Children's Foundation, explained the role of the Foundation and requested Council's support for the application.

MOVED by Cllr. Sullivan,

THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, and subject to amendments to the draft by-law and approval conditions as set out in the memorandum dated March 28, 1996 from R. Scobie, and stated below:

- i) The floor space ratio reflected in the draft by-law be increased to 0.50 to accommodate exterior covered areas which are normally calculated as floor space. These areas were not included by the applicant in the original floor space figures, as they were unaware that these areas constitute floor space.
- ii) Floor space calculation methods contained in the draft by-law should be amended to better reflect the institutional form of the proposed development by deleting Section 3.2(c), as interior spaces exceeding 3.7 m in height should not be counted twice as in one family dwellings.

cont'd....

Clause No. 3 (cont'd)

- iii) Conditions of approval should be amended by deleting conditions (b)(iv), (b)(v) and (c)(v). These changes would permit an accessory building to be located in the southwest corner of the site and reflect the City Engineer's conclusion that waterworks upgrading is not necessary.

FURTHER THAT the legal description should be corrected to state: "Sec 44 THSL" rather than "D.L. 44" as stated in condition (c)(i).

- CARRIED UNANIMOUSLY

(Councillor Puil was not present for the vote
on the above item)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Price,
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 Meeting adjourned on April 2, 1996,
at 11:10 p.m.

CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK'S OFFICE

Date: November 8, 1996

Refer File: PH318/2605-3

To: Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Director of Land Use & Development

Subject: Approval of Form of Development
CD-1: 2750 East 18th Avenue

RECEIVED	
PLANNING DEPARTMENT	
NOV 13 1996	
NUMBER.....	S 10037
REFERRED TO.....	FAS
COPY TO.....	(RT)
ANSWER REQ'D.....	

On November 5, 1996, Vancouver City Council passed the following motion:

"THAT the approved form of development for the CD-1 zoned site known as 2750 East 18th Avenue be amended generally as illustrated in Development Application No. DE401373, prepared by Tielker Sim and Associates, Architects, received by the City of Vancouver on June 11, 1996, as indicated by a perforated stamp, provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties."

Shobha Rae
Committee Clerk

SRae:dmy

Letter to: J. Brian Sim
Tielker Sim & Associates Architecture,
Planning & Interior Design
690-1199 West Pender Street
Vancouver, B.C. V6E 2R1

2750 East 18th Avenue

BY-LAW NO. 7647

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-451(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(356), 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) A maximum of two Special Needs Residential Facilities, consisting of residential and educational functions and which may include administrative functions, and
- (b) Accessory Uses customarily ancillary to the above use.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 0.50. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 10 634 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, including earthen floor, 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, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (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, or bicycle storage;
- (d) areas of undeveloped floors which are 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;
- (e) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (f) covered porches, provided that:
 - (i) areas excluded shall be open or protected by guard rails the height of which shall not exceed the

minimum specified in the Building By-law;

- (ii) the total area being excluded does not exceed 5 percent of the permitted floor area; and
- (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor.

4. Setbacks

The minimum setback of a building is 6.5 m from the north property boundary, 7.0 m from the east property boundary and 7.5 m from the south property boundary.

5. Off-Street Parking and Loading

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

- (a) a minimum of 47 off-street parking spaces must be provided, and
- (b) on the easterly 49 m of the site parking must be provided at a ratio of one space for each 70 m² of gross floor area if the gross floor area of that portion of the site exceeds 1 695 m².

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

DONE AND PASSED in open Council this 5th day of November
. 1996.

"(signed) Philip W. Owen"

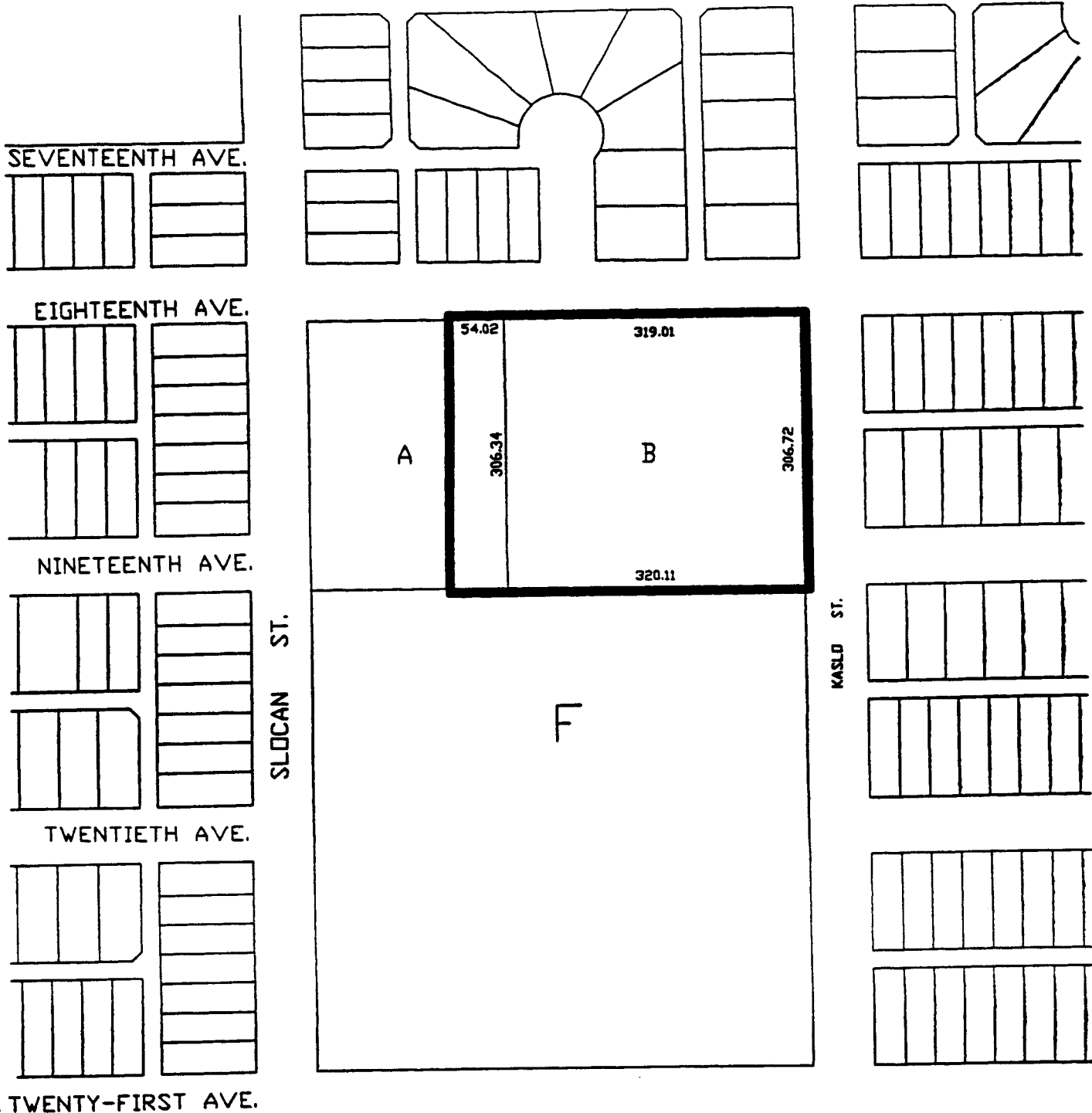
Mayor

"(signed) Maria C. Kinsella"

City Clerk

"I hereby certify that the foregoing is a correct copy of By-law passed by the Council of the City of Vancouver on the 5th day of November 1996, and numbered 7647.

BY-LAW No. 7647 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-451(b)

RZ 2750 East 18th Avenue

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



ADMINISTRATIVE REPORTS (CONT'D)

- 5. **Form of Development: 2733 Arbutus Street**
DE403370 - CD-1 By-law Numbers 7317 and 7654
Owner of Development: Greystone Properties
October 16, 1998

357

File: 2604-1
RTS: 164

MOVED by Cllr. Clarke,

THAT the revised form of development for this portion of the CD-1 zoned site known as 2135 West 12th Avenue and 2725 Arbutus Street (2733 Arbutus Street being the application address) be generally approved as illustrated in the Development Application Number DE403370, prepared by Howard Bingham Hill Architects and stamped "Received, City Planning Department October 9, 1998", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

- CARRIED UNANIMOUSLY

- 6. **Award of Contract No. 9813 - Supply and**
Installation of Distribution Watermain
October 20, 1998

File: 1805
RTS: 218

As a delegation request had been received, this report has been referred to a Standing Committee meeting on November 19, 1998.

- 7. **Support for 1998 Canadian Technical**
Asphalt Association Conference
October 19, 1998

File: 1310
RTS: 216

MOVED by Cllr. Puil,

That Council approve a contribution of \$1,500 to the 1998 Canadian Technical Asphalt Association Conference, with source of funds to be the 1998 Engineering Operating Budget.

- CARRIED UNANIMOUSLY
AND BY THE
REQUIRED MAJORITY

Special needs residential facilities

BY-LAW NO. 9674

A By-law to amend CD-1 By-law No.'s 3869, 3897, 4271, 4580, 4634, 4671, 5343, 6041, 6070 6072, 6919, 7114, 7193, 7196, 7204, 7210, 7461, 7647, 7679, 7682, 7723, 7852, 8055, 8088, 8111, 8326, 8369, 8457, 8479, 8546, 8880, 9190, 9204, 9454, 9463, 9573, 9594, and 9600

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

- From each of the CD-1 by-laws listed in Column 1 of Table 1, Council strikes out, from each of the sections listed in Column 2, the words set out in Column 3, and variations of those words, and substitutes the words set out in Column 4:

Table 1

Column 1	Column 2	Column 3	Column 4
3869	2 (b) 5.1 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
3897	2 (c) 6 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
4271	2 (a)	special needs residential facility (Community Care Facility)	Community Care Facility
4580	3.1	Special Needs Residential Facility: Community Care Facility	Community Care Facility
4634	2 (e)	special needs residential facility (community care facility)	community care facility
	3 Table A	Special Needs Residential Facilities (Community Care Facilities)	Community Care Facilities
	4(c)	special needs residential facility	community care facility
4671	2.2 (a)	Special Needs Residential Facility - Community Care - Class B, and Special Needs Residential Facility - Group Living	Community Care Facility - Class B and Group Residence
5343	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

6041	2 (c)	Special needs residential facility - community care - Class B	Community care facility - class B
6070	2 (a) (iii)	special - needs residential facility	community care facility or group residence
6072	2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
6919	2 (a)	Special Needs Residential Facility (Community Care Facility)	Community Care Facility
7114	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7193	2 (a)	Special Needs Residential Facility - Community Care	Community Care Facility
7196	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7204	10 (b) (iv)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7210	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7461	6.4 (b)	and special needs residential uses	community care facilities and group residences
7647	2.1 (a)	Special Needs Residential Facilities	of the following: Community Care Facilities or Group Residences
7679	4.1 (d)	and Special Needs Residential Facility	, Community Care Facility and Group Residence
7682	2 (e)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
	10 (d)	Special Needs Residential Facility	Community Care Facility
7723	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
7852	2.1 (b)	Special Needs Residential Facility - Class B	Community Care Facility - Class B
	5	Special Needs Residential Facility	Community Care Facility
8055	2 (a)	Special Needs Residential Facility	Community Care Facility and Group Residence
8088	2 (b)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B

8111	2 (a) 5.1	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8326	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8369	2 (a)	Special Needs Residential Facility - Community Care - Class B	Community Care Facility - Class B
8457	2 (b)	Special Needs Residential Facility - Community care - Class B	Community Care Facility - Class B
8479	2 (b)	Special Needs Residential Facility - Group Living	Group Residence
8546	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
8880	3	Special Needs Residential Facility	Community Care Facility, Group Residence
9190	3 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9204	3 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9454	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9463	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9573	2.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9594	3.2 (c)	and Special Needs Residential Facility	Community Care Facility and Group Residence
9600	3.2 (b)	and Special Needs Residential Facility	Community Care Facility and Group Residence

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

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

ENACTED by Council this 24th day of June, 2008

Mayor

City Clerk

EXPLANATION

A By-law to amend certain CD-1 By-laws re special needs residential facilities

After the public hearing on June 10, 2008, Council resolved to amend certain CD-1 By-laws to refer to community care facilities rather than special needs residential facilities. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
June 24, 2008

17. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 2978 West 5th Avenue) (By-law No. 9687)**
(Councillors Ball, Cadman and Louie ineligible to vote)
18. **A By-law to designate certain real property as protected heritage property (re 2978 West 5th Avenue) (By-law No. 9688)**
(Councillors Ball, Cadman and Louie ineligible to vote)

MOVED by Councillor Lee
SECONDED by Councillor Stevenson

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 3 to 7, 9, 10 and 16, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. **A By-law to amend Zoning and Development By-law No. 3575 (re special needs residential facilities) (By-law No. 9673)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
4. **A By-law to amend certain CD-1 By-laws re special needs residential facilities (By-law No. 9674)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
5. **A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re special needs residential facilities) (By-law No. 9675)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
6. **A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re special needs residential facilities) (By-law No. 9676)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
7. **A By-law to amend By-law No. 9488 Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts (re special needs residential facilities) (By-law No. 9677)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
9. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 125 Boundary Road) (By-law No. 9679)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
10. **A By-law to designate certain real property as protected heritage property (re 125 Boundary Road) (By-law No. 9680)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Anton
SECONDED by Councillor Stevenson

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, 2, 8, 11, 12, 14, 15, 17 and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

1. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$5,722.78 for certain local improvement lane lighting projects, and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9671)**
2. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$554,777.99 for certain local improvement street work projects, including pavement, curbs, trees and bulges, and lane pavement and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9672)**
8. **A By-law to amend Parking By-law No. 6059 (re special needs residential facilities) (By-law No. 9678)**
11. **A By-law to amend Subdivision By-law No. 5208 regarding miscellaneous amendments (By-law No. 9681)**
12. **A By-law to amend Parking By-law No. 6059 (re bicycle spaces) (By-law No. 9682)**
14. **A By-law to amend Subdivision By-law No. 5208 (re 5475 Dunbar Street and 3625 and 3641 West 39th Avenue) (By-law No. 9684)**
15. **A By-law to amend CD-1 By-law No. 8131 (re Great Northern Way Campus) (By-law No. 9685)**

4. TEXT AMENDMENT: SNRF ZONING AND DEVELOPMENT BY-LAW REVISIONS

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

Summary: To amend the definitions of Special Need Residential Facilities (SNRF) in the Zoning & Development By-law and make consequential changes to the Zoning & Development By-law and relevant CD-1 By-laws; amend references in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws; and amend the Parking By-law. These are housekeeping amendments to update the definitions.

The Directors of Social Planning, Planning, Development Services, Housing Centre, Legal Services, and General Manager of Engineering Services recommended approval.

Also before Council was a memorandum from Anne Kloppenborg, Social Planning, dated May 20, 2008, which noted an addition to Appendix B of the Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines" dated April 15, 2008, in order to conform with the draft By-laws prepared by staff.

Staff Opening Comments

Anne Kloppenborg, Social Planning, reviewed the application, including the memo distributed with the agenda package for the Public Hearing.

Summary of Correspondence

No correspondence had been received on this application since referral to Public Hearing.

Speakers

Sister Elizabeth Kelliher and Johnn Olldym spoke in opposition to the application.

Council Decision

MOVED by Councillor Chow

- A. THAT the application to:
 - i) amend the definitions of Special Needs Residential Facilities in section 2 of the Zoning and Development By-law, and make the necessary consequential changes to the Zoning and Development By-law and to the CD-1 By-laws listed in Appendix A; and
 - ii) amend references to "Special Needs Residential Facilities" in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws,

generally in accordance with Appendix A and B to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008, be approved with the following changes to Appendix B noted in the Memorandum dated May 20, 2008, from Anne Kloppenborg, Social Planning:

In Section 1.1 of the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts, delete *special needs residential facility* and substitute *community care facility or group residence*; and in Section 2.5, delete the reference to *Special Needs Residential Facility Guidelines* and substitute *Community Care Facility and Group Residence Guidelines*.

- B. THAT Council approve amendments to the Parking By-law, generally in accordance with Appendix C to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.
- C. THAT if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the Community Care Facilities and Group Residences Guidelines and the Application Procedures for Development Permits for Community Care Facilities and Group Residences, as outlined in Appendix D to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

CARRIED UNANIMOUSLY