



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7000 fax 604.873.7060
planning@vancouver.ca

CD-1 (358)

711 West Broadway and 700 West 8th Avenue By-law No. 7648

(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. 10040, dated May 18, 2010)

1 Zoning District Plan amendment

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-456(d) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

[9973; 09 12 15]

2 Uses

Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (358) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

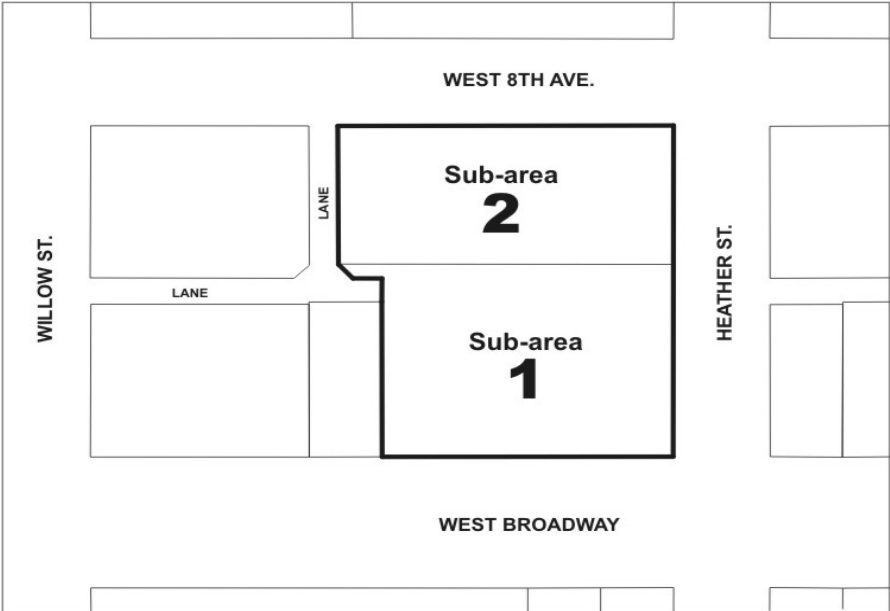
- (a) Cultural and Recreational Uses, limited to Bingo Hall, Bowling Alley, Casino - Class 1, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, Rink, Swimming Pool, and Theatre;
- (b) Dwelling Uses, limited to Dwelling Units;
- (c) Institutional, limited to School- University or College;
- (d) Office Uses, limited to Financial Institution, General Office, and Health Care Office;
- (e) Parking Uses, limited to Parking Garage;
- (f) Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store except for Small-scale Pharmacy, and Retail Store; and
- (g) Service Uses, limited to Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Hotel, Laboratory, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant, School - Business, School - Vocational or Trade, and Sign Painting Shop; and
- (h) Accessory Uses customarily ancillary to the uses listed in this section 2.

[9973; 09 12 15] [10040; 10 05 18]

3 Sub-areas

3.1 The site is to consist of sub-areas 1 and 2 illustrated in Diagram 1.

Diagram 1



Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7648 or provides an explanatory note.

3.2 Despite section 2, Dwelling Uses are not permissible in sub-area 1.

3.3 Despite section 2, uses permissible in sub-area 2 include only:

- (a) Dwelling Uses, limited to Dwelling Units; and
- (b) Accessory Uses customarily ancillary to the uses listed in section 2.

[9973; 09 12 15]

4 Density

4.1 In sub-area 1, the total floor area for all uses, combined, must not exceed 16 444 m².

4.2 In sub-area 2, the total floor area for all uses, combined, must not exceed 14 847 m².

4.3 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, 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, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) in the case of dwelling uses, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

4.4 Computation of floor area must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (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, 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 at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) where floors are used for off-street loading, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used;
- (e) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (g) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation, and child day care facilities, except that:
 - (i) the total area excluded must not exceed the lesser of 20% of the permitted floor space or 1 000 m², and
 - (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied of the need for the facility in the immediate neighbourhood; and

- (h) 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 is not to apply to walls in existence before March 14, 2000.

4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) interior public space, including atria and other similar spaces, except that:
 - (i) the excluded area must not exceed the lesser of 10% of the permitted floor area and 600 m²,
 - (ii) a covenant and right of way in favour of the city, which sets out public access and use, must secure the excluded area, and
 - (iii) the Director of Planning must first consider all applicable policies and guidelines adopted by Council; and
- (c) exterior courtyards enclosed on all sides that provide amenity or landscaped open space.

[9973; 09 12 15]

5 Building height

5.1 In sub-area 1, the building height, measured above the base surface, must not exceed 50.0 m.

5.2 In sub-area 2, the building height must not exceed the geodetic elevation of 74.95 m.

[9973; 09 12 15]

6 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 spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

[9973; 09 12 15]

7 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 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.

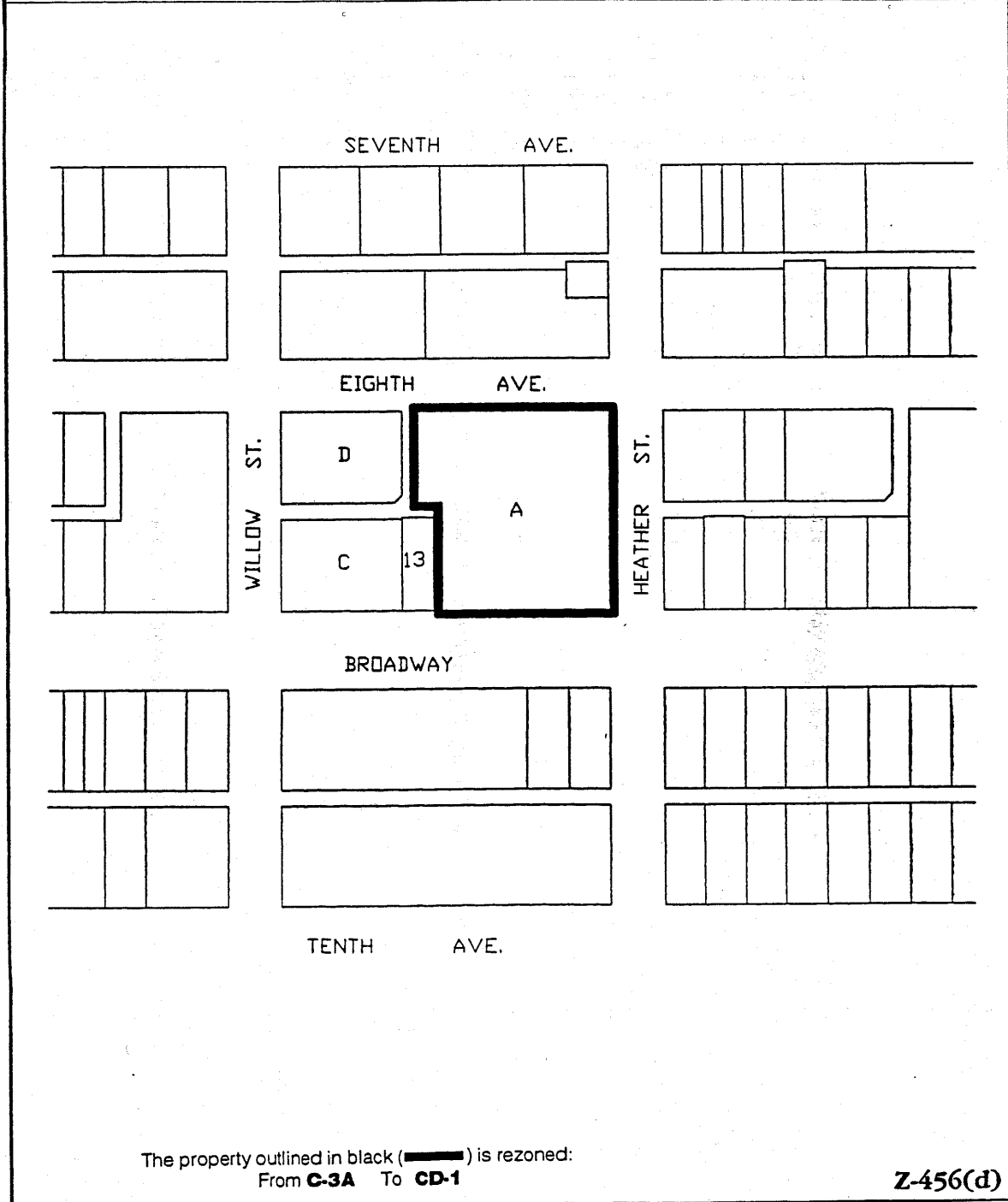
Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45


[9973; 09 12 15]

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.]*


[10008; 10 03 02]

BY-LAW No. 7648 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black () is rezoned:
From **C-3A** To **CD-1**

Z-456(d)

RZ 705 W. Broadway	map: 1 of 1	
	scale: 1:2000	
City of Vancouver Planning Department		

Backup Notes

Minutes of Special Council Meeting
(Public Hearing)
August 1, 1996 (cont'd)

(Note: The Owner has proposed this community space in collaboration with the Fairview slopes Residents Association which feels it can put the space to uses for the benefit of the community. Use of this space by the association shall be the subject of a separate report to Council.)"

(UNDERLINING DENOTES SUGGESTED AMENDMENT)

MOVED by Cllr. Chiavario,
SECONDED by Cllr. Clarke,

THAT the Minutes of Special Council Meeting (Public Hearing) of August 1, 1996, be adopted with the following amendments:

MOVED by Cllr. Chiavario,

THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, and subject to the proposed amendment to Section 5 of the draft CD-1 By-law, as outlined in this minute, and subject to the following proposed amendment to Condition (c)(v):

"(c)(v) register an option to lease (with the form of lease attached) by which the Owner of Site B at his own cost must construct, fit, finish and equip at least 2,500 sq.ft. of indoor space including a kitchen and washrooms and lease same together with required parking to the City for 2000 years at nominal rent.

The maximum total direct contribution to be made by the owner to construct, fit, finish and equip the community space is to be \$350,000. If the property is subdivided by strata plan, the lease area shall be common property (alternatively, if so determined by the City and Director of Legal Services, the leased area shall be made a separate strata lot and conveyed to the City, at no cost, with the strata plan unit entitlement to be to the satisfaction of the City Manager). The maximum cash contribution of \$500,000 (or such other sum to be determined by the City Manager according to the obligations assumed by the City under the lease or by ownership of the strata lot) is to be paid by the Owner to the City upon the completion and occupation of the community space. The annual interest from this endowment will be used to defray the cost of operating and programming the space. The agreement

Cont'd

Minutes of Special Council Meeting
(Public Hearing)
August 1, 1996 (cont'd)

shall be drawn to the satisfaction of the City Manager and the Directors of Social Planning and Legal Services and be registered in priority over all charges which may defeat or delay these rights.

(Note: The Owner has proposed this community space in collaboration with the Fairview slopes Residents Association which feels it can put the space to uses for the benefit of the community. Use of this space by the association shall be the subject of a separate report to Council.)"

- CARRIED UNANIMOUSLY

(Councillors Kennedy, Kwan, Puil and Sullivan
were excused from voting)

(UNDERLINING DENOTES AMENDMENT APPROVED BY COUNCIL)

Clause No. 2 (cont'd)

Applicant Closing Comments

Mr. Paul Mayer stated the application meets the City's industrial land policies, addresses social housing policies, has a neutral land value, provides 22-30 affordable, rental artist live/work studios as a public benefit, and has significant neighbourhood support.

Staff Closing Comments

Responding to a question from a member of Council, Mr. Kolvane Yuh, Real Estate Services, advised the potential land value impact of rezoning is neutralized by providing a public benefit on the site, in the form of 22 affordable, rental units.

Council Discussion

During discussion of this application, a member of Council stated the belief that given the background of this application, approval should not be seen as a precedent setting for future applications.

MOVED by Cllr. Bellamy,
THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, ~~and subject to the amendments proposed in the memorandum from Rick Scobie dated August 1, 1996, and set out in this minute of the Public Hearing.~~

- CARRIED UNANIMOUSLY

3. Rezoning: 705 West Broadway (Holiday Inn)

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

The proposed rezoning from C-3A Commercial District to CD-1 Comprehensive Development District would permit retention of the existing Holiday Inn building, and development of a four-storey multiple dwelling on the 8th Avenue parking lot. The rezoning would increase allowable density on this site which has already been fully used by the hotel building. The applicant proposes to include a 232.3m² (2,500 sq.ft.) multi-purpose space for community use, with access from West 8th Avenue.

cont'd....

Clause No. 3 (cont'd)

The Director of Land Use and Development recommended approval of the 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 Davidson Yuen Simpson, Architects, and stamped "Received City Planning Department, April 28, 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) provision of detailed design of parking layout to determine acceptable geometric of connections to lower residential parking level;
 - ii) clarification of retention of all existing hotel parking (current development permit indicates a requirement of 280 spaces);
 - iii) presentation of a full site planning exploration of options to locate the proposed community space with the preferred principal access from Heather Street near West 8th Avenue;
 - iv) design development to entry areas of townhouses to better define private spaces (sightlines to be maintained); and
 - v) redistribution of open space to take greater advantage of sunlight access.
- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall:
 - i) obtain approval and registration of a subdivision plan for the dedication of a 10' x 10' corner cut-off at the western side of the site, for lane purposes;
 - ii) make arrangements to the satisfaction of the City Engineer for provision of street trees adjacent the site;
 - 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) execute a legal agreement satisfactory to the Director of Legal Services providing that owners will not discriminate against families with children in the sale of their property; and

- v) register an option to lease (with the form of lease attached) by which the Owner of Site B at his own cost must construct, fit, finish and equip at least 2,500 sq. ft. of indoor space including a kitchen and washrooms and lease same together with required parking to the City for 2000 years at nominal rent. If the property is subdivided by strata plan, the leased area shall be common property. The Owner shall pay the City \$500,000 the annual interest from which will be used to defray the costs of operating the space. The agreement shall be drawn to the satisfaction of the Directors of Social Planning and Legal Services and be registered in priority over all charges which may defeat or delay these rights.

The Owner has proposed this community space in collaboration with the Fairview Slopes Residents Association which feels it can put the space to uses for the benefit of the community. Use of this space by the Association shall be the subject of a separate report to Council.

Also before Council was a memorandum from Rick Scobie, Director of Land Use and Development, dated July 29, 1996, which advised that further staff and applicant discussions regarding the condition of approval pertaining to the community use space has resulted in the following recommended amendment of Condition (c)(v):

- "(c)(v) register an option to lease (with the form of lease attached) by which the Owner of Site B at his own cost must construct, fit, finish and equip at least 2,500 sq.ft. of indoor space including a kitchen and washrooms and lease same together with required parking to the City for 2000 years at nominal rent. If the property is subdivided by strata plan, the lease area shall be common property (alternatively, if so determined by the City and Director of Legal Services, the leased area shall be made a separate strata lot and conveyed to the City, at no cost, with the strata plan unit entitlement to be to the satisfaction of the City Manager). The Owner shall pay the City \$500,000 (or such other sum to be

Clause No. 3 (cont'd)

determined by the City Manager according to the obligations assumed by the City under the lease or by ownership of the strata lot) the annual interest from which will be used to defray the cost of operating and programming the space. the agreement shall be drawn to the satisfaction of the City Manager and the Directors of Social Planning and Legal Services and be registered in priority over all charges which may defeat or delay these rights.

(Note: The Owner has proposed this community space in collaboration with the Fairview slopes Residents Association which feels it can put the space to uses for the benefit of the community. Use of this space by the association shall be the subject of a separate report to Council.)"

(Underlining denotes additions and changes)

The memorandum also noted that the foregoing change is irrelevant if Council chooses to pursue the approach recommended by the City Manager.

Staff Opening Comments

Mr. Rob Whitlock, Planner, advised this application involves the existing Holiday Inn site, which if approved, will allow residential and community space development of a portion of the site, which has been used for surface parking since the hotel was developed in the early 1970s.

In June 1995, Council instructed Planning staff to give a high priority to the combined public benefits of West 8th Avenue residential development and a public amenity, and disregard the increased non-conformity of the hotel.

This application has neighbourhood support, particularly due to the provision of a proposed multi-purpose space offered by the applicant, along with a \$500,000 endowment to maintain the operation.

Mr. Whitlock noted the Park Board has indicated that a cash-in-lieu payment of \$875,000 to the Park Board would be preferable, and these funds would be used to upgrade existing community facilities in either False Creek or Mt. Pleasant. This recommendation stems from the belief that the public benefit of this contribution could be lost if the intended volunteer

cont'd....

Clause No. 3 (cont'd)

community coordination is not sustained over time. The City Manager also supports this cash-in-lieu approach, which is listed for consideration in the staff report.

Mr. Whitlock also introduced a further recommended amendment to Section 5 of the draft by-law, which deletes reference to a minimum of 280 parking spaces for Site A and allows for possible mixed-use parking reductions, which are currently being reviewed by staff in consultation with the applicant's traffic consultant. The following amendment was proposed:

"THAT, the draft CD-1 By-law be amended by replacing Section 5 with:

'Off-street parking, loading and bicycle spaces must be provided developed and maintained in accordance with the applicable provisions of the Parking By-law, except that off-street parking for the multiple dwelling must be in accordance with the FM-1 provisions.'"

Applicant Opening Comments

Mr. Chuck Brook, applicant, advised this application reflects the community aspirations of achieving a community space to meet the needs of the Fairview Slopes Community.

In response to the Park Board comments, the proposed community amenity space has been reduced from 5,500 sq. ft. to 2,500 sq. ft., and the funds realized through the decrease in space will be devoted to an endowment fund, to ensure the space is not a burden on the taxpayers.

Mr. Brook indicated agreement with the direction proposed in the July 29, 1996 memorandum from Rick Scobie. However, it was proposed that the motions be amended to clarify that the maximum total direct and indirect contribution to be made by the Owner either in cash or kind under Condition (c)(v) to construct, fit, finish and equip the community space and to defray the cost of operating and programming the community space is to be \$850,000. The cash portion of the contribution of approximately \$500,000 is to be paid by the Owner to the City upon the completion and occupation of the community space.

Concern was expressed with the City Manager's recommendation of a cash-in-lieu payment of \$875,000, which is contrary to the time, good will, and expectations of the Fairview Slopes Community. This recommendation is also contrary to the direction given to staff by Council.

cont'd....

Clause No. 3 (cont'd)

Correspondence

A review of the correspondence on this application indicated the following:

- . letter supporting the application, but registering concerns about the community space;
- . 3 letters opposing the application;
- . letter expressing the need for community space in Fairview Slopes;
- . letter expressing concerns with the present condition of the parking lot.

Speakers

Mayor Owen called for speakers for and against the application. The following spoke in favour of the application, including the provision of on-site community space:

- . Lisa Christiensen, 700 Block West 8th Avenue
- . Lin Bompas, Fairview Slopes Residents Association
- . Ann Corin, 800 Block West 7th Avenue
- . Susan Ross, 700 Block West 8th Avenue.

The foregoing supported the application based on one or more of the following reasons:

- . The existing parking lot is noisy, unsafe and a nuisance to the neighbours. Development on this site is preferential to the present situation;
- . This application is the result of much work on behalf of Fairview Slopes residents, and is a win/win situation for the community, the developer and the City;
- . The Fairview Slopes community is in need of community space. At present, Fairview Slopes residents are isolated because they do not have community space, and the existing space at False Creek is too far away to meet the needs of the neighbourhood;

cont'd....

Clause No. 3 (cont'd)

- . The cash-in-lieu payment proposed by the Park Board and City Manager should not be approved. The community has worked long and hard to arrive at this proposal, which will be of no additional cost to the taxpayers;
- . Fairview Slopes is a distinct area with its own needs. It should not be grouped into the neighbouring communities of False Creek, Mt. Pleasant, or South Cambie.

Staff Closing Comments

Responding to a question from a member of Council, Mr. Whitlock advised that staff have no objection to including in the agreement referred to in Condition (c)(v), the requests from Mr. Brook that the maximum contribution for the community space be \$850,000, and the payment of \$500,000 by the owner upon completion and occupation of the community space.

Council Discussion

During discussion of this matter, Council members noted this matter had not been considered by the Park Board, so the cash-in-lieu position reflects the views of Park Board staff.

Also, Engineering staff were instructed to investigate whether this site is currently being used by tour buses, and to discuss with the applicant, an alternate site for such a use.

MOVED by Cllr. Chiavario,

THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, and subject to the proposed amendment to Section 5 of the draft CD-1 By-law, as outlined in this minute, and subject to the following proposed amendment to Condition (c)(v):

- "(c)(v) register an option to lease (with the form of lease attached) by which the Owner of Site B at his own cost must construct, fit, finish and equip at least 2,500 sq.ft. of indoor space including a kitchen and washrooms and lease same together with required parking to the City for 2000 years at nominal rent. If the property is subdivided by strata plan, the lease area shall be common property (alternatively, if so determined by the City and Director of Legal Services, the leased area shall be made a separate

cont'd....

Clause No. 3 (cont'd)

strata lot and conveyed to the City, at no cost, with the strata plan unit entitlement to be to the satisfaction of the City Manager). The Owner shall pay the City \$500,000 (or such other sum to be determined by the City Manager according to the obligations assumed by the City under the lease or by ownership of the strata lot) the annual interest from which will be used to defray the cost of operating and programming the space. the agreement shall be drawn to the satisfaction of the City Manager and the Directors of Social Planning and Legal Services and be registered in priority over all charges which may defeat or delay these rights.

(Note: The Owner has proposed this community space in collaboration with the Fairview slopes Residents Association which feels it can put the space to uses for the benefit of the community. Use of this space by the association shall be the subject of a separate report to Council.)"

- CARRIED UNANIMOUSLY

(Councillor Kennedy absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

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

- CARRIED UNANIMOUSLY

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Clarke,
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 August 2, 1996,
at 12:20 a.m.

CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK'S OFFICE

Date: September 16, 1996
Refer File: PH 326

To: Councillor Nancy Chiavario
Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Director of Land Use & Development
Rob Whitlock, Land Use & Development Division
Francie Connell, Director of Legal Services
Dave Rudberg, General Manager of Engineering Services
Vic Kondrosky, General Manager of Parks & Recreation

Subject: Special Council (Public Hearing), August 1, 1996
re: 705 West Broadway (Holiday Inn) Rezoning

Attached is an extract from the September 10, 1996 minutes of Vancouver City Council, which refers to the August 1, 1996 minutes of the Special Council Meeting (Public Hearing).

Gary MacIsaac

Gary MacIsaac
SENIOR COMMITTEE CLERK

RECORDED
PLANNING DEPARTMENT
SEP 16 1996
NUMBER <u>5-1-96</u>
REFERRED TO <u>PH 326</u>
COPY TO <u>RM</u>
ANSWER REQ'D. <u> </u>

GMacIsaac:dmy
Att.

Special letter to: Eugene H. Kwan
Barrister & Solicitor
Stikeman, Elliott
1700-666 Burrard Street
Vancouver V6C 2X8

Extract from the Minutes of the Vancouver City Council
Meeting of September 10, 1996

7. Minutes of Special Council Meeting
(Public Hearing)
August 1, 1996

Also before Council was a late distribution which suggested amendments to Application number three on pages 24 and 25 of the Minutes as follows:

MOVED by Cllr. Chiavario,

THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, and subject to the proposed amendment to Section 5 of the draft CD-1 By-law, as outlined in this minute, and subject to the following proposed amendment to Condition (c)(v):

"(c)(v) register an option to lease (with the form of lease attached) by which the Owner of Site B at his own cost must construct, fit, finish and equip at least 2,500 sq.ft. of indoor space including a kitchen and washrooms and lease same together with required parking to the City for 2000 years at nominal rent.

The maximum total direct and indirect contribution to be made by the Owner either in cash or kind to construct, fit, finish and equip the community space and to defray the cost of operating and programming the community space is to be \$850,000. If the property is subdivided by strata plan, the lease area shall be common property (alternatively, if so determined by the City and Director of Legal Services, the leased area shall be made a separate strata lot and conveyed to the City, at no cost, with the strata plan unit entitlement to be to the satisfaction of the City Manager). The cash portion of the contribution of approximately \$500,000 (or such other sum to be determined by the City Manager according to the obligations assumed by the City under the lease or by ownership of the strata lot) is to be paid by the Owner to the City upon the completion and occupation of the community space. The annual interest from this endowment will be used to defray the cost of operating and programming the space. The agreement shall be drawn to the satisfaction of the City Manager and the Directors of Social Planning and Legal Services and be registered in priority over all charges which may defeat or delay these rights.

Cont'd

705 West Broadway

BY-LAW NO. 7648

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-456(d) 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.

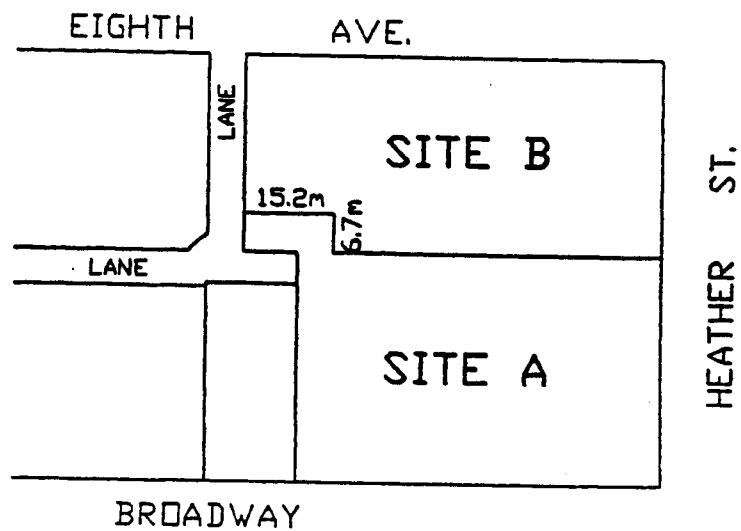
2. Uses

The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(358), 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) on Site A as shown on Diagram 1 below
 - (i) Barber Shop or Beauty Salon,
 - (ii) General Office,
 - (iii) Hall (including Casino),
 - (iv) Hotel,
 - (v) Parking Garage,
 - (vi) Restaurant,
 - (vii) Retail Store,
 - (viii) Swimming Pool,

- (ix) Theatre, and
 - (x) Accessory Uses customarily ancillary to the above uses, including common use amenity areas, and
- (b) on Site B as shown on Diagram 1 below
- (i) Dwelling Units,
 - (ii) Community Centre or Neighbourhood House,
 - (iii) Hall (not including Casino), and
 - (iv) Accessory Uses customarily ancillary to the above uses.

Diagram 1



3. Floor Space Ratio

3.1 The floor space ratio must not exceed 6.00 on Site A and, for the purpose of computing floor space ratio, the site size for Site A is deemed to be 2 794 m², being the site size at time of application for rezoning, prior to any dedications.

3.2 The floor space ratio must not exceed 2.35 for multiple dwelling uses on Site B and 0.15 for community centre, neighbourhood house or hall uses on Site B and, for the purpose of computing floor space ratio, the site size for Site B is deemed to be 2 176 m², being the site size at time of application for rezoning, prior to any dedications.

3.3 The following will be included in the computation of floor space ratio for Site A:

- (a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

3.4 The following will be excluded in the computation of floor space ratio for Site A:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
 - (i) the total area being excluded must not exceed the lesser of 20 percent of the permitted floor space or 1 000 m²; and
 - (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied of the need for the facility in the immediate neighbourhood.

- (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:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length; or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion is 3.7 m² per dwelling unit.

3.5 The Director of Planning may permit the following to be excluded in the computation of floor space ratio for Site 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;
- (b) interior public space, including atria and other similar spaces, provided that
 - (i) the excluded area must not exceed the lesser of 10 percent of the permitted floor area or 600 m²,
 - (ii) the excluded area must be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use, and

- (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

3.6 The following will be included in the computation of floor space ratio for Site B:

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

3.7 The following will be excluded in the computation of floor space ratio for Site B:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied

that there is a need for a day care facility in the immediate neighbourhood;

- (e) 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; and
- (f) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion is 3.7 m² per dwelling unit.

4. Height

The maximum building height measured above the base surface is 50.0 m on Site A and 18.0 m on Site B.

5. Off-Street Parking and Loading

Off-street parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that off-street parking for the multiple dwelling must be in accordance with the FM-1 provisions.

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

7. 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

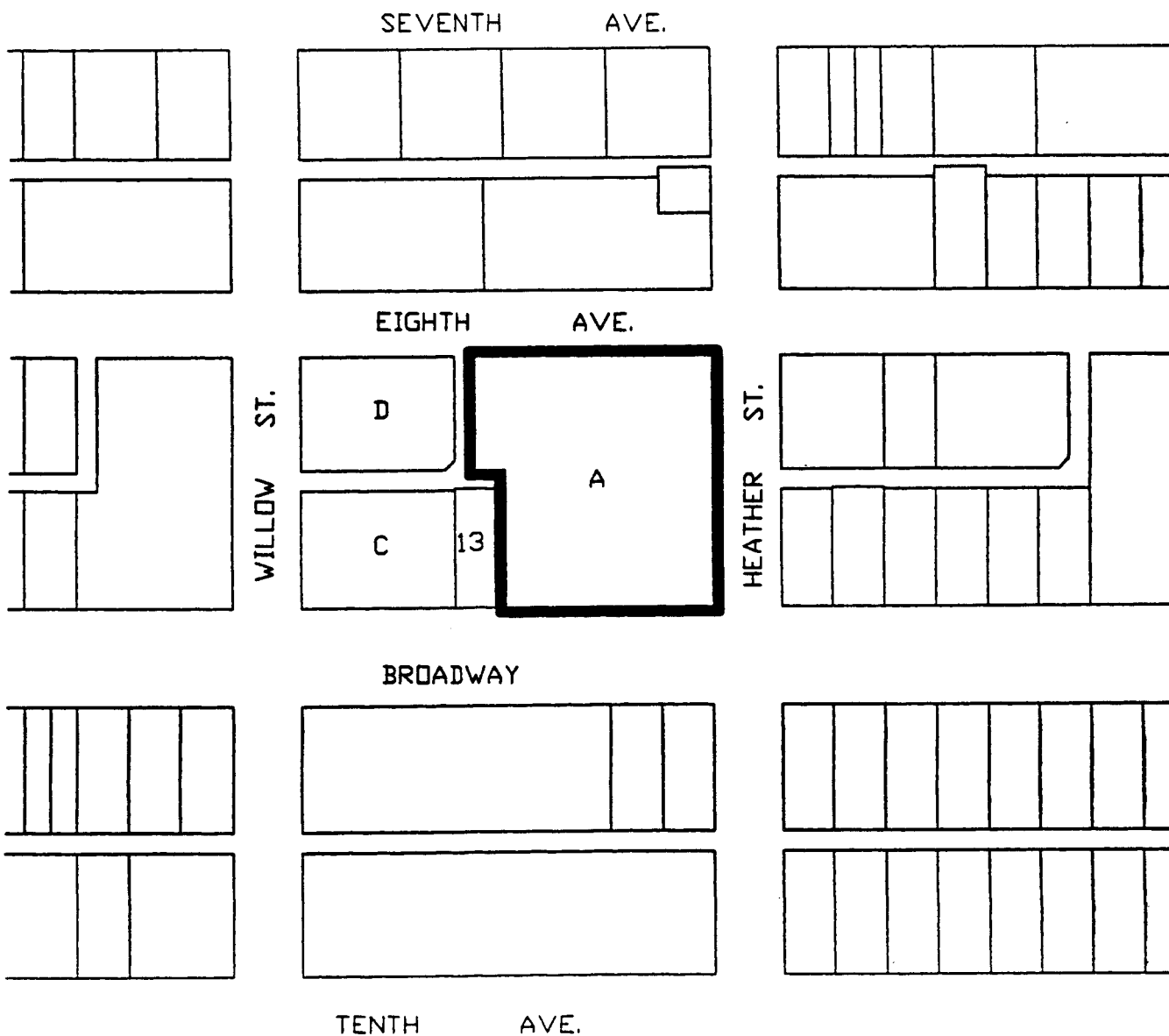
"(Signed) Maria C. Kinsella"

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 7648.

City Clerk"

BY-LAW No. 7648 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (**█**) is rezoned:
From **C-3A** To **CD-1**

Z-456(d)

RZ 705 W. Broadway

City of Vancouver Planning Department

map: 1 of 1

scale: 1:2000



BY-LAW NO. ~~7667~~

A By-law to amend
By-law No. 6510, being the
Sign By-law

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

1. Schedule E to By-law No. 6510 is amended by adding the
following:

"5104-5156 Joyce St.	CD-1(352)	7639	B(C-2C)
303 Railway Ave.	CD-1(354)	7645	B(M-2)
2725 Arbutus St.	CD-1(357)	7654	B(C-2C)
✓ 705 West Broadway	CD-1(358)	7648	B(C-3A)
245-295 Alexander St.	CD-1(361)	7652	B(M-2)"

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

DONE AND PASSED in open Council this 26th 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 26th day of November 1996, and numbered 7667.

CITY CLERK"

BY-LAWS (CONT'D)

8. A By-law to amend By-law No. 6510,
being the Sign By-law
(Sign By-law - Various Sites)

MOVED by Cllr. Price,
SECONDED by Cllr. Chiavario,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Price,
SECONDED by Cllr. Chiavario,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

-
9. A By-law to Designate Heritage
Property, and to amend By-law No.
4837, being the Heritage By-law
(Designation of 901 Seymour Street)

MOVED by Cllr. Price,
SECONDED by Cllr. Chiavario,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Price,
SECONDED by Cllr. Chiavario,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

CITY OF VANCOUVER



RECEIVED
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FAS

MEMORANDUM

FROM: City Clerk's Office **DATE:** October 16, 1997
FILE: PH348

TO: Ted Droettboom, General Manager of Community Services
Jacquie Forbes-Roberts, Director of Community Planning
Rick Scobie, Director of Land Use and Development
Judy Rogers, Deputy City Manager
Paul Teichroeb, Chief License Inspector
Jeff Brooks, Director, Community Services, Social Planning Department
Francie Connell, Director of Legal Services

SUBJECT: Reconvened Public Hearing - September 11/October 7, 1997

Attached is an extract from the minutes of the reconvened Special Council Meeting (Public Hearing) of September 11/October 7, 1997, regarding text amendments to various zoning by-laws relating to casinos in the City of Vancouver.

Subsequently, Council on October 7th at a Special Meeting immediately following the reconvened Public Hearing, adopted the Casino - Class 1 Guidelines as set out in the September 11, 1997 Public Hearing agenda package and enacted the required zoning by-laws.

Gary MacIsaac
SENIOR COMMITTEE CLERK *

GMacIsaac:dmy
Att.

Letters to: Delegations and Interested Parties

Extract from the Minutes of the Special Council Meeting
(Public Hearing) of September 11/October 7, 1997

Conflict of Interest

Councillor Sullivan was not in attendance at the Public Hearing, having earlier declared a conflict of interest with Item 1, relating to his association with charitable organizations.

1. Text Amendment: Various Zoning By-Laws (Casinos)

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

Summary: The proposed amendments to the Zoning and Development By-law, Downtown Official Development Plan, and CD-1 By-laws for 750 Pacific Boulevard and 705 West Broadway, would limit casino use. Casino - Class 1 (charity casinos with no player-operated video lottery terminals or slot machines) would be permitted as a conditional approval use in some zoning districts, subject to guidelines adopted by Council. Casino - Class 2 (non-charity casinos, and casinos with player-operated video lottery terminals or slot machines) would not be permitted.

The Director of Land Use and Development recommended approval of the application, subject to the by-laws being accompanied at time of enactment by:

- (a) an amendment to the Parking By-law as set out in the agenda package to establish parking, loading and bicycle space requirements for Casino - Class 1;
- (b) an amendment to the License By-law to establish a license fee of \$172.00 for Casino-Class 1; and
- (c) Casino - Class 1 Guidelines as set out in the agenda package to be adopted by resolution of Council.

Staff Opening Comments

Jacquie Forbes-Roberts, Director of Community Planning, advised the changes before Council are proposed in response to the recent expansion of gaming activity by the Province. This expansion includes the following:

- permitting longer hours of operation, until 2:00 a.m. for a total of 14 hours per day, 365 days per year;
- an increase to maximum betting limits up to \$500;

Clause No. 1 (cont'd)

- the development of destination casinos - major facilities including electronic and table gaming and related amenities;
- permitting the addition of up to 300 slot machines in charitable casino operations.

This expansion has, and will continue to, put pressure on existing casinos to expand and new destination or charitable casinos are likely to be proposed. The concern is that this kind of expansion of casino facilities will result in negative land use impacts. Increased gaming activity occurring in much larger facilities would result in substantially increased patronage. This in turn will result in considerably more traffic and parking impacts, as well as neighbourhood disturbance, given the longer hours of operation. There may also be increased pressure to add liquor licenses to charitable casinos.

Ms. Forbes-Roberts advised the application before Council proposes changes that address the negative land use impacts of the proposed gaming expansion. However, Council has been clear about recognizing the value of existing charity casinos and therefore staff recommend changes to the City's by-laws and guidelines which will permit the existing charitable casinos to continue to operate and relocate, if need be, to appropriate areas in the City and at a feasible size for current gaming activities.

The application before Council will achieve the following:

- limit the number of casinos to the current five;
- limit expansion of individual casinos to approximately the same size as the current largest casino in the City;
- not permit the development of destination casinos and not permit charitable casinos to have gaming activities that include player-operated video lottery terminals or slot machines.

To accomplish this, two classes of casinos would be created: Casino - Class 1 would be limited to charity casinos and could not have player-operated slot machines and VLTs. This Class would be permitted as a conditional use in all areas where charitable casinos now exist but would not be located in or adjacent to residential districts or local serving commercial areas or industrial areas not identified as 'let go'. Casino - Class 2 would not be limited to charity casinos and could have player-operated slot machines and VLTs. Consistent with Council policy, Class 2 Casinos would not be permitted anywhere in the City and, in addition, a regulation to prohibit Casino - Class 2 is included in the proposed by-law amendments.

Clause No. 1 (cont'd)

Casino - Class 1 would be permitted as a conditional approval use in all areas where they now exist. These casinos would be permitted in most areas of the Downtown (except Downtown South residential areas and the 1100 to 1300 Blocks of Granville Street which are local serving retail), the C-3A Central Broadway District, Chinatown, the three site-specific CD-1 Districts, as well as the Brewery Creek IC-3 District and along portions of Terminal Avenue, Marine Drive and Grandview Highway frontages in the FC-1 and I-2 Districts.

The proposed changes do not affect charity licenses which are granted by the Province based on need and merit. These licenses are allocated on a regional basis and not on a municipal basis.

Ms. Forbes-Roberts also reviewed a proposed time limitation on development permits for any new casino locations as well as a proposed new application procedure.

Correspondence

The following correspondence was received:

- three letters in favour of the application;
- one letter expressing concern with the rapid expansion plans being put forth;
- 12 letters expressing support for charity casinos and opposing by-law amendments which would reduce the revenue-generating capacity of charitable casinos, (one letter provided a partial list of 805 Vancouver charities which receive a portion of revenue from gaming);
- one petition containing 33 signatures opposing the application;
- one letter in support of granting new licenses to neighbourhood-size casinos, subject to limitations on ownership and size and subject to supporting infrastructure.

Speakers

Mayor Owen called for speakers for and against the application, and a total of 49 speakers addressed the Council over the course of the two meetings.

The following speakers were in favour of the proposed text amendments:

- Len Henriksson , United Church (brief on file)
- Beatrice Parton (brief on file)
- Reverend Sydney Morris
- Archdeacon Bud Raymond (Diocese of New Westminster)

Clause No. 1 (cont'd)

- Ruth Christine
- Emil Egli (Citizens Against Gambling Coalition)
- Robert Clark, B.C. Conservative Party (brief on file)
- Teresa Stewart
- Isobel Minty (brief on file)
- Bill Chu
- Richard Lipsey (brief on file)
- Jay Scott, Heritage Housing Co-op (brief on file containing 32 signatures)
- Val Anderson, MLA, Vancouver-Langara
- Raymond Schultz, Lutheran Church
- Robert Smith, Anti-Casino Coalition
- Klara Van Der Molen, (brief on file)
- Peter Mercer, Anglican Church
- Kathy White
- Hugh Dempster
- Antoinette Lebrun
- Connie Fogal, Citizens Against Gambling Coalition.

The foregoing favoured the application based on one or more of the following statements:

- Council must send a strong message to the Provincial Government that it does not support further expansion of gaming;
- The issue has been framed in a manner that encourages charity casinos to persuade the public to accept more gaming. Supporters of the application before Council are also supporters of charities, but are opposed to gambling expansion;
- The current gaming model exploits charities and is divisive to the community. Gambling should not be used as a fundamental part of the economy;
- The Provincial Government and the casino management companies are motivated by greed;
- There needs to be further dialogue and study before gaming expansion occurs to determine the cost/benefit ratio of expanded gaming. Also, comprehensive gaming legislation is required prior to expansion occurring;
- Statistics have shown that between 1-2% of gamblers in British Columbia are problem gamblers. Based on 1.5% of the population, the Lower Mainland may have 18,000 pathological gamblers at a cost of over \$700 million per year;

Clause No. 1 (cont'd)

- Council should conduct a referendum to determine the public's view on expansion of gaming;
- Gaming on Native lands should not be supported;
- If gambling expansion occurs, municipal and provincial governments must pick up the costs in terms of increased crime prevention measures, increased criminal justice expenses, and increased social work costs directed to problem and pathological gamblers and their families;
- The public is being deluded by the rosy picture painted by gambling proponents. Other areas that have permitted gambling expansion have found the gains of gambling were overstated and the potential costs have been underestimated;
- Once increased gambling is permitted, pressures from other forms of gambling will lead to a relaxation of restrictions originally designed to satisfy public concerns;
- Neighbours of the Great Canadian Casino on West Broadway experience daily numerous problems with casino patrons using "Resident Only" parking zones. In addition, noise problems occur when gamblers leave the casino in the early hours of the morning;
- The charities which are supporting gambling expansion will be discarded by the Province and the gambling industry once the gambling expansion has been completed;
- It is the families and children of pathological gamblers who suffer;
- Council must continue to show leadership in working to prevent gambling expansion in Vancouver.

The following speakers opposed the application before Council:

- Cheryl Anderson, Canadian Red Cross
- Lisa Stansfield (brief on file)
- Dr. Harold Wynne
- Lois White
- Lou Hilford, B.C. Association for Charitable Gaming
- Steve Hocevar
- Bill Work, Great Canadian Casino (brief on file)
- Jack Hutton
- Brian Wade

Clause No. 1 (cont'd)

- Johan VI Pillai
- David Craig, Northwest Wildlife Preservation
- Casino employee
- Angela Vincent
- Kathleen Doddjay, Casino Staff
- Randy Knill
- Gary Jackson, Royal Diamond Casino (brief on file)
- Len Libin, Grand Casino
- Ray Sam
- Don Whiteman
- Stan Hussey, Harbourview Electric
- Howard Blank
- Ray Marinakis
- Donald Copan
- Dr. Geraldine Schwartz, International Foundation of Learning (brief on file)
- John Dobbins
- Jacee Schaeffer, Casino Management Council
- Adrian Thomas
- Grant Okane.

The foregoing opposed the application based on one or more of the following statements:

- The gaming industry is a well-established and legitimate industry. Gaming benefits the community and Council should not instill its moral values on others;
- Charities will suffer if these changes are made. The charity casino model benefits many charities and prevention of any expansion in Vancouver will limit the ability of charities to secure additional revenues;
- The Casino industry is a good employer which provides its employees with flexible working hours, safe working conditions, decent pay and an opportunity to work in the community in which they live. The proposed amendments would halt any chance for gambling expansion, thereby removing employment and promotional opportunities from employees;
- It is impractical and unfair to local charities for Council to attempt to create an enclave in Vancouver where no gambling is permitted;
- Casinos operate in a harmonious environment where culture, race, religion and language do not matter;

Clause No. 1 (cont'd)

- **There is a need to keep gambling dollars in Canada, and not let them be spent across the U.S. border;**
- **The problem in Vancouver is not with charity casinos, but rather with illegal gambling. The City should direct its efforts at eliminating illegal forms of gambling rather than imposing rules which will prohibit a legal industry. The proposed changes will encourage more illegal gambling;**
- **The absolute prohibition of slot machines does not have a rationale basis. It implies that slots are worse than other games of chance, when in fact a person can lose larger sums of money at other legal games of chance;**
- **The Court has already ruled against the City's by-law which was intended to prohibit video lottery terminals. Despite this, the Province has compromised and is allowing slot machines only in licensed casinos;**
- **The City should meet with the Province to resolve their differences and come up with a program that will satisfy everyone. Charities are caught in the middle of this dispute;**
- **The reduction in floor space will put Vancouver casinos at an economic disadvantage compared to other Lower Mainland casinos;**
- **The effect of the proposed location restrictions will be to give a windfall to the landlords of present casinos;**
- **The addiction figures presented by delegations at this public hearing are inflated;**
- **Research indicates that the vast majority of gamblers do so responsibly. It has also been shown unlikely that continuous forms of games actually create addicts unless they are already predisposed. The abolition of VLTs and slot machines in specialized gambling venues, such as casinos, is harsh and will ultimately not resolve the issue of pathological gambling;**
- **Forms of gambling such as VLTs and slot machines should be relegated to venues specifically designed for this purpose, such as casinos rather than bars.**
- **The location restrictions fail to take into account the positive impacts that casinos have on neighbouring businesses and will lead to more problems if casinos are forced to locate in undesirable areas;**

Clause No. 1 (cont'd)

- Location restrictions in the I-2 and FC-1 districts should be amended (specific recommendation on file in City Clerk's Office);
- Small businesses which service casinos will suffer if the City places restrictions on gambling expansion;
- The restrictions on casino size should be amended to state that the gross gambling floor area should not exceed 1,500 square meters;
- The proposed parking requirements are excessive and more rigid for casinos than for other industries;
- An earlier speaker made reference to noise problems associated with the Great Canadian Casino. The casino in question has been at this location longer than many of the neighbours. The casino responded quickly to the noise complaint to the satisfaction of the City, and in doing so discovered that much of the noise was coming from patrons of a nearby Karaoke bar.

Staff Closing Comments

Ms. Jacquie Forbes-Roberts provided clarification on the following issues:

- Charity license issuance is unaffected by this Zoning and Development By-law;
- Class 1 charity casinos would be permitted in the Downtown except for all residential sub areas in Downtown South and the 1100-1300 Block Granville Street;
- Bingo and electronic bingo is not affected by these amendments.

Ms. Pat Johnston, Planner, also clarified that the parking requirement is the same standard applied to theatres, halls, auditoriums, clubs and cabarets, and is the same standard that was used when the five charity casinos were approved.

Clause No. 1 (cont'd)

Council Discussion

In discussing the application, members of Council noted many delegations had raised issues unrelated to zoning matters, and reiterated that Council was basing its decisions on matters of zoning and development and the corresponding impacts on the neighbourhood.

MOVED by Cllr. Clarke,

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

- CARRIED UNANIMOUSLY

* * * * *

705 West Broadway - Casino

BY-LAW NO. 7806

A By-law to amend
By-law No. 7648,
being a By-law which amended
the Zoning and Development By-law
by rezoning an area to CD-1

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

- 1. Section 2 of By-law No. 7648 is amended
 - (a) in clause (a)(iii) by deleting the words "(including Casino)" and substituting the words "or Casino - Class 1", and
 - (b) in clause (b)(iii) by deleting the words "(not including Casino)".
- 2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 7th day of October, 1997.

"(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 7th day of October 1997, and numbered 7806.

CITY CLERK"

705 West Broadway
(Bingo Halls)

BY-LAW NO. 7980

A By-law to amend
By-law No. 7648, being a by-law
which amended the Zoning and Development By-law
by rezoning an area to CD-1

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

1. Section 2 of By-law No. 7648 is amended in subclause (a)(iii) by deleting the words "Hall or Casino-Class 1" and substituting in their place the words "Hall, Casino-Class 1 or Bingo Hall".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 23rd day of February ,
1999.

(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 23rd day of February 1999, and numbered 7980.

CITY CLERK"

Bingo Halls

BY-LAWS (CONT'D) *New # 7979*

750 Pacific

- 3. A By-law to amend By-law No. 7592, being a by-law which amended the Zoning and Development By-law by rezoning an area to CD-1

99.02.23

MOVED by Cllr. Chiavario,
 SECONDED by Cllr. Bellamy,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Chiavario,
 SECONDED by Cllr. Bellamy,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

Bingo Halls

- 4. A By-law to amend By-law No. 7648, being a by-law which amended the Zoning and Development By-law by rezoning an area to CD-1

*New # 7980
705 N. Broadway
99.02.23*

MOVED by Cllr. Chiavario,
 SECONDED by Cllr. Daniel Lee,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Chiavario,
 SECONDED by Cllr. Daniel Lee,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY



2



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JANUARY 25, 2001

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 25, 2001, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Heritage, Zoning and Development By-laws, Official Development Plans and the Sign By-law.

PRESENT: Mayor Philip Owen

Councillor Fred Bass
Councillor Don Lee
Councillor McCormick
Councillor Gordon Price
Councillor George Puil
Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Civic Business)

Councillor Lynne Kennedy (Civic Business)
Councillor Daniel Lee (Sick Leave)
Councillor Tim Louis (Leave of Absence)

CITY CLERK'S Tarja Tuominen, Meeting Coordinator
OFFICE:

COMMITTEE OF THE WHOLE

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

"B" category, as protected heritage properties.

C. THAT Council commend the building owners for designating their properties on a voluntary basis and for participating in the Vancouver Heritage Foundation's True Colours project.

D. THAT Benjamin Moore Paints be commended for their contribution and participation in the True Colours project.

- CARRIED UNANIMOUSLY

2. Text Amendments: Miscellaneous

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

Summary: The text amendments would correct or clarify various sections of the Zoning & Development By-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law.

The Director of Current Planning recommended approval.

Staff Comments

Lynda Challis, Planner, briefly explained the application. Every few years, Planning staff propose a package of miscellaneous text amendments. The amendments are considered housekeeping in nature, with no policy implications.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Clause No. 2 (cont'd)

Speakers

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

MOVED by Cllr. Don Lee,

THAT the application by the Director of Current Planning for miscellaneous text amendments to correct or clarify various sections of the Zoning & Development by-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law be approved.

- CARRIED UNANIMOUSLY

3. Text Amendments: 1299 West Hastings Street (501 Bute Street)

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

Summary: To amend the CD-1 By-law and Coal Harbour Official Development Plan to reduce the required percentage of non-market housing and increase the allowable residential floor area.

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

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

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke, Kennedy, Daniel Lee and Louis excused from voting)

3. A By-law to amendment various Comprehensive Development District By-laws (Miscellaneous Text Amendments) By-law No. 8298

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

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

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

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke, Kennedy, Daniel Lee and Louis excused from voting)

~~4. A By-law to amend Schedule A to By-law No. 5261, being the~~

~~Central Waterfront Official Development Plan, and Schedule A to By-law No. 6650, being the False Creek North Official Development Plan (Miscellaneous Text Amendments) By-law No. 8299~~

~~MOVED by Cllr. Price,
SECONDED by Cllr. Sullivan,~~

Miscellaneous Text (CD-1)

BY-LAW NO. 8298

A By-law to amend By-laws No.
3869, 4037, 5091, 5373, 5420, 5491, 5760, 5927, 6063
6221, 6689, 6744, 6747, 7066, 7114, 7235, 7248, 7592,
7648, 7932, 8016, 8035, 8044, 8055, 8073, 8122 and 8193,
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. 3869 is amended by relettering clause 3.3(h) as clause 3.3(f).
2. By-law No. 4037 is amended in section 4.5
 - (a) in clause (a) by inserting the words "covered porches" after the word "gutters",
 - (b) in clause (b) by inserting the words "or semi-enclosed" after the word "enclosed",
 - (c) in sub-clause (b)(i) by deleting the first use of the word "and" and inserting a comma after the word "open" and inserting the words "or semi-enclosed" after the word "enclosed", and
 - (d) by adding the following new clause;

"(c) areas of undeveloped floors which are located adjacent to a storey or half storey with a ceiling height of greater than 1.2 m provided that the Director of Planning first approves the roof design."
3. By-law No. 5091 is amended by deleting the diagram forming part of section 4.1 and substituting the new diagram which, as Schedule A, is attached to and forms part of this by-law.
4. By-law No. 5373 is amended in Section 3 by deleting the period after the final word "foregoing" and substituting a semi-colon and by adding the following clause:

" - 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."

5. By-law No. 5927 is amended in Section 6 by deleting the second use of the word "parking" in the phrase "Off-street parking parking and loading".

6. By-laws No. 5420 , 5760, and 6689 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 from the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7. By-law No. 5491 is amended in Section 3.3 by deleting the period from the end of clause (c) and substituting 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-laws No. 6063 and 6221 are each amended by relocating section "4.1" from Section 3 and adding it immediately following the existing text in Section 4.

9. By-law No. 6744 is amended in Section 6.5 by deleting the period from the end of clause (j) and substituting 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."

10. By-law No. 6747 is amended in Section 7.3 by deleting the period from the end of clause (h) and substituting 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."

11. By-laws No. 7066 and 8035 are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting 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."

12. By-law No. 7114 is amended in Section 3.3 by deleting the word "and" from the end of clause (c) and by deleting the period from the end of clause (d) substituting a semi-colon followed by the word "and" 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."

13. By-law No. 7235 is amended in Section 4.3 by deleting the word "and" from the end of clause (d) and by deleting the period from the end of clause (e), substituting a semi-colon followed by the word "and" 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."

14. By-law No. 7248 is amended in Section 6.6 by deleting the existing clause (a) and substituting the following:

"(a) retail use can only be located on that portion of a storey having an elevation within 1.5 m of fronting street grade;"

15. By-law No. 7592 is amended in Table 1 by inserting the words "Bingo Hall," immediately after the words "Casino-Class 1,".

16. By-law No. 7592 is further amended in Section 6 by adding the following new clause:

"(b) No additional off-street parking will be required for individual changes of use unless and until the total number of off-street parking spaces that would otherwise be required for all uses, calculated pursuant to the Parking By-law, exceeds 807 spaces. The Director of Planning, in consultation with the City Engineer, may relax this requirement, subject to consideration of all applicable policies adopted by Council."

17. By-law No. 7648 is amended in Section 3.4 by deleting the period from the end of clause (d) and substituting 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."

18. By-law No. 7648 is further amended in Section 3.7 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f) and substituting 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."

19. By-law No. 7932 is amended in Section 4 by deleting the words "base surface" and substituting the words "finished grade around the building".

20. By-law No. 8016 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) "Dwelling Units, to a maximum of 56 units, and".

21. By-law No. 8044 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) Dwelling Units, to a maximum of 50 units, of which a minimum of 9 shall have direct exterior grade access, ".

22. By-law No. 8044 is further amended in Section 3.5 by deleting the word "and" from the end of clause (e) and by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" 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."

23. By-law No. 8055 is amended in Section 3.3 by deleting the period from the end of clause (h) and substituting 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."

24. By-law No. 8073 is amended in Section 4.3 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" 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."

25. By-law No. 8122 is amended by deleting the Schedule A map and substituting the new map which is attached to this by-law as Schedule B.

26. By-law No. 8193 is amended in Section 3.3 by deleting the period from the end of clause (d) and substituting 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."

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

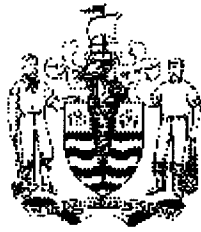
DONE AND PASSED in open Council this 20th day of February ,
2001.

(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 20th day of February 2001, and numbered 8298.

CITY CLERK"



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JULY 6/11/20, 2000

A Special Meeting of the Council of the City of Vancouver was held on Thursday, July 6, at 7:30 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. The Public Hearing was subsequently reconvened on Tuesday, July 11, and Thursday, July 20, 2000, with the same members present except for Councillor Clarke.

PRESENT: Mayor Philip Owen

Councillor Fred Bass
Councillor Jennifer Clarke (Items 1 to 3)
Councillor Daniel Lee
Councillor Don Lee
Councillor Tim Louis
Councillor Sandy McCormick
Councillor Gordon Price
Councillor George Puil
Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Conflict of Interest - Item 4)

Councillor Lynne Kennedy (Sick Leave)

CITY CLERK'S

OFFICE: Tarja Tuominen, Meeting Coordinator

Diane Clairmont, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Cllr. Louis,
SECONDED by Cllr. Don 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.

- CARRIED
UNANIMOUSLY

1. Heritage Designation and Revitalization: 211 Columbia Street

This item was cancelled.

2. Text Amendment: 711 West Broadway (Holiday Inn)

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

Summary: The CD-1 text amendment would permit expansion of the existing hotel and development of a multiple dwelling along West 8th Avenue and a community amenity space.

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

Staff Comments

Rob Whitlock, Planner, reviewed the application, noting the application would provide residential uses for a vacant parking lot area. The application proposes significant modifications to the public realm, with some townhouses. Staff have received very little opposition to the application and recommend approval subject to the conditions in the agenda.

Applicant Comments

Chuck Brook, Brook Development Planning Inc., advised the proposal is broadly supported by the community. However, the applicant is asking deferral of condition (c)(i) regarding the construction and operation of the community amenity space. The applicant is in the midst of discussions with Social Planning and Planning staff over the ownership, planning and space of the community amenity space. Mr. Brook is confident all parties will arrive at a mutually agreeable agreement for the operation of the space. The \$850,000 recommended by staff for construction and operation of the space is solid; however, the applicant would like further discussion on the \$500,000 amount for programming of the space due to increasing construction costs.

Rick Gates, Social Planner, advised he has no objection to deferral of the details on the community amenity space and agreed staff and the applicant are in the middle of negotiations. However, he is concerned there be a commitment in the zoning that the space be built.

Larry Beasley, Director of Current Planning, advised, if Council and the

applicant were amenable, condition (c)(i) could be amended to establish the upper limit of the community amenity cost at \$850,000, and asking staff to report back on the cash endowment prior to approval of the form of development, noting the endowment is intended to be approximately \$500,000.

Mr. Brook advised the applicant would be happy with the proposed amendment.

Summary of Correspondence

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

6 letters in support of the application

one letter expressing concerns

Speakers

Mayor Owen called for speakers for and against the application.

Lin Bompas, President, Fairview Slopes Community Association (letter filed), supported the application. The proposal will improve the corner and the immediate neighbourhood. The proposed community amenity space will provide much needed community space for the neighbourhood. The proposed meeting room space will help establish cohesion and an identity for the community. The Community Association is prepared to be self-sufficient in maintaining the space. The proposal provides a model that could serve other civic initiatives.

Council Decision

Council was prepared to support the application with the suggested amendment by staff regarding the community amenity space.

MOVED by Cllr. Clarke,

THAT the application by Brook Development Planning Inc. to amend the CD-1 by-law for 711 West Broadway (700 West 8th Avenue)(Holiday Inn) to permit expansion of the existing hotel and development of a multiple dwelling along West 8th 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 Brook Development Planning Inc and Davidson Yuen Simpson Architects, and stamped "Received City Planning Department - June 15, 1999," 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 provide comprehensively designed and integrated weather protection along the entire frontage of the existing hotel, extending to the maximum considered appropriate over the sidewalk, including more generous coverage at the West Broadway & Heather Street corner, for pedestrian comfort;
- (ii) design development to entire existing podium facade to better integrate and comprehensively upgrade its architectural appearance, to ensure a fully contemporary appearance;
- (iii) design development to enhance the quality and appearance of both the public sidewalk and all the materials (driving surface, walls, lighting, etc.) of the porte cochere and parkade entrance areas, to improve the public realm on Broadway and add pedestrian interest;
- (iv) consideration of design development to further set back the townhouses from West 8th Avenue to increase the livability of outdoor space associated with the townhouses;
- (v) design development to provide a layered planting strip within the inside boulevard (between the sidewalk and the property line) along West 8th Avenue and Heather street, as per joint Planning and Engineering policies for 'Special City Boulevard Treatment'. The planting strip shall be comprised of layered low planting (mature height and width not to exceed 3 ft. x 3 ft.) with a minimum 1'- 0" grass or ground cover strip adjacent to the sidewalk;
- (vi) provide bicycle racks adjacent to the entry of the Community Centre plaza;
- (vii) design development to ensure the proposed roof terrace configuration on the Landscape Plan is congruent with the terrace layout proposed on the architectural drawings, specifically, levels 2, 4 and 5;
- (viii) design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to:

- (a) reducing opportunities for theft in the underground;

Note to Applicant: This can be achieved by providing full separation of residential, commercial and casino users. This includes separate gating, elevators and exit stairs;

b) increasing safety, security and visibility in the underground in accordance with section 4.12 of the Parking Bylaw and consideration to painting the walls and ceilings white; elevator and exit stair lobbies should be glazed;

(c) reducing opportunities for Graffiti along West 8th Avenue;

Note to Applicant: Graffiti is prevalent in the Vancouver area and its removal is an expense to property owners. Opportunities for graffiti can be mitigated by reducing areas of exposed wall, by covering these walls with vines and hedges or with a protective covering. For further information contact Helen Chomolok, Graffiti coordinator at 873-7927;

(ix) that the hotel develop a tour bus traffic management plan, to the satisfaction of the General Manager of Engineering Services, to ensure that there is clear communication and understanding between Holiday Inn staff, the tour bus drivers as well as the tour companies making arrangements and organizing group tours. This management plan is to:

ensure there is a designated staff person at the Holiday Inn who is responsible for coordinating arrangements with tour companies and tour bus companies. This individual will also act as a information resource for general hotel staff and as a hotel community liaison representative for the residents in the surrounding neighbourhood to answer questions or complaints about tour bus activity at the hotel or at its restaurants and casino;

prior to the arrival of a tour group at the hotel, ensure that the tour bus company and driver have been contacted and that the following information is provided:

1. buses travel westbound on West Broadway to enter the hotel porte cochere and not make use of Willow Street to West 8th Avenue and Heather Street to gain access to the porte cochere;
2. a doorman or designated staff person shall, prior to the tour bus arrival, contact the driver for the arrival time of the bus and ensure that the porte cochere is clear of any unoccupied vehicles which cannot immediately be moved into the parkade. Tour buses must not stop for loading in the Translink bus zone in front of the hotel, or elsewhere on the street during times when stopping is prohibited;

3. the parking of tour buses is not to occur on residential streets surrounding the hotel, as this is not permitted and bus parking is not available on-site; therefore, arrangements should be made for parking of the tour bus overnight in an appropriate parking lot; and

4. all goods loading requirements must be met. Engineering Services may consider a request for on-street passenger loading if future demand warrants or problems arise, including those connected to the casino and the restaurant on the corner of Heather Street and West Broadway;

(ix) passenger and bus facilities are to be designed to the satisfaction of the General Manager of Engineering Services; and
(x) provision of adequate garbage storage and recycling facilities for this proposal, as well as improvements to the existing garbage and recycling facilities, with the intent to move all the existing garbage containers onto the site;

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

- (i) enter into an Agreement with the City of Vancouver, to the satisfaction of the Director of Social Planning and the Director of Legal Services, in which the owner, at his own cost, must construct, fit, finish and equip at least 241.54 m² (2,600 sq. ft.) of indoor space, including arrangements for operations support

through an endowment, including a kitchen and washrooms, together with required parking, and grant either a lease for the life of the building or a statutory right of way over the amenity space under such terms and conditions as determined by the Directors of Social Planning and Legal Services, at a value of at least \$850,000, and staff report back on the cash endowment prior to approval of a form of development, noting the endowment is intended to be in the order of \$500,000.

(**Note:** The owner has proposed this community space in collaboration with the Fairview Slopes Residents Association which feels it can put the space to uses for the benefit of the community. Allocation of access for the Fairview Slopes Residents Association and other community groups shall be the subject of a separate report to Council from the Director of Social Planning.)

- (ii) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for dedication of a 3.05 m x 3.05 m (10 ft. x 10 ft.) corner cut off for lane purposes on the westerly side of the site;
- (iii) clarification of the charges shown on title to the satisfaction of the General Manager of Engineering Services.

- CARRIED
UNANIMOUSLY

3. Text Amendment: 1300 Marinaside Crescent

At 8:05 p.m., Councillor Price and the Mayor declared Conflict of Interest because they live in the immediate vicinity of 1300 Marinaside Crescent. Therefore they left the Council Chamber prior to consideration of this item and did not participate in the discussion and voting for this item. Councillor Price and the Mayor did not return until the conclusion of the vote on the matter.

Deputy Mayor Puil assumed the Chair

An application by Pacific Place Developments Corp. was considered as follows:

Summary: The CD-1 and False Creek North Official Development Plan text amendments would permit a height increase for the residential tower.

The Director of Planning recommended approval of Option B subject to the conditions as set out in the agenda of the Public Hearing.

Staff Comments



**POLICY REPORT
URBAN STRUCTURE**

Date: October 10, 2002

Author/Local: Dave Thomsett/604-873-7796

RTS No. 03033

CC File No.: 5303

Council: October 22, 2002

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: 711 West Broadway (Holiday Inn) - Amendment to Rezoning Condition

RECOMMENDATION

THAT, condition (c) (i) for the CD-1 text amendment for 711 West Broadway, approved at Public Hearing on July 6, 2000, be amended to read:

"pay to the City \$850,000 to be allocated by Council for public amenities within the neighbourhood."

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

There is no policy directly related to this matter.

PURPOSE AND SUMMARY

This report recommends that a prior to enactment condition for the text amendment to the CD-1 for the Holiday Inn site at 711 West Broadway be amended from a requirement to provide an amenity space with an operating endowment to a pay-in-lieu equivalent.

BACKGROUND

At Public Hearing on July 6, 2000, Council approved an application by Brook Development

Planning Inc. to amend the CD-1 By-law for 711 West Broadway to permit expansion of a hotel, along with the development of a multiple dwelling along West 8th Avenue. The rezoning has yet to be enacted.

DISCUSSION

A condition of the rezoning is that the owner must provide a community amenity space along with an operating endowment, as follows:

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

(i) enter into an Agreement with the City of Vancouver, to the satisfaction of the Director of Social Planning and the Director of Legal Services, in which the owner, at his own cost, must construct, fit, finish and equip at least 241.54 m² (2,600 sq. ft.) of indoor space, including arrangements for operations support through an endowment, including a kitchen and washrooms, together with required parking, and grant either a lease for the life of the building or a statutory right of way over the amenity space under such terms and conditions as determined by the Directors of Social Planning and Legal Services, at a value of at least \$850,000, and staff report back on the cash endowment prior to approval of a form of development, noting the endowment is intended to be in the order of \$500,000."

The community amenity space was proposed by the owner in collaboration with the Fairview Slopes Residents Association. The allocation of community access was to be the subject of a separate report.

The association, now registered as the Fairview Slopes Community Association, has advised it does not have the capacity to operate a public facility and has asked that the contribution be accepted by the City as pay-in-lieu. Staff support the pay-in-lieu equivalent alternative.

The applicant has made a payment of \$850,000 to the City which staff are holding pending Council's decision on the condition. After enactment, when Council is able to address the community, staff would report back on the allocation of the amenity contribution, including a proposal from the association.

CONCLUSION

Staff believe the pay-in-lieu alternative is in keeping with the spirit of the condition to require a community amenity space plus an operating endowment. The total value of both elements was to be at least \$850,000. Staff recommend that the condition be amended to require a payment of \$850,000 to be allocated by Council for public amenities within the neighbourhood.

* * * * *

POLICY REPORTS

1. 711 West Broadway (Holiday Inn) - Amendment to Rezoning Condition

October 10, 2002 (File 5303)

MOVED by Councillor McCormick

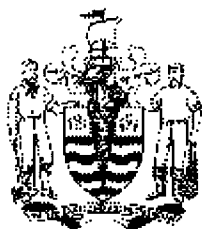
THAT, condition (c) (i) for the CD-1 text amendment for 711 West Broadway, approved at Public Hearing on July 6, 2000, be amended to read:

"pay to the City \$850,000 to be allocated by Council for public amenities within the neighbourhood."

CARRIED UNANIMOUSLY



3



CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

OCTOBER 22, 2002

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 22, 2002, at 2:00 p.m. in the Council Chamber, Third Floor, City Hall.

PRESENT:	*Mayor Philip Owen Councillor Fred Bass Councillor Jennifer Clarke Councillor Lynne Kennedy Councillor Daniel Lee Councillor Don Lee Councillor Tim Louis Councillor Sandy McCormick Councillor George Puil Councillor Sam Sullivan
ABSENT:	Councillor Gordon Price (Leave of Absence)
CITY MANAGER'S OFFICE:	Judy Rogers, City Manager
CITY CLERK'S OFFICE:	Syd Baxter, City Clerk Tarja Tuominen, Meeting Coordinator

*Denotes presence for a portion of the meeting.

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by the City Clerk.

PROCLAMATION: Poppy Week

The Mayor proclaimed the week of November 5 to 11, 2002 as Poppy week in the City of Vancouver.

BY-LAWS

MOVED by Councillor McCormick
SECONDED by Councillor Clarke

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 4 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend By-law No. 7648, being a By-law which amended the Zoning and Development By-law by rezoning an area to CD-1 (711 West Broadway [705 West Broadway]) (By-law No. 8556)

(Councillor Kennedy excused from voting on By-law 1)

711 West Broadway
(705 West Broadway)

BY-LAW NO. 8556

**A By-law to amend
By-law No. 7648,
being a By-law which amended the
Zoning and Development By-law
by rezoning an area to CD-1**

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

1. By-law No. 7648 is amended in Section 2 (b) by
 - (a) renumbering subclauses (iii) and (iv) as (iv) and (v) respectively, and.
 - (b) inserting the following new sub-clause:

" (iii) Hotel,".

2. Section 3.2 is amended by inserting immediately after the words "multiple dwelling uses on Site B" the following:

"(except that hotel use may be substituted for multiple dwelling uses on Site B to a maximum floor space ratio of 2.02)".

3. Section 5 is amended by
 - (a) numbering the existing text as Section 5.1, and
 - (b) adding the following new section:

"5.2 The Director of Planning, in consultation with the City Engineer, may utilize the provisions of Section 3.2 (Relaxation) and Section 4.1.9 (Multiple-Use Developments) of the Parking By-law.".

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

DONE AND PASSED in open Council this 22nd day of October, 2002

(Signed) "Philip W. Owen"
Mayor

(Signed) "Syd Baxter"
City Clerk

I certify that this is a true copy of By-law No. 8556 enacted by the Council of the City of Vancouver on October 22, 2002.

CITY CLERK

2. Approval of Form of Development: CD-1 - 711 West Broadway (File 2604)

MOVED by Councillor McCormick
SECONDED by Councillor Don Lee

THAT the form of development for the CD-1 zoned site known as 711 West Broadway be approved generally as illustrated in Development Application No. DE406619 prepared by Brook Development Planning Inc and Davidson Yuen Simpson Architects and stamped "received, City of Vancouver Planning Department, August 16, 2002", 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.

CARRIED UNANIMOUSLY



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)

711 West Broadway
700 West 8th Avenue

BY-LAW NO. 9973

A By-law to amend CD-1 By-law No. 7648

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

1. This By-law amends the indicated provisions and schedules of By-law No. 7648.
2. Council strikes out "705 West Broadway" wherever it appears, and substitutes "711 West Broadway and 700 West 8th Avenue".
3. Immediately before section 1, Council inserts the title "Zoning District Plan Amendment".
4. Council repeals sections 2 to 6 inclusive, and substitutes:

"Uses

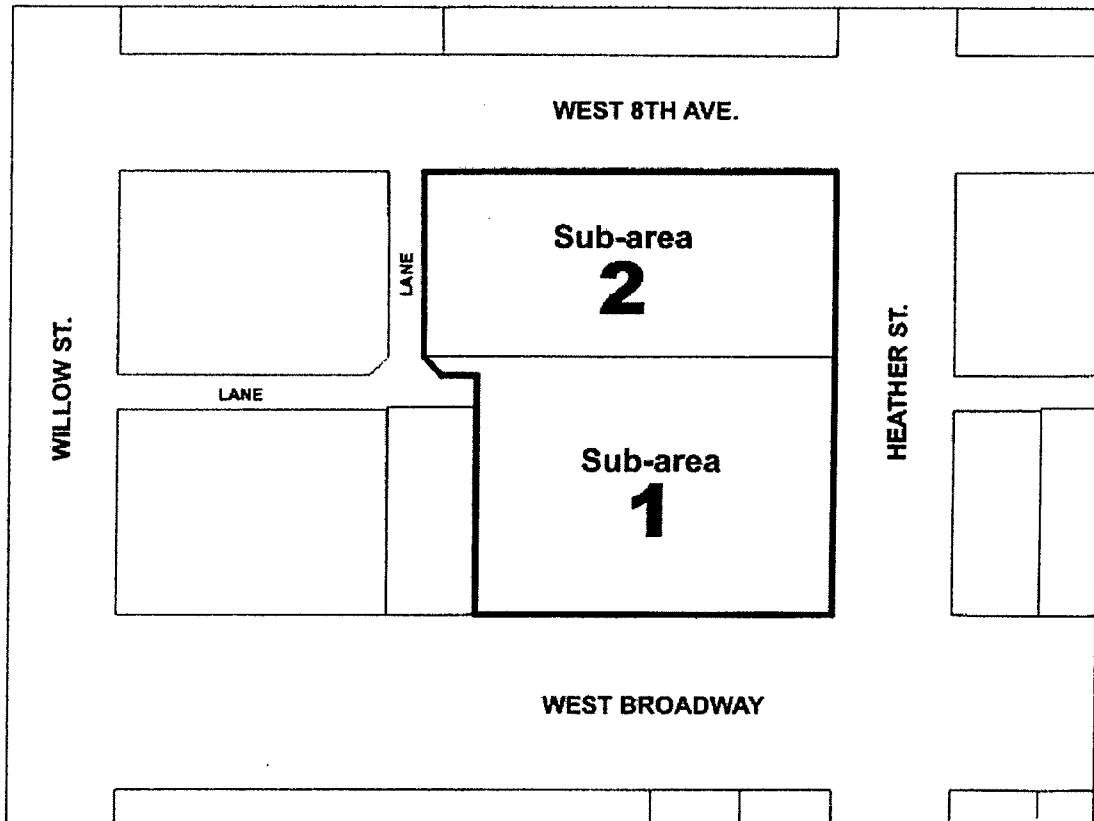
2. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (358) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Bingo Hall, Casino - Class 1, Hall, Swimming Pool, and Theatre;
- (b) Dwelling Uses, limited to Dwelling Units;
- (c) Office Uses, limited to General Office;
- (d) Parking Uses, limited to Parking Garage;
- (e) Retail Uses, limited to Retail Store;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Hotel, and Restaurant; and
- (g) Accessory Uses customarily ancillary to the uses listed in this section 2.

Sub-areas

3.1 The site is to consist of sub-areas 1 and 2 illustrated in Diagram 1.

Diagram 1



3.2 Despite section 2, Dwelling Uses are not permissible in sub-area 1.

3.3 Despite section 2, uses permissible in sub-area 2 include only:

- (a) Dwelling Uses, limited to Dwelling Units; and
- (b) Accessory Uses customarily ancillary to the uses listed in section 2.

Density

4.1 In sub-area 1, the total floor area for all uses, combined, must not exceed 16 444 m².

4.2 In sub-area 2, the total floor area for all uses, combined, must not exceed 14 847 m².

4.3 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, 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, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) in the case of dwelling uses, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

4.4 Computation of floor area must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (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, 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 at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) where floors are used for off-street loading, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used;
- (e) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;

- (g) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation, and child day care facilities, except that:
 - (i) the total area excluded must not exceed the lesser of 20% of the permitted floor space or 1 000 m², and
 - (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied of the need for the facility in the immediate neighbourhood; and
- (h) 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 is not to apply to walls in existence before March 14, 2000.

4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) interior public space, including atria and other similar spaces, except that:
 - (i) the excluded area must not exceed the lesser of 10% of the permitted floor area and 600 m²,
 - (ii) a covenant and right of way in favour of the city, which sets out public access and use, must secure the excluded area, and
 - (iii) the Director of Planning must first consider all applicable policies and guidelines adopted by Council; and
- (c) exterior courtyards enclosed on all sides that provide amenity or landscaped open space.

Building height

5.1 In sub-area 1, the building height, measured above the base surface, must not exceed 50.0 m.

5.2 In sub-area 2, the building height must not exceed the geodetic elevation of 74.95 m.

Parking, loading, and bicycle spaces

6. 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 spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

Acoustics

7. 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 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	”

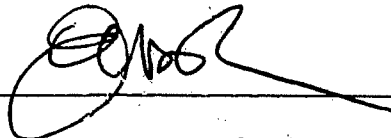
Severability

5. 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.

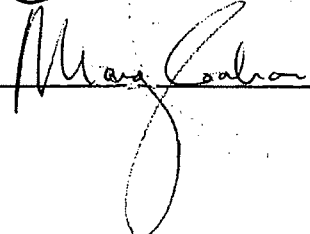
Force and effect

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

ENACTED by Council this 15th day of December , 2009



Mayor



City Clerk

7. **A By-law to amend Zoning and Development By-law No. 3575 (re 2960 - 2990 Nanaimo Street) (By-law No. 9971)**
8. **A By-law to amend Sign By-law No. 6510 (re 2960 - 2990 Nanaimo Street) (By-law No. 9972)**
9. **A By-law to amend CD-1 By-law No. 7648 (re 711 West Broadway (700 West 8th Avenue)) (By-law No. 9973)**
10. **A By-law to amend Ticket Offences By-law No. 9360 regarding snow and ice removal (By-law No. 9974)**

BY-LAWS

**MOVED by Councillor Jang
SECONDED by Councillor Deal**

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 6 and 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

Councillors Jang, Louie and Meggs rose and advised they had received a report of the Public Hearing held July 8 and 10, 2008, and that they would therefore be voting on the enactment of By-law 9.

**MOVED by Councillor Deal
SECONDED by Councillor Jang**

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 7, 8 and 9 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

- 1. A By-law to amend Water Works By-law No. 4848 regarding 2010 fee increases (By-law No. 9965)**
- 2. A By-law to amend Solid Waste By-law No. 8417 regarding 2010 fee increases (By-law No. 9966)**
- 3. A By-law to amend Sewer and Watercourse By-law No. 8093 regarding 2010 fee increases (By-law No. 9967)**
- 4. A By-law to amend Energy Utility System By-law No. 9552 regarding miscellaneous amendments and 2010 rate increases (By-law No. 9968)**
- 5. A By-law to amend Street and Traffic By-law No. 2849 regarding truck routes (By-law No. 9969)**
- 6. A By-law to authorize the borrowing of certain sums of money from January 8, 2010, to January 7, 2011, pending the collection of real property taxes (By-law No. 9970)**

9. CD-1 TEXT AMENDMENT: 711 WEST BROADWAY

An application by Gregory Henriquez, Henriquez Partners, was considered as follows:

Summary: To amend an existing CD-1 (Comprehensive Development District) to increase density on Site B (700 West 8th Avenue) from 2.35 FSR to 6.31 FSR through a density transfer from the Woodward's project and to increase height from 18 m to approximately 50 m to permit a 17-storey residential development.

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

Also before Council was a Memorandum from staff dated July 3, 2008, which addressed two issues left outstanding in the Policy Report "CD-1 Text Amendment - 711 West Broadway" dated May 27, 2008, that related to the transfer of amenity bonus density and the community amenity contribution (CAC) offered by the developer, and put forth the following proposed resolutions for Council's consideration:

"THAT the rezoning conditions in Appendix C of the Policy Report dated May 27, 2008, for 711 West Broadway be amended to include the following condition as B)(a)(vii):

Amenity Bonus Density Transfer

- (vii) secure the purchase and transfer of 6 503 m² (70,000 sq. ft.) of amenity bonus density to the site at 711 West Broadway from a suitable donor site or sites, on terms and conditions satisfactory to the Director of Legal Services;

Note to Applicant: Letter B in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City together with receipt(s) of amenity bonus density purchase(s), including the amount, sale price, and total cost of the amenity bonus density."

"THAT the rezoning conditions in Appendix C of the Policy Report dated May 27, 2008 for 711 West Broadway be amended to delete the condition titled "vi) Affordable Housing" and substitute the following condition therefore:

Community Amenity Contribution

Deliver the Community Amenity Contribution of \$1,000,000.00, which the developer has offered to the City, to be allocated to the cost of functional and streetscape improvements to the Heather Bikeway between West 7th Avenue and West Broadway;"

OR

"THAT the rezoning conditions in Appendix C of the Policy Report dated May 27, 2008 for 711 West Broadway be amended to delete the condition titled "vi) Affordable Housing" and substitute the following condition therefore:

Affordable Housing

- vi) execute agreements, satisfactory to the Director of the Housing Centre, obligating the developer to construct and convey to the City four to six dwelling units in the proposed redevelopment of the lands for affordable rental housing to be managed by a housing co-operative under agreement with the City, on the following basis:
 - A. the developer's in-kind community amenity contribution of \$1,000,000.00 towards the cost to construct these units be accepted by the City; and
 - B. the City will fund the balance of the cost to construct these units, provided the balance does not exceed \$300,000.00, the source of funds to be the subject of a further report to Council."

Staff Comments

Michael Naylor, Planner, provided an overview of the application and, together with Brent Toderian, Director of Planning, Rob Whitlock, Senior Housing Officer, and Wali Memon, Parking Policy & Development Engineer, responded to questions.

Applicant Comments

Gregory Henriquez, Henriquez Partners, responded to questions.

Summary of Correspondence

Council received eight emails expressing opposition to the application since the date the application was referred to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Elliot Richman
James Balderson
Sunny Mo
Arlene Olson
Doug Bencze
Tom Wilson
Sharon Tomlinson
Darryl Wallin, Heritage Housing Co-op (*petition on file*)

Renee Shen
Dale Scott
Lynne McClintick
Eiichiro Ochiai
Pierre Claveau
Ron Sterne
Debbie Bowman
Jill MacLaughlan
Cate Simpson
Gerry Altman
Nola Tonkin
Rob Leeson
Lisa Kosod
Violeta Akopian
Dennis Williams
Richard Dauphinee
Jonathon Barlow
Semiral Tuncer
Sharon Crawford

Staff, together with Mr. Henriquez and Ian Gillespie, Westbank Projects Corp., responded to questions regarding concerns raised by the foregoing speakers.

Applicant Closing Comments

The applicant provided closing comments.

Council Decision

MOVED by Councillor Stevenson

THAT discussion and decision on the application by Henriquez Partners, on behalf of Westbank Projects Corporation and Peterson Investment Group, to amend the CD-1 By-law to increase the density on the site at 700 West 8th Avenue, be referred to the next Regular Council meeting on Tuesday, July 22, 2008, as Unfinished Business.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Anton

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JULY 8 AND 10, 2008

CITY OF VANCOUVER

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 8, 2008, 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 sign by-laws and heritage by-laws. Subsequently, the meeting was recessed and reconvened on Thursday, July 10, 2008, at 7:30 p.m. in the Council Chamber. The Minutes are consolidated for ease of reference.

PRESENT:

Mayor Sam Sullivan*
 Councillor Suzanne Anton
 Councillor David Cadman
 Councillor Kim Capri
 Councillor George Chow
 Councillor Heather Deal
 Councillor Peter Ladner
 Councillor B.C. Lee
 Councillor Tim Stevenson

ABSENT:

Councillor Elizabeth Ball (Sick Leave)
 Councillor Raymond Louie (Leave of Absence)

CITY CLERK'S OFFICE:

Tina Hildebrandt, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
 SECONDED by Councillor Lee

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Ladner in the Chair, to consider proposed amendments to the zoning and sign by-laws and heritage by-laws.

CARRIED UNANIMOUSLY
 (Mayor Sullivan absent for the vote.)

1. SIGN BY-LAW AMENDMENTS

An application by the Director of Licenses and Inspections was considered as follows:

Summary: To update definitions and general prohibitions, and to authorize relaxations for special events.

BY-LAWS

Deputy Mayor Jang noted that By-law 10 had been withdrawn at the request of staff.

MOVED by Councillor Cadman

SECONDED by Councillor Meggs

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1 to 9 and 11 to 17 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY AND BY-LAW 9
BY THE REQUIRED TWO-THIRDS MAJORITY

1. **A By-law to designate a Business Improvement Area in that area of the City known as Chinatown (By-law No. 9999)**
2. **A By-law to designate a Business Improvement Area in that area of the City known as Commercial Drive (By-law No. 10000)**
3. **A By-law to designate a Business Improvement Area in that area of the City known as Downtown Vancouver (By-law No. 10001)**
4. **A By-law to designate a Business Improvement Area in that area of the City known as Strathcona (By-law No. 10002)**
5. **A By-law to grant money for a Business Promotion Scheme in the Chinatown Business Improvement Area (By-law No. 10003)**
6. **A By-law to grant money for a Business Promotion Scheme in the Commercial Drive Business Improvement Area (By-law No. 10004)**
7. **A By-law to grant money for a Business Promotion Scheme in the Downtown Vancouver Business Improvement Area (By-law No. 10005)**
8. **A By-law to grant money for a Business Promotion Scheme in the Strathcona Business Improvement Area (By-law No. 10006)**
9. **A Heritage Taxation Exemption By-law for 208 East Georgia Street (By-law No. 10007)**
10. **A By-law to amend CD-1 By-law No. 8131 (re 1980 Foley Street) - WITHDRAWN**
11. **A By-law to amend CD-1 By-law No. 7648 regarding a minor housekeeping matter (re 711 West Broadway, 700 West 8th Avenue) (By-law No. 10008)**

711 West Broadway
700 West 8th Avenue

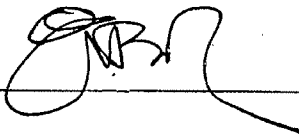
BY-LAW NO. 10008

**A By-law to amend CD-1 By-law No. 7648
regarding a minor housekeeping matter**

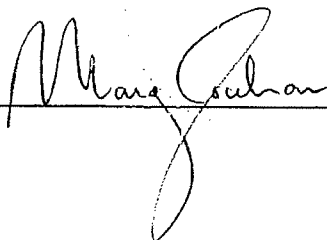
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of By-law No. 7648.
2. In the final section of the By-law, Council strikes out "7" and substitutes "8".
3. 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.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 2nd day of March, 2010



Mayor



City Clerk

Council Decision

MOVED by Councillor Louie

~~THAT the application to amend the Southeast False Creek Official Development Plan to increase the maximum floor area to include additional density already approved through various Comprehensive Development (CD-1) rezonings, generally as set out in Appendix A, to the Policy Report, "Amendments to the Southeast False Creek Official Development Plan Regarding Floor Area and to the Parking By-law", dated April 7, 2010, be approved.~~

~~CARRIED UNANIMOUSLY~~

6. TEXT AMENDMENT: 711 West Broadway

An application by Robert Salikan, Salikan Architecture, Inc., was considered as follows:

Summary: To amend Comprehensive Development (CD-1) #358 to expand the range of uses permitted in the existing hotel complex.

The Director of Planning recommended approval.

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Cadman

THAT the application, by Salikan Architecture Inc. to amend CD-1 #358 (By-law No. 7648) to permit Health Care Office use and to add other uses that are consistent with the surrounding C-3A District Schedule, generally as presented in Appendix A, to the Policy Report, "CD-1 Text Amendment - 711 West Broadway", dated April 6, 2010; be approved.

CARRIED UNANIMOUSLY

* * * * *

At this point in the proceedings Council agreed to vary the order of the agenda in order to deal with By-laws 1 and 2.

* * * * *

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Deal

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 related to items 1 through 6.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT Council enact the by-laws before them for this meeting as number 1 and 2 and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to adopt the Development Plan regarding greenhouse gas emissions reduction as an Official Development Plan (By-law No. 10041)
2. A By-law to amend CD-1 By-law No. 7648 re 711 West Broadway and 700 West 8th Avenue (By-law No. 10040)

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the zoning, official development plan, sign and heritage by-laws.

CARRIED UNANIMOUSLY

711 West Broadway
700 West 8th Avenue

BY-LAW NO. 10040

A By-law to amend CD-1 By-law No. 7648

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

1. This By-law amends the indicated provisions of By-law No. 7648.
2. Council repeals section 2 and substitutes:

“Uses

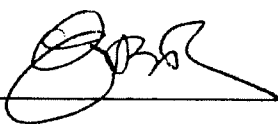
2. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (358) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Bingo Hall, Bowling Alley, Casino - Class 1, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, Rink, Swimming Pool, and Theatre;
- (b) Dwelling Uses, limited to Dwelling Units;
- (c) Institutional, limited to School- University or College;
- (d) Office Uses, limited to Financial Institution, General Office, and Health Care Office;
- (e) Parking Uses, limited to Parking Garage;
- (f) Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store except for Small-scale Pharmacy, and Retail Store;
- (g) Service Uses, limited to Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Hotel, Laboratory, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant, School - Business, School - Vocational or Trade, and Sign Painting Shop; and
- (h) Accessory Uses customarily ancillary to the uses listed in this section 2.”

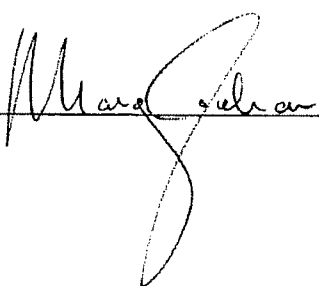
3. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

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

ENACTED by Council this 18th day of May, 2010



Mayor



City Clerk