



City of Vancouver *Zoning and Development By-law*

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

CD-1 (407)

1055 West 41st Avenue

By-law No. 8369

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

Effective July 26, 2001

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

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

2 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (407), 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) Community Care Facility - Class B, [9674; 08 06 24]
- (b) Seniors Supportive or Assisted Housing, and [8824; 04 04 06]
- (c) Accessory Uses customarily ancillary to the above uses.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 0.90. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 16 180 m², being the site size at time of application for rezoning, prior to any dedications.

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

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

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens for residential purposes only, 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 shall 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 shall not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors 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;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
- (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.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8369 or provides an explanatory note.*

4 Height

4.1 The maximum building height measured above the base surface is 9.2 m subject to the relaxation of limitations on building height set out in Section 10.11.1 of the Zoning and Development By-law.

4.2 The Director of Planning may, for any building, permit a decorative roof, which may include items referred to in Section 10.11.1 of the Zoning and Development By-law, to exceed the maximum height otherwise specified in this By-law, provided that

- (a) the Director of Planning is satisfied that the roof enhances the overall appearance of the building, and appropriately integrates mechanical appurtenances,
- (b) the roof does not add to the floor area otherwise permitted, and
- (c) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

5 Setbacks

The minimum setback of a building 6.0 m from the west property boundary.

6 Off-street Parking and Loading

6.1 Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 113 off-street parking spaces must be provided.

6.2 The Director of Planning, on the advice of the City Engineer, may grant relaxation in the requirements of section 6.1 where he is of the opinion that such relaxation will not adversely impact surrounding developments and residents or the parking needs of staff or residents of or visitors to the site.

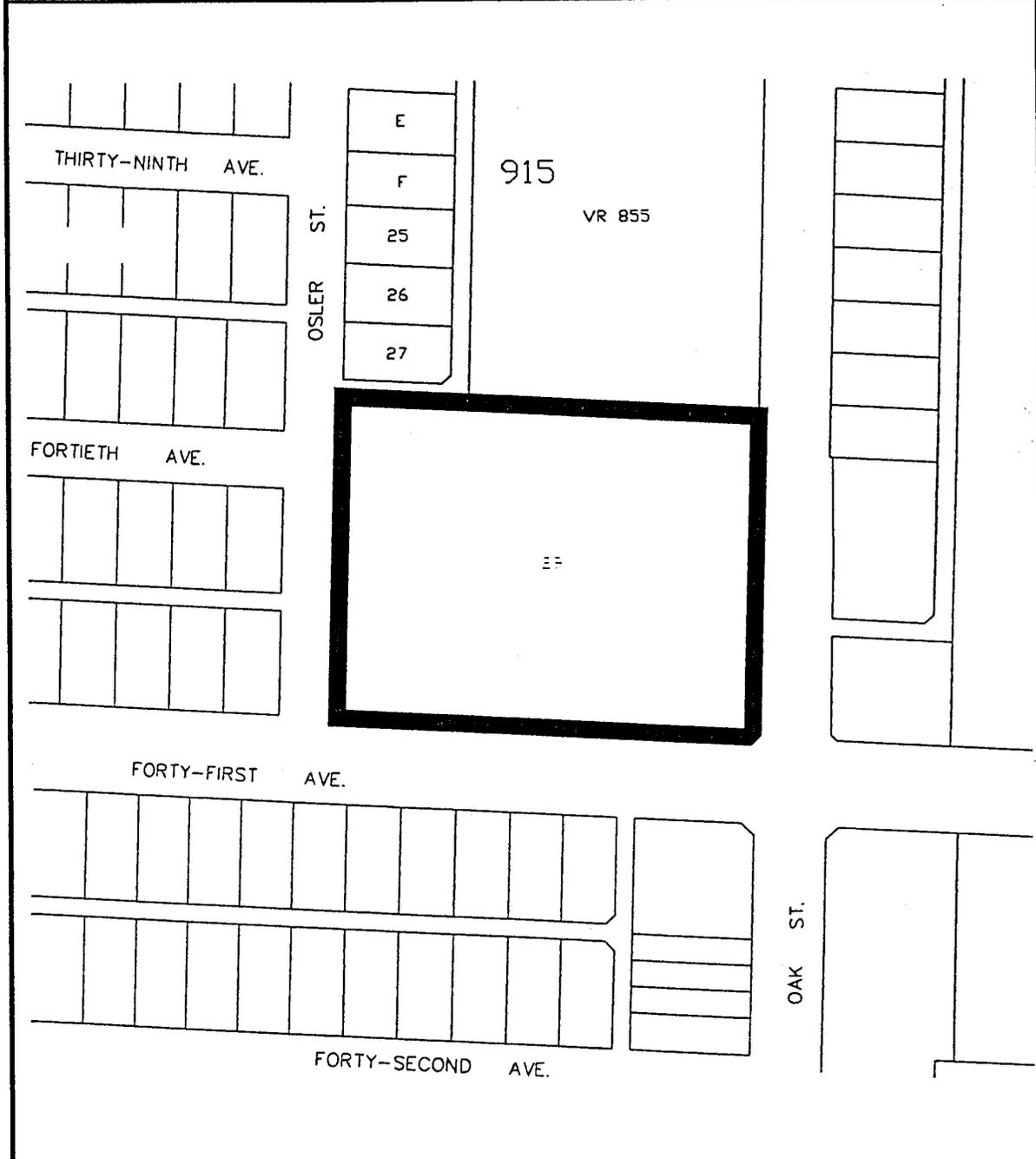
7 Acoustics

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 the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

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

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

By-law No. 2369 being a By-law to amend By-law No. 3575
 being the Zoning & Development By-law



The property outlined in black (**█**) is rezoned:
 From **RS-5** to **CD-1**

Z-513

RZ - 1055 West 41st Avenue	map: 1 of 1	
	scale: 1:2000	
City of Vancouver		



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JULY 25, 26 and 27, 2000

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 25, 2000, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider Heritage Revitalization Agreements and proposed amendments to the Heritage and Zoning and Development By-laws and the False Creek North Official Development Plan. Subsequently the meeting was recessed, and reconvened in the Council Chamber, at 7:30 on Wednesday, July 26 and Thursday, July 27, 2000, with the same members present. Minutes have been consolidated for ease of reference.

PRESENT: Mayor Philip Owen

Councillor Fred Bass
 Councillor Lynne Kennedy
 Councillor Daniel Lee
 Councillor Don Lee
 Councillor Tim Louis
 Councillor McCormick
 Councillor Gordon Price
 Councillor George Puil
 Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Leave of Absence)

CITY CLERK'S Denise Salmon, Meeting Coordinator (July 25)
OFFICE: Tarja Tuominen, Meeting Coordinator (July 26 and 27)

COMMITTEE OF THE WHOLE

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

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider Heritage Revitalization Agreements and proposed amendments to the Heritage and Zoning and Development By-laws and the False Creek North Official Development Plan.

- CARRIED UNANIMOUSLY

6. Rezoning: 1055 West 41st Avenue (Louis Brier Home & Hospital)

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

Summary: Rezoning to permit expansion (20 multi-level care beds and 40 congregate housing units) for the existing Louis Brier Home & Hospital.

The Director of Current Planning recommended approval subject to the conditions set out in the agenda before Council this evening.

Staff Comments

Lynda Challis, Planner, provided an overview of the application and advised the increased FSR would allow for additional housing opportunities for our aging population, and a continuum of care to allow residents to age in place. Ms. Challis advised an issue between the architect and city staff is the location of the entrance lobby to the congregate housing -- the architect favours the Osler Street entrance whereas staff recommend relocation to 41st Avenue. To address residents' concerns regarding traffic and parking, the applicant has proposed a member of Louis Brier Home and Hospital staff be appointed to serve as a Neighbourhood Traffic Coordinator to work with the community to resolve related issues.

Applicant Comments

Jerry Doll, Architect (brief filed), and Hershie Porte, of the Louis Brier Board of Directors requested Council consider deletion of Item (b) (iv) of staff's conditions related to the entrance lobby to congregate housing from Osler Street and replacement of the entry ramp and stairs with soft landscaping. Mr. Porte provided an overview of the services provided by the Louis Brier Home & Hospital over the last half century, and noted the project will provide badly needed additional accommodation for the elderly of the community.

Summary of Correspondence

Council was advised 108 letters in support of the application, 2 letters opposed, and 1 other were received since the date the application was referred to Public Hearing.

Additional correspondence received subsequently is on file in the City Clerk's Office.

Speakers

Mayor Owen called for speakers for and against the application.

The following delegations spoke in support of the application, and their comments are summarized below:

Maurice Benyaer
Michael Geller
Gail Butt
Arnold Selwyn
Sylvia Gurstein
Rita Akselrod

Gillian Watson-Donald, Seniors Advisory Committee
 Len Korsel
 Lee Simpson, President, Board of Directors, Brier Home & Hospital
 Dave Howard
 Karl Taussig, Vice-chair, Special Advisory Committee on Seniors
 Lucian Liberman
 Dr. Larry Rossoff
 David Herman
 Dr. Robert Krell
 A.C. Kornfeld
 Mark de Weerd
 Dr. Brahm Lermer
 Bernie Reed
 Howard Johnson, President, Denominational Health Association
 Len Hyman
 Harry Lipetz
 Gary Segal
 Sylvia Hill
 Miriam Bromberg
 Bob Willmot
 Judy Oberlander, Vice President, Community Development, Jewish Federation of

Greater Vancouver

Sheldon Chandler
 Yale Chernoff
 Myriam Bayerthal
 Max Propp
 Dessa Sadovnick
 Aron Sadovnick
 Josephine Mallek
 Jerry Chang
 Louis deVries
 Gail Wynston
 Nassa Selwyn

approve the application, but not item (b) (iv), as it is important that the pedestrian access be off of Osler Street;
 the Board of Louis Brier is concerned with the growing numbers on the wait list; Council is urged to support the application;
 the building is well designed, fits into the community, and conforms with the Oakridge Langara policy statement;
 limited restricted parking for residents on Osler Street would resolve some of the area residents' concerns;
 the proposed expansion will be an invaluable asset to the city; providing comprehensive services, quality of care and innovative programs, with a well thought out design;
 the separate entrance to the congregate housing unit off Osler Street is very important; seniors want their independence and a residential style housing, with its own residential entrances makes the transition to a personal care home easier;
 the proposed expansion will offer affordable assisted housing for seniors;
 the proposal will offer a quality of life for seniors who can no longer look after themselves, with access to a Jewish environment;
 the environment at Louis Brier offers a sense of security and comfort for residents, surrounded by traditions and familiar language;
 Louis Brier is the only Jewish facility west of Winnipeg to provide a traditional environment for the residents;

people wish to remain in their community and have their needs met in a supportive home environment;

Osler Street is generally very quiet, with little traffic and few parking problems.

The following speakers were opposed to the application, and their comments are summarized below:

Sheila Midley
 Bob Woods
 M. Eleanor Urquhart
 Beryl Major
 Marianne Stone
 Osborne Shaw
 William Urquhart
 Shirley Klassen
 Betty Dewar
 William Elliot
 Edward Lai (brief filed)
 Stella Lai

the neighbours feel the zoning should not be changed from residential to CD-1; the expansion should be more neighbourhood friendly, i.e. more residential type of buildings;
 the rezoning should be deferred to allow more consultation with neighbours;
 the expansion of Louis Brier should be relocated to Oak Street; if not, the staff decision to delete locating the entry to the congregate housing units off Osler Street should be supported;
 traffic problems and hazards in the immediate area have not been properly assessed;
 all streets and lanes in the neighbouring area are vulnerable to traffic and service and delivery trucks bringing deliveries to the various facilities located in the area;
 ever expanding institutions and facilities need to be spread out throughout the city;
 request staff make specific changes to meet the needs of neighbours as well as Louis Brier.

Staff advised relocation of the expansion to the Oak Street side would require the demolition of the existing buildings and relocation of present residents. In addition, northbound traffic on Oak Street would not be able to access the site.

Ray Spaxman, Spaxman Consulting Group Limited, (brief filed) advised he had been asked by the area residents to review the proposal for Louis Brier Home and Hospital. Mr. Spaxman provided comments on the proposed zoning and building and suggested the following changes: removal of the low wall and iron railing along Osler Street; a setback of 24 feet; the proposed additions should be reduced to no more than two and a half storeys in height; landscaping to emphasize the separate building elements; and amending Appendix B - "Proposed Conditions of Approval": removing the word "Minor" in the introduction; and inserting after "...residential building character", "more in scale and proportion with the surrounding single family housing".

Applicant Closing Comments

Jerry Doll advised the applicant is willing to work with all parties during the development permit process. Regarding Mr. Spaxman's comments, he is only looking at the single perspective of making the expansion neighbourly, not at program requirements. Moving the development to Oak Street would be very expensive and very slow. Mr. Doll

urged Council to support the Osler Street pedestrian entrance but requested no further amendments to the wording of the conditions.

Staff Closing Comments

Mr. Beasley reiterated the application has had an extensive community process. Documents have been made available to the neighbourhood for a long time. Staff will continue to strive to build more neighbourliness.

Ms. Challis reported there has been a lot of outreach with the community. Staff, with the applicant, have tried to balance design issues with the building program. The form of development will continue to evolve. Regarding the location of the development, demolition of the existing facility is not to the public benefit. The proposed traffic management plan will address traffic concerns. Staff will continue to work with the neighbourhood during the development permit stage to achieve the neighbourliness they are seeking. In addition, staff have prepared the following possible additional resolution to address traffic concerns, circulated as a yellow memo, for Council's consideration:

THAT between 6 and 12 months following occupancy of the congregate housing and added care beds, Engineering Services will review the effectiveness of the Traffic Management Plan in consultation with Louis Brier's Traffic Coordinator and residents incurring impacts and, further, will work with the applicant to take steps as necessary to remedy residents' concerns, at the expense of the applicant.

Council Decision

During discussion, Council supported the retention of the Osler Street entrance for the congregate housing unit. Council also supported the additional resolution to address traffic concerns circulated on the yellow memorandum, and Mr. Spaxman's suggestions regarding the removal of the low wall and iron railing and the changes to the proposed conditions of approval.

MOVED by Cllr. Bass,

THAT the applicant engage in a series of at least three meetings during the development permit process involving the applicant, the applicant's architect, a South Shaughnessy Neighbourhood Association representative, the Association's appointed consultant, and representatives from the City Planning department, who will schedule the meetings.

-LOST

(Councillors Daniel Lee, Don Lee, McCormick, Price, Puil, Sullivan and the Mayor opposed)

MOVED by Cllr. Louis,

A. THAT the application by Neale Staniszki Doll Adams Architects to rezone 1055 West 41st Avenue (Louis Brier Home & Hospital) to permit expansion (20 multi-level care beds and 40 congregate housing units) for the existing Louis Brier Home & Hospital, be approved, subject to the following conditions:

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Neale Staniszki Doll Adams Architects, and stamped "Received City Planning Department, December 22, 1999", provided that the Director of Planning may allow 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 achieve a more residential building character, in scale and proportion with the surrounding single family housing, with variations in the massing, materials, dormers, windows and colour, noting that these changes would not result in any reduction of units or a physical break-up of the building;

(ii) design development to achieve setbacks to the streets similar to surrounding housing;

(iii) design development to achieve street edge landscape treatment compatible with neighbouring properties (comparable to RS-5) and provide public exposure to on-site front yard open space;

(iv) design development, generally in accordance with draft congregate housing guidelines, to:

provide laundry facilities for the use of the residents of the congregate housing units;
provide usable and accessible storage for large personal items belonging to residents of the congregate housing units;

provide bathrooms designed to accommodate mobility aids;

ensure that the building's life safety systems provide a safe environment for its residents of the congregate housing units, by taking into account the eventual change in their mental and physical state;

(v) design development to take into consideration, the principles of Crime Prevention Through Environmental Design (CPTED) having particular regard to:

reducing opportunities for theft in the underground parking. Exit stairs should not be visible to the street or lane;

Note to Applicant: Clarification is required regarding gating of the underground. Elevation plans indicate gating, main floor plans do not.

increasing safety and visibility in the underground in accordance with section 4.12 of the Parking By-law and giving consideration to painting the walls and ceiling white;

Note to Applicant: Elevator lobbies and exit stairs should be partially glazed for visibility.

reducing opportunities for break and enter to the ground floor;

Note to Applicant: Design (stone faced wall and metal picket fence) and landscaping should be visually permeable allowing a combination of privacy and natural views.

(vi) design development to provide a layered planting strip within the inside boulevard (between the sidewalk and the property line) along Osler 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 one foot grass or ground cover strip adjacent to the sidewalk;

(vii) relocation of transplanted trees on site, as noted in the Arborist Report;

Note to Applicant: If any trees cannot be transplanted on site, contact the Park Board to inform that the trees are available for transplanting elsewhere.

(viii) provision of written confirmation that a Certified Arborist will be retained for site

supervision during the excavation around the two Western Red Cedars to be retained on Osler Street;

(ix) retention of greater portions of the mature cedar hedge along Osler Street in locations that provide a buffer to adjacent houses and do not screen open space from public view; and

(x) provision of additional permanent seating adjacent to the main entry and in the "figure eight" walking path;

(xi) removal of the low wall and iron railing along Osler Street.

(c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

(i) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for:

(1) clarification of all charges registered in the Land Title Office against title to the lands (a charge summary, including copies of all charges, must be provided) and the modification, extension or release of any charges deemed necessary by the Director of Legal Services;

(2) upgrading of the City water system to meet the fire protection demands of the development;

(3) provision of a sidewalk on the east side of Osler Street for the length of the site;

(ii) make suitable arrangements, to the satisfaction of the General Manager of Engineering Services, for:

(1) all new electrical and telephone services to be undergrounded within and adjacent the site from the closest existing suitable service point including a review of overhead plant upgrading that may be necessary to serve this project in order to determine its impact on the surrounding neighbourhood (this may result in the telephone and/or electrical service points being changed in order to reduce the impact on the neighbourhood);

(2) provision of a Transportation Management Plan to address impacts of traffic on the surrounding neighbourhood;

(iii) make suitable arrangements, to the satisfaction of the General Manager of Engineering Services and the General Manager of the Park Board, for the provision of street trees on Osler Street where space permits;

(iv) register a legal agreement against title to the lands in a form satisfactory to the Director of Legal Services, providing that the owner of the rental congregate housing development shall not strata-title any of the units; and

(v) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for dedication of a portion of the site adjacent Oak Street for road (1.83 m north from West 41st Avenue for 90 m and then a varied amount that tapers from 1.83 m to nil an additional 54.9 m further north) and a 3.0 x 3.0 m corner cut-off at the south-east corner of the site (measured from the dedication line) and the registration of a statutory Right-of-Way against title to the lands to accommodate

pedestrians on a relocated city sidewalk if and when Oak Street is widened. This will result in the preservation of the existing trees adjacent the east property line of the site that would be affected by the widening.

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

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

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

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

B. THAT between 6 and 12 months following occupancy of the congregate housing and added care beds, Engineering Services will review the effectiveness of the Traffic Management Plan in consultation with Louis Brier's Traffic Coordinator and residents incurring impacts and, further, will work with the applicant to take steps as necessary to remedy residents' concerns, at the expense of the applicant.

- CARRIED UNANIMOUSLY

The Special Council recessed at 10:00 p.m. on Tuesday, July 25,
at 10:00 p.m. on Wednesday, July 26, and
adjourned at 11:55 p.m. on Thursday, July 27, 2000.

* * * *



Comments or questions? You can send us [email](#).

CITY HOMEPAGE

GET IN TOUCH

COMMUNITIES

SEARCH

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ADMINISTRATIVE REPORT

Date: July 17, 2001
Author/Local: J. Baxter/6656
RTS No. 02123
CC File No.

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: Form of Development: 1055 West 41st Avenue

RECOMMENDATION

THAT the form of development for the CD-1 zoned site known as 1055 West 41st Avenue be approved generally as illustrated in the Development Application Number DE405610, prepared by Neale Staniszki's Doll Adams Architects and stamped "Received, City Planning Department March 9, 2001", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

There is no applicable Council policy except that Council did approve in principle the form of development for this site when the rezoning was approved, following a Public Hearing.

PURPOSE

In accordance with Charter requirements, this report seeks Council's approval for the form of development for the above-noted CD-1 zoned site.

BACKGROUND AND SITE DESCRIPTION

At a Public Hearing on July 27, 2000, City Council approved a rezoning of this site from RS-5 (One-Family Dwelling District) to CD-1 (Comprehensive Development District) to allow for the proposed addition to the Louis Brier Home and Hospital. Council also approved in principle the form of development for these lands. The CD-1 By-law is before Council today for enactment.

The site is located on the northwest corner of West 41st Avenue and Oak Street. The site currently accommodates the existing Louis Brier Home and Hospital, a 2-storey care facility with surface parking for 82 vehicles. The primary vehicular access is from West 41st Avenue, with access to loading from an existing service driveway off Osler Street. The site and surrounding zoning are shown on the attached Appendix 'A'.

Subsequent to Council's approval of the CD-1 rezoning, the Development Permit Board approved Development Application Number DE405610. This approval was subject to various conditions, including enactment of this CD-1 By-law and Council's approval of the form of development. The latter conditions are two of the few outstanding prior to permit issuance.

DISCUSSION

The proposal involves the construction of a 3-storey, Special Needs Residential Facility addition atop one level of underground parking at the west side, and a staff room addition at the north side of the second floor of this existing 2-storey, 216 bed, care facility home and hospital. The development will provide a total of 114 off-street parking spaces.

The approval by Council of the CD-1 rezoning contained a design development condition to retain portions of the existing mature hedge on the west side of the site, along Osler Street. Following consultation between neighbourhood representatives and the applicant, it was concluded that removal and replacement of the hedge with a variety of plantings would be more consistent with the surrounding residential landscape character and beneficial to both the adjacent neighbours and to the proposed development.

The proposed development has been assessed against the CD-1 By-law and responds to the stated objectives.

Simplified plans, including a site plan and elevations of the proposal, have been included in Appendix 'B'.

CONCLUSION

The Development Permit Board has approved Development Application Number DE405610, subject to various conditions to be met prior to the issuance of the development permit. One of these conditions is that the form of development first be approved by Council.

* * * * *

General Mgr./Dept. Head:



Date: 07/17/01

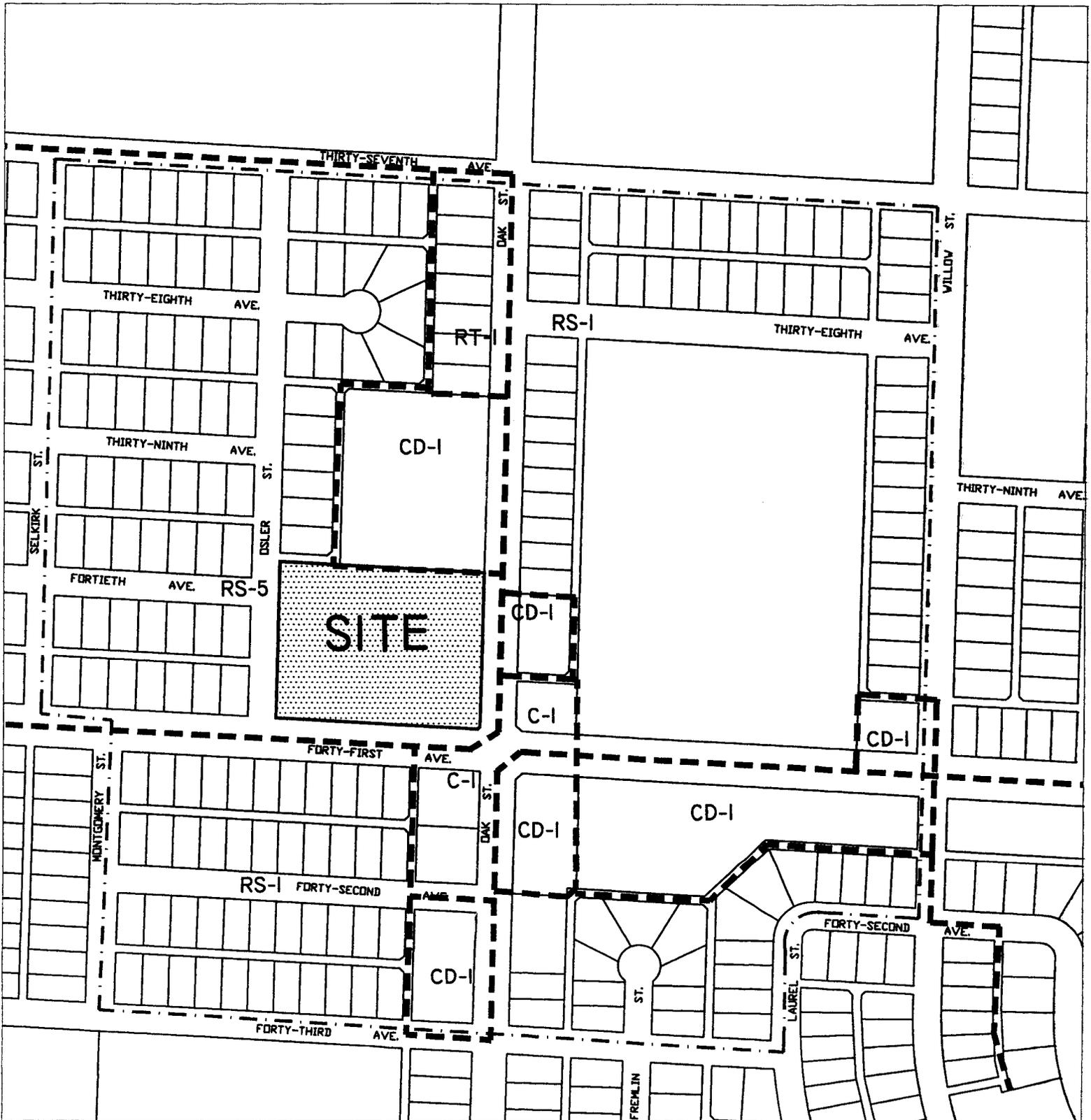
Report dated: July 17, 2001

Author: J. Baxter

Phone: 871-6656

Concurring Departments:

This report has been prepared in consultation with the departments listed to the right, and they concur with its contents



- ZONING BOUNDARY
- . - . SUBAREA BOUNDARY

1055 WEST 41ST AVENUE DE 405610

DATE 2001 06 13

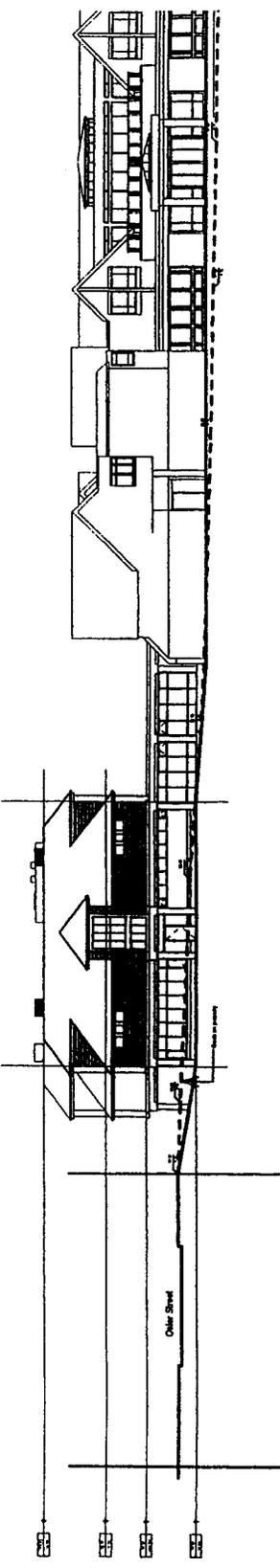
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CITY OF VANCOUVER PLANNING DEPARTMENT

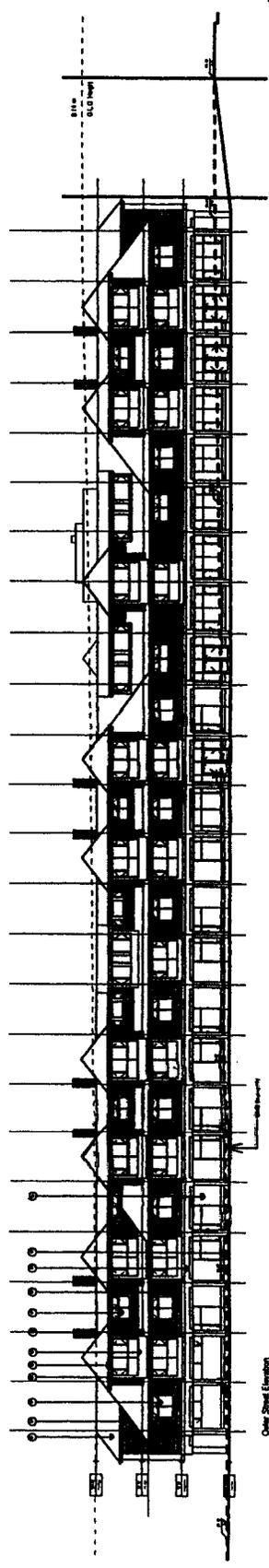
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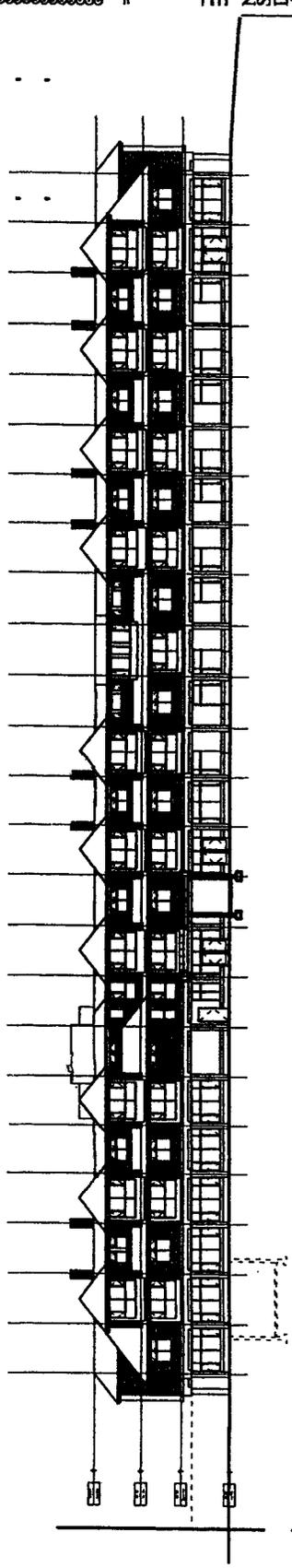
Older Street

West 41st Avenue Elevation

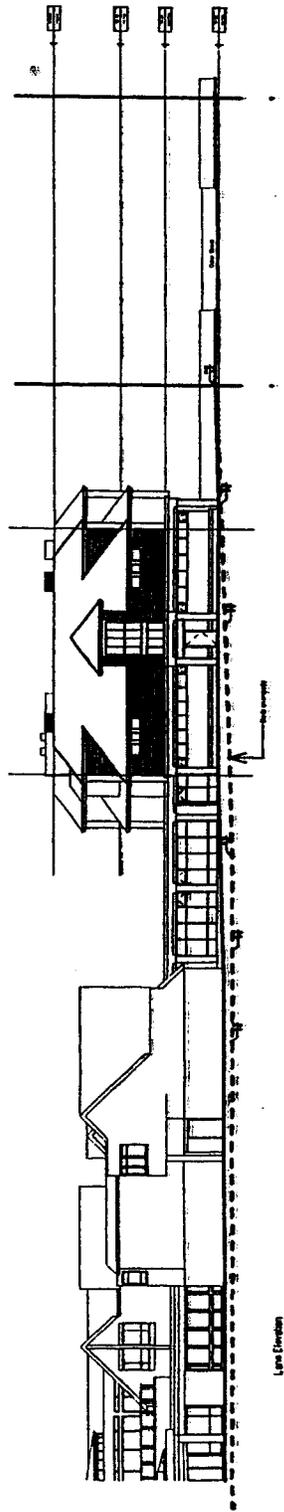


Older Street

Older Street Elevation



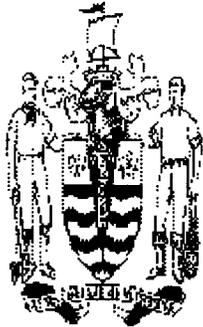
Older Street Elevation



Older Street Elevation

West 41st Ave

West 41st Ave



REPORT TO COUNCIL
STANDING COMMITTEE OF COUNCIL
ON CITY SERVICES AND BUDGETS

JULY 26, 2001

A Regular Meeting of the Standing Committee of Council on City Services and Budgets was held on Thursday, July 26, 2001, at 9:30 a.m., in the Council Chamber, Third Floor, City Hall.

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

*denotes presence for a portion of the meeting.

ADOPTION OF MINUTES

The Minutes of the Standing Committee on City Services and Budgets meetings of June 7th and 28th, 2001, were adopted.

1. Street Cleaning Update (File 3756)

Clause 4

MOVED by Councillor Don Lee

THAT the recommendation of the Committee, as contained in Clause 4 of this report, be approved.

LOST, NOT HAVING RECEIVED THE
THE REQUIRED 8 AFFIRMATIVE VOTES
(Councillors Bass, Louis and Puil opposed.)

Clause 5

MOVED by Councillor Puil

THAT the recommendation of the Committee, as contained in Clause 5 of this report, be approved.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Daniel Lee

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
SECONDED by Councillor Bass

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

CARRIED UNANIMOUSLY

BY-LAWS

1. A By-law to amend By-law No. 3575, being the Zoning and Development By-law (1055 West 41st Avenue) (By-law No. 8369)

MOVED by Councillor Bass
SECONDED by Councillor Sullivan

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 Councillor Bass
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillor Clarke excused from voting on By-law 1.)

2. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owners of Heritage Property (3838 Cypress Street) (By-law No. 8370)

MOVED by Councillor Clarke
SECONDED by Councillor Don 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 Councillor Clarke
SECONDED by Councillor Don Lee

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

CARRIED
(Councillor Bass opposed.)
(Councillors Puil, Sullivan and the Mayor excused from voting on By-law 2.)

3. A By-law to designate heritage property, and to amend By-law No. 4837, being the Heritage By-law (3838 Cypress Street) (By-law No. 8371)

MOVED by Councillor Clarke
SECONDED by Councillor Don 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 Councillor Clarke

BY-LAW NO. 8369

**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-513 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 (407), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Special Needs Residential Facility - Community Care - Class B,
- (b) Special Needs Residential Facility - Congregate Housing, and
- (c) Accessory Uses customarily ancillary to the above uses.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 0.90. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 16 180 m², being the site size at time of application for rezoning, prior to any dedications.

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

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor,

both above and below ground level, to be measured to the extreme outer limits of the building;

- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof gardens for residential purposes only, 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, bicycles 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 shall 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 shall not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors 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;
- (f) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion shall be 3.7 m² per dwelling unit;
- (g) 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.

4. Height

4.1 The maximum building height measured above the base surface is 9.2 m subject to the relaxation of limitations on building height set out in Section 10.11.1 of the Zoning and Development By-law.

4.2 The Director of Planning may, for any building, permit a decorative roof, which may include items referred to in Section 10.11.1 of the Zoning and Development By-law, to exceed the maximum height otherwise specified in this By-law, provided that

- (a) the Director of Planning is satisfied that the roof enhances the overall appearance of the building, and appropriately integrates mechanical appurtenances,
- (b) the roof does not add to the floor area otherwise permitted, and
- (c) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

5. Setbacks

The minimum setback of a building is 6.0 m from the west property boundary.

6. Off-Street Parking and Loading

6.1 Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 113 off-street parking spaces must be provided.

6.2 The Director of Planning, on the advice of the City Engineer, may grant relaxation in the requirements of section 6.1 where he is of the opinion that such relaxation will not adversely impact surrounding developments and residents or the parking needs of staff or residents of or visitors to the site.

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 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

8. 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 July, 2001.

(Signed) Philip W. Owen
Mayor

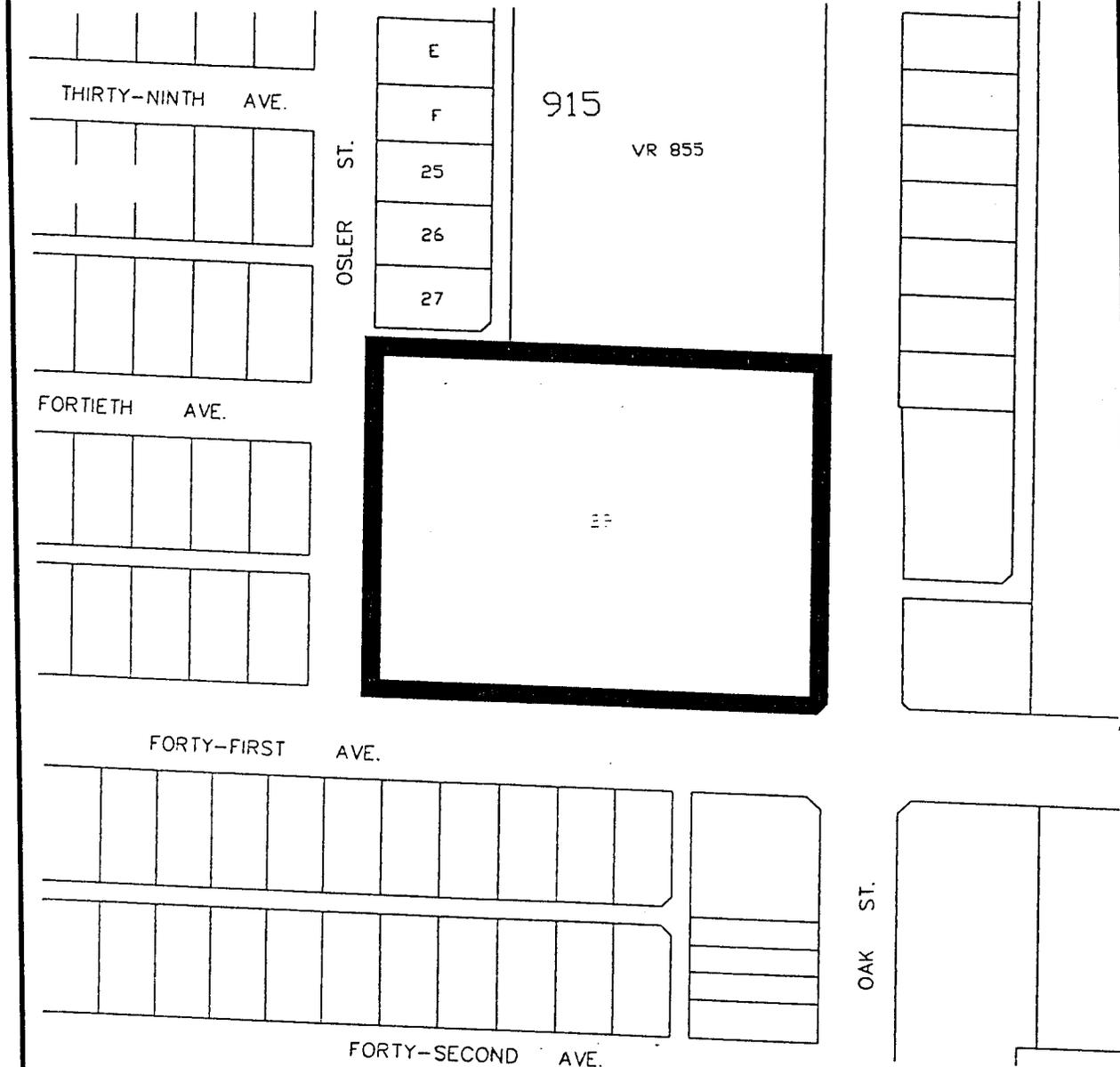
(Signed) Marg Fudge
Acting City Clerk

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 26th day of July, 2001, and numbered 8369.

CITY CLERK

By-law No. 2369 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black (**█**) is rezoned:
From **RS-5** to **CD-1**

Z-513

RZ - 1055 West 41st Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver

- b) require the operation of the dwelling units in the renovated building for non-profit housing for low-income singles at GAIN rates,
- c) require the closure of the pub and the City's approval of any non-residential uses in the building, and
- d) require the City's approval of any redevelopment of the property,

and such other terms and conditions to the satisfaction of the Directors of Legal Services, Central Area Planning and the Housing Centre, noting that no legal rights or obligations shall arise or be created until all legal documentation is fully executed to the satisfaction of the Director of Legal Services.

The source of funds would be the Downtown Eastside Capital Plan (\$450,000) and the Affordable Housing Fund (\$50,000).

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

3. Form of Development: 1055 West 41st Avenue (File: 2605)

MOVED by Councillor Price

THAT the form of development for the CD-1 zoned site known as 1055 West 41st Avenue be approved generally as illustrated in the Development Application Number DE405610, prepared by Neale Staniszki's Doll Adams Architects and stamped "Received, City Planning Department March 9, 2001", provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Report of Standing Committee on Planning and Environment July 26, 2001

Council considered the recommendations of the Committee, as contained in the following clauses of the foregoing report:

- Cl.1: 1177 West Pender Street - Extension of Building Permit No. BU414049
- Cl.2: Demolition of Nuisance/Dangerous Building at 4124 West 14th Avenue



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)

Seniors supportive or assisted housing

BY-LAW NO. 8824

**A By-law to amend By-law No's.
3568, 3914 (13A), 3914 (13B), 4472, 4634, 4674, 6953, 7091, 7114, 7158, 7204,
7461, 7651, 7655, 7723, 7852, 7853, 8088, 8097, 8369, 8457 and 8592
which amended Zoning and Development By-law No. 3575 by
rezoning certain areas to CD-1**

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

1. In By-law No. 3568, Council:

- (a) from section 2(e), in three instances, strikes out "congregate", and substitutes "seniors supportive or assisted housing";
- (b) from clause 7 of Table A in section 3, strikes out "Congregate", and substitutes "Seniors supportive or assisted housing"; and
- (c) from section 4(c), strikes out "congregate", and substitutes "seniors supportive or assisted".

1. In By-law No. 3914 (13A), Council, in section 2:

- (a) re-letters clauses (b) and (c) as (c) and (d); and
- (b) after clause (a), inserts "(b) Seniors Supportive or Assisted Housing;".

2. In By-law No. 3914 (13B), Council:

- (a) from section 2(b), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing";
- (b) from section 2.A.1, strikes out "Congregate Housing", and substitutes "Seniors supportive or assisted housing"; and
- (c) from section 8.2, strikes out "congregate", and substitutes "seniors supportive or assisted".

3. In By-law No. 4472, Council, from sections 4.1.3, 4.2.9, 4.3.3, and 4.4.5, strikes out "Special Needs Residential Facility - Congregate", and substitutes "Seniors Supportive or Assisted".
4. In By-law No. 4634, Council, in section 2:
 - (a) re-letters clauses (c), (d), and (e) as (d), (e), and (f); and
 - (b) after clause (b), inserts "(c) seniors supportive or assisted housing;"
5. In By-law No. 4674, Council, from section 2(a), strikes out "Congregate Housing Facility", and substitutes "Seniors Supportive or Assisted Housing".
6. In By-law No. 6953, Council, from section 2(a), strikes out "Special Needs Residential Facility - Congregate Housing Facility", and substitutes "Seniors Supportive or Assisted Housing".
7. In By-law No. 7091, Council, in section 2:
 - (a) re-letters clause (d) as (e); and
 - (b) after clause (c), inserts "(d) Seniors Supportive or Assisted Housing;"
8. In By-law No. 7114, Council, in section 2:
 - (a) re-letters clauses (a) and (b) as (b) and (c); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
9. In By-law No. 7158, Council, in section 2:
 - (a) re-letters clause (c) as (d); and
 - (b) after clause (b), inserts "(c) Seniors Supportive or Assisted Housing;"
10. In By-law No. 7204, Council, in Schedule B:
 - (a) in section 3, re-letters clauses (i) and (j) as (j) and (k);
 - (b) in section 3, after clause (h), inserts "(i) Seniors Supportive or Assisted Housing;" ;
 - (c) from Table 1, strikes out ", and Special Needs Residential Facility - Congregate Housing";

- (d) from Table 2, strikes out “, and, in respect only of sub-areas 7, 8 and 10, Special Needs Residential Facility - Congregate Housing”;
- (e) from section 7.6, strikes out “and Special Needs Residential Facility - Congregate Housing”; and
- (f) from section 10(b) strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “seniors supportive or assisted housing”.

11. In By-law No. 7461, Council, in Schedule B:

- (a) from section 3(h), strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing.”; and
- (b) from sections 3A, 6.3(e), 6.5, and 8, and from footnote 5 to Table 1, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “seniors supportive or assisted housing”.

12. In By-law No. 7651, Council, from sections 2(a), 4, and 6, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

13. In By-law No. 7655, Council, from section 2.1, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

14. In By-law No. 7723, Council, from section 2(b), strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

15. In By-law No. 7852, Council, in section 2.1:

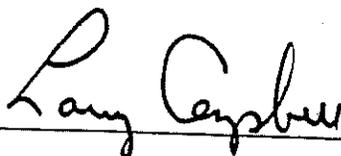
- (a) re-letters clauses (a) and (b) as (b) and (c); and
- (b) before clause (b), inserts “(a) Seniors Supportive or Assisted Housing.”.

16. In By-law No. 7853, Council, in section 2.1:

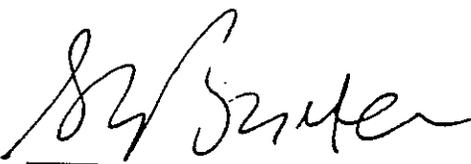
- (a) re-letters clauses (f) and (g) as (g) and (h); and
- (b) after clause (e), inserts “(f) Seniors Supportive or Assisted Housing.”.

17. In By-law No. 8088, Council, in section 2:
- (a) re-letters clauses (a) and (b) as (b) and (c); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
18. In By-law No. 8097, Council, from sections 2(a) and 3.1, strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".
19. In By-law No. 8369, Council, from section 2(b), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".
20. In By-law No. 8457, Council, in section 2:
- (a) re-letters clauses (a), (b), and (c) as (b), (c), and (d); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
21. In By-law No. 8592, Council:
- (a) from section 2(a), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing"; and
 - (b) from section 5(a), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "seniors supportive or assisted housing".
22. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 6th day of April, 2004



Mayor



City Clerk



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CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2004

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 24, 2004, 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 Zoning and Development By-law and Official Development Plans, to designate heritage property, and to enter into a Heritage Revitalization Agreement.

PRESENT:

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

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Roberts
SECONDED by Councillor Louie

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 and Official Development Plans, to designate heritage property, and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

1. Heritage Designation: 450 West 2nd Avenue

An application by Bastion Developments was considered as follows:

Summary: Heritage designation of the Nye Building at 450 West 2nd Avenue.

The Director of Current Planning recommended approval.

Staff Comments

Terry Brunette, Heritage Planner, was present to respond to questions.

5. Text Amendment: Seniors Supportive or Assisted Housing

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

Summary: To define Seniors Supportive or Assisted Living (formerly Congregate Housing for Seniors) as a residential, not institutional use. If approved, consequential amendments will be required to the Parking By-law and other guideline documents.

The Director of Current Planning recommended approval.

Staff Comments

Rob Whitlock, Senior Housing Officer, Housing Centre, in response to a question, noted that the Seniors Advisory Committee had reviewed this application.

Summary of Correspondence

Council received no correspondence on this item 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 Woodsworth

A. THAT the application by the Director of Current Planning to amend the text of the Zoning and Development By-law and various other by-laws and guidelines to reflect changes related to seniors housing generally as set out in Appendix A of the Policy report dated January 2, 2004 entitled "Zoning and Development By-law: Changes to Facilitate Seniors Housing" be approved.

B. THAT, subject to approval of the zoning by-law amendments, the by-law be accompanied at time of enactment by amendments to the Parking By-law and other guidelines documents.

CARRIED UNANIMOUSLY

BY-LAWS

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

CARRIED UNANIMOUSLY
(Councillor Roberts absent for the vote)

1. A By-law to Alter the Boundaries of the Gastown Business Improvement Area (2004-2009) (By-law No. 8823)
- * 2. A By-law to amend various by-laws which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (re congregate housing) (By-law No. 8824)
3. A By-law to amend Zoning and Development By-law No. 3575 (re congregate housing) (By-law No. 8825)
4. A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re congregate housing) (By-law No. 8826)
5. A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re congregate housing) (By-law No. 8827)
6. A By-law to amend Parking By-law No. 6059 (re congregate housing) (By-law No. 8828)
7. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (55 East Cordova Street) (By-law No. 8829)
8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1826 and 1830-1850 Blanca Street) (By-law No. 8830)
(Councillors Cadman, Green, Louie and Roberts were excused from voting on By-law No. 8)
9. A By-law to designate certain real property as protected heritage property (1826 Blanca Street) (By-law No. 8831)
(Councillors Cadman, Green, Louie and Roberts were excused from voting on By-law No. 9)
10. A By-law to amend Noise Control By-law No. 6555 (re 1201 West Hastings Street) (By-law No. 8832)

Special needs residential facilities

BY-LAW NO. 9674

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

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

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

Table 1

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

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

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

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

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

ENACTED by Council this 24th day of June, 2008

Mayor

City Clerk

EXPLANATION

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

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

Director of Legal Services
June 24, 2008

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

MOVED by Councillor Lee
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 3 to 7, 9, 10 and 16, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

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

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Anton
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1, 2, 8, 11, 12, 14, 15, 17 and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

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

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

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

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

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

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

Staff Opening Comments

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

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Chow

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

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

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

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

CARRIED UNANIMOUSLY