



City of Vancouver *Zoning and Development By-law*

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planning@vancouver.ca

CD-1 (413)

801 West Georgia Street

By-law No. 8536

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

Effective July 30, 2002

(Amended up to and including By-law No. 9472, dated May 15, 2007)

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

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A will be CD-1 (413).

2.2 The only uses permitted within CD-1 (413), subject to such conditions as Council may by resolution prescribe, and the only uses for which the Director of Planning or Development Permit Board will issue development permits, are:

- (a) Dwelling units, in conjunction with any of the other uses listed in this section 2.2, which the Director of Planning or Development Permit Board may approve if the aggregate floor space ratio for Office Uses, Retail Uses, and Service Uses is 9.0 or more, and which dwelling units will be in an “activity zone” as defined in the Noise Control By-law, and, as a result, will be subject to the noise levels permitted in commercial and industrial districts; [8627; 03 02 11]
- (b) Office Uses;
- (c) Parking Uses;
- (d) Retail Uses, limited to Retail Store;
- (e) Service Uses, limited to Barber Shop or Beauty Salon, Cabaret, Hotel, Neighbourhood Public House, Photofinishing or Photography Studio, Restaurant; and
- (f) Accessory Use customarily ancillary to any of the uses permitted by this section 2.

3 Floor Area and Density

3.1 The floor space must not exceed 47 413 m², subject to an increase of a maximum of 2 669 m² upon compliance with section 3.1(b), and the floor area for:

- (a) development on PID: 024-570-605, Lot F, Block 41, District Lot 541, Plan LMP42609 must not exceed 17 000 m²; and
- (b) development on PID: 024-570-613, Lot G, Block 41, District Lot 541, Plan LMP42609 must not exceed 31 655 m², except that the Development Permit Board may approve additional floor area not exceeding 2 669 m² in a development permit application subject to a condition of development approval that, before issuance of the development permit, the applicant provide evidence, satisfactory to the Director of Legal Services, that the applicant has purchased heritage bonus density from an eligible donor site, equal to the requested additional floor area. [8627; 03 02 11]

3.2 Computation of floor space ratio and floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, to be measured to the extreme outer limits of the building. [8890; 04 07 06] [9311; 06 06 13]

3.3 Computation of floor space ratio and floor area must exclude: [9311; 06 06 13]

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing and contribute to the amenity or environment of the Downtown District, except that the total area of all exclusions must not exceed 8% of the residential floor area;
- (b) patios or roof gardens, if the Director of Planning has approved any sunroofs or walls that form part of such patios or roof gardens;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8536 or provides an explanatory note.*

- (d) storage space associated with dwelling uses, except that if the storage space is at or above base surface, the maximum exclusion will be 3.71 m² for each dwelling unit;
- (e) 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 will not apply to walls in existence before March 14, 2000;
- (f) amenity areas ancillary to the principal use that provide for the social and recreational enjoyment of residents and employees, or for a service to the public, including facilities for physical fitness, general recreation and child day care, if the excluded area does not exceed 929 m² for any development; and
- (g) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing. [8627; 03 02 11]
[8890; 04 07 06]

3.4 Computation of floor space ratio and floor area may exclude: [9311; 06 06 13]

- (a) enclosed residential balconies, if 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 must not exceed 8% of the residential floor area for dwelling units, and
 - (ii) the enclosed area of the excluded balcony floor area must not exceed 50%; and
- (b) interior public space, including atria and other similar spaces, if:
 - (i) the excluded area does not exceed the lesser of 10% of the permitted floor area or 557.4 m²,
 - (ii) the site owner grants to the City a section 219 covenant and statutory right of way, on terms and with priority of registration satisfactory to the Director of Legal Services, securing the excluded area for public access and use, and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

[8890; 04 07 06]

3.5 The use of floor space excluded, under this By-law, from the computation of floor space ratio and floor area must not be for any purpose other than that which justified the exclusion.
[9311; 06 06 13]

3.6 For the purpose of floor area calculation, each 1 m² of gross floor area for above-grade parking will count as 0.7 m², except that in the case of an automated parking system, each 1 m² of the effective useable floor area of the parking system, including vehicle storage racks and vehicle elevator areas, but excluding void spaces or other similar unusable areas, will count as 0.7 m² of floor area. [8627;03 02 11] [8890; 04 07 06]

4 Height

4.1 The maximum building height measured above the base surface to the roof of the uppermost occupied floor must not exceed 141.7 m, except that the Development Permit Board may permit an increase:

- (a) in maximum building height measured to the roof of the uppermost occupied floor of habitable space to 148.4 m for the purposes of improving the liveability of dwelling unit and hotel uses;

- (b) for a decorative roof, including architectural appurtenances such as towers, turrets, and cupolas and mechanical appurtenances such as elevator machine rooms and chimneys, to 155.9 m if:
 - (i) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances,
 - (ii) the roof does not add to the floor area otherwise permitted, and
 - (iii) the Development Permit Board first considers all applicable policies and guidelines adopted by Council; and
 - (c) for a rooftop architectural appurtenance, to a further height of 162.0 m but limited to a relatively transparent glass box, about 2.4 m by 2.4 m in cross-sectional area.
- [8628; 03 02 11]

4.2 The Director of Planning or Development Permit Board may permit a decorative roof, which may include architectural appurtenances such as towers, turrets, and cupolas, and mechanical appurtenances such as elevator machine rooms and chimneys, to exceed the height restriction in section 4.1 if:

- (a) the Director of Planning or Development Permit Board 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 or Development Permit Board first considers all applicable policies and guidelines adopted by Council.

4.3 Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law. [9311; 06 06 13]

5 Off-Street Parking and Loading

5.1 Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of the Parking By-law, of off-street parking, loading, and bicycle storage, except that:

- (a) the relaxations and exemptions in the Parking By-law will be available;
- (b) there must be at least one Class B loading space for each 200 dwelling units, applied as follows:
 - (i) less than 99 dwelling units - no requirement,
 - (ii) 100 to 299 dwelling units - at least one Class B loading space, and
 - (iii) 300 or more dwelling units - at least two Class B loading spaces;
- (c) there must be at least two Class A and two Class B loading spaces for the commercial uses;
- (d) there must be a minimum overhead clearance of 3.8 m for all Class B loading spaces and related maneuvering and access aisles; and
- (e) the Development Permit Board may approve off-street parking spaces in an automated parking system, and, with respect to such off-street parking spaces, may relax the requirements of sections 4.7 and 4.8 of the Parking By-law, including minimum parking space dimensions, aisle dimensions, and other requirements but excluding requirements for the number, size, and location of disability parking spaces which will continue to apply.

[8627; 03 02 11]

5.2 The required number of off-street parking spaces are not necessary if, subsequent to original construction of a building, any additions, alterations, or changes in use would, in total, result in an increase of less than 10% of the number of spaces required for the originally constructed building before any addition, alteration, or change in use.

5.3 The Parking By-law including, without limitation, the design standards in section 4.8 thereof will apply.

6 Acoustics

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

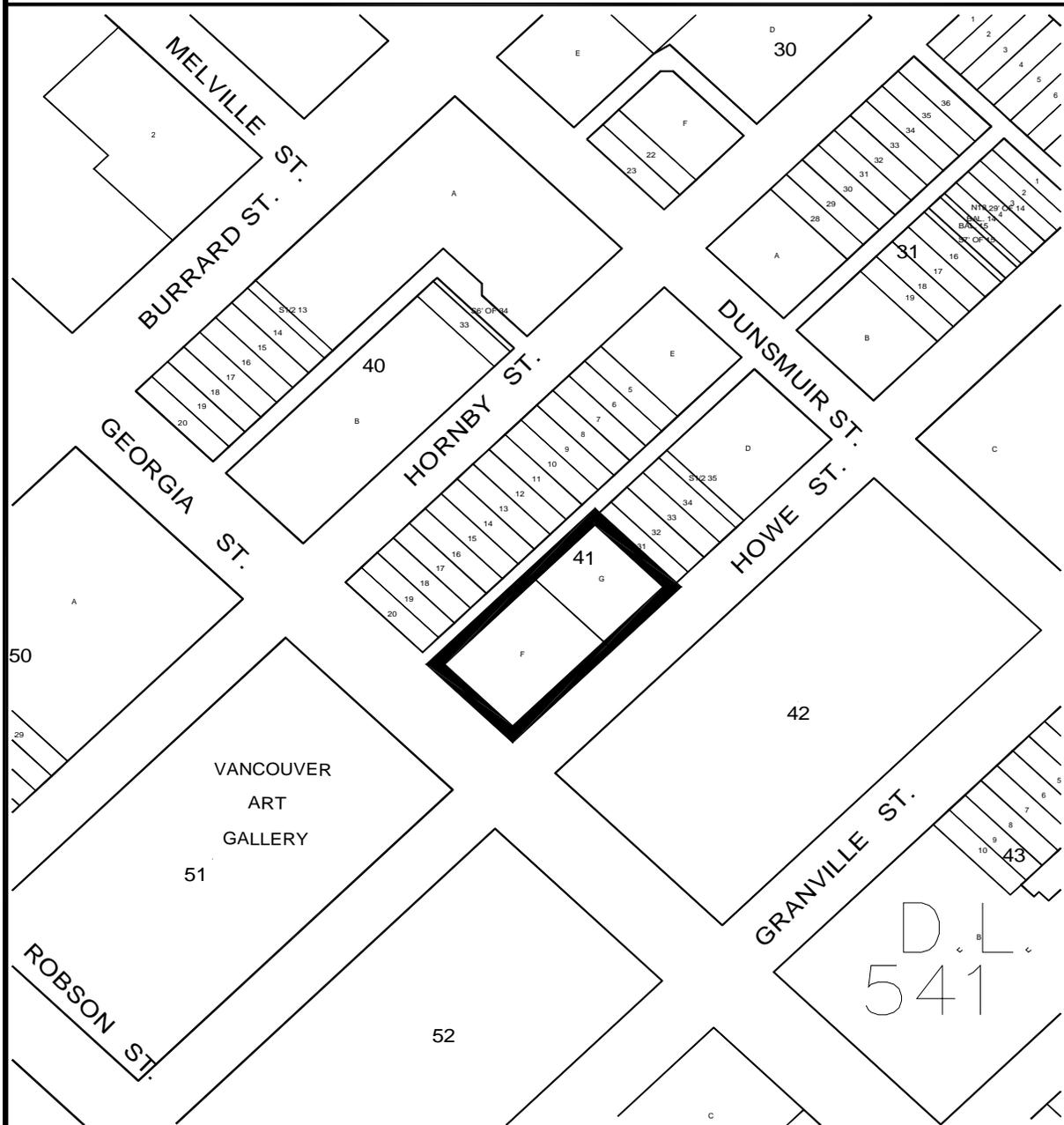
Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[9472; 07 05 15]

7 *[Section 7 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. 8536 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



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

Z-531

RZ - 801 West Georgia Street

map: 1 of 1

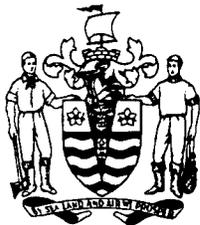
scale: 1:2000



City of Vancouver

LATE DISTRIBUTION FOR COUNCIL - JUNE 25, 2002

4



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JUNE 13, 2002

A Special Meeting of the Council of the City of Vancouver was held on Thursday, June 13, 2002, 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 Heritage, Zoning and Development, and Sign By-laws and to enter into Heritage Revitalization Agreements.

PRESENT: Councillor Jennifer Clarke, Acting Mayor
Councillor Fred Bass
Councillor Don Lee
Councillor Tim Louis
Councillor McCormick
Councillor Sam Sullivan

ABSENT: Mayor Philip Owen (Civic Business)
Councillor Lynne Kennedy
Councillor Daniel Lee (Leave of Absence)
Councillor Gordon Price
Councillor George Puil (Leave of Absence)

CITY CLERK'S OFFICE: Tarja Tuominen, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Don Lee
SECONDED by Councillor Sullivan

THAT this Council resolve itself into Committee of the Whole, Acting Mayor Clarke in the Chair, to consider proposed amendments to the Heritage, Zoning and Development and Sign By-laws and to enter into Heritage Revitalization Agreements.

CARRIED UNANIMOUSLY

Council Decision

MOVED by Councillor Bass

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement to secure the conservation and rehabilitation of the Taylor Building at 310 Water Street and to supplement Development Application 406444, and the HA-2 zoning, by granting a density bonus of 3 370 m2 (36,285 sq. ft.) to be transferred to site(s) in the Central Area;

AND THAT Council require a covenant providing that the density bonus not be available for transfer until the rehabilitation is complete, unless the owner secures completion of the rehabilitation by a separate agreement;

AND THAT the agreements shall be prepared, registered and given priority to the satisfaction of the Directors of Planning and Legal Services.

- B. THAT Council amend Schedule A of the Heritage By-law to designate the Taylor Building, 310 Water Street, as a Municipal Heritage Building.
- C. THAT the Director of Legal Services bring forth the by-laws to authorise the Heritage Revitalization Agreement and amend the Heritage By-law.

CARRIED UNANIMOUSLY

5. Rezoning: 801 West Georgia Street

An application by Bing Thom Architects was considered as follows:

Summary: The proposed rezoning would permit the construction of a 50-storey mixed-use (residential and hotel) tower.

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

Staff Comments

Phil Mondor, Rezoning Planner, advised he was present to answer questions.

Applicant Comments

Bing Thom, Arno Matis, and Jim Mouzourkis, representing the applicant, advised they were present to answer questions.

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Don Lee

- A. THAT the application by Bing Thom Architects Inc., on behalf of Allied Holdings Inc., to rezone the site at 801 West Georgia Street (Lots F and G, Block 41, D.L. 541, Group 1, NWD Plan LMP 42609) from DD (Area A) to CD-1, to permit a 50-storey mixed-use (residential and hotel) tower, be approved, subject to the following conditions:
 - (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Bing Thom Architects Inc., and stamped "Received, City Planning Department, January 23, 2002", provided that the Director of Planning, or Development Permit Board, may allow minor alterations to the form of development when approving the detailed scheme of development as outlined in (b) below. (Note: Parking below lane is not part of the application.)
 - (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, or Development Permit Board, who shall have particular regard to the following:

DESIGN DEVELOPMENT

- (1) design development to the facade treatment of the six levels of above-grade parking to ensure a high-quality of urban design and architectural

detailing which are sympathetic to the surrounding buildings and the pedestrian environment;

- (2) design development to the ground floor to maximize pedestrian interest and activity, and to ensure the best possible pedestrian friendly environment in this difficult circumstance in which bus and taxi parking are accommodated and vehicular access provided to above- and below grade parking, development to include a very high quality treatment of all exposed surfaces in the *porte cohere* appropriate to its use and function;
- (3) design development to the ground floor to achieve a better and more sympathetic relationship between this lobby floor and the tower above, and also the adjacent Hotel Georgia, including consideration of continuous weather protection for pedestrians, either by projecting canopies over the adjacent City sidewalks or by building overhangs, and to clarify the details of these amenity features;
- (4) design development to the massing and articulation of the tower, to refine and clarify the architectural treatments, and to maximize its sense of slimness particularly for the upper portion of the building; and
- (5) design development of the dwelling units on the lane side of the building and facing the office building across the lane to achieve an appropriate orientation and layout which maximizes privacy and views;

ACOUSTICS

- (6) provision of an air conditioning system in the dwelling units which enables occupants to maintain closed windows in a location subject to high noise levels;

CPTED

- (7) design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for:
 - (i) reducing opportunities for theft in the underground and to improve visibility through full separation of commercial and residential users,

Note to Applicant: This can be achieved by providing complete

separation of exits and lobbies for residential and hotel. Design in accordance with section 4.12 of the Parking By-Law.

- (ii) reducing opportunities for mischief in exit alcoves and the open loading level, and

Note to Applicant: Secure the commercial/loading area during non-business hours with electronic communication for remote access. Exit doors may not swing over the lane, the exit area can be amalgamated with the driveway so that an alcove is not created.

- (iii) reducing opportunities for graffiti on exposed surfaces in the lane through the use of high quality, graffiti resistant building materials;

LANDSCAPE

- (8) provision of new street trees adjacent to the development site, the final species, quantity and spacing to the approval of Engineering Services - Streets Division and Park Board regarding tree species; and

ENGINEERING SERVICES

- (9) arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for all existing and proposed encroachments.

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

HERITAGE

- (1) enter into a registered modification of the existing Hotel Georgia heritage revitalization agreement to the satisfaction of the Director of Legal Services, to delete the heritage bonus of 16 192 m² (174,300 sq. ft.) of floor area because it will be included in the CD-1 By-law;
- (2) enter into a registered right of way and security agreement, to the satisfaction of the Director of Legal Services, in which the owner agrees:
 - (i) neither to occupy the new building nor to apply for occupancy permit until the existing Hotel Georgia building has been

upgraded as defined in Building Permit BU407483, and

- (ii) if the Owner defaults in completing the heritage sensitive seismic upgrading of the existing Hotel Georgia building by the third anniversary of the enactment of the CD-1 By-law, the City may complete the upgrading, at the owner's expense.

ENGINEERING SERVICES

- (3) clarify all charges registered in the Land Title Office against title to the lands and modification, extension or release of any charges deemed necessary by the Director of Legal Services. A charge summary, including copies of all charges, must be provided; and
- (4) arrange to the satisfaction of the General Manager of Engineering Services for the undergrounding of all new services to the site, including a review of the impact on the adjacent neighbourhood of any additional cabling that may be necessary to facilitate the undergrounding of services.

B. THAT the application to amend the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule "B" (DD), including a provision that signage should not be located at a height exceeding 137 m (450 ft.), be approved.

CARRIED UNANIMOUSLY

6. **Heritage Designation: 1605 West 14th Avenue**

An application by Robert Turecki Architects was considered as follows:

Summary: The proposed Heritage Revitalization would secure the retention of two houses and permit the addition of an infill tower.

The Director of Current Planning recommended approval.

Staff Comments

Gerry McGeough, Heritage Planner, with the aid of plans and photographs, described the application and the notification process. The revised tower proposal addresses the concerns of the neighbours to the north on impacts to the amount of openness and views. The shrinking of the floor plan on the proposed tower form creates an additional green belt along



CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

JULY 30, 2002

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, July 30, 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 Gordon Price Councillor George Puil Councillor Sam Sullivan
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.

PRESENTATION (File 1375)

The Mayor announced the departure of Jeff Smyth, the City's Water Conservation Analyst, and briefly reviewed his achievements in raising awareness of water conservation, recycling, composting, anti-littering and anti-graffiti with the citizens of Vancouver.

"IN CAMERA" MEETING

the Heritage By-law (690 Burrard Street - Christ Church Cathedral) (By-law No. 8535)

MOVED by Councillor Price
SECONDED by Councillor Kennedy

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 Price
SECONDED by Councillor Kennedy

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

CARRIED UNANIMOUSLY
(Councillor Clarke excused from voting)

10. A By-law to amend Zoning and Development By-law No. 3575 (801 West Georgia Street - Georgia Hotel Property)(By-law No. 8536)

MOVED by Councillor Don Lee
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 Don Lee
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillors Kennedy, Daniel Lee, Price, Puil and the Mayor excused from voting)

11. A By-law to amend Sign By-law No. 6510 (801 West Georgia Street - Georgia Hotel Property) (By-law No. 8537)

MOVED by Councillor Don Lee
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 Don Lee
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillors Kennedy, Daniel Lee, Price, Puil and the Mayor excused from voting)

~~12. A By-law to amend Vehicles for Hire By-law No. 6066 to regulate school shuttle van window tinting (By-law No. 8538)~~

~~MOVED by Councillor Clarke
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 Clarke
SECONDED by Councillor Sullivan~~

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

~~CARRIED UNANIMOUSLY~~

~~13. A By-law to designate heritage property, and to amend Heritage By-law No. 4837 (728 and 734-42 Jackson Avenue) (By-law No. 8539)~~

~~MOVED by Councillor Kennedy
SECONDED by Councillor 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~~

801 West Georgia Street

BY-LAW NO. 8536

**A By-law to amend
Zoning and Development By-law No. 3575**

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

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-531 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A will be CD-1(413).

2.2 The only uses permitted within CD-1(413), subject to such conditions as Council may by resolution prescribe, and the only uses for which the Director of Planning or Development Permit Board will issue development permits, are:

- (a) Dwelling units, in conjunction with any of the other uses listed in this section 2.2, which the Director of Planning or Development Permit Board may approve if the aggregate floor space ratio for Office Uses, Retail Uses, and Service Uses is 9.0 or more;
- (b) Office Uses;
- (c) Parking Uses;
- (d) Retail Uses, limited to Retail Store;
- (e) Service Uses, limited to Barber Shop or Beauty Salon, Cabaret, Hotel, Neighbourhood Public House, Photofinishing or Photography Studio, Restaurant; and
- (f) Accessory Use customarily ancillary to any of the uses permitted by this section 2.

Floor Area and Density

3.1 The total floor area must not exceed 47 413 m², subject to an increase of a maximum of 2 669 m² upon compliance with section 3.1(b), and the floor area for:

- (a) the existing hotel and related commercial and ancillary uses on PID: 024-570-605, Lot F, Block 41, District Lot 541, Plan LMP42609 must not exceed 15 758 m²; and
- (b) mixed use development on PID: 024-570-613, Lot G, Block 41, District Lot 541, Plan LMP42609 must not exceed 31 655 m², except that the Development Permit Board may approve additional floor area not exceeding 2 669 m² in a development permit application subject to a condition of development approval that, before issuance of the development permit, the applicant provide evidence, satisfactory to the Director of Legal Services, that the applicant has purchased heritage bonus density from an eligible donor site, equal to the requested additional floor area.

3.2 Computation of floor space ratio must exclude:

- (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 and contribute to the amenity or environment of the Downtown District, except that the total area of all exclusions must not exceed 8% of the residential floor area;
- (b) patios or roof gardens, if the Director of Planning has approved any sunroofs or walls that form part of such patios or roof gardens;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) storage space associated with dwelling uses, except that if the storage space is at or above base surface, the maximum exclusion will be 3.71 m² for each dwelling unit; and
- (e) 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 will not apply to walls in existence before March 14, 2000.

3.3 Computation of floor space ratio may exclude:

- (a) enclosed residential balconies, if 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 must not exceed 8% of the residential floor area for dwelling units, and
 - (ii) the enclosed area of the excluded balcony floor area must not exceed 50%; and
- (b) interior public space, including atria and other similar spaces, if:
 - (i) the excluded area does not exceed the lesser of 10% of the permitted floor area or 557.4 m²,
 - (ii) the site owner grants to the City a section 219 covenant and statutory right of way, on terms and with priority of registration satisfactory to the Director of Legal Services, securing the excluded area for public access and use, and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

3.4 The use of floor space excluded under section 3.2 must not include any purpose other than that which justified the exclusion.

3.5 For the purpose of floor area calculation, each 1 m² of floor area for above-grade parking will count as .7 m².

Height

4.1 The maximum building height measured above the base surface and to the roof of the uppermost occupied floor, excluding decorative roof, mechanical penthouse, and architectural appurtenances must not exceed 141.7 m.

4.2 The Director of Planning or Development Permit Board may permit a decorative roof, which may include architectural appurtenances such as towers, turrets, and cupolas, and mechanical appurtenances such as elevator machine rooms and chimneys, to exceed the height restriction in section 4.1 if:

- (a) the Director of Planning or Development Permit Board 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 or Development Permit Board first considers all applicable policies and guidelines adopted by Council.

Parking and Loading

5.1 Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of the Parking By-law, of off-street parking, loading, and bicycle storage, except that:

- (a) the relaxations and exemptions in the Parking By-law will be available;
- (b) there must be at least one Class B loading space for each 200 dwelling units, applied as follows:
 - (i) less than 99 dwelling units - no requirement,
 - (ii) 100 to 299 dwelling units - at least one Class B loading space, and
 - (iii) 300 or more dwelling units - at least two Class B loading spaces;
- (c) there must be at least two Class A and two Class B loading spaces for the commercial uses; and
- (d) there must be a minimum overhead clearance of 3.8 m for all Class B loading spaces and related manoeuvring and access aisles.

5.2 The required number of off-street parking spaces are not necessary if, subsequent to original construction of a building, any additions, alterations, or changes in use would, in total, result in an increase of less than 10% of the number of spaces required for the originally constructed building before any addition, alteration, or change in use.

5.3 The Parking By-law including, without limitation, the design standards in section 4.8 thereof will apply.

Acoustics

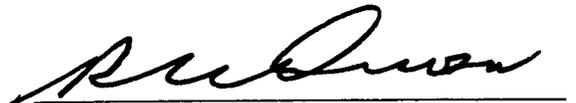
6. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise 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, hotel sleeping rooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

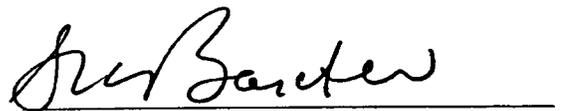
Force and Effect

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

ENACTED by Council this 30th day of July, 2002.

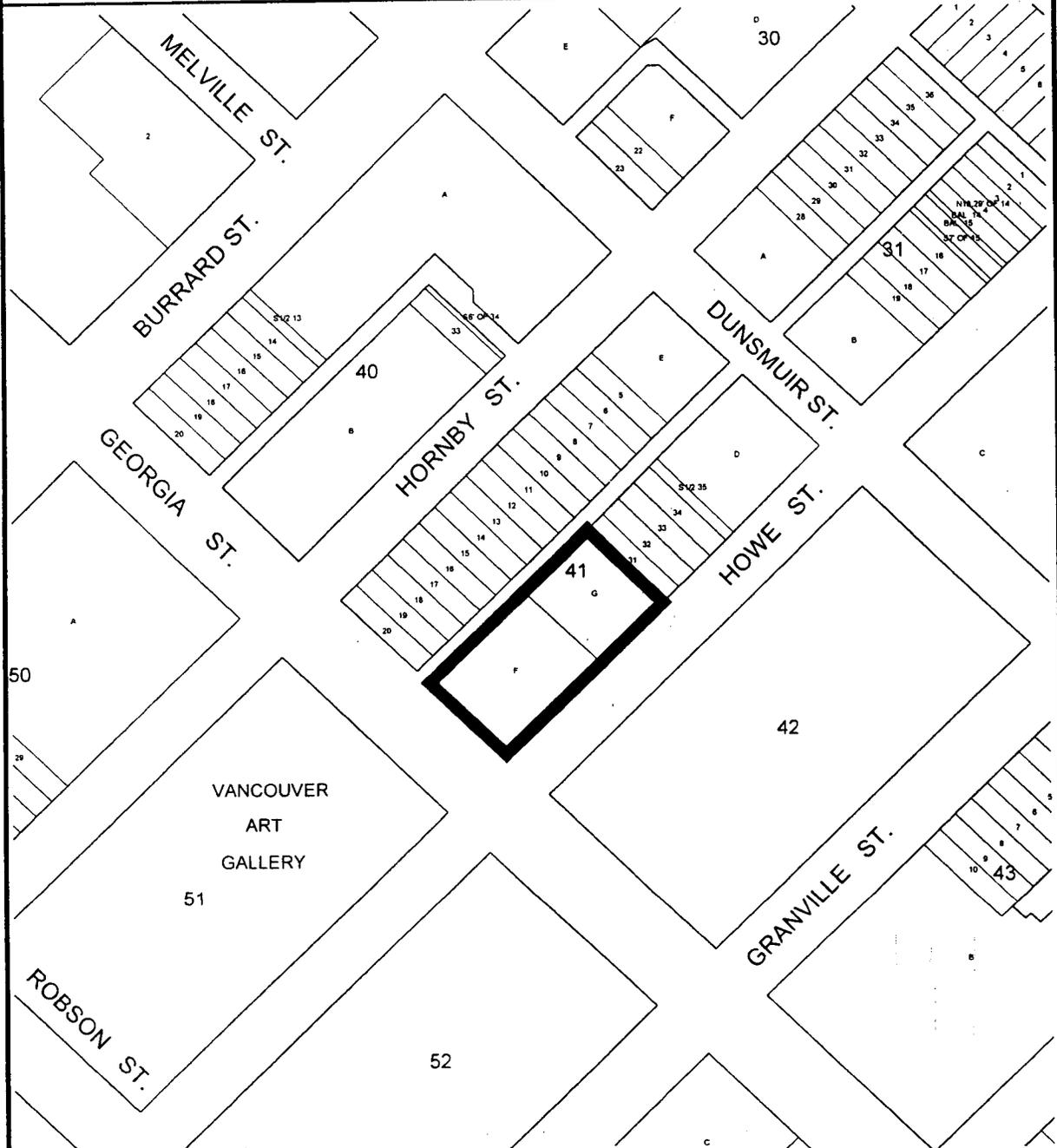


Mayor



City Clerk

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



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

Z-531

RZ - 801 West Georgia Street

map: 1 of 1
scale: 1:2000



City of Vancouver

10. A By-law to amend Zoning and Development By-law No. 3575 (801 West Georgia Street - Georgia Hotel Property)(By-law No. 8536)

MOVED by Councillor Don Lee
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 Don Lee
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillors Kennedy, Daniel Lee, Price, Puil and the Mayor excused from voting)

801 West Georgia Street

BY-LAW NO. 8537

**A By-law to amend
Sign By-law No. 6510**

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

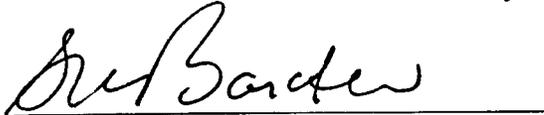
- 1. In clause (g) of section 1.0 of Schedule B to By-law No. 6510:
 - (a) from sub-clause (v), delete the period, and substitute a semi-colon; and
 - (b) after sub-clause (v), add:
 - “(vi) on the site regulated by CD-1 By-law described as CD-1(413) (801 West Georgia Street), a facia sign above a height of 137 m above grade will not be permitted.”
- 2. To Schedule E to By-law No. 6510, add:

“801 West Georgia Street CD-1 (413) _____ B (DD)”.
- 3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 30th day of July, 2002.



Mayor



City Clerk

11. A By-law to amend Sign By-law No. 6510 (801 West Georgia Street - Georgia Hotel Property) (By-law No. 8537)

MOVED by Councillor Don Lee
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 Don Lee
SECONDED by Councillor Sullivan

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

CARRIED UNANIMOUSLY
(Councillors Kennedy, Daniel Lee, Price, Puil and the Mayor excused from voting)

<p>CITY OF VANCOUVER</p> <p>SPECIAL COUNCIL MEETING MINUTES</p> <p>JANUARY 29, 2003</p>
--

A Special Meeting of the Council of the City of Vancouver was held on Wednesday, January 29, 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 Heritage, Zoning and Development and CD-1 Bylaws, and a Heritage Revitalization Agreement.

PRESENT:

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

ABSENT:

- Mayor Larry Campbell, Civic Business
- Councillor Tim Stevenson, Leave of Absence
- Councillor Ellen Woodsworth, Leave of Absence

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

3. Text Amendment: 801 West Georgia Street

An application by Bing Thom Architects was considered as follows:

Summary: The proposed text amendment would:

- permit greater flexibility of assignment of floor area between two sites;
- enable approval of automated (robotic) parking;
- add an "activity zone" caution with respect to residential uses;
- increase the livability of residential units by increasing floor to floor heights and adjust the rooftop elevator and equipment services, thereby increasing the total building height to 155.9 metres; and
- permit standard Downtown District floor area exclusions for amenity areas.

In addition, the applicant requested an additional architectural appurtenance of up to 6.1 metres in height, further increasing the building height, which was not supported by staff.

Also before Council was a Memorandum dated January 29, 2003, from Phil Mondor, Rezoning Planner, advising of possible wording of a resolution should Council wish to grant the applicant's request for an additional rooftop architectural appurtenance. The memo also provided information on an additional by-law amendment in regard to floor area exclusion, which had been incorporated into the draft amending by-law before Council this evening.

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

Staff Opening Comments

Phil Mondor, Rezoning Planner, provided an overview of the history and process to date in relation to the proposed development of this site, reviewed the text amendments, and noted there were two applications being considered this evening, and two staff reports outlining them. He further advised that the application was not supported in its entirety by staff and explained the rationale for staff's non-support of the additional architectural appurtenance which would further increase the height of the building by approximately 20 feet.

Mr. Mondor noted staff's concern was that approval of this additional structure on the rooftop would set a precedent which could result in many more similar requests for height relaxations. If however, Council wished to approve this structure, he noted the agenda package contained a Memorandum which provided a resolution in this regard for Council to consider. In addition, Mr. Mondor noted the memo clarified a further by-law amendment required in regard to floor area exclusions which has been included in the draft amending bylaw included in the agenda this evening.

Mr. Mondor and Larry Beasley, Director of Current Planning, responded to questions regarding the impact to the view corridor and the extent of the precedent which would be set, should the requested rooftop architectural appurtenance be approved.

Applicant's Opening Comments

Bing Thom, Architect, with the aid of a PowerPoint presentation, provided an overview of the application, with particular reference to the glass spire proposed for the rooftop which is the only aspect of this application which is not supported by staff. Mr. Thom expressed concern that guidelines in regard to view cones and building heights are in conflict in regard to this site. He further noted there are only five sites in the city which are allowed to go over the 450 foot height limit, two of which are already built, so the concern over setting a precedent is not actually an issue. This building, together with the Wall Centre, has the opportunity of anchoring, or "bookending" the city. Mr. Thom advised that design is an artistic endeavour and the act of chopping a section off the top would result in destroying a work of art.

Mr. Thom also provided information regarding the proposed robotic parking, noting it will be the first of its kind in Canada.

Summary of Correspondence

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

- three letters in support of the application.

Speakers

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

The following speakers spoke in support of the application:

- Carl Meadows
- Roger Bailey, Downtown Vancouver Association
- Hugh Ryane
- Richard Henriquez.

Comments provided by the foregoing speakers included the following:

- downtown Vancouver has become a sea of "flat-top" buildings;
- a slender, clear rooftop appurtenance would have an insignificant effect on the view cone;
- it is inappropriate for planners to alter an artistic creation;
- the originally proposed 600 foot building was wholly supported by the Downtown Vancouver Association, as is the now-proposed architectural appurtenance;
- encourage the City to support architectural excellence;
- would like to see a variation of heights, i.e. a "spiky haircut" look rather than a "pudding bowl";
- buildings in the downtown should be taller and slimmer; this proposal would be a great addition to the skyline;
- the design of the building as proposed would enhance the view of the city as a whole, while the impacts to the Cambie view corridor, when taken in respect of the entire view corridor, would be infinitesimally small;
- there is no guarantee that by simply fulfilling a number of requirements, you will get the best result; it is imperative to have some discretion in cases such as this one.

Ken Panton spoke in opposition to the application, and comments provided by him included the following:

- encourage Council to not permit the height guidelines to be exceeded;
- all projects come with constraints; it is the task of a project manager to work within those set constraints;
- policies are in place to protect a need, but need backbone to hold them up;
- good building design is not dependent on tall buildings.

Staff's Closing Comments

Mr. Beasley advised that the impacts of either approving or not approving the architectural appurtenance would be modest, but noted what was at issue was the precedent which would be set should the additional height intrusion be approved.

Applicant's Closing Comments

Mr. Thom reminded Council that this site was in the tall building area, and noted that additional wording could be put in place to protect the City from setting a precedent.

Council Decision

During Council discussion, staff provided possible wording of an additional resolution which would address concerns regarding precedent, should Council wish to approve the architectural appurtenance.

MOVED by Councillor Cadman

A. THAT the application by Bing Thom Architects on behalf of Allied Holdings Inc., to amend the CD-1 By-law No. 8536 for the site at 801 West Georgia Street and 687 Howe Street (Lots F and G, Block 41, D.L. 541, Plan LMP42609), to allow some flexibility in the allocation of floor area between the two parts of the site, to enable approval of automated parking and to note that the site is in an "activity zone" as defined in the Noise By-law, be approved.

B. THAT the application by Bing Thom Architects Inc., on behalf of Allied Holdings Inc., to amend the CD-1 By-law No. 8536 for the site at 801 West Georgia Street and 687 Howe Street (Lots F and G, Block 41, D.L. 541, Group 1, NWD Plan LMP 42609), to increase building height be approved, subject to the following conditions:

(a) THAT the proposed change to the form of development previously approved by Council on June 25, 2002 be approved by Council in principle generally as prepared by Bing Thom Architects Inc., and stamped "Received, City Planning Department, November 27, 2002", provided that the Director of Planning or Development Permit Board, may allow minor alterations to the form of development when approving the detailed scheme of development as outlined in (b) below.

(b) THAT, prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall have particular regard to the following:

DESIGN DEVELOPMENT

(1) further design development to the articulation and architectural treatment of the tower, including setbacks where possible and appropriate, to maximize the slenderness of the upper portion of the building and to ensure that its overall architectural excellence carries through to the detailing of the glass curtain wall;

(2) further design development to the mechanical penthouse, decorative roof and related architectural appurtenances to achieve an appropriate rooftop for this prominent building;

(3) further design development to include consideration of a canopy providing pedestrian weather protection; and

(4) design development to remove the proposed architectural appurtenance, which has the form of a relatively transparent glass box, about 2.4 m by 2.4 m (8 x 8 ft.), and which extends 6.1 m (20 ft.) above the total permitted building height of 155.9 m.

amended

AMENDMENT moved by Councillor Ladner

THAT "B." above be amended to add in the following:

FURTHER THAT the draft amending by-law (Height and exclusions) be amended in section 3. to add a sub-section, "4.1 (c) for a rooftop architectural appurtenance to a further height of 162.0 m but limited to a relatively transparent glass box, about 2.4 m by 2.4 m in cross-sectional area.", and also THAT the approval condition (b)(4) as set out in the Summary and Recommendations prepared by the Planning Department for consideration at the Public Hearing on January 29, 2003, which calls for the removal of the proposed architectural appurtenance, be deleted; and

FURTHER THAT in approving the intrusion of the architectural appurtenance for 687 Howe, staff be advised that, except for this extra tall building, view cone intrusions should generally not be entertained;

CARRIED
(Councillor Louis opposed)

MOTION AS AMENDED

A. THAT the application by Bing Thom Architects on behalf of Allied Holdings Inc., to amend the CD-1 By-law No. 8536 for the site at 801 West Georgia Street and 687 Howe Street (Lots F and G, Block 41, D.L. 541, Plan LMP42609), to allow some flexibility in the allocation of floor area between the two parts of the site, to enable approval of automated parking, and to note that the site is in an "activity zone" as defined in the Noise By-law, be approved.

B. THAT the application by Bing Thom Architects Inc., on behalf of Allied Holdings Inc., to amend the CD-1 By-law No. 8536 for the site at 801 West Georgia Street and 687 Howe Street (Lots F and G, Block 41, D.L. 541, Group 1, NWD Plan LMP 42609), to increase building height be approved; and

FURTHER THAT the draft amending by-law (Height and exclusions) be amended in section 3. to add a sub-section, "4.1 (c) for a rooftop architectural appurtenance to a further height of 162.0 m but limited to a relatively transparent glass box, about 2.4 m by 2.4 m in cross-sectional area.", and also THAT the approval condition (b)(4) as set out in the Summary and Recommendations prepared by the Planning Department for consideration at the Public Hearing on January 29, 2003, which calls for the removal of the proposed architectural appurtenance, be deleted; and

FURTHER THAT in approving the intrusion of the architectural appurtenance for 687 Howe, staff be advised that, except for this extra tall building, view cone intrusions should generally not be entertained;

AND FURTHER THAT approval of the application be subject to the following conditions:

(a) THAT the proposed change to the form of development previously approved by Council on June 25, 2002 be approved by Council in principle generally as prepared by Bing Thom Architects Inc., and stamped "Received, City Planning Department, November 27, 2002", provided that the Director of Planning or Development Permit Board, may allow minor alterations to the form of development when approving the detailed scheme of development as outlined in (b) below.

(b) THAT, prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall have particular regard to the following:

DESIGN DEVELOPMENT

(1) further design development to the articulation and architectural treatment of the tower, including setbacks where possible and appropriate, to maximize the slenderness of the upper portion of the building and to ensure that its overall architectural excellence carries through to the detailing of the glass curtain wall;

(2) further design development to the mechanical penthouse, decorative roof and related architectural appurtenances to achieve an appropriate rooftop for this prominent building;

(3) further design development to include consideration of a canopy providing pedestrian weather protection.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louis

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 3 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. 7649 which amended Zoning and Development By-law No. 3575, by rezoning a certain area to CD-1 (7400 Oak Street - Parking Relaxations) (By-law No. 8626)~~

~~(Councillors Stevenson, Woodsworth and the Mayor excused from voting on By-law 1)~~

2. A By-law to amend By-law No. 8536 which amended Zoning and Development By-law No. 3575, by rezoning a certain area to CD-1 (801 West Georgia Street - Floor Area and Parking) (By-law No. 8627)

(Councillors Stevenson, Woodsworth and the Mayor excused from voting on By-law 2)

3. A By-law to amend By-law No. 8536 which amended Zoning and Development By-law No. 3575, by rezoning a certain area to CD-1 (801 West Georgia Street - Height and Exclusions)(By-law No. 8628)

(Councillors Stevenson, Woodsworth and the Mayor excused from voting on By-law 3)

801 West Georgia Street
(Floor area and parking)

BY-LAW NO. 8627

**A By-law to amend By-law No. 8536 which amended
Zoning and Development By-law No. 3575
by rezoning a certain area to CD-1**

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

1. This By-law amends the indicated provisions of and adds provisions to By-law No. 8536.
2. To subsection (a) of section 2.2, after “more”, add:

“, and which dwelling units will be in an “activity zone” as defined in the Noise Control By-law, and, as a result, will be subject to the noise levels permitted in commercial and industrial districts”.
3. From subsection (a) of section 3.1, delete:
 - (a) “the existing hotel and related commercial and ancillary uses”, and substitute “development”; and
 - (b) “15 758 m²”, and substitute “17 000 m²”.
4. From subsection (b) of section 3.1, delete “mixed use”.
5. In section 3.2:
 - (a) from subsection (d), at the end, delete “and”;
 - (b) from subsection (e), at the end, delete “.”, and substitute “;”;
 - (c) add:
 - “(f) amenity areas ancillary to the principal use that provide for the social and recreational enjoyment of residents and employees, or for a service to the public, including facilities for physical fitness, general recreation and child day care, if the excluded area does not exceed 929 m² for any development; and
 - (g) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing.”.

6. Delete section 3.5, and substitute:

“3.5 For the purpose of floor area calculation, each 1 m² of gross floor area for above-grade parking will count as 0.7 m², except that in the case of an automated parking system, each 1 m² of the effective useable floor area of the parking system, including vehicle storage racks and vehicle elevator areas, but excluding void spaces or other similar unusable areas, will count as 0.7 m² of floor area.”

7. In section 5.1:

(a) from subsection (c), at the end, delete “and”;

(b) from subsection (d), at the end, delete “.”, and substitute “; and”; and

(c) add:

“(e) the Development Permit Board may approve off-street parking spaces in an automated parking system, and, with respect to such off-street parking spaces, may relax the requirements of sections 4.7 and 4.8 of the Parking By-law, including minimum parking space dimensions, aisle dimensions, and other requirements but excluding requirements for the number, size, and location of disability parking spaces which will continue to apply.”

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

ENACTED by Council this 11th day of February, 2003.

(Signed) "Larry W. Campbell"
Mayor

(Signed) "Syd Baxter"
City Clerk

I certify that this is a true copy of By-law No. 8627 enacted by the Council of the City of Vancouver on February 11, 2003.

CITY CLERK

801 West Georgia Street
(Height and exclusions)

BY-LAW NO. 8628

**A By-law to amend By-law No. 8536 which amended
Zoning and Development By-law No. 3575
by rezoning a certain area to CD-1**

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

1. This By-law amends the indicated provisions of and adds provisions to By-law No. 8536.
2. Delete sections 4.1 and 4.2.
3. Add the following as section 4.1:

“4.1 The maximum building height measured above the base surface to the roof of the uppermost occupied floor must not exceed 141.7 m, except that the Development Permit Board may permit an increase:

- (a) in maximum building height measured to the roof of the uppermost occupied floor of habitable space to 148.4 m for the purposes of improving the liveability of dwelling unit and hotel uses;
- (b) for a decorative roof, including architectural appurtenances such as towers, turrets, and cupolas and mechanical appurtenances such as elevator machine rooms and chimneys, to 155.9 m if:
 - (i) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances,
 - (ii) the roof does not add to the floor area otherwise permitted, and
 - (iii) the Development Permit Board first considers all applicable policies and guidelines adopted by Council; and
- (c) for a rooftop architectural appurtenance, to a further height of 162.0 m but limited to a relatively transparent glass box, about 2.4 m by 2.4 m in cross-sectional area.”

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

ENACTED by Council this 11th day of February , 2003

(Signed) "Larry W. Campbell"
Mayor

(Signed) "Syd Baxter"
City Clerk

I certify that this is a true copy of By-law No. 8628 enacted by the Council of the City of Vancouver on February 11, 2003.

CITY CLERK

GM

Miscellaneous text

BY-LAW NO. 8890

**A By-law to amend By-law No.'s 8536, 8546, and 8740 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 each of By-law No.'s 8536 and 8546, Council:
 - (a) from section 3.4, strikes out "3.2", and substitutes "3.3";
 - (b) re-numbers sections 3.2, 3.3, 3.4, and 3.5 as 3.3, 3.4, 3.5, and 3.6; and
 - (c) after section 3.1, adds:

"3.2 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, to be measured to the extreme outer limits of the building."

2. In By-law No. 8740, Council:
 - (a) from section 4.8, strikes out "4.5", and substitutes "4.6";
 - (b) re-numbers sections 4.5, 4.6, 4.7, and 4.8 as 4.6, 4.7, 4.8, and 4.9; and
 - (c) after section 4.4, adds:

"4.5 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, to be measured to the extreme outer limits of the building."

BY-LAWS

MOVED by Councillor Bass
SECONDED by Councillor Louis

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 Parking By-law No. 6059 (By-law No. 8883)
2. A By-law to amend Building By-law No. 8057 regarding energy utilization (By-law No. 8884)
3. A By-law to enact a Housing Agreement for 2001 Cassiar Street (By-law No. 8885)
4. A By-law to designate certain real property as protected heritage property (re 2036 West 15th Avenue (By-law No. 8886)
(Councillors Bass, Ladner and Sullivan excused from voting on By-law 4)
5. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 2036 West 15th Avenue) (By-law No. 8887)
(Councillors Bass, Ladner and Sullivan excused from voting on By-law 5)
6. A By-law to amend Central Waterfront Official Development Plan By-law No. 5261 and Southeast Granville Slopes Official Development Plan By-law No. 5752 (By-law No. 8888)
(Councillors Bass, Ladner and Sullivan excused from voting on By-law 6)
7. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text and plan amendments) (By-law No. 8889)
(Councillors Bass, Ladner and Sullivan excused from voting on By-law 7)
8. A By-law to amend By-law No.'s 8536, 8546, and 8740 which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (By-law No. 8890)
(Councillors Bass, Ladner and Sullivan excused from voting on By-law 8)
9. A By-law to amend By-law No. 6744 which amended Zoning and Development By-law No. 3575 by rezoning a certain area to CD-1 (By-law No. 8891)
(Councillors Bass, Ladner and Sullivan excused from voting on By-law 9)
10. A By-law to amend Noise Control By-law No. 6555 (re 1402-1436 Kingsway and 4050 Knight Street (By-law No. 8892)
11. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 3837 Point Grey Road) (By-law No. 8893)
(Councillors Cadman, Green, Louie and Roberts excused from voting on By-law No. 11)

2. TEXT AMENDMENTS: Zoning & Development By-law, CD-1s & Official Development Plans

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

Summary: Miscellaneous text amendments to the Zoning & Development By-law, CD-1 By-laws, and Official Development Plans to provide clarity regarding existing regulations.

The Director of Current Planning recommended approval.

Staff Comments

Rob Jenkins, Assistant Director, Current Planning, Initiatives Branch, was present to respond to questions.

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 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 Appendix A of the Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws, Official Development Plans and Policies and Guidelines" dated April 21, 2004 be approved.

CARRIED UNANIMOUSLY
(Councillors Bass and Sullivan absent for the vote)

DD

Miscellaneous text amendments

BY-LAW NO. 9311

A By-law to amend CD-1 By-law No.'s 7679, 8536, 8546, 8587, 8592, 8740, 8819, 8896, 8943, 8978, 8993, 9081, 9088, 9116, 9154, 9167, 9170, 9173, 9184, 9190, 9195, and 9204

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

1. Council repeals section 3.5 of By-law No.'s 8536 and 8546, and section 4.9 of By-law No. 8740.

2. To By-law No. 7679 as section 6.8, By-law No.'s 8587, 9154 and 9167 as section 4.6, By-law No.'s 8592, 8536, 8546, 8978 and 9116 as section 3.5, By-law No. 8740 as section 4.9, By-law No.'s 8819, 8896, 9184, 9190 and 9195 as section 5.5, By-law No.'s 8993, 9088 and 9204 as section 4.5, and By-law No. 9173 as section 5.6, Council adds:

"The use of floor space excluded, under this By-law, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion."

3. To Section 3 of By-law No.'s 8536 and 8546, Section 4 of By-law No.'s 8587, 9088, 9170 and 9204, and Section 5 of By-law No.'s 8896, 8943, 9081, 9173, 9184, 9190 and 9195, after "Computation of floor space ratio", wherever it appears, Council adds "and floor area".

4. To section 5.4(c) of By-law No. 9173, section 5.3(c) of By-law No.'s 9190 and 9195, and section 4.3(c) of By-law No. 9204, after "bicycle storage,", wherever it appears, Council adds "heating and mechanical equipment,".

5. Council repeals section 6.2 of By-law No.'s 8943 and 9195.

6. Council re-numbers section 7 of By-law No. 8740 as section 7.1, section 6 of By-law No.'s 8896, 9081, 9173, 9184 and 9190 as section 6.1, section 4 of By-law No. 8978 as section 4.1, and section 5 of By-law No.'s 9088, 9170 and 9204 as section 5.1.

7. To By-law No. 7679 as section 7.6, By-law No. 8536 as section 4.3, By-law No.'s 8546, 8592 and 8978 as section 4.2, By-law No. 8587 as section 5.3, By-law No. 8740 as section 7.2, By-law No.'s 8896, 8943, 9081, 9173, 9184, 9190, and 9195 as section 6.2, and By-law No.'s 9088, 9170 and 9204 as section 5.2, Council adds:

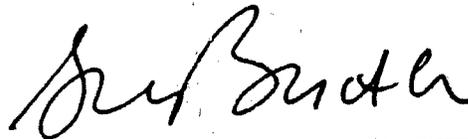
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

8. To section 6.1 of By-law No. 8943, after "191.7 m", Council adds:
", except that mechanical appurtenances and decorative roof may increase the building height to no more than 196.9 m".
9. To section 6.1 of By-law No. 9195, after "178 m", Council adds:
", except that mechanical appurtenances and decorative roof may increase the building height to no more than 182.9 m".
10. Council repeals section 7(a)(ii) and (iii) of By-law No. 9190 and section 6(a)(ii) and (iii) of By-law No. 9204, and substitutes:
"(ii) for dwelling units of more than 80 m² of gross floor area, a minimum of one parking space for each unit plus one additional parking space for each 125 m² of gross floor area in excess of the initial 80 m², except that there need not be more than two spaces for each unit, and
(iii) for all dwelling units, the maximum permitted parking must not exceed 0.2 spaces for each unit more than the required minimum number of parking spaces;"
11. 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.
12. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 13th day of June, 2006



Mayor



City Clerk

7. **CD-1 Rezoning: 311 West 2nd Avenue
May 31, 2006 (VanRIMS.No. 11-3600-03)**

The Policy Report *CD-1 Rezoning: 311 West 2nd Avenue*, dated May 31, 2006, is postponed.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Chow

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Cadman

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 Parking Meter By-law No. 2952 to implement a pay by phone system (By-law No. 9309)**
2. **A By-law to amend Development Permit Board and Advisory Panel By-law No. 5869 regarding designation of members (By-law No. 9310)**
3. **A By-law to amend CD-1 By-law No.'s 7679, 8536, 8546, 8587, 8592, 8740, 8819, 8896, 8943, 8978, 8993, 9081, 9088, 9116, 9154, 9167, 9170, 9173, 9184, 9190, 9195 and 9204 (By-law No. 9311)**
(Councillors Ball, Chow and the Mayor ineligible to vote)
4. **A By-law to amend Sign By-law No. 6510 (re 798 Granville Street) (By-law No. 9312)**
(Councillors Ball, Chow and the Mayor ineligible to vote)

4. Text Amendment: Miscellaneous Text Amendments

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

Summary: To amend various downtown CD-1 By-laws to add missing standard provisions and to correct an error in the Sign By-law

The Director of Current Planning recommended approval.

Staff Comments

Phil Mondor, Rezoning Planner, was present to respond to questions.

Summary of Correspondence

No correspondence was received on this application since it was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Stevenson

THAT the application by the Director of Current Planning to amend several CD-1 By-laws and the Sign By-law generally as described in Appendix A to Policy Report "Miscellaneous Text Amendments" dated April 4, 2006, be approved.

CARRIED UNANIMOUSLY

These minutes will be adopted by Council on May 30, 2006.

CITY OF VANCOUVER

5



SPECIAL COUNCIL MEETING MINUTES

MAY 16, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, May 16, 2006, at 7:38 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to various CD-1 By-laws, the Sign By-law, and the Heritage By-law.

PRESENT:

Deputy Mayor David Cadman
Councillor Suzanne Anton
Councillor Kim Capri
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT:

Mayor Sam Sullivan (Sick Leave)
Councillor Elizabeth Ball (Sick Leave)
Councillor George Chow (Leave of Absence)

CITY CLERK'S OFFICE:

Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Cadman in the Chair, to consider proposed amendments to various CD-1 By-laws, the Sign By-law, and the Heritage By-law.

CARRIED UNANIMOUSLY

1. Heritage Revitalization Agreement/Heritage Designation: 73-91 East 27th Avenue

An application by Robert Brown, Resource Rethinking Building Inc., was considered as follows:

Summary: Heritage Revitalization Agreement and designation to permit strata titling in exchange for rehabilitation and conservation of five houses on this lot.

The Director of Current Planning recommended approval.

801 West Georgia Street

BY-LAW NO. 9472

A By-law to amend CD-1 By-law No. 8536

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

1. From the first column of section 6 of By-law No. 8536, Council strikes out "hotel sleeping rooms".
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 15th day of May, 2007



Mayor



City Clerk

BY-LAWS

MOVED by Councillor Ball
SECONDED by Councillor Capri

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 16 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. 9471)**
(Councillors Chow, Deal, Lee and Stevenson ineligible to vote)
2. **A By-law to amend CD-1 By-law No. 8536 (re 801 West Georgia Street; miscellaneous text amendments) (By-law No. 9472)**
(Councillors Chow, Deal, Lee and Stevenson ineligible to vote)
3. **A By-law to amend Downtown Official Development Plan By-law No. 4912 (re miscellaneous text amendments) (By-law No. 9473)**
(Councillors Chow, Deal, Lee and Stevenson ineligible to vote)
4. **A By-law to amend Sign By-law No. 6510 (re miscellaneous text amendments) (By-law No. 9474)**
(Councillors Chow, Deal, Lee and Stevenson ineligible to vote)
5. **A By-law to amend Parking By-law No. 6059 (re miscellaneous text amendments) (By-law No. 9475)**
6. **A By-law to amend CD-1 By-law No. 4634 (re Arbutus Centre, 4255 Arbutus Street) (By-law No. 9476)**
(Councillors Deal and Lee ineligible to vote)
7. **A By-law to enact a Housing Agreement for 237 Keefer Street (By-law No. 9477)**
8. **A By-law to amend Impounding By-law No. 3519 regarding impounding charges (By-law No. 9478)**
9. **A By-law to amend Single Room Accommodation By-law No. 8733 regarding miscellaneous amendments (By-law No. 9479)**
10. **A By-law to amend Zoning and Development By-law No. 3575 (re small businesses) (By-law No. 9480)**
(Councillors Deal and Lee ineligible to vote)
11. **A By-law to amend Downtown Official Development Plan By-law No. 4912 (re small businesses) (By-law No. 9481)**
(Councillors Deal and Lee ineligible to vote)

12. **A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re small businesses) (By-law No. 9482)**
(Councillors Deal and Lee ineligible to vote)
13. **A By-law to amend License By-law No. 4450 regarding small businesses**
(By-law No. 9483)
14. **A By-law to amend Parking By-law No. 6059 (re small businesses) (By-law No. 9484)**
15. **A By-law to amend Building By-law No. 9419 regarding small businesses**
(By-law No. 9485)
16. **A By-law to amend Parking By-law No. 6059 (regarding parking requirements for multiple residential use) (By-law No. 9486)**



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

APRIL 17, 2007

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, April 17, 2007, 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, Official Development Plans and Sign By-laws.

PRESENT:

- Mayor Sam Sullivan
- Councillor Suzanne Anton
- Councillor Elizabeth Ball
- Councillor David Cadman
- Councillor Kim Capri
- *Councillor George Chow
- Councillor Peter Ladner
- Councillor Raymond Louie
- *Councillor Tim Stevenson

ABSENT:

- Councillor Heather Deal
- Councillor B.C. Lee (Sick Leave)

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY
(Councillors Chow and Stevenson absent for the vote)

1. TEXT AMENDMENT: Miscellaneous Text Amendments

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

Summary: Miscellaneous amendments to the Zoning and Development By-law, CD-1 By-law No. 8536 for 801 West Georgia Street, the Downtown Official Development Plan, the Sign By-law, the Parking By-law and Liquor Store Guidelines. The amendments achieve the intent of earlier rezonings.

The Director of Planning recommended approval.

Staff Comments

Grant Miller, Rezoning Planner, Rezoning Centre, was present to respond to questions.

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 Capri

A. THAT the application by the Director of Planning to amend the Zoning and Development By-law, CD-1 By-law No. 8536, Downtown Official Development Plan, and Sign By-law for miscellaneous amendments generally as presented in Appendix A to Policy report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws, Downtown Official Development Plan, Sign By-law, and Parking By-law" dated February 27, 2007 be approved.

B. THAT miscellaneous amendments to the Parking By-law and the Liquor Store Guidelines be approved, generally in accordance with Appendix B of the above noted Policy report; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary by-law for enactment.

CARRIED UNANIMOUSLY

(Councillors Chow and Stevenson absent for the vote)

2. TEXT AMENDMENT: Zoning and Development By-law (Definitions)

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

Summary: To amend the definitions in the Zoning and Development By-law, Downtown Official Development Plan and Downtown Eastside/Oppenheimer Official Development Plan to better reflect current business practices in the categories of: Fitness Centre, Health Care Office, Health Enhancement Centre, Barber Shop, Beauty and Wellness Centre, Personal Training Centre and to delete the land use term: Body Rub Parlour.

The Co-Directors of Development Services in consultation with the Director of Legal Services, the Chief License Inspector, the General Manager of Engineering Services, the Chief Building Official and the Director of Planning recommended approval.