



City of Vancouver *Zoning and Development By-law*

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CD-1 (416)

1175 Broughton Street

By-law No. 8592

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

Effective November 7, 2002

(Amended up to and including By-law No. 9311, dated June 13, 2006)

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 (416), 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) Seniors Supportive or Assisted Housing, [8824; 04 04 06] [8989; 05 02 15]
- (b) Hall,
- (c) Parking Area ancillary to a principal use on the adjacent site legally described as Lots 1 and 2, both of Block 49, District Lot 185, Plan 92, and
- (d) Accessory Uses customarily ancillary to the above uses.

3 Floor Space Ratio

3.1 The floor space ratio must not exceed 2.75.

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

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

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

- (a) open residential balconies, sundecks, porches and any other appurtenances which, in the opinion of the Director of Planning are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, 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:
 - (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 parking space shall not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, including day care facilities, recreation facilities and meeting rooms provided that:
 - (i) in the case of day care facilities, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood; and
 - (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted floor space or 1 000 m², with an additional 10 percent of the permitted floor space or 500 m², whichever is lesser, for day care facilities where these are included;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8592 or provides an explanatory note.*

- (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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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]
- (h) bicycle storage at or below base surface, provided that a secured and separate bicycle room shall be provided and equipped with bicycle racks adequate for the storage of a minimum of one bicycle for every four dwelling units;
- (i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000.

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

3.5 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. [9311; 06 06 13]

4 Height

4.1 The maximum building height measured above the base surface is 28.5 m and the building must not extend beyond 9 storeys.

4.2 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

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) for Seniors Supportive or Assisted Housing use, a minimum of one off-street parking space for every four dwelling units must be provided; [8824; 04 04 06] [8989; 05 02 15]
- (b) a minimum of thirty off-street parking spaces for the use of the church on the adjacent site described in Section 2(c) must be provided; and
- (c) the relaxation provisions of Section 3.2 of the Parking By-law shall apply.

6 Acoustics

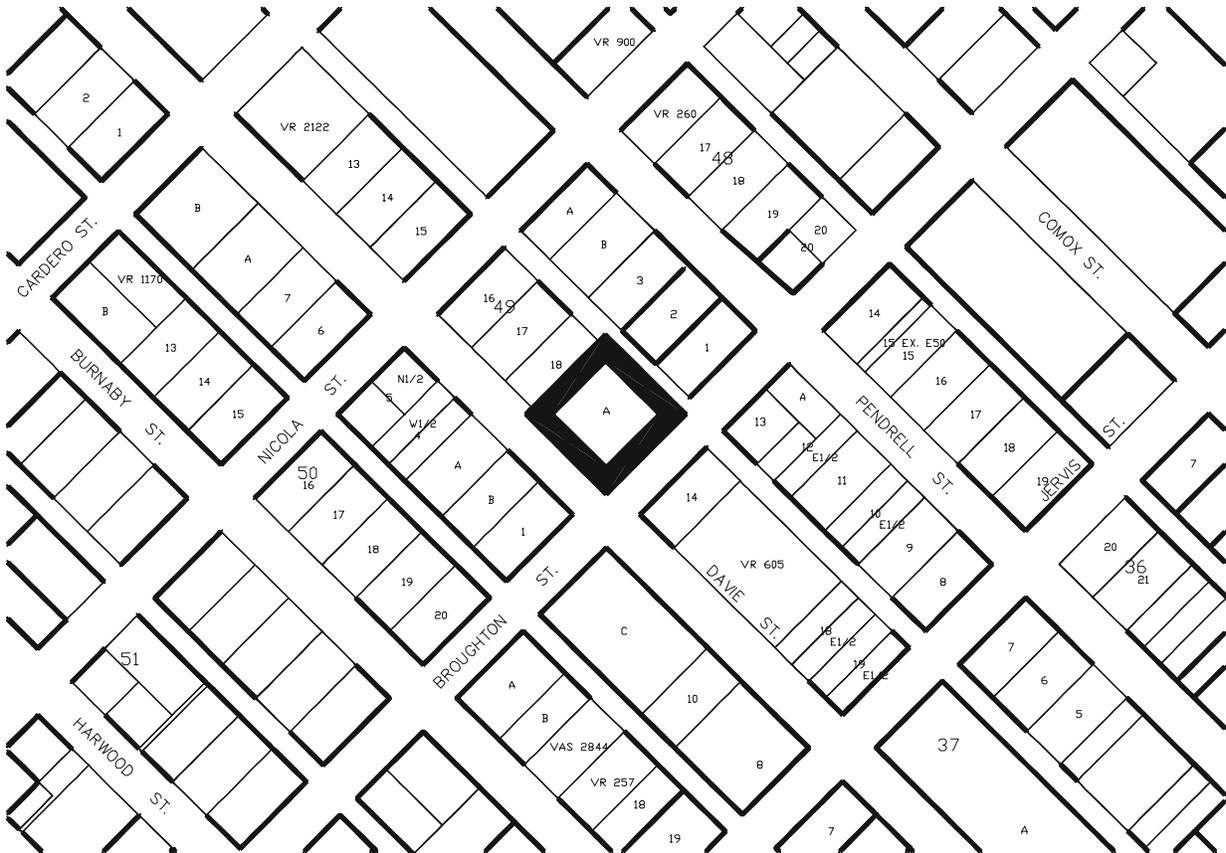
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level 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

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

being the Zoning & Development By-law



The property outlined in black ([black box]) is rezoned:

From **RM-5** to **CD-1**

Z-518

RZ - 1175 Broughton Street

map: 1 of 1

scale: 1:3000



City of Vancouver



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

APRIL 10 AND 24, 2001

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, April 10, 2001, 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, Sign, and Zoning and Development By-laws and the Coal Harbour Official Development Plan. Subsequently, the meeting was recessed, and reconvened in the Council Chamber at 7:30 p.m. on Tuesday, April 24, 2001. The Minutes have been consolidated for ease of reference.

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
ABSENT	Councillor Lynne Kennedy (Sick Leave)
APRIL 24TH:	Councillor Daniel Lee (Leave of Absence) Councillor Don Lee (Civic Business)
CITY CLERK'S OFFICE:	Denise Salmon, Meeting Coordinator

*Denotes presence for portion of the meeting

COMMITTEE OF THE WHOLE

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

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Heritage, Sign, and Zoning and Development By-laws and the Coal Harbour Official Development Plan.

- CARRIED

(Councillors Bass, Don Lee, McCormick, Price and Puil opposed)

At this point in the proceedings the Mayor sought direction from Council on whether to proceed with the following item due to the lateness of the hour and the number of registered speakers. Council agreed to continue the Public Hearing on April 24th, but allowed those unable to attend on that date to speak this evening. Minutes for Item 5 have been consolidated for ease of reference.

5. Rezoning: 1175 Broughton Street

An application by Studio One Architects was considered as follows:

Summary: The proposed rezoning of 1175 Broughton Street would permit congregate housing, a multi-purpose church hall and parking for the development and the adjacent church.

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

Staff Comments

Lynda Challis, Planner, described the proposal and groups supporting the project and provided a brief overview of the zoning issues of use and density. Ms. Challis further outlined the proposed conditions of approval and highlighted where the applicant and City staff are not in agreement. Anne Kloppenborg, Social Planner, spoke on behalf of the congregate working group and advised affordable congregate housing is needed and difficult to achieve in Vancouver. Ms. Kloppenborg recognized the significant contribution the church is making to this project and the crucial support on the part of the Health Board. Paul Pinsker, Parking Engineer, provided comments on parking issues.

NOTE FROM CLERK: The following By-law was adopted at the conclusion of the April 10th portion of the Public Hearing.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. McCormick ,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Puil,
SECONDED by Cllr. Price,

THAT the report of the Committee of the Whole regarding item 1 be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

BY-LAWS

1. A By-law to designate heritage property, and to amend By-law No. 4837, being the Heritage By-law (154-156 East 7th Avenue) By-law No. 8330

MOVED by Cllr. McCormick,
SECONDED by Cllr. Clarke,

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

- CARRIED UNANIMOUSLY

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

There being no amendments, it was

MOVED by Cllr. McCormick,
SECONDED by Cllr. Clarke,

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

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Cllr. Puil,
SECONDED by Cllr. Sullivan,

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

- CARRIED UNANIMOUSLY

5. Rezoning: 1175 Broughton Street (Cont'd)

Applicant Comments

Chuck Brook, Brook Development Planning Inc. representing the applicant, introduced Gil Luyten, representing Columbus Charities. Mr. Luyten provided details of the non-profit association, and noted its mandate is to build affordable housing for seniors. Mr. Brook, with the aid of photographs and a model, provided Council with details of the project and noted concerns with specific conditions of approval, including staff's recommended setback from Davie Street, and the need for separation by a solid wall between the church hall and the congregate housing common area. Mr. Brook also requested Council exempt this project from paying the Community Amenity Contribution.

Summary of Correspondence

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

four letters in support
two letters opposed
one petition containing 135 signatures
one other

Speakers

Mayor Owen called for speakers for and against the application.

The following delegations, while not opposed to seniors congregate housing being built in the West End, expressed concerns with the proposed rezoning of 1175 Broughton; their comments are summarized below:

Tim Pawsey, area resident
Mark Moore, area resident
Ross Waring, area resident

Clause 5 Cont'd

Heather Pawsey, area resident
Wendy Stephenson, area resident

concern with scale, density and possible future uses of the project
the number of proposed parking spaces, the use of the proposed multi-purpose church hall, and the use and impact of the commercial kitchen, which will require frequent deliveries
all traffic will enter and exit from the lane between Davie and Pendrell, this activity will be immediately across from several low-rise residential buildings, which will be impacted adversely by the noise, exhaust and loss of sunlight
fear this rezoning will create a precedent for lots on both sides of lane, altering the low-rise residential character of the immediate neighbourhood
a smaller, lower building, with fewer parking spaces, housing around 66 units would be both viable and have less adverse impact on the neighbourhood

the project should be harmonious in keeping with the character of the neighbourhood

The following delegations spoke in support of the proposed rezoning of 1175 Broughton Street; their comments are summarized below:

Florence Runge (brief filed)
 Sissy Rodden
 Florence Benoit
 Margaret Raine
 Linda Thomas, Vancouver Richmond Health Board
 Kay Neilson
 Darlene Thompson (petition filed)

the proposed seniors housing project would benefit the west end area, which is in need of affordable housing for the elderly

aesthetics are more important than setbacks

underground parking would not adversely affect nearby residents, only passenger vehicles would enter from the lane, and only a small number of residents own cars

facilities that offer meals are ideal for seniors, and the need for familiar surroundings for the elderly as they age is very important

this type of facility allows seniors to stay independent longer, is a better alternative for health care and less expensive than extended care

this project will help lower income seniors

request Council support this and similar projects to give opportunities to those seniors who have few other options

Clause 5 Cont'd

Staff Closing Comments

Ms. Challis summarized and clarified the options and design conditions for the project, and provided staff's rationale for the need of setbacks along the lane and Davie Street. In response to questions from Council, Ms. Challis provided possible wording if Council were to approve amendments to conditions, including the setback issue, and further noted the by-law could be amended if Council wished to further limit the amount of parking available and/or restrict rental of parking to third parties, with limited exceptions. The importance of a means to separate the residents' amenity space from church hall space was also highlighted. Wording to forego the community amenity contribution was also offered if Council wished to stay with the spirit of the CAC policy.

Council Decision

Council discussed potential impacts of both staff's recommended 20 foot setback on Davie and the applicants requested 15 foot setback, the ability to provide relief on the Community Amenity contributions, issues related to the number of parking spaces to be provided, and type of separation required between the church hall and seniors' amenity space.

MOVED by Cllr. Clarke

A. THAT the application by Studio One Architects to rezone 1175 Broughton Street to permit

congregate housing, a multi-purpose church hall and parking for the development and the adjacent church be approved with the following amendments to the conditions as set out in the agenda:

(b) (i) the setback along Davie be 15 feet;

(ii) design development to provide a 0.6 - 0.9 m (2-3 ft.) planter for landscaping along the lane if it can be done without substantially increasing project costs;

(x) (1) separation by a fixed wall (soundproofed), with door or gracious double doors to allow for passage of people with mobility requirements, between the church hall and congregate housing common area;

(c) (iv) pay to the City a Community Amenity Contribution of \$65,064.35, unless a Covenant is registered to secure an appropriate number of units for appropriate number of residents to the satisfaction of the Director of Housing and Director of Legal Services, and consistent with the rents proposed.

Clause 5 Cont'd

B. THAT Section 5 of the draft CD-1 By-law be amended to allow up to 74 parking spaces; and

FURTHER THAT parking not be rented out for parking other than related to church, church hall, and congregate care facility activities.

- amended

AMENDMENT MOVED by Cllr. Puil,

THAT condition (b) (i), be amended to read:

(i) design development to reduce the impact of the increased density on Davie Street, by increasing the setback along Davie as close as practical to 6.1 m (20 ft.) while minimizing impacts on project costs ;

- CARRIED

(Councillors Bass, Clarke and the Mayor opposed)

(Councillors Kennedy, Daniel Lee and Don Lee not present for the vote)

AMENDMENT MOVED by Cllr. Bass,

"THAT Section 5 of the draft CD-1 By-law be amended to replace 74 with 55 parking spaces.

- LOST

(Councillors Clarke, Louis, McCormick, Puil, Sullivan and the Mayor opposed)

(Councillors Kennedy, Daniel Lee and Don Lee not present for the vote)

MOTION AS AMENDED:

A. THAT the application by Studio One Architects to rezone 1175 Broughton Street to permit congregate housing, a multi-purpose church hall and parking for the development and the adjacent church be approved subject to the following conditions:

(a) That the proposed form of development be approved by Council in principle, generally as prepared by Studio One Architects, and stamped "Received City Planning Department", October 19, 2000, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

Clause 5 Cont'd

(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 reduce the impact of the increased density on Davie Street, by increasing the setback along Davie as close as practical to 6.1 m (20 ft.) while minimizing impacts on project costs ;

(ii) design development to provide a 0.6 - 0.9 m (2-3 ft.) planter for landscaping along the lane if it can be done without substantially increasing project costs;

(iii) design development to improve and lighten the appearance of the top floor through architectural treatment and expression;

Note to applicant: The use of additional glazing, colour, or detailing approaches should all be explored.

(iv) design development to reduce the height of the proposed elevator penthouse;

(v) design development to provide more direct pedestrian access from Broughton Street to the proposed church hall use;

(vi) design development to enhance the residential character of the Davie Street facade and increase pedestrian interest by providing a limited, sunny patio area in the Davie Street side yard, and access from the adjacent dining area;

Note to applicant: A more residential treatment of the three glazed dining room bays at the main floor level, and the provision of an appropriately detailed canopy is recommended.

(vii) design development to improve the relationship to the public realm (sidewalks) by further articulating the stone retaining wall;

(viii) design development to improve pedestrian interest and public amenity by providing additional landscape elements at the corner of Davie and Broughton Streets;

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

Clause 5 Cont'd

- (1) provide a minimum dining room size of _ of 2 m² (21.5 sq. ft.) per unit and an operating plan to indicate that residents and visitors can be accommodated;
- (2) provide an area adjacent to the dining room suitable for parking walkers;
- (3) provide a minimum of 97.5 m² (1,050 sq. ft.) of usable ground floor amenity space for the exclusive use of the residents of the building and a minimum of 46.3 m² (498 sq. ft.) of usable amenity space on the 3rd floor;
- (4) re-configure unit design to move the kitchenette closer to the living area. Stove tops adjacent to entrance doors are not acceptable;
- (5) re-configure unit designs to increase useable living space;
- (6) re-configure unit washrooms to enlarge the shower area to:
 - provide space for a permanent seat and grab bars;
 - allow more access to the shower area so that a second person can assist the resident;
- (7) provide a minimum of 1.5 m (5 ft.) length of closet space in each unit;
- (8) provide useable and accessible storage in individual units or elsewhere in the building for large personal items belonging to residents of the congregate housing units;
- (9) provide usable storage in the common areas for tables, chairs, equipment, games, movies, etc.;
- (10) enlarge or combine the amenity rooms on the upper floors (2nd to 8th floors) to make the space more useable;

Note to applicant: Amenity room dimensions of 2.7 m (9 ft.) by 6.1 m (20 ft.) restrict usability. Consider amalgamating some amenity space rooms to provide more functional space.
- (11) consider relocating wheel-chair accessible units to 2nd and 3rd floor;

Clause 5 Cont'd

(x) design development of the ground floor, including stairs and elevators, to designate separate space for church hall use and congregate housing use, to the satisfaction of the Director of Planning, Director of Social Planning and Director of the Housing Centre, and having particular regard to:

(1) separation by a fixed wall (soundproofed), with door or gracious double doors to allow for passage of people with mobility requirements, between the church hall and congregate housing common area;

(2) public access between the parking garage, church hall and church;

Note to applicant: The public and church members should not use the elevator and stairs intended for the congregate housing residents. An additional elevator may be required.

(3) wheelchair access to the church hall; and

(4) washrooms for the church hall users.

(xi) provision of a fire safety plan which includes 24 hour staff assistance to residents in case of an emergency;

(xii) design development to ensure Vancouver Building By-law building permit requirements are anticipated at the development permit stage (eg. fire separation, disabled access, areas of refuge);

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

(1) reducing opportunities for theft in the underground by gating the underground at the ramp;

(2) increasing safety and security in the underground in accordance with section 4.12 of the Parking By-law by partially glazing exit stair doors and giving consideration to painting the walls and ceilings white;

(3) reducing opportunities for graffiti on the lane;

Clause 5 Cont'd

(4) reducing opportunities for mischief and B&E along the lane;

(xiv) provision of a legal survey illustrating the following information:

(1) existing trees 20 cm caliper or greater on the development site;

(2) the public realm (property line to curb), including existing trees, street utilities such as lamp posts, fire hydrants, etc. adjacent to the development site; and

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

(i) make suitable arrangements, to the satisfaction of the Director of Legal Services and the Approving Officer, to consolidate lots 19 and 20, Block 49, D.L. 185, Plan 92;

(ii) make suitable arrangements, to the satisfaction of the General Manager of Engineering Services, for all new hydro and telephone services to be undergrounded from the closest existing suitable service point including a review of the impact of the new site servicing to determine its effect on the neighbourhood (this could result in the service point being adjusted to reduce the impact on the surrounding neighbourhood);

(iii) 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;

(iv) pay to the City a Community Amenity Contribution of \$65,064.35, unless a Covenant is registered to secure an appropriate number of units for appropriate number of residents to the satisfaction of the Director of Housing and Director of Legal Services, and consistent with the rents proposed;

(v) register a legal agreement to the lands, in form and substance and with priority satisfactory to the Director of Legal Services, to secure the parking spaces required for the adjacent site (as described in Section 5(b) of the draft CD-1 By-law), and to cause the adjacent site owner to covenant to the City in that agreement not to permit anyone other than users of the church to park in those parking spaces or in any other parking spaces on the lands which the developer (Columbus Charities) may allocate from time to time to the adjacent owner.

Clause 5 Cont'd

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 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 Section 5 of the draft CD-1 By-law be amended to allow up to 74 parking spaces; and

FURTHER THAT parking not be rented out for parking other than related to church, church hall, and congregate care facility activities.

- CARRIED UNANIMOUSLY

(Councillors Kennedy, Daniel Lee and Don Lee not present for the vote.)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. McCormick,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Louis,

SECONDED by Cllr. Bass,

THAT the report of the Committee of the Whole be adopted and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

The Special Council recessed at 11:03 p.m. on April 10, 2001,
and
adjourned at 10:36 p.m. on April 24, 2001.

* * * * *

BY-LAWS

- 1. A By-law to amend By-law No. 4472 which amended Zoning and Development By-law No.3575 by rezoning an area to CD-1 (Vancouver General Hospital - 855 West 12th Avenue) (By-law No. 8584)**
- 2. A By-law to amend Sign By-law No. 6510 (855 West 12th Avenue - Vancouver General Hospital) (By-law No. 8585)**
- 3. A By-law to amend Noise Control By-law No. 6555 (855 West 12th Avenue) (By-law No. 8586)**
- 4. A By-law to amend Zoning and Development By-law No. 3575 (651 Expo Boulevard) (By-law No. 8587)**
- 5. A By-law to amend False Creek North Official Development Plan By-law No. 6650 (FCN ODP - 651 Expo Boulevard) (By-law No. 8588)**
- 6. A By-law to amend By-law No. 7675 which amended Zoning and Development By-law No. 3575 by rezoning a certain area to CD-1 (500 Pacific Street - Marina) (By-law No. 8589)**
- 7. A By-law to amend False Creek North Official Development Plan By-law No. 6650 (500 Pacific Street - Marina) (By-law No. 8590)**
- 8. A By-law to amend Southeast Granville Slopes Official Development Plan By-law No. 5752 (Waterlot - Southeast Granville Slopes) (By-law No. 8591)**
- 9. A By-law to amend By-law No. 3575, being the Zoning and Development By-law (1175 Broughton Street) (By-law No. 8592)**

1175 Broughton Street

BY-LAW NO. 8592

**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-518 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(416), 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 - Congregate Housing,
- (b) Hall,
- (c) Parking Area ancillary to a principal use on the adjacent site legally described as Lots 1 and 2, both of Block 49, District Lot 185, Plan 92, and
- (d) Accessory Uses customarily ancillary to the above uses.

3. Floor Space Ratio

3.1 The floor space ratio must not exceed 2.75.

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

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

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

- (a) open residential balconies, sundecks, porches and any other appurtenances which, in the opinion of the Director of Planning are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;**
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;**
- (c) where floors are used for off-street parking and loading, 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:
 - (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 parking space shall not exceed 7.3 m in length;****
- (d) amenity areas accessory to a residential use, including day care facilities, recreation facilities and meeting rooms provided that:
 - (i) in the case of day care facilities, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood; and****

- (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted floor space or 1 000 m², with an additional 10 percent of the permitted floor space or 500 m², whichever is lesser, for day care facilities where these are included;
- (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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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;
- (h) bicycle storage at or below base surface, provided that a secured and separate bicycle room shall be provided and equipped with bicycle racks adequate for the storage of a minimum of one bicycle for every four dwelling units;
- (i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000.

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4. Height

The maximum building height measured above the base surface is 28.5 m and the building must not extend beyond 9 storeys.

5. Off-Street Parking and Loading

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) for Special Needs Residential Facility - Congregate Housing use, a minimum of one off-street parking space for every four dwelling units must be provided;
- (b) a minimum of thirty off-street parking spaces for the use of the church on the adjacent site described in Section 2(c) must be provided; and
- (c) the relaxation provisions of Section 3.2 of the Parking By-law shall apply.

6. Acoustics

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

<u>PORTIONS OF DWELLING UNITS</u>	<u>NOISE LEVELS (DECIBELS)</u>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

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

DONE AND PASSED in open Council this 7th day of November, 2002

(Signed) "Philip W. Owen"
Mayor

(Signed) "Syd Baxter"
City Clerk

I certify that this is a true copy of By-law No. 8592 enacted by the Council of the City of Vancouver on November 7, 2002.

CITY CLERK

By-law No. 8592 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



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

Z-518

#41666v2

RZ - 1175 Broughton Street

map: 1 of 1

scale: 1:3000



City of Vancouver



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:

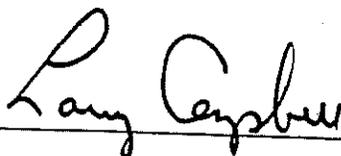
- (a) re-letters clauses (a) and (b) as (b) and (c); and
- (b) before clause (b), inserts “(a) Seniors Supportive or Assisted Housing.”.

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

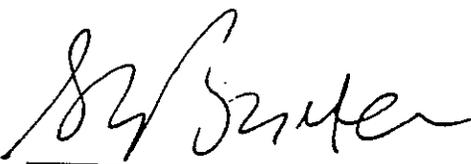
- (a) re-letters clauses (f) and (g) as (g) and (h); and
- (b) after clause (e), inserts “(f) Seniors Supportive or Assisted Housing.”.

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)

BY-LAW NO. 8989

**A By-law to amend By-laws No.'s 3893, 8592, 7087 and 7174
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. 3893, Council:
 - (a) to section 2.2(a), after "Multiple Dwelling", adds "and Seniors Supportive or Assisted Housing" ;
 - (b) from section 2.2(b), strikes out "Special Needs Residential Facility - Congregate Housing, and to"; and
 - (c) from section 7.2(b), strikes out "congregate", and substitutes "seniors supportive or assisted housing".
2. From sections 2(a) and 5(a) of By-law No. 8592, Council strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".
3. In each of By-law No.'s 7087 and 7174, after section 3.4, Council adds:

"3.5 Computation of floor area may exclude 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:

 - (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being approved; and
 - (b) the total enclosed area of excluded balcony floor area must not exceed 50%."

4. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 15th day of February, 2005



Deputy Mayor



City Clerk

2. Text Amendment: Miscellaneous Text Amendments

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

Summary: The proposed text amendments to the Zoning & Development By-law, CD-1 By-laws and the Downtown Official Development Plan would clarify existing regulations.

The Director of Current Planning recommended approval.

Staff Comments

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

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Green

THAT the application by the Director of Current Planning to amend the Zoning & Development By-law, various CD-1 By-laws and the Downtown Official Development Plan to clarify existing regulations generally in accordance with Appendix A to Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws and the Downtown Official Development Plan" dated December 1, 2004 be approved.

CARRIED UNANIMOUSLY

MOVED by Councillor Cadman
SECONDED by Councillor Bass

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louis
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 16 inclusive, and authorize the Deputy Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Building By-law No. 8057 to increase fees (By-law No. 8980)
2. A By-law to amend Electrical By-law No. 5563 to increase fees (By-law No. 8981)
3. A By-law to amend Gas Fitting By-law No. 3507 to increase fees (By-law No. 8982)
4. A By-law to amend Miscellaneous Fees By-law No. 5664 to increase fees (By-law No. 8983)
5. A By-law to amend Private Property Tree By-law No. 7347 to increase fees (By-law No. 8984).
6. A By-law to amend Secondary Suite Inspection Fee By-law No. 6553 to increase fees (By-law No. 8985)
7. A By-law to amend Sign By-law No. 6510 to increase fees (By-law No. 8986)
8. A By-law to amend Subdivision By-law No. 5208 to increase fees (By-law No. 8987)
9. A By-law to amend Zoning and Development Fee By-law No. 5585 to increase fees (By-law No. 8988)
10. A By-law to amend By-laws No.'s 3893, 7087 and 7174 which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (By-law No. 8989) (Councillors Louie, Stevenson, Woodsworth and the Mayor excused from voting on By-law 10)
11. A By-law to amend Downtown District Official Development Plan By-law No. 4912 (re miscellaneous text) (By-law No. 8990)

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:

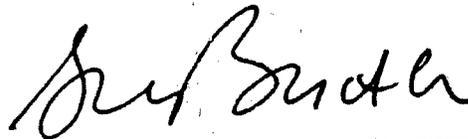
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

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

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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.