



City of Vancouver *Zoning and Development By-law*

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planning@vancouver.ca

CD-1 (419)

1201 West Hastings Street

By-law No. 8819

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

Effective March 23, 2004

(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 Definitions

Words defined in the Zoning and Development By-law are to have the same meanings in this By-law except that, in this By-law:

General Office Live-Work Use means the use of premises for a dwelling unit, general office, or both uses in conjunction with one another, provided that:

- (a) any such use must not include a health enhancement centre or any dating service, entertainment service, exotic dancer business, social escort service or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector; and
- (b) any development permit for such premises will be for a dwelling unit, general office, and dwelling unit combined with general office; and

Grocery Store means the use of premises for the retailing of food, including food which is manufactured on the premises as an integral part of the retail operation but does not include any such premises which may be described as a warehouse store, discount warehouse, or factory outlet, or a warehouse or wholesale club whose membership is open to other than institutions, government agencies and licensed businesses, and does not include Neighbourhood Grocery Store or specialty shops such as bakeries, butchers, delicatessens, candy shops and ice cream parlours where sales are limited to a particular type of food.

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (419).

3.2 The only uses permitted within CD-1 (419), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses limited to Dwelling Units;
- (b) General Office Live-Work Use, limited to five premises;
- (c) Grocery Store; and
- (d) Accessory Use customarily ancillary to any of the uses permitted by this section 3.

4 Conditions of Use

4.1 Each premises containing a general office live-work use must have its own individual entrance facing West Hastings Street.

4.2 Dwelling units are in an “activity zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

5 Density

5.1 The maximum floor space ratio is 6.8, but the floor space ratio for:

- (a) a dwelling unit or general office live-work use must not exceed 6.0; and
- (b) a grocery store use must not exceed 0.8.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8819 or provides an explanatory note.*

- 5.2** Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of buildings.
- 5.3** Computation of floor space ratio must exclude:
- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total floor area of all such exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios and roof gardens for residential purposes only if the Director of Planning first approves the design of sunroofs and walls;
 - (c) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
 - (d) the portion of a floor used for off-street parking, loading, and bicycle storage that, for each parking area, is at or below the base surface;
 - (e) amenity areas accessory to residential use;
 - (f) areas of undeveloped floors 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;
 - (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; and
 - (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.
- 5.4** The Director of Planning may permit exclusion from the computation of floor space ratio of 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 except that:
- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided; and
 - (b) enclosure of the excluded balcony floor area must not exceed 50%.
- 5.5** 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]
- 6** Height
- 6.1** The maximum building height, measured above the base surface, must not exceed 83.8 m, except that the Director of Planning or Development Permit Board, as the case may be, may permit an increase in height to 91.4 m if:
- (a) the Director of Planning or Development Permit Board first considers the height, bulk, location, and overall design of the building, and its effect on the site, surrounding buildings and streets, and existing views;
 - (b) in the opinion of the Director of Planning or Development Permit Board:
 - (i) the additional height enhances the overall appearance of the building and the top of the building as seen on the skyline,
 - (ii) the design of the higher portion of the building minimizes shadow impact on the waterfront walkway, and
 - (iii) the higher portion of the building is predominantly glazed, appropriately integrates all mechanical equipment enclosures, and considers lighting so as not to impact neighbours; and
 - (c) the area of the floor plate of the higher portion of the building is no greater than 50% of a typical floor plate, excluding mechanical equipment.

6.2 Section 10.11 - Relaxation of Limitations on Building Height - of the Zoning and Development By-law does not apply to any increase in maximum building height, measured above the base surface, beyond 91.4 m.

7 Parking and loading

7.1 Any development or use of the site requires the provision, development, and maintenance of off-street parking and loading and bicycle storage in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, except as varied by section 7.2.

7.2 The following parking space requirements apply:

- (a) for a grocery store use:
 - (i) a minimum of one parking space for each 100 m² of gross floor area for the first 300 m² of gross floor area,
 - (ii) a minimum of one parking space for each 50 m² of gross floor area in excess of 300 m² of gross floor area,
 - (iii) despite section 7.2(a)(i) and (ii), the maximum number of parking spaces permitted must be no more than 20% above the minimum number of parking spaces required, and
 - (iv) the maximum number of small car parking spaces must not exceed 15% of the parking spaces required;
- (b) for a general office live-work use, parking must comply with the requirements prescribed for Downtown District Area III in accordance with section 4.3.1 of the Parking By-law; and
- (c) for a dwelling unit:
 - (i) a minimum of 0.9 parking space,
 - (ii) one additional space for each 200 m² of gross floor area, and
 - (iii) despite section 7.2(c)(i) and (ii), the maximum number of parking spaces permitted must be no more than 1.1 parking spaces plus one additional parking space for each 125 m² of gross floor area.

8 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 |

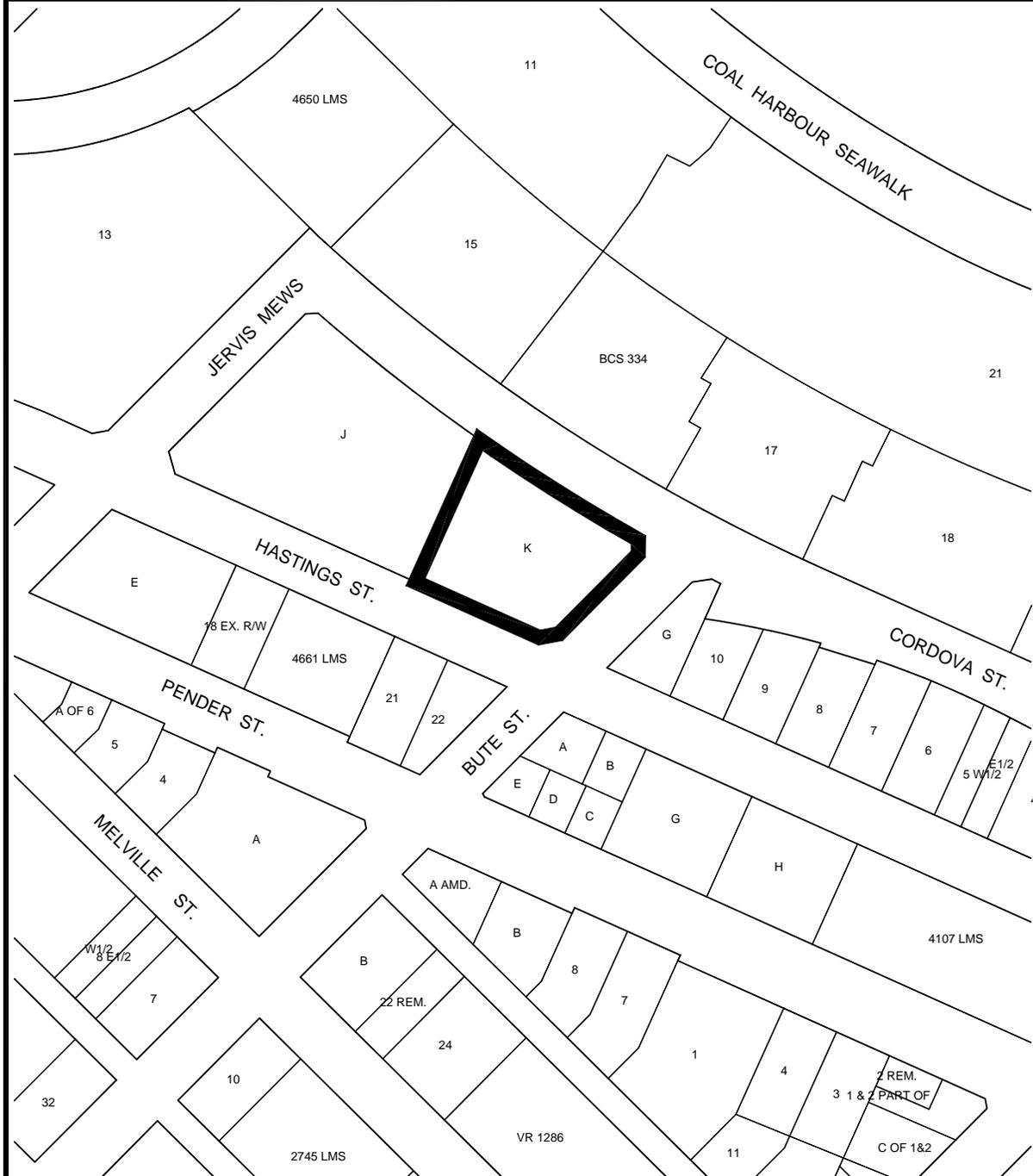
9 Severability

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.

10 *[Section 10 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. 8819 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



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

Z-545

RZ - 1201 W Hastings Street

map: 1 of 1

scale: 1:2000



City of Vancouver

1201 West Hastings Street

BY-LAW NO. 8819

**A By-law to amend Zoning and Development By-Law No. 3575
to rezone an area to CD-1**

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 - 545 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

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Height

6.1 The maximum building height, measured above the base surface, must not exceed 83.8 m, except that the Director of Planning or Development Permit Board, as the case may be, may permit an increase in height to 91.4 m if:

- (a) the Director of Planning or Development Permit Board first considers the height, bulk, location, and overall design of the building, and its effect on the site, surrounding buildings and streets, and existing views;
- (b) in the opinion of the Director of Planning or Development Permit Board:
 - (i) the additional height enhances the overall appearance of the building and the top of the building as seen on the skyline,
 - (ii) the design of the higher portion of the building minimizes shadow impact on the waterfront walkway, and
 - (iii) the higher portion of the building is predominantly glazed, appropriately integrates all mechanical equipment enclosures, and considers lighting so as not to impact neighbours; and
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Parking and loading

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|-----------------------------------|--------------------------------|
| bedrooms | 35 |
| living, dining, recreation rooms | 40 |
| kitchen, bathrooms, hallways | 45 |

Severability

9. 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.

Force and effect

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

ENACTED by Council this 23rd day of March, 2004

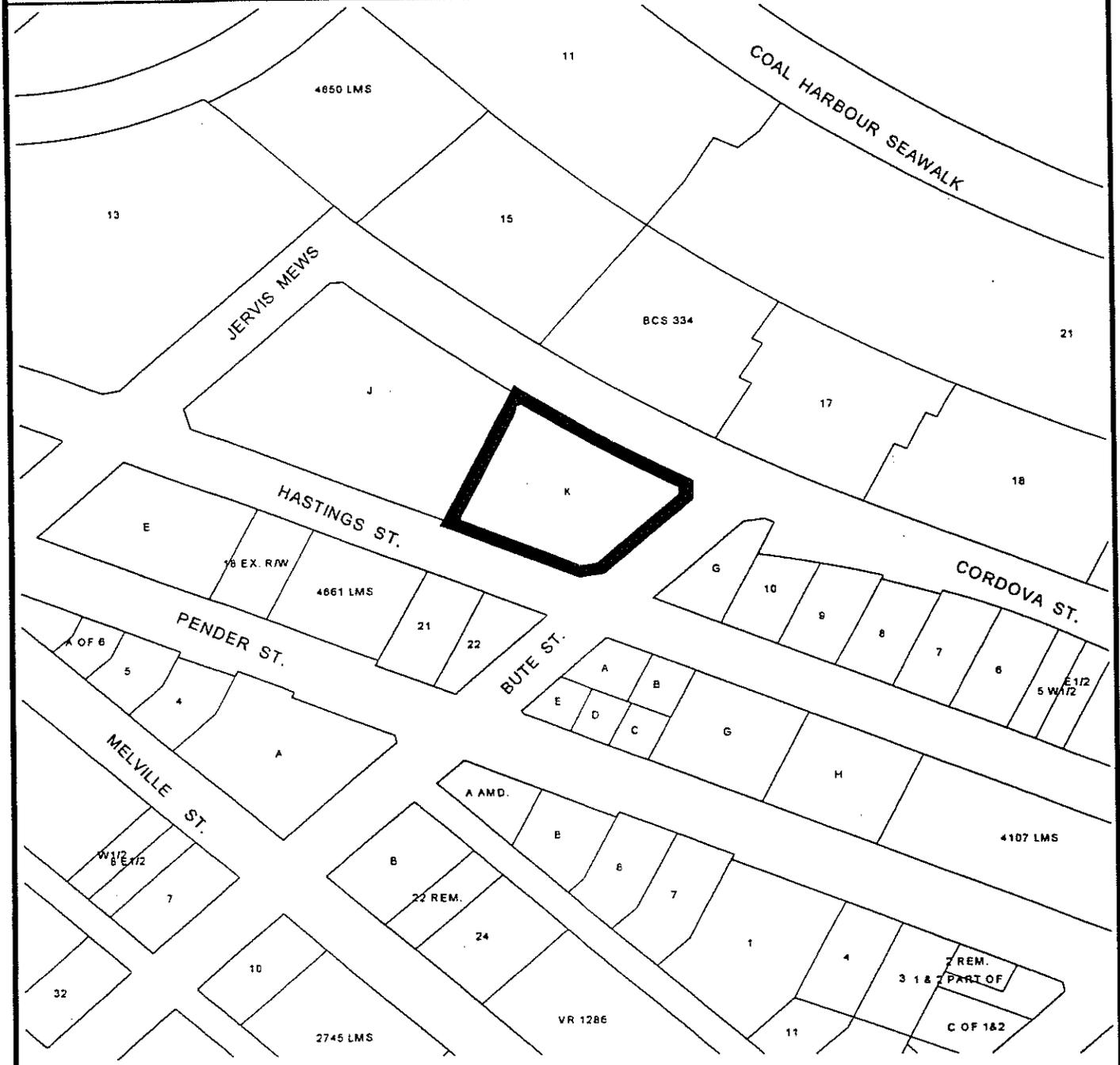


Mayor



City Clerk

By-law No. 8819 being a By-law to amend By-law No. 3575
being the Zoning & Development By-law



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

Z-545

RZ - 1201 W Hastings Street

map: 1 of 1
scale: 1:2000



City of Vancouver

CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

OCTOBER 23, 2003

A Special Meeting of the Council of the City of Vancouver was held on Thursday, October 23, 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, Sign and Downtown District Official Development Plan By-laws.

PRESENT: Deputy Mayor Fred Bass, Chair
Councillor David Cadman
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Tim Louis
Councillor Anne Roberts
Councillor Sam Sullivan
Councillor Ellen Woodsworth

ABSENT: Mayor Larry Campbell (Leave of Absence - Civic Business)
Councillor Jim Green (Leave of Absence)
Councillor Tim Stevenson (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Tarja Tuominen, Meeting Coordinator

4. Rezoning: 1201 West Hastings Street

An application by Mark Ehman, Downs Archambault & Partners Architects, was considered as follows:

Summary: The proposed rezoning would change the zoning from Central Waterfront District (CWD) and Downtown District (DD) to Comprehensive Development District (CD-1) to permit a mixed-use residential tower and grocery store.

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

Staff Comments

Alan Duncan, Planner, Rezoning Centre, was present to answer questions.

Applicant Comments

Mark Ehman, representing the applicant, was present to answer questions.

Summary of Correspondence

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

Speakers

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

Gerry Sieben, on behalf of the Strata Council for the building at 1233 West Cordova Street (brief filed), advised the Strata Council is willing to support the application subject to the developer implementing modifications suggested by the Strata Council. He noted the modifications are not included in the drawings present at the Public Hearing, but will be included with those to be submitted to the City in the development permit application to be presented later this month.

Council Decision

MOVED by Councillor Sullivan

A. THAT the application by Downs Archambault and Partners Architects, to rezone 1201 West Hastings Street (Lot k, Block 29, DL 185 of the Public Harbour of Burrard Inlet Plan LMP29893 from DD and CWD to CD-1, to permit a mixed use development at a density of 6.8 FSR, generally as set out in Appendix A to the Policy Report ACD-1 Rezoning - 1201 West Hastings Street@ dated August 25, 2003 be approved, subject to the following conditions:

FORM OF DEVELOPMENT

(a) That the proposed form of development be approved by Council in principle, generally as prepared by Downs Archambault and Partners Architects and stamped AReceived City Planning Department February 14, 2003@, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

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

Design Development:

- (1) Design development to improve pedestrian animation along the Bute Street by providing more continuous storefront presence and weather protection and by increasing the setback as needed to accommodate the Triangle West Public Realm Treatment, modified as appropriate for proper grade and commercial interface.
- (2) Design development to minimize the impacts of the parking/loading entrance on the existing townhouses across Cordova Street.
- (3) Design development to improve the interface with the four existing neighbouring townhouses to the west by providing as much setback as feasible, minimizing the height of any blank walls and through extensive landscape treatment and high quality materials.

Note to Applicant: CPTED concerns should be considered along the west side of the site. Also, an access agreement may be required between the neighbouring properties to allow for maintenance of any landscaping or other features ultimately located between the neighbouring walkway, along the east side of the property line, and the retaining wall(s) on the development site.

Landscape:

- (4) Design development to provide landscape treatment with stepped planters and small trees along the West Hastings frontage of the townhouses and to ensure the interface with the neighbouring pathway at Hastings Street is given a sensitive landscape treatment;
- (5) Design development to all open space lawn areas to finer grain with associated activity programs, specifically, Astepped view terrace and inclined lawn@, Aprivate podium level yards@ and the Alawn with stepped stone path@;

Note to Applicant: The following information will be required at the development permit submission:

- (i) A detailed Landscape Plan clearly illustrating all proposed plant materials (both common and botanical name, size and quantity) and paving details;
- (ii) A legal survey should include all existing trees 20 cm caliper or greater on the development site and the public realm (property line to curb), including existing street trees, street utilities such as lamp posts, fire hydrants, etc. adjacent to the development site;
- (iii) Finishing details for the ground oriented patio walls facing the street should be provided; and
- (iv) An irrigation system shall be specified in all common areas, including the entry and upper terrace areas (irrigation system design and installation shall be in accordance with the irrigation industry of BC standards and guidelines) and hose bibs should be provided in private areas such as patios and courtyards. Notations to this effect should be on the plan.

CPTED:

- (6) Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:
 - (i) theft in the underground by providing separation between residential and commercial uses;
 - (ii) break and enter to ground level residential;

(iii) improved treatments relating to the adjacent mews;

(iv) mischief in alcoves; and

(v) vandalism such as graffiti and skateboarding.

(7) Design development to ensure that a minimum unobstructed overhead vertical clearance of 3.8 metres for all Class B loading spaces and associated manoeuvring areas is provided.

Engineering:

(8) provide written assurance to the satisfaction of the Director of Planning and the General Manager of Engineering Services prior to the issuance of any development permit for the site that all loading activities, regardless of supplier, can and will be conducted on-site.

Notes to Applicant: (to be addressed at the development and building permit stages):

(i) The sanitary sewer for this site must connect to the 675 mm sanitary sewer on Hastings Street. A Cordova Street connection is not possible. Storm water connection can be made to either the 600 mm storm on Cordova Street or the 675 mm storm on Hastings Street. (Mechanical consultants should be made aware of this important information.); and

(ii) Provision of distinct space(s) for the garbage and recycling functions separate from all required loading spaces and separation of commercial garbage from residential garbage areas will be required.

Acoustic:

(9) The Noise Control By-law requires amendment at the time of enactment of the By-law to include this CD-1.

Note to Applicant: An Acoustical Consultant's report shall be required which assesses noise impacts on the site and recommends noise-mitigating measures.

AGREEMENTS:

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

Heritage Density Transfer:

(1) ensure arrangements are made to the satisfaction of the Director of Planning and the Director of Legal Services to purchase and transfer the density required in order to permit the proposed rezoning of the receiver site to a floor space ratio of 6.8. Further, the registered owner of the receiver site shall provide evidence satisfactory to the Director of Planning and the Director of Legal Services that the registered owner has entered into a binding agreement(s), on terms and conditions acceptable to the Director of Legal Services, with the registered owner(s) of a heritage density donor site(s) for the transfer of the density required in order to permit the proposed rezoning of the receiver site to a floor space ratio of 6.8. The evidence shall confirm or include, without limitation:

(i) the amount of density being purchased for transfer to the receiver site;

(ii) the address and legal description of the donor and receiver sites;

(iii) the amount of density remaining for sale on the donor site(s);

(iv) a representation by the registered owner of the donor site stating that the density is

permitted to be released for sale and has not been sold or committed to any other person or corporation;
 (v) that payment for the purchased density has been made in full; and
 (vi) an indemnity and release from the registered owners of the donor site(s) and the receiver site in favour of the City acknowledging that notwithstanding that the density transfer agreement has been entered into, that the City will not be held liable for any costs resulting from the density transfer, the density transfer agreement or the failure for any reason of the rezoning to be enacted.

Public Art:

(2) execute an agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide a preliminary public art plan to the satisfaction of the Director of Cultural Affairs setting out the proposed public art program aims, artist terms of reference, site and artists selection methods, project budget, implementation plan and a schedule.

Engineering Services:

(3) ensure the following are addressed to the satisfaction of the General Manager of Engineering Services:

(i) Clarification and, if necessary, modification of all charges shown on title; and

Note to Applicant: A charge summary is required, paying particular attention to any charge that may affect this proposal.

(ii) Undergrounding of all new electrical and Telus services from the closest existing suitable service point.

(4) ensure arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for:

(i) Provision of sidewalk and street trees adjacent the site.

B. THAT the application by Downs Archambault and Partners Architects to amend the Sign By-law (By-law No. 6510) to establish regulations for the CD-1 in accordance with Schedule B (DD) generally as contained in Appendix C to the above noted Policy Report be approved.

C. THAT the Director of Legal Services be instructed to bring forward the following amendments to the Noise Control By-law at time of enactment of the Zoning By-law:

Amend Schedule A (Activity Zone) by adding the following:

A[CD-1 #] [By-law #] 1201 West Hastings Street@.

CARRIED UNANIMOUSLY

REGULAR COUNCIL MEETING MINUTES

MARCH 23, 2004

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, March 23, 2004, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

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 MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Syd Baxter, City Clerk
Tarja Tuominen, Meeting Coordinator

BY-LAWS

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

CARRIED UNANIMOUSLY AND
BY-LAWS 8 AND 9 BY THE REQUIRED MAJORITY

1. A By-law to assess real property to defray 2003 maintenance costs for the Granville Street Decorative Tree Lighting Local Improvement Project (By-law No. 8809)
2. A By-law to assess real property to defray 2003 costs for the East Hastings Street Collective Parking Project (By-law No. 8810)
3. A By-law to assess real property to defray 2003 maintenance costs for the Trounce Alley and Blood Alley Square Local Improvement Project (By-law No. 8811)
4. A By-law to assess real property to defray 2003 costs for the South Fraser Street Collective Parking Project (By-law No. 8812)
5. A By-law to amend Street Name By-law No. 4054 (re Citadel Parade) (By-law No. 8813)
 6. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 52 Water Street) (By-law No. 8814)

(Councillor Stevenson and the Mayor excused from voting on By-law 6)
7. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 46 Water Street) (By-law No. 8815)
(Councillor Stevenson and the Mayor excused from voting on By-law 7)
8. Heritage Taxation Exemption By-law for 52 Water Street (By-law No. 8816)
9. Heritage Taxation Exemption By-law for 46 Water Street (By-law No. 8817)
10. A By-law to enact a Housing Agreement for 1966 East 19th Avenue (By-law No. 8818)
11. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 1201 West Hastings Street) (By-law No. 8819)
(Councillors Green, Stevenson and the Mayor excused from voting on By-law 11)
12. A By-law to amend Sign By-law No. 6510 (re 1201 West Hastings Street) (By-law No. 8820)
(Councillors Green, Stevenson and the Mayor excused from voting on By-law 12)
13. A By-law to amend Zoning and Development By-law No. 3575 (re secondary suites) (By-law No. 8821)
(Councillors Green and Stevenson excused from voting on By-law 13)

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:

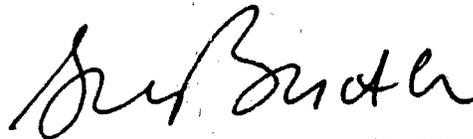
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

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.