

CD-1 (421)
Back-up Notes Summary Page
3837 Point Grey Road (Jericho Tennis Club)

BY-LAWS

CD-1 (421) - **By-law No. 8893** and any subsequent amending by-laws

http://app.vancouver.ca/bylaw_net/Report.aspx?bylawid=8893

Consequential By-laws

Parking [No. 11393](#) Schedule C <http://former.vancouver.ca/commsvcs/BYLAWS/parking/SchedC.pdf>

POLICIES and GUIDELINES

PUBLIC HEARINGS - Minutes, Reports, Posted By-laws, etc.

PH Date *March 25, 2004* - Item 4 - <http://former.vancouver.ca/ctyclerk/cclerk/20040325/ph20040325.htm>
Summary - from RT-2 to confirm the existing land use (tennis club complex) and permit minor expansions and replacement of existing tennis bubbles with higher bubbles
By-law enacted on *July 6, 2004*

PH Date *June 16, 2005* - Item 3 - <http://former.vancouver.ca/ctyclerk/cclerk/20050616/ph20050616.htm>
Summary - to amend CD-1 (421) to correct a height calculation method
TA enacted on *July 19, 2005* - [By-law No. 9075](#)

PH Date *February 27, 2012* - Item 5 - <http://former.vancouver.ca/ctyclerk/cclerk/20120227/phea20120227ag.htm>
Summary - to amend CD-1 (421) to permit an increase in floor space ratio (FSR) for permanent structures from 0.29 to 0.36 and air-supported structures from 0.33 to 0.48
TA enacted on *October 8, 2013* - [By-law No. 10796](#)

PH Date *October 20, 2015* - Item 10 - <http://former.vancouver.ca/ctyclerk/cclerk/20151020/phea20151020ag.htm>
Summary - to amend CD-1 (421) to allow a reduced parking requirement from 160 spaces to 125 spaces, in exchange for provision of additional bicycle parking spaces and end-of-trip facilities
TA enacted on *November 17, 2015* - [By-law No. 11368](#)

Backup Notes

3837 Point Grey Road

BY-LAW NO.8893

**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-552 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (421).

2.2 The only uses permitted within CD-1 (421), 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) Club, including tennis, squash, badminton and racquetball courts, swimming pools, saunas, whirlpools, dining lounges, ancillary fitness facilities, administrative offices, and like facilities; and
- (b) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

Conditions of use

3. Erection and maintenance of seasonal, air-supported structures may occur only between October 1 and April 30 each year.

Density

- 4.1 The floor space ratio for all permanent structures must not exceed 0.29.
- 4.2 The floor space ratio for all air-supported structures must not exceed 0.33.
- 4.3 Computation of floor space ratio must include:
 - (a) all floors having a minimum ceiling height of 1.21 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building; and
 - (b) stairways, fire escapes, elevator shafts , and other features 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.
- 4.4 Computation of floor space ratio, in the discretion of the Director of Planning, may exclude:
 - (a) patios and gardens if the Director of Planning first approves the design of sunroofs and walls;
 - (b) where floors are used for off-street parking and loading and manoeuvring aisles, the taking on or discharging of passengers, bicycle storage, tennis bubble storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
 - (c) 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.

Building height

5. The building height, measured above base surface, must not exceed 9.2 m for permanent structures and 11.0 m for seasonal air-supported structures.

Parking and loading, and bicycle storage

6. Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking and loading, and bicycle storage, except that there must be a minimum of 124 off-street parking spaces of which 107 must be underground.

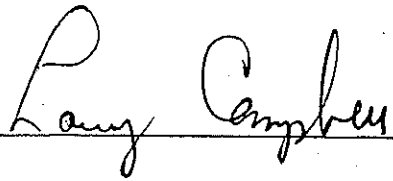
Severability

7. 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.

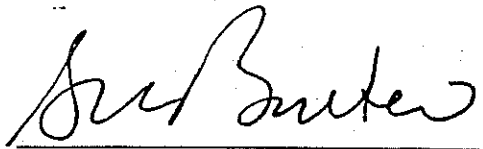
Force and effect

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

ENACTED by Council this 6th day of July, 2004



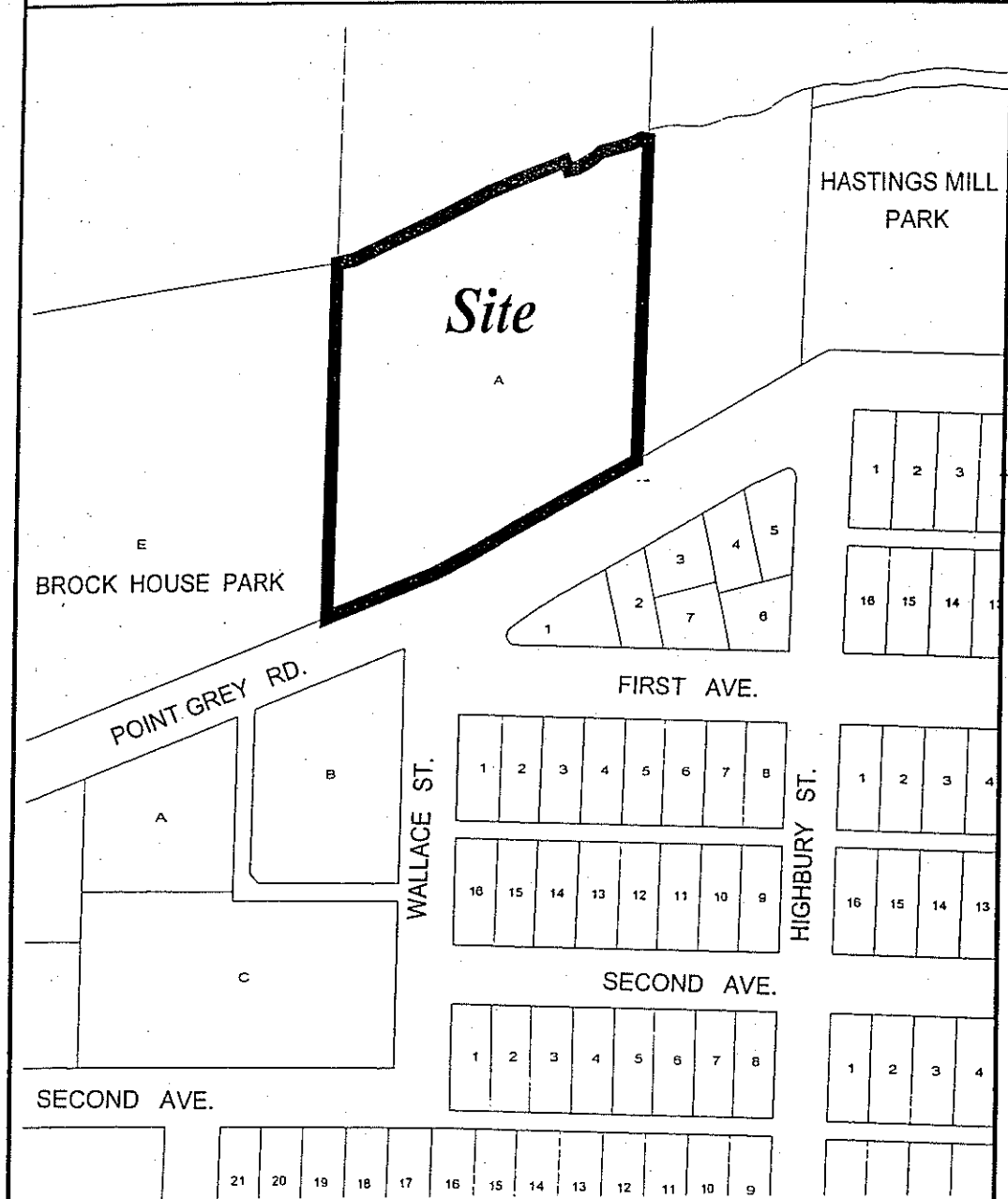
Mayor




City Clerk

By-law No. 8893 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black () is rezoned:

From **RT-2** to **CD-1**

Z-552

RZ - 3837 Point Grey Road

map: 1 of 1

scale: 1:2000



City of Vancouver

BY-LAWS

MOVED by Councillor Bass
SECONDED by Councillor Louis

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

CARRIED UNANIMOUSLY

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

CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

MARCH 25, 2004



A Special Meeting of the Council of the City of Vancouver was held on Thursday, March 25, 2004, 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, to designate heritage property and to enter into a Heritage Revitalization Agreement.

PRESENT: Mayor Larry Campbell
Councillor Fred Bass
Councillor Peter Ladner
Councillor Tim Louis
Councillor Tim Stevenson
Councillor Sam Sullivan
Councillor Ellen Woodsworth

ABSENT: Councillor David Cadman (Leave of Absence - Civic Business)
Councillor Jim Green (Leave of Absence)
Councillor Raymond Louie (Leave of Absence)
Councillor Anne Roberts (Leave of Absence)

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Bass
SECONDED by Councillor Woodsworth

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

CARRIED UNANIMOUSLY

1. Heritage Designation: 1826 Blanca Street

An application by Elizabeth Murphy was considered as follows:

Summary: Heritage Revitalization Agreement and designation for multiple conversion dwelling, subdivision and creation of new two-family dwelling.

The Director of Current Planning recommended approval.

- B. THAT, if the rezoning is approved, at time of enactment the by-law be accompanied by an amendment to the Parking By-law, generally as set out in Appendix B of the Policy Report dated February 4, 2004, entitled "Text Amendment: Mini-Storage Warehouse".
- C. THAT, if the rezoning is approved, at time of enactment the by-law be accompanied by Mini-Storage Warehouse Guidelines, generally set out as Appendix C of the Policy Report dated February 4, 2004, entitled "Text Amendment: Mini-Storage Warehouse".

CARRIED UNANIMOUSLY

4. Rezoning: 3837 Point Grey Road

An application by Greg Borowski, Merrick Architecture, was considered as follows:

Summary: To rezone to confirm the existing form of development including minor additions and slightly higher seasonal tennis bubbles.

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

Staff Opening Comments

Dave Thomsett, Senior Planner, Rezoning Centre, provided an overview of the application and reviewed the public input which has been received regarding the application. Mr. Thomsett also responded to questions concerning the recommended time limited approval for the tennis court lighting, and the numbers of residents whose views will be affected by the increased tennis bubble height.

Applicant Comments

Greg Borowski, Merrick Architecture, representing the applicant, advised the proposed CD-1 zoning will be consistent with the current use of the site and will allow improved service to the club's membership. Mr. Borowski noted the existing tennis bubbles do not meet current minimum standards of play, and the new bubbles will provide for improved playing conditions, better lighting, and significantly reduce energy demands. He further noted the increased locker space is required to serve the current membership, and the lighting will not be on past 11:00 p.m.

Summary of Correspondence

One letter in opposition to the application has been received since the date the application was referred to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Chris Mallalue
Bernard Epting
Michelle Carrington
Les Sallay
Liz Wilson.

Comments provided by the foregoing speakers included the following:

- approval of this rezoning may result at a future time in a structure more imposing than the tennis bubbles;
- bubbles have been at their current height since the 1980's, do not understand why they now need to be made higher;
- concern regarding future development of this site which may increase FSR and not allow for public access to the waterfront;
- an additional four feet in bubble height is insignificant to tennis play;
- increased bubble height negatively impacts some neighbours' views, and also impacts the character of the neighbourhood and seaside views;
- there is no need to change the current zoning to one which will allow developments which are not in keeping with the neighbourhood;
- increased traffic is a concern; suggest that the parking requirements be reduced.

The following spoke in support of the application:

Ian MacPhail
Stuart Bonner.

Comments provided by the foregoing speakers included the following:

- the Jericho Tennis Club has always regarded the community as having right-of-way down the driveway to obtain access to the waterfront;
- the increased bubble height is essential to this application, and will provide the same level of playing facility as it offered by other clubs in the city;
- increased bubble height will affect a very small number of people in the neighbourhood, the impact of which will be less significant as the area redevelops and house heights increase, which will actually impact views more than the bubbles;
- additional four feet in height along the sidelines of the bubbles will provide a significant improvement in tennis play.

During the hearing of the public, Mr. Thomsett and Larry Beasley, Director of Current Planning, responded to questions concerning floor space ratio and public access to the waterfront.

Staff Closing Comments

Mr. Thomsett responded to questions, and noted the proposed rezoning to CD-1 would provide clarity about the future of the site and any future changes to the CD-1 bylaw for this site would require approval by Council at a Public Hearing.

Council Decision

MOVED by Councillor Ladner

THAT the application by Greg Borowski, Merrick Architecture, to rezone 3837 Point Grey Road (Parcel A, DL 448, 538 & 6882, Plan LMP 35211) from RT-2 to CD-1, to confirm an existing tennis club complex with minor additions and higher tennis bubbles, generally as set out in Appendix A of the Policy Report dated February 10, 2004 entitled "CD-1 Rezoning- 3837 Point Grey Road- Jericho Tennis Club" be approved subject to the following conditions:

- (a) That the proposed form of development be approved by Council in principle, generally as permitted by development permit numbers DE402280 and DE406291, and drawings prepared by Greg Borowski, Architect, and stamped "Received City Planning Department", August 6, 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, who shall have particular regard to the following:
 - (i) design development to provide detailed plans, sections and elevations for the propose tennis bubbles and storage area, locker room expansion and terrace enclosures.

Note to applicant: colour options for the tennis bubbles should be provided.
 - (ii) design development to provide a detailed landscape plan, showing any changes to existing site conditions, including treatment of the berm over the proposed bubble storage area.
- (c) That the re-issuance of development permit No. DE407105 for the tennis court lighting which expires on September 30, 2004 be at the discretion of the Director of Planning who will take into account the affects on the nearby residents and will determine whether further temporary time periods, or permanent approval, is appropriate.

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

- (i) provide clarification of charges on title. A summary of charges should be provided.
- (ii) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of curb, gutter, pavement to the centre line and street trees on Point Grey Road adjacent the site.
- (iii) make arrangements to the satisfaction of the General Manager of Engineering Services for undergrounding of any new hydro, telephone or cable services required for this rezoning.

CARRIED
(Councillor Louis and the Mayor opposed)

5. Rezoning: 950 Quebec Street

An application by John Perkins Jr., Architect, was considered as follows:

Summary: To rezone to permit a 167-unit, 22-storey residential building. The Noise Control By-law will also be amended at time of enactment.

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

Also before Council was a Memorandum, dated March 11, 2004, from the Director of Current Planning, recommending an additional condition of approval that a Community Amenity Contribution be provided.

Staff Opening Comments

Brent Elliott, Planner, Major Projects Group, was present to respond to questions.

Applicant Comments

Eric Martin, Nat Bosa, and Greg Donaldson, representing the applicant, were present to respond to questions.

Summary of Correspondence

Two letters commenting on the application were received since the date it was referred to Public Hearing.

GM

Administrative Text

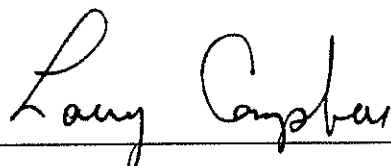
BY-LAW NO. 9075

**A By-law to amend
CD-1 By-law No.'s. 7835 and 8893**


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

1. From section 3.1 of By-law No. 7835, Council strikes out "803.2" and substitutes "1 810.9".
2. To section 5 of By-law No. 8893, after "and 11.0 m", Council adds "above City Datum (35.3 m)".
3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 19th day of July, 2005



Mayor



City Clerk

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louis
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 4 to 22 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. New Animal Control By-law - WITHDRAWN
2. A By-law to amend Noise Control By-law No. 6555 to amend the regulation of animal noise - WITHDRAWN
3. A By-law to amend License By-law No. 4450 regarding the use of security, guard, or patrol dogs - WITHDRAWN
4. A By-law to amend Solid Waste and Recycling By-law No. 8417 regarding container identification and fines (By-law No. 9072)
- ✓5. A By-law to adopt the South East False Creek Development Plan as an official development plan (By-law No. 9073)
- ✓6. A By-law to designate certain real property as protected heritage property (re 51 West Hastings Street) (By-law No. 9074)
(Councillors Bass, Louie and Louis excused from voting on By-law No. 6)
- ✓7. A By-law to amend CD-1 By-law No.'s 7835 and 8893 (By-law No. 9075)
(Councillors Bass, Louie and Louis excused from voting on By-law No. 7)
- ✓8. A By-law to amend Zoning and Development By-law No. 3575 (regarding secondary suites) (By-law No. 9076)
(Councillors Bass, Louie and Louis excused from voting on By-law No. 8)
- ✓9. A By-law to amend Zoning and Development By-law No. 3575 (regarding secondary suites mapping) (By-law No. 9077)
(Councillors Bass, Louie and Louis excused from voting on By-law No. 6)

- ✓ 10. A By-law to amend Parking By-law No. 6059 (regarding secondary suites) (By-law No. 9078)
- ✗ 11. A By-law to amend Building By-law No. 8057 regarding internal access in secondary suites (By-law No. 9079)
- ✓ 12. A By-law to amend Zoning and Development Fee By-law No. 5585 regarding secondary suites and fees (By-law No. 9080)
- ✓ 13. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (811-821 Cambie Street) (By-law No. 9081)
(Councillors Louie, Stevenson, Woodsworth and Mayor Campbell excused from voting on By-law No. 13)
- ✓ 14. A By-law to amend Downtown District Official Development Plan By-law No. 4912 (811-821 Cambie Street) (By-law No. 9082)
(Councillors Louie, Stevenson, Woodsworth and Mayor Campbell excused from voting on By-law No. 14)
- ✓ 15. A By-law to amend Sign By-law No. 6510 (811-821 Cambie Street) (By-law No. 9083)
(Councillors Louie, Stevenson, Woodsworth and Mayor Campbell excused from voting on By-law No. 15)
- ✓ 16. A By-law to amend CD-1 By-law No. 7230 (re 375 East Pender Street {485 Dunlevy}) (By-law No. 9084)
(Councillors Green, Louie and Louis excused from voting on By-law No. 16)
- ✓ 17. A By-law to amend CD-1 By-law No. 6962 (re 1630 West 15th Avenue {Vancouver Lawn Tennis Club}) (By-law No. 9085)
(Councillor Cadman excused from voting on By-law No. 17)
- ✓ 18. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (755 West 42nd Avenue) (By-law No. 9086)
(Councillors Louis, Woodsworth and Mayor Campbell excused from voting on By-law No. 18)
- 19. A By-law to amend License By-law No. 4450 regarding standard hours liquor establishments (By-law No. 9087)
- ✓ 20. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (950 Quebec Street) (By-law No. 9088)
(Councillors Cadman, Green, Louie and Roberts excused from voting on By-law No. 20)
- 21. A By-law to amend Development Permit Board and Advisory Panel By-law No. 5869 regarding alternate Board members (By-law No. 9089)
- 22. A By-law to amend Impounding By-law No. 3519 (By-law No. 9090)

- Period of the Housing agreement to be six years; and
- Rental rates for the 20 rooms (13.94 m² [150 sq ft]) looking out into the new internal light well to be limited to 110% of the shelter component of income assistance (\$347) with any rent increase tied to an increase in the shelter component of income assistance. Rent rolls to be provided to the City on an annual basis.

AND THAT when the Housing Agreement is settled, the Director of Legal Services bring it back to Council together with an authorizing bylaw for approval and enactment.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

3. Text Amendment: Administrative CD-1 Amendments

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

Summary: To amend the height calculation reference point for air-supported structures in the CD-1 By-law for 3837 Point Grey Road (Jericho Tennis Club) and the site area referenced in the CD-1 By-law for 2669-2675 Vanness Avenue.

The Director of Current Planning recommended approval.

Staff Comments

Michael Naylor, Planner, Rezoning Centre, was present to respond to questions.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Sullivan

THAT the application by the Director of Current Planning to amend CD-1 By-law No. 8893 for 3837 Point Grey Road and CD-1 By-law No. 7835 for 2669-2675 Vanness Avenue to correct errors generally in accordance with Appendix A of the City Manager's report entitled "Administrative CD-1 Text Amendments for 3837 Point Grey Road and 2669-2675 Vanness Avenue" dated April 21, 2005 be approved.

CARRIED UNANIMOUSLY