

CD-1 (435)
Back-up Notes Summary Page
1380-1382 Hornby Street

BY-LAWS

CD-1 (435) - By-law No. 11953 and any subsequent amending by-laws
http://app.vancouver.ca/bylaw_net/Report.aspx?bylawid=11953

POLICIES and GUIDELINES

Downtown Official Development Plan (1975)
CD-1 (435) By-law No. 9116, enacted October 4, 2005
Heritage Designation By-law No.8879, enacted June 22, 2004
Heritage Revitalization Agreement By-law No. 8878, enacted June 22, 2004
Downtown South Goals and Policies (1991/1993)
Downtown South Guidelines (1991; last amended 2004)
On October 28, 2008, Council endorsed consideration of site-specific rezonings in the Downtown South up to the height limits imposed by the approved view corridors (see Council Policy Report titled “Potential Benefit Capacity in Downtown”)
Heritage Policies and Guidelines (1986, last amended 2002)
Cultural Plan: Strategic Directions 2014-2018
High Density Housing for Families with Children Guidelines (1992)
Family Room: Housing Mix Policy for Rezoning Projects (2016)
Green Buildings Policy for Rezonings (2010; last amended 2016)
Vancouver Neighbourhood Energy Strategy (2012)
Neighbourhood Energy Connectivity Standards - Design Guidelines (2014)
Zero Emission Building Plan (2016)
Downtown South Public Benefits Strategy (2007 – 2021) (2007)
Community Amenity Contributions – Through Rezonings (1999; last amended 2016)
Financing Growth Policies (2003)
Public Art Policy and Procedures for Rezoned Developments (2014)
Transportation 2040

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

PH Date February 21, 2017 - Item 4 - <http://council.vancouver.ca/20170221/phea20170221ag.htm>
Summary –to permit the development of a 39-storey residential development with floor space ratio of 16.4 and height of 114.6 m (376 ft.) and to relocate the heritage building known as the “Leslie House” within the consolidated site

By-law enacted on November 14, 2017

PH Date April 20, 2004 - Item 2 - <http://council.vancouver.ca/20040420/ph20040420.htm>

Summary – Rezone from Downtown District (DD) to Comprehensive Development District (CD-1) to permit a hotel. Associated with the rezoning is designation and a Heritage Revitalization Agreement for the restoration of the Leslie House. There is also an amendment to the Sign By-law and at the time of enactment of the zoning by-law, an amendment to the Noise Control By-law. The Downtown District base maps will also be altered to delete this site
By-law enacted on October 4, 2005

Backup Notes

dated September 29, 2005, subject to any modifications required by Director of Legal Services to ensure consistency with the requirements of the Vancouver Charter.

ADOPTED ON CONSENT

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Roberts

SECONDED by Councillor Woodsworth

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Woodsworth

SECONDED by Councillor Roberts

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 3, and 5, 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 to rezone an area to CD-1 re 1380 Hornby Street (By-law No. 9116)**
(Councillor Woodsworth and Mayor Campbell excused from voting on By-law No. 1)
2. **A By-law to amend Downtown District Official Development Plan By-law No. 4912 re 1380 Hornby Street (By-law No. 9117)**
(Councillor Woodsworth and Mayor Campbell excused from voting on By-law No. 2)
3. **A By-law to amend Sign By-law No. 6510 re 1380 Hornby Street (By-law No. 9118)**
(Councillor Woodsworth and Mayor Campbell excused from voting on By-law No. 3)
5. **A By-Law to Contract a Debt by the Issue and Sale of 3.15% - 4.10% Non-Callable Serial Debentures in the Aggregate Principal Amount of \$120,000,000 in Lawful Money of Canada for the Objects Set Out in Schedule "B" (By-law No. 9115)**

MOVED by Councillor Woodsworth
SECONDED by Councillor Roberts

THAT Council enact the by-law listed on the agenda for this meeting as number 4, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED
(Councillors Bass and Louis opposed)

4. A By-law to amend By-law No. 3656 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1 re 2901 East Hastings Street (By-law No. 9119)

MOTIONS

A. Administrative Motions

1. Establishing Road over the northerly portion of Lot 179, False Creek, Plan 21847 at 1800 Spyglass Place (File 5753)

MOVED by Councillor Louie
SECONDED by Councillor Stevenson

THAT WHEREAS the registered owner, the City of Vancouver wishes to establish for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 179, False Creek, Plan 21847, as shown heavy outlined on plan of survey completed on March 22, 2005, and attested to by Fred Wong, B.C.L.S., and marginally numbered LB778, a print of which is attached hereto.

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

CARRIED UNANIMOUSLY

2. Approval of Form of Development: 1380 Hornby Street (File 2606)

MOVED by Councillor Cadman
SECONDED by Councillor Roberts

THAT the form of development for the CD-1 zoned site known as 1380 Hornby Street be approved generally as illustrated in Development Application No. DE408825 prepared by Christopher Bozyk Architects, and stamped "Received, City of Vancouver Planning Department, May 27, 2005.", provided that the Director of Planning may

approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

CARRIED UNANIMOUSLY

3. Closing portions of road in South East False Creek in the vicinity of Lot 56, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568 (File 5753)

MOVED by Councillor Louie
SECONDED by Councillor Roberts

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. There is a proposal to redevelop certain City-owned parcels in South East False Creek;
3. The proposal requires the closure of:
 - Firstly: a portion of road dedicated by the deposit of Reference Plan 2923 on August 4, 1945 and being adjacent to Lot 180, False Creek, Plan 21847;
 - Secondly: a portion of road dedicated by the deposit of Plan 590 on August 4, 1891 and being adjacent to Lot 56, except Plan BCP5395, District Lot 2064, Plan 5568;
 - Thirdly: a portion of road dedicated by the deposit of Plan 5832 on August 3, 1927 and being adjacent to Lot 1, except part in Explanatory Plan 16373, now Road, Block 1, District Lot 302, Plan 5832; and
 - Fourthly: That Part of Lot K in LMP28213, Block 279, District Lot 526, Group 1, New Westminster District, Plan 20199 established as Road by document filed BK133883 on May 3, 1996.
4. Only portions of the roads to be closed are still required for municipal purposes;
5. The Council approval of the road closures requires:
 - Firstly: the consolidation of the said portions of road with the following City-owned parcels, more particularly described as:
 - a. PID: 006-865-968

2. REZONING & HRA/HERITAGE DESIGNATION: 1380 Hornby Street

An application by Christopher Bozyk Architects Ltd. was considered as follows:

Summary: Rezone from Downtown District (DD) to Comprehensive Development District (CD-1) to permit a hotel. Associated with the rezoning is designation and a Heritage Revitalization Agreement for the restoration of the Leslie House. There is also an amendment to the Sign By-law and at the time of enactment of the zoning by-law, an amendment to the Noise Control By-law. The Downtown District base maps will also be altered to delete this site.

The Director of Current Planning recommended approval, subject to conditions.

Staff Opening Comments

Larry Beasley, Director of Current Planning, advised this is not a typical developer application - the developer plans to develop, and then use the building as a full boutique hotel; the scale of the project represents a minimum scale to make this kind of project work. Mr. Beasley advised of two compelling public objectives - first, to save the heritage building, and second, to do a neighbourly development. Mr. Beasley also acknowledged the concerns which will be expressed by neighbours this evening are real, and further acknowledged Council will be faced with some choices. He further stated his belief that the optimum balance has now been brought forward to Council.

Alan Duncan, Planner, Rezoning Group, provided details of the form of development, and noted the Vancouver Heritage Commission has offered its support for the project, and stressed the importance of preserving Leslie House. Mr. Duncan further advised of the Urban Design Panel's support for the proposed tower, which although much taller than permitted by current zoning, is also much slimmer. In regard to the public process, staff advised this proposed massing was intended to positively respond to neighbours' concerns related to loss of views, shadowing and reduction of visibility. Leigh Gayman, Development Officer, Real Estate Services, Scot Hein, Development Planner, and Yardley McNeill, Heritage Planner were also present and responded to questions from Council.

Applicant Comments

Christopher Bozyk, Christopher Bozyk Architects Ltd., made note of the Vancouver Heritage Commission's support for the project. He advised the applicant team has worked diligently, taking into account the concerns of the public and, given the mass of the building, feels the proposed solution is successful.

Robert Lemon, Robert Lemon Architects, noted Leslie House is 'A' listed in City's Heritage Register in regard to architecture, cultural, and historical context. It is one of the oldest buildings in the City and a good example of the Queen Anne style of architecture. All features, both interior and exterior, will be kept and designated. The 1888 building is a valuable component of the City's heritage program.

Summary of Correspondence

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

- 7 letters in opposition.

Speakers

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

The following delegations spoke in opposition to the application:

Jolanta Potocki (materials filed) (overhead presentation)
Dion Vuk
Dana Atwood
Ohan Korlikian
Mr. McGraal
John Houde (brief filed)
Dolores Gelabert-Houde
Karim Amersi
Yuseng Zhang
Heather Conley
Carole Dawson
Robert Young
Joy Junemann
Andrew Smyth
Jason Andrews
Lorene Smith
Man Mei Ho
Yavus Tekcan (George)
Ian Gilfillan
Chris Potocki
Rachel Stannus
Steven Jackson (materials filed)
Woosuk Choi
M.T. O'Brennan
Patrick Galasso
Shauna Erickson
Matthew Erickson
Damian Bass
Sailor Neale
Donna Crawford
Roger MacInnis
Zebulon Fastabend
Tom Peters
Candice Abraham
Adrian Whitehead
Catherine McIlroy

Comments provided by the foregoing speakers included the following:

- the proposal is more than 2.5 times taller than permitted under current zoning and completely out of scale with the neighbourhood;
- this site is too small to accommodate an additional 16,000 square feet;
- the development will destroy the livability of our homes and those of our neighbours;
- only the developer of this hotel and his high-end patrons will benefit - the community will pay the price;
- heritage preservation at any cost will set a dangerous precedent;
- basic concern is sunlight being taken away from many adjacent building residents - 70 feet has less impact than 187 feet;
- the proposed development will result in loss of residential character, property values, livability, views, sunlight, and privacy;
- if the rezoning is approved there will be an increase in congestion, traffic and noise;
- we now live in a beautiful neighborhood, if this development goes ahead the neighbourhood will no longer be beautiful;
- we do not need another hotel in what is generally a residential neighbourhood;
- concern with loss of direct sunlight, and impact on work of visual artist who requires light for his work;
- residents of adjacent building will now face a flat wall, birds will be gone and the overshadowed Magnolia trees will not survive;
- proposed swimming pool is 50 feet away from neighbouring building - which will impact both the work environment and privacy of tenants of Pacific Terrace Apartments;
- the sad excuse for this outrageous development lies under the banner of heritage;
- the rezoning will have an enormous negative impact and is strongly opposed;
- all surrounding residents will be adversely affected by the height and orientation of the tower and podium - through loss of daylight;
- increased noise due to the 24-hour hotel operation and outdoor swimming pool will impact hundreds of people;
- crowding of this tower onto a small site will box in residents of other buildings, reducing both privacy and airflow;
- relocate Leslie House to a more appropriate location and develop under existing zoning;
- build under existing zoning and transfer the bonus to another development or sell the bonus on the market;
- research has shown people that have access to a view or sunlight are more balanced and more inspired;
- Council is being asked by the developer to stretch and pull the rezoning by-law to allow this enormous building;
- put citizens before brick and mortar - reject this proposal;
- 86 tenants from Pacific Terrace Apartments have signed a petition opposing this project;
- zoning regulations are in place for a reason - if wall goes up it will destroy our garden;
- people shouldn't have to live in a bunker;
- quality of life should come before anything materialistic; and

- regarding the incorporation of Leslie House into the design of the hotel - it does not make sense to retain the house as the majority will be unable to enjoy it - only guests of hotel will see inside.

The following delegations spoke in support of the application:

Brad Alberts, Vancouver Heritage Commission
Salley Warren
Virginia Richards
Doug Atkin
Bob Landucci
Richard Keate
John Richards
Chris Mooi

Comments provided by the foregoing speakers included the following:

- the Vancouver Heritage Commission offers its unanimous support for the proposed application, including the bonus density, rezoning approach and relationship between the new tower and adjacent building;
- the positioning and slim shape of the proposed tower will have less impact than feared, as was the situation at 1003 Pacific;
- support for all efforts to make this a lively area of the city;
- the proposal will be a superb upgrade to the neighbourhood - a vision with staying power;
- this development will provide a gateway to the entrance to downtown;
- Vancouver is one of the most liveable cities in the world, and this development has gone through a rigorous program to meet those standards;
- the project will be a great amenity for the city - it is the right thing to do;
- support for the retention of Leslie House - one the few pre-1900 buildings that remain in the downtown area;
- urge support for the project - the building quality and built form, from a development perspective, is quite unusual; and
- the proposal offers a significant opportunity to provide a legacy element within the emerging fabric of the area.

Applicant Closing Comments

Umberto Menghi, applicant, provided background details leading to his decision to purchase Leslie House over three decades ago. Mr. Menghi further advised the proposed boutique hotel will not be a generator of noise, but rather a place of rest and comfort. He further noted a rooftop garden was his vision, but inclusion of the pool was a necessity, as the project would not work without it. Christopher Bozyk, Architect, with the aid of photo boards, addressed concerns raised by a number of speakers related to shadow and view impacts and also provided details of the textured terra cotta panels, which those living at Pacific Palisades will view from their suites.

Staff Closing Comments

Larry Beasley provided summary comments on issues raised by the delegations, including alternative futures for the heritage house, specifics on the hotel use, and comments on the process. Mr. Beasley stressed the status quo would not remain, but two scenarios were possible - that the project would be built to current 70-foot guidelines, or that the developer will try to assemble the entire block, which would allow for a much taller building. Mr. Beasley also responded to issues raised related to sun access, interface conditions, separation of buildings, view blockage, and traffic issues - especially in the lanes, and reminded Council of the value of the heritage building, and the potential for demolition of Leslie House if the application before Council this evening is not approved. In conclusion, Mr. Beasley stressed importance of saving the heritage building and noted that if staff felt there were unusually negative impacts with this application, the rezoning would not have been recommended.

Council Decision

Council members discussed in detail the impacts of the proposal on residents of nearby buildings, including the possibility of relocating Leslie House, potential for a redesign to allow from more sun and less view blockage, sought clarification from staff on the accuracy of overhead images provided by delegations opposed to the rezoning and queried development options if this application were not approved as recommended.

MOVED by Councillor Sullivan

- A. THAT the application by Christopher Bozyk Architects Ltd. to rezone 1380 Hornby Street (Lots 15, 16 & 17, Block 111, District Lot 541, Plan 210; PID: 015472213, 015472230 & 015472264) from DD (Area N) to CD-1, to permit a hotel tower and to restore the Leslie House for a lounge for the adjacent hotel lobby and for ancillary offices on the second floor, generally as outlined in Appendix A of the Policy report dated March 9, 2004 entitled "CD-1 Rezoning - 1380 Hornby Street" 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 Christopher Bozyk Architects Ltd., and stamped "Received City Planning Department March 5, 2004", 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:

Design Development:

- (1) Design development to the north and east facades, and related podium rooftop treatment, to improve visual quality for residents of the adjacent developments to the north and across the lane;

Note to applicant: The podium rooftop treatment should mitigate active uses, and be maintenance friendly.

- (2) Design development to the courtyard, related podium facades, bridging features connecting the Leslie House with hotel functions and landscape treatment to ensure an appropriate setting and scale relationship between the heritage resource and new development;

Note to applicant: The bridge element should be transparent in its expression to distinguish the Leslie House's north facade. Careful study of the courtyard's perceived visual scale, include the introduction of large landscape features, is required.

- (3) Design development to the lane elevation to reduce the visual impact and improve crime and safety performance of loading, parking garage access and utility functions.

Note to applicant: Greater lower level rear yard setback may be required to respond to Engineering and Health conditions of approval related to garbage and recycling facilities siting and access.

- (4) Design development to all facades to refine detail intent, ensure visual interest and reduce the perceived visual scale to ensure an appropriate visual relationship with the Leslie House.

Landscape:

- (5) Design development to provide one additional street tree along Hornby Street (in the area of the closed curb crossing).

Note to applicant: On the development permit drawings, new street trees should be noted "Final species, quantity and spacing to the approval of the City Engineer and Park Board." Contact Eileen Curran (604.871.6131) of the Engineering Streets Division regarding street tree spacing and quantity and Bill Stephen (604.257.8587) at the Park Board regarding tree species.

Environmental Health:

- (6) Design development to garbage storage area to minimize nuisances.
- (7) Design development to ensure underground parking is adequately ventilated to prevent the build-up of noxious gases.

Note to applicant: Prior to construction, detailed drawings of food/retail spaces are to be submitted for review by the Environmental Health Division for compliance with Health By-law #6580 and the Food Premises Regulation and details of the swimming pools/hot tubs are to be submitted to the Environmental Health Division and the Provincial Health Engineer.

CPTED:

- (8) Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for reducing opportunities for:
 - (i) theft in the underground by securing the parking with a gate;
 - (ii) mischief in alcoves on the lane; and
 - (iii) vandalism such as graffiti on the lane.

Engineering Services:

- (9) Parking and loading for the new development are to be provided as per section 4.3.2 (DD requirements) of the Vancouver Parking By-law. Relaxation and exemption provisions of the Vancouver Parking By-law shall apply.
- (10) Parking for the existing restaurant and other ancillary functions of the Leslie house shall be provided as per section 4.3.1, Area II of the Vancouver Parking By-law within the hotel parkade.
- (11) All garbage and recycling facilities for the hotel and restaurant are to be provided on site to the satisfaction of the General Manager of Engineering Services, including appropriate access and right-of-way agreements.

Fire Department:

- (12) Design development to ensure that Fire Department access to building entries and from the lobby to below- and above-grade levels comply with the Vancouver Building By-law.

Note to applicant: Review Section 3.2.5.20 - Co-ordination of Fire Fighting Facilities. Fire protection equipment (i.e., fire hydrant location, fire department connection, central alarm and control facility and standpipes) should be indicated on Development Permit drawings.

Acoustics:

- (13) Design development to mitigate noise impacts on the site.

Note to applicant: An Acoustical Consultant's report which assesses noise impacts on the site and recommends mitigating measures will be required with

the Development Permit application. If a bell or bells are to be incorporated, they should be considered in the consultant's assessment, noting that they would not be subject to the Section 8 (b) exemptions of the Noise Control By-law No. 6555.

AGREEMENTS

(c) That, prior to enactment of the CD-1 By-law, the following are addressed to the satisfaction of the General Manager of Engineering Services:

- (i) consolidate lots 15, 16 and 17, Block 111, D.L. 541, Plan 210;
- (ii) arrangements for sewer upgrading for this site;

Note to applicant: The current plans are inadequate to determine upgrading requirements; additional site information and further review is necessary to determine extent of upgrading;

- (iii) arrangements for relocation of the "H" pole that obstructs access to the proposed driveway ramp in the lane;

Note to applicant: Confirmation from BC Hydro that the pole can be relocated is required.

- (iv) arrangements for undergrounding of any new electrical and Telus services from the closest existing suitable service point, including a review of any proposed additional cabling to serve this development to determine any impacts on the neighbourhood; and
- (v) execute a legal agreement satisfactory to the Director of Legal Services.

(d) That, prior to enactment of the CD-1 By-law, the following are addressed to the satisfaction of the Directors of Current Planning and Legal Services:

- (i) approval and enactment of a Heritage Revitalization Agreement and Designation By-law along with any required accompanying by-laws to ensure the long-term protection of the Leslie House at 1380 Hornby Street.

- B. THAT Council authorize the Director of Legal Services to enter into a Heritage Revitalization Agreement for the property at 1380 Hornby Street to secure the protection and on-going maintenance of the Leslie House.
- C. THAT the Director of Legal Services bring forth the by-law to designate the heritage house.
- D. THAT Council require that an agreement be registered to secure the timely rehabilitation of the heritage house.

- E. THAT, as a consequential amendment to rezoning of the site at 1380 Hornby Street from DD to CD-1:
- (i) the maps in the Downtown Official Development Plan By-law No. 4912, be amended to indicate this site is no longer zoned DD;
 - (ii) the Schedule E to the Sign By-law No. 6510 be amended to assign this site Schedule B(DD); and
 - (iii) subject to approval of the rezoning at Public Hearing, at the time of enactment the Noise By-law be amended to include this CD-1 in
- F. THAT the applicant and city staff establish a co-design team with the affected neighbours; and
- FURTHER THAT there is a creation of an operational management plan, again with neighbourhood input; and
- FURTHER THAT the HRA grant be at the highest level of access that is feasible.

CARRIED
(Councillors Louis and Roberts opposed.)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

SECONDED by Councillor Stevenson

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 11:05 p.m. on April 20, and
adjourned at 11:50 p.m. on April 22, 2004.

* * * * *

DD

Downtown District
1380 Hornby Street

BY-LAW NO. 9117

A By-law to amend Downtown District
Official Development Plan By-law No. 4912

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

1. By-law No. 4912 is no longer to apply to that certain parcel of land described as:

PID: 015-472-213, Lot 15

PID: 015-472-230, Lot 16

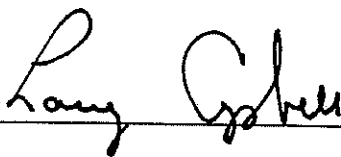
PID: 015-472-264, Lot 17

All of: Block 111, District Lot 541, Plan 210


2. Council deems the parcel of land described in section 1 of this By-law deleted from each of the maps forming part of or attached as a schedule to Schedule A to By-law No. 4912 which illustrates that parcel of land.

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

ENACTED by Council this 4th day of October, 2005



Mayor



City Clerk

DD

1380 Hornby Street

BY-LAW NO. 9118

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

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

1. To Schedule E of the Sign By-law, Council adds:

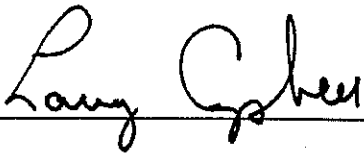
"1380 Hornby Street

CD-1(435)

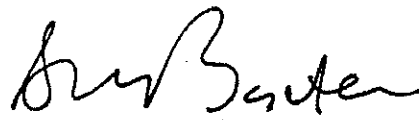
B (DD)"

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

ENACTED by Council this 4th day of October, 2005



Mayor



City Clerk

DD

Miscellaneous text amendments

BY-LAW NO. 9311

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

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

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

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

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

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

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

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

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

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

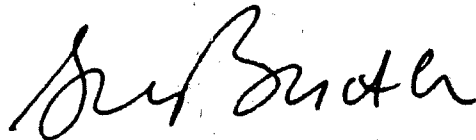
"Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law."

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

ENACTED by Council this 13th day of June, 2006



Mayor



City Clerk

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

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

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Chow

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 4 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

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

4. Text Amendment: Miscellaneous Text Amendments

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

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

The Director of Current Planning recommended approval.

Staff Comments

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

Summary of Correspondence

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

Speakers

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

Council Decision

MOVED by Councillor Stevenson

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

CARRIED UNANIMOUSLY

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

CITY OF VANCOUVER

5



SPECIAL COUNCIL MEETING MINUTES

MAY 16, 2006

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

PRESENT:

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

ABSENT:

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

CITY CLERK'S OFFICE:

Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

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

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

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

The Director of Current Planning recommended approval.

1380 Hornby Street

BY-LAW NO. 9385

A By-law to amend CD-1 By-law No. 9116

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

1. From section 5(c) of By-law No. 9116, Council strikes out "12.7" each time it appears, and substitutes "16.8".
2. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 14th day of November, 2006



Mayor



City Clerk

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Lee

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 5 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Vehicle Licensing By-law No. 4021 regarding license year and fee increases (By-law No. 9381)
2. A By-law to amend Street Name By-law No. 4054 re extension of Hamilton Street (By-law No. 9382)
3. A By-law to amend Downtown Official Development Plan By-law No. 4912 (re miscellaneous text amendment) (By-law No. ~~9383~~ 9384)
(Councillor Louie ineligible to vote on By-law No. 3)
4. A by-law to amend CD-1 By-law No. 9116 (re rear yard setback) (By-law No. ~~9384~~ 9385)
5. A By-law to amend Parking By-law No. 6059 (regarding Southeast False Creek) By-law No. ~~9385~~ 9383

These Minutes will be adopted at the Regular Council Meeting on November 14, 2006.



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
OCTOBER 17, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 17, 2006, 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 and Heritage By-laws.

PRESENT:

Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor David Cadman
Councillor Kim Capri
*Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
*Councillor Raymond Louie
Councillor Tim Stevenson

CITY MANAGER'S OFFICE: Brent MacGregor, Deputy City Manager

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY

(Councillors Chow and Louie absent for the vote)

1. TEXT AMENDMENT: Downtown Official Development Plan Amendment (DODP)

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

Summary: To amend the Downtown Official Development Plan (DODP) to correct a typographical error and thereby achieve the intent of an earlier rezoning.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT Council approve the designation of the Ainsworth House at 2622 West 7th Avenue, listed on the Vancouver Heritage Register in the "C" category, as Protected Heritage Property.
- B. THAT Council commend the building owners for designating their property on a voluntary basis and for participating in the Vancouver Heritage Foundation's *True Colours* program.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. TEXT AMENDMENT: 1380 Hornby Street

An application by Pawel Mikolajczak, IBI/HB Architects was considered as follows:

Summary: To amend an existing CD-1 Comprehensive Development District for 1380 Hornby Street to permit the enclosure of a previously approved outdoor pool.

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

Staff Opening Comments

Michelle McGuire, Planning Analyst, outlined the application.

Applicant Comments

Pawel Mikolajczak, IBI/HB Architects, and John Michael Shearer, Alessandro Holdings, were available to respond to questions.

Summary of Correspondence

One email regarding other issues than those contained in the application associated with this site 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 Capri

- A. THAT the application by IBI/HB Architects, to amend Comprehensive Development District (CD-1) By-law No. 9116 (reference No. 435) for 1380 Hornby Street (Lot A, Block 111, District Lot 541, Plan BCP12494) to amend the rear yard setback requirement, generally as presented in Appendix A of Policy Report "CD-1 Text Amendment - 1380 Hornby Street" dated September 12, 2006", be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the amended form of development be approved by Council in principle, generally as prepared by IBI/HB Architects, and stamped "Received, City of Vancouver Planning Department, May 24, 2006", provided that the Director of Planning may allow minor alterations when approving the detailed scheme of development.
- (b) THAT prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall consider the following condition:
- (i) make arrangements to the satisfaction of the Director of Planning, for amendment to the Operations and Management Plan to reflect the change to the pool and patio hours of operation.

CARRIED UNANIMOUSLY

4. ~~REZONING: 201 West 2nd Avenue~~

~~An application by Graham McGarva, VIA Architecture, was considered as follows:~~

~~Summary: To rezone the site at 201 West 2nd Avenue from M-2 Industrial District to CD-1 Comprehensive Development District to permit development of a 16-storey mixed use building under the Southeast False Creek (SEFC) Official Development Plan (ODP)~~

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

~~Also before Council was a memorandum dated October 5, 2006, from G. Miller, SEFC Rezoning Planner, which set out minor changes to the draft CD-1 By-law presented in Appendix A of the Policy Report dated September 13, 2006, entitled "CD-1 Rezoning: 201 West 2nd Avenue". The changes had been incorporated into the draft By-law included in the Public Hearing Agenda package.~~

Miscellaneous text amendments

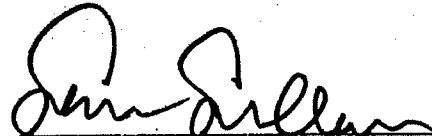
BY-LAW NO. 9618

A By-law to amend CD-1 By-law No. 9116

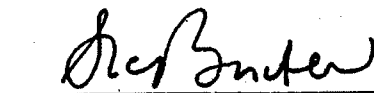
THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. In section 6 of CD-1 By-law No. 9116, Council, after "except that", inserts "if development of the site consists of hotel use".
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 1st day of April, 2008



Mayor



City Clerk

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Ladner

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 8 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. 9616)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 1)
2. A By-law to amend Sign By-law No. 6510 (re miscellaneous text amendments) (By-law No. 9617)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 2)
3. A By-law to amend CD-1 By-law No. 9116 (re miscellaneous text amendments) (By-law No. 9618)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 3)
4. A By-law to amend CD-1 By-law No. 9588 (re miscellaneous text amendments) (By-law No. 9619)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 4)
5. A By-law to amend Vancouver Development Cost Levy By-law No. 8149 regarding community energy centres (By-law No. 9620)
6. A By-law to amend Area Specific Development Cost Levy By-law No. 9418 regarding community energy centres (By-law No. 9621)
7. A By-law to amend CD-1 By-law No. 9454 (re the Olympic Village) (By-law No. 9622)
(Councillors Deal and Lee ineligible to vote on By-law 7)
8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 801 West Georgia Street) (By-law No. 9623)



CITY OF VANCOUVER

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

MARCH 11, 2008

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, March 11, 2008, at 8:00 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, CD-1 By-law, Sign By-law, and False Creek North Official Development Plan.

PRESENT:

Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor David Cadman
*Councillor Kim Capri
Councillor George Chow
Councillor Heather Deal
*Councillor Peter Ladner
Councillor B.C. Lee
*Councillor Raymond Louie
*Councillor Tim Stevenson

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Chow

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair, to consider proposed amendments to the Zoning and Development By-law, CD-1 Bylaw, Sign By-law and False Creek North Official Development Plan.

CARRIED UNANIMOUSLY
(Councillors Capri, Ladner, Louie and Stevenson absent for the vote)

1. TEXT AMENDMENT: Miscellaneous Text Amendments

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

Summary: Miscellaneous text amendments to the Zoning and Development By-law, CD-1 (Comprehensive Development) By-laws, and the Sign By-law. The amendments achieve the intent of earlier rezonings.

The Director of Planning recommended approval.

Staff Comments

Michelle McGuire, Planning Analyst, Rezoning Centre, was present to respond to questions.

Summary of Correspondence

No correspondence had been received on this application 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 Anton

THAT the application to amend the Zoning and Development By-law, Sign By-law and CD-1 By-laws for miscellaneous amendments generally as presented in Appendix A to Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, Sign By-law and CD-1 By-laws" dated January 28, 2008, be approved.

CARRIED UNANIMOUSLY

(Councillors Capri, Ladner, Louie and Stevenson absent for the vote)

2. TEXT AMENDMENT: 2-88 West 1st Avenue, 2-26 East 1st Avenue, and 27-99 West 2nd Avenue

An application by Pinnacle International (West First) Plaza Inc. was considered as follows:

Summary: To amend the CD-1 By-law for 2-88 West 1st Avenue, 2-26 East 1st Avenue, and 27-99 West 2nd Avenue to allow a one-storey increase in the building height and a revised form of development for 27-99 West 2nd Avenue, in addition to other miscellaneous amendments.

The Director of Planning recommended approval.

Staff Comments

Trish French, Assistant Director of Current Planning, explained the application.

Applicant Comments

John Bingham and Robert Duke, Howard Bingham Hill Architects, and Mike De Cotiis and Vito De Cotiis, Pinnacle International, were present to respond to questions.