



# **City of Vancouver** *Zoning and Development By-law*

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[planning@vancouver.ca](mailto:planning@vancouver.ca)

## CD-1 (480)

### *3003 East 22nd Avenue*

### *By-law No. 9982*

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

***Effective January 19, 2010***

1        Zoning District Plan amendment

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-617(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2        Uses

2.1       The description of the area shown within the heavy black outline on Schedule A is CD-1 (480).

2.2       Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (480) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a)    Institutional Uses, limited to Public Authority Use but only as a Fire Hall; and
- (b)    Accessory Uses customarily ancillary to a Fire Hall including fire prevention offices and community room uses.

3        Density

3.1       Computation of floor area must assume that the site consists of 1 127.1 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2       The floor space ratio must not exceed 1.0.

3.3       Computation of floor space ratio must include:

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

3.4       Computation of floor space ratio must exclude:

- (a)    open 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 area of all exclusions must not exceed 8% of the permitted residential floor area;
- (b)    patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
- (c)    the floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, which are at or below the base surface except that the exclusion for a parking space must not exceed 7.3 m in length for the purpose of exclusion from floor space ratio computation;
- (d)    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;
- (e)    floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (f)    covered verandas or porches if:
  - (i)    they face a street or rear property line,
  - (ii)   that portion facing the street or rear property line is open or protected by partial walls or guard rails, the height of which must not exceed the minimum specified in the Building By-law, and
  - (iii)  the total area of such exclusions does not exceed 5% of the permitted floor area;

- (g) 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; and
- (h) with respect to exterior:
  - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

#### 4 Building height

The building height, measured from the base surface, must not exceed:

- (a) 19 m for the existing hose tower on the fire hall;
- (b) 14.9 m or three storeys for the existing fire hall and new hose tower; and
- (c) 7.5 m or 1 storey for the truck apparatus bays.

#### 5 Parking and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces and bicycle spaces, all as defined under the Parking By-law, except that there must be nine underground parking spaces and eight bicycle spaces unless an amendment to the Parking By-law results in lesser parking requirements in which case the lesser parking requirements are to apply.

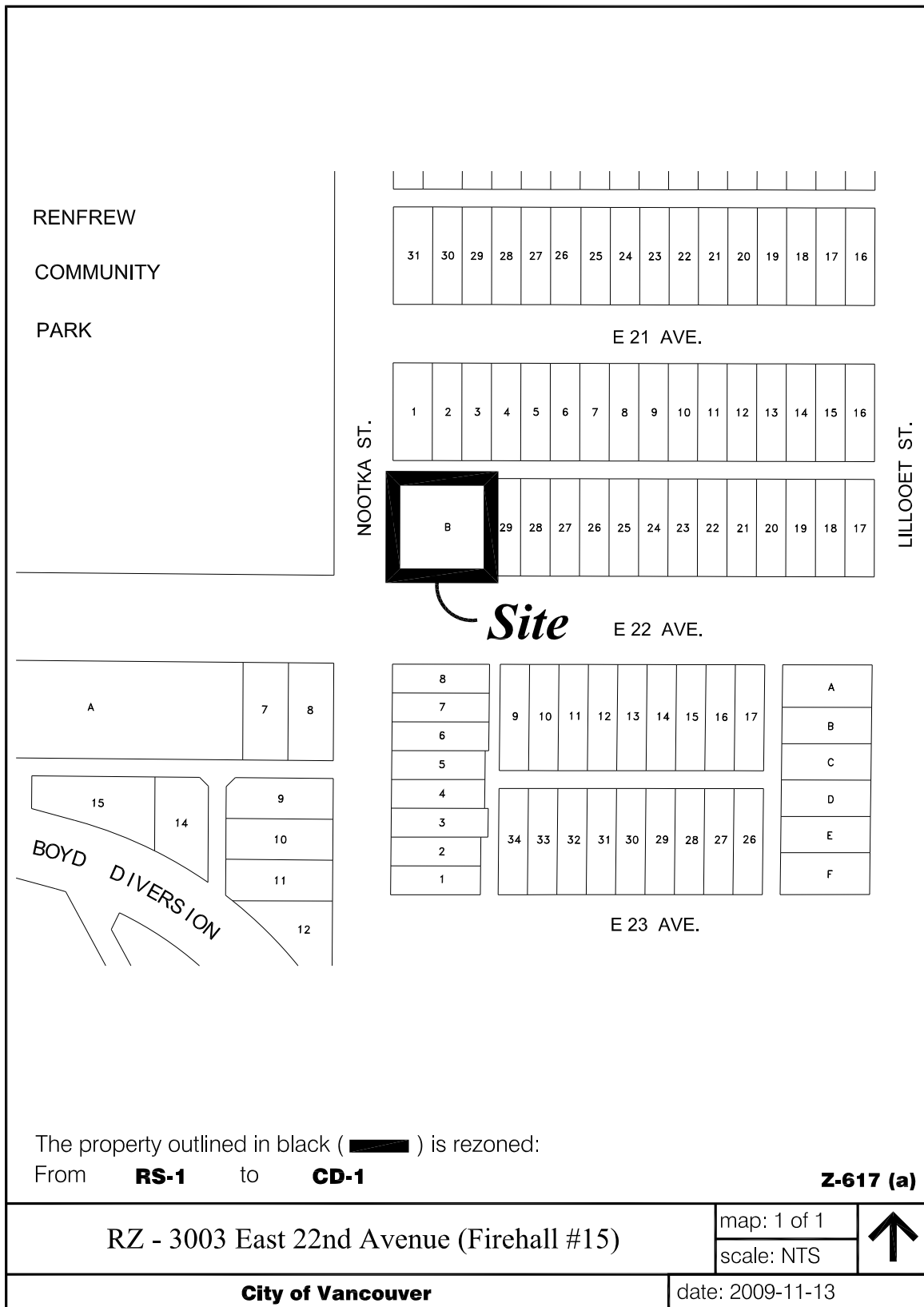
#### 6 Severability

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.

#### 7 Force and effect

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

ENACTED by Council this 19th day of January, 2010.



3003 East 22<sup>nd</sup> Avenue

**BY-LAW NO. 9982**

**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-617(a) 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 (480).

2.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (480) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Institutional Uses, limited to Public Authority Use but only as a Fire Hall; and
- (b) Accessory Uses customarily ancillary to a Fire Hall including fire prevention offices and community room uses.

**Density**

3.1 Computation of floor area must assume that the site consists of 1 127.1 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The floor space ratio must not exceed 1.0.

3.3 Computation of floor space ratio must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building; and

- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.4 Computation of floor space ratio must exclude:

- (a) open balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the permitted residential floor area;
- (b) patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
- (c) the floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, which are at or below the base surface except that the exclusion for a parking space must not exceed 7.3 m in length for the purpose of exclusion from floor space ratio computation;
- (d) 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;
- (e) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (f) covered verandas or porches if:
  - (i) they face a street or rear property line,
  - (ii) that portion facing the street or rear property line is open or protected by partial walls or guard rails, the height of which must not exceed the minimum specified in the Building By-law, and
  - (iii) the total area of such exclusions does not exceed 5% of the permitted floor area;
- (g) 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; and

- (h) with respect to exterior:
  - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

#### **Building height**

- 4. The building height, measured from the base surface, must not exceed:
  - (a) 19 m for the existing hose tower on the fire hall;
  - (b) 14.9 m or three storeys for the existing fire hall and new hose tower; and
  - (c) 7.5 m or 1 storey for the truck apparatus bays.

#### **Parking and bicycle spaces**

5. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces and bicycle spaces, all as defined under the Parking By-law, except that there must be nine underground parking spaces and eight bicycle spaces unless an amendment to the Parking By-law results in lesser parking requirements in which case the lesser parking requirements are to apply.

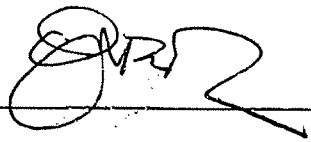
#### **Severability**

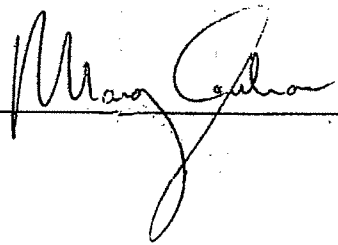
6. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

**Force and effect**

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

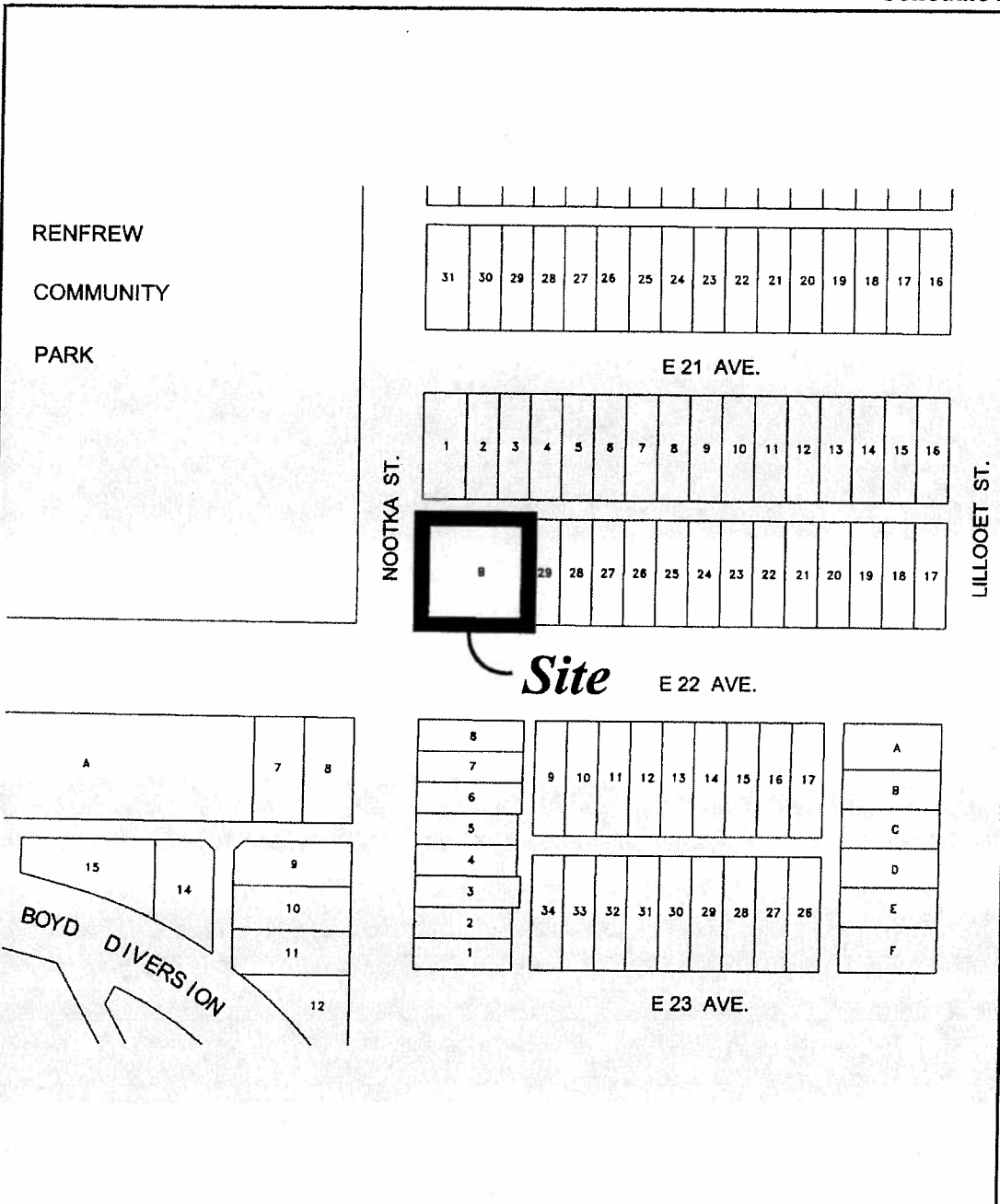
ENACTED by Council this 19<sup>th</sup> day of January, 2010

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



**Schedule A**



The property outlined in black ( [black box] ) is rezoned:  
 From **RS-1** to **CD-1**

**Z-617 (a)**

RZ - 303 East 22nd Avenue (Firehall #15)

map: 1 of 1

scale: NTS



**City of Vancouver**

date: 2009-11-13

**BY-LAWS**

**MOVED** by Councillor Jang  
**SECONDED** by Councillor Meggs

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 to 9 inclusive and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

**CARRIED UNANIMOUSLY**

**MOVED** by Councillor Jang  
**SECONDED** by Councillor Deal

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

**CARRIED UNANIMOUSLY**  
(Councillor Chow ineligible to vote)

1. **A By-law to amend Noise Control By-law No. 6555 (2960 - 2990 Nanaimo Street) (By-law No. 9977)**
2. **A By-law to repeal Granville Mall By-law No. 9272 and to create a new Granville Mall By-law (By-law No. 9978)**
3. **A By-law to amend CD-1 By-law No. 7679 (1055 Canada Place) (By-law No. 9979)**
4. **A By-law to designate certain real property as protected heritage property (906 Salsbury Drive) (By-law No. 9980)**
5. **A By-law to designate certain real property as protected heritage property (300 East 22<sup>nd</sup> Avenue) (By-law No. 9981)**
6. **A By-law to amend Zoning and Development By-law No. 3575 (3003 East 22<sup>nd</sup> Avenue) (By-law No. 9982)**
7. **A By-law to amend Protection of Trees By-law No. 9958 regarding miscellaneous text amendments (By-law No. 9983)**
8. **A By-law to amend Building By-law No. 9419 regarding housekeeping amendments (By-law No. 9984)**
9. **A By-law to amend 2010 Winter Games By-law No. 9962 regarding a minor housekeeping matter under Ticket Offences By-law No. 9360 (By-law 9985)**

of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each agreement, who may consult other City officials and City Council.

**CARRIED UNANIMOUSLY**

**4. REZONING/HERITAGE DESIGNATION: 3003 East 22nd Avenue (Firehall No. 15)**

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

**Summary:** To rezone the Firehall #15 site from RS-1 (Single-Family) to CD-1 (Comprehensive Development) District for the purpose of increasing the allowable density on the site to 1.0 floor space ratio (FSR) to permit the construction of 3 new truck apparatus bays and underground parking with access off the lane.

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

**Staff Opening Comments**

Heritage Group staff reviewed the application and responded to questions.

**Summary of Correspondence**

No correspondence had been received on the application since referral to Public Hearing.

**Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application.

Bobbi Senft, Save the Firehall - Build a New One Next Door  
Waldo Brino, Collingwood Neighbourhood House  
Doug McKay, Heritage Vancouver

**Council Decision**

MOVED by Councillor Louie

- A. THAT the application by the Director of Planning, to rezone 3003 East 22nd Avenue (PID 026-343-711; Lot B, Block F, Town of Hastings Suburban Lands, Plan BCP18656, Group 1, New Westminster District) from RS-1 (Single-Family Residential District) to CD-1 (Comprehensive Development District), to increase the density from 0.60 FSR to 1.00 FSR, to permit the retention and renovation of the historic Fire Hall #15 and the addition of a one-storey structure housing three new truck apparatus bays, generally as presented in Appendix A, to the Policy Report, "*CD-1 Rezoning and Heritage Designation of Fire Hall #15 - 3003 East 22<sup>nd</sup> Avenue*", dated October 20, 2009, be approved subject to the following conditions:

**CONDITION OF APPROVAL OF THE FORM OF DEVELOPMENT.**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Hughes Condon Marler Architects, and stamped "Received City Planning Department August 6, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development.

**CONDITIONS OF BY-LAW ENACTMENT**

- (b) That, prior to enactment of the CD-1 By-law, the registered owner shall:
- (i) register the Designation By-law against the property;
  - (ii) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of undergrounding of all new utility services from the closest existing suitable service point. All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground / overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged;
  - (iii) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion; and If a Certificate of Compliance is required by the Ministry of Environment as a result of a completed site profile, execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there will

be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a certificate of Compliance has been provided to the City by the Ministry of Environment;

- (iv) make arrangements for all new BC Hydro and Telus services are to be undergrounded, within and adjacent the site, from the closest existing suitable service point;

- B. THAT, subject to approval of the rezoning at Public Hearing, Council add the building at 3003 East 22nd Avenue, known as Fire Hall #15 to the Vancouver Heritage Register in the "B" category and designate the site as protected heritage property.

CARRIED UNANIMOUSLY

**5. REZONING/HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):  
1201 - 1215 Bidwell Street and 1702 - 1726 Davie Street**

An application by Gregory Henriquez, Henriquez Partners Architects, was considered as follows:

Summary: To rezone this site from C-5 (Commercial) to CD-1 (Comprehensive Development). The permitted density would increase from a maximum floor space ratio (FSR) of 2.20 to 6.27. This increase would secure the provision of 49 rental housing units and the retention of the façade of the C-listed heritage building at 1215 Bidwell Street. The proposal is to construct a 210 ft. residential tower (maximum height permitted in the C-5 District) on a 4-storey podium base with retail/service uses at street level and three levels of rental housing above.

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

Also before Council was a Memorandum dated November 18, 2009, from Kent Munro, Assistant Director of Planning, Current Planning Division, which proposed an additional condition for this rezoning application as follows:

THAT the conditions of zoning by-law enactment, as presented in Appendix B of the Policy Report "CD-1 Rezoning - 1201-1215 Bidwell Street and 1702-1726 Davie Street and Heritage Revitalization Agreement at 1215 Bidwell Street" dated October 20, 2009, be amended to add the following:

**"Heritage Density Transfer**

- (c) (xvi) That the owner secure the purchase of heritage density with value of \$400,000 from a suitable donor site.



**REPORT TO COUNCIL  
SPECIAL COUNCIL MEETING MINUTES**

**DECEMBER 1 AND 10, 2009**

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, December 1, 2009, at 7:42 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning, Sign and Heritage By-laws. Subsequently, the meeting was recessed and reconvened at 7:35 pm on Thursday, December 10, 2009.

**PRESENT:** Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow\*  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Andrea Reimer\*  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth

**ABSENT:** Mayor Robertson (December 10, 2009)  
Councillor David Cadman (Leave of Absence - Civic Business  
December 10, 2009)

**CITY MANAGER'S OFFICE:** Sadhu Johnston, Deputy City Manager (December 1, 2009)

**CITY CLERK'S OFFICE:** Lori Isfeld, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY  
(Councillor Chow absent for the vote)