



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7000 fax 604.873.7060
planning@vancouver.ca

CD-1 (482)

1300 – 1336 Granville Street

By-law No. 10029

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

Effective April 20, 2010

(Amended up to and including By-law No. 10110, dated July 20, 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-603(b) 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 (482).

2.2 Subject to Council approval 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 (482) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, Museum or Archives, Personal Training Centre, and Theatre;
- (b) Dwelling Uses, limited to Multiple Dwelling, in conjunction with any of the uses listed in this section 2.2;
- (c) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Community Care Facility;
- (d) Office Uses;
- (e) Retail Uses;
- (f) Service Uses; and
- (g) Accessory Use customarily ancillary to any use permitted by this section 2.2.

3 Conditions of use

Dwelling units are in an “activity zone” as defined in the Noise Control By-law, and, as a result, are subject to noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts.

4 Density

4.1 Computation of floor space ratio must assume that the site consists of 1 962.3 m², being the site size at the time of enactment of the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses must not exceed 8.25.

4.3 Despite section 4.2, it is permissible to use an additional 4% of residential floor area for open residential balcony space, except that, the case of such use, no enclosure of balconies is permissible for the life of the building.

4.4 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.

4.5 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8% of the residential floor area;
- (b) patios and roof gardens only 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 maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms, except that the total area excluded must not exceed 1 000 m²; and
- (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.

4.6 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (b) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (c) passive solar appurtenances to reduce solar gain; and
- (d) structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture.

4.7 The use of floor space excluded under section 4.5 or 4.6 must not include any purpose other than that which justified the exclusion.

5 Height

5.1 The building height, measured above the base surface, must not exceed 68.9 m, except that the Director of Planning or Development Permit Board may approve additional height, not to exceed 3 m, to accommodate any change in building grades which the city undertakes.

- 5.2 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that if:
- (a) in the opinion of the Director of Planning or Development Permit Board, higher structures such as:
 - (i) elevator enclosures, lobbies, and stairwells that provide access for building occupants to rooftop common area,
 - (ii) guardrails that do not exceed the minimum height specified in the Building By-law, and
 - (iii) pergolas, trellises, and tool sheds that support the use of intensive green roofs and urban agriculture,

will not unduly harm the liveability and environmental quality of the surrounding neighbourhood; and
 - (b) the Director of Planning or Development Permit Board first considers:
 - (i) all applicable policies and guidelines adopted by Council,
 - (ii) the submission of any advisory group, property owner, or tenant, and
 - (iii) the effects on public and private views, shadowing, privacy, and open spaces,

the Director of Planning or Development Permit Board may allow a greater height for any such structure.

6 Parking, loading, and bicycle parking

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, loading, and bicycle parking. [10110; 10 07 20]

7 Acoustics

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

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

8 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.

9 Force and effect

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

ENACTED by Council this 20th day of April, 2010.

Backup Notes

1300 - 1336 Granville Street

BY-LAW NO. 10029

**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-603(b) 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 (482).

2.2 Subject to Council approval 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 (482) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, Museum or Archives, Personal Training Centre, and Theatre;
- (b) Dwelling Uses, limited to Multiple Dwelling, in conjunction with any of the uses listed in this section 2.2;
- (c) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Community Care Facility;
- (d) Office Uses;
- (e) Retail Uses;
- (f) Service Uses; and
- (g) Accessory Use customarily ancillary to any use permitted by this section 2.2.

Conditions of use

3. Dwelling units are in an “activity zone” as defined in the Noise Control By-law, and, as a result, are subject to noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts.

Density

4.1 Computation of floor space ratio must assume that the site consists of 1 962.3 m², being the site size at the time of enactment of the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses must not exceed 8.25.

4.3 Despite section 4.2, it is permissible to use an additional 4% of residential floor area for open residential balcony space, except that, the case of such use, no enclosure of balconies is permissible for the life of the building.

4.4 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.

4.5 Computation of floor space ratio must exclude:

- (a) open residential 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 such exclusions must not exceed 8% of the residential floor area;
- (b) patios and roof gardens only 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 maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms, except that the total area excluded must not exceed 1 000 m²; and

- (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.

4.6 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (b) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (c) passive solar appurtenances to reduce solar gain; and
- (d) structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture.

4.7 The use of floor space excluded under section 4.5 or 4.6 must not include any purpose other than that which justified the exclusion.

Height

5.1 The building height, measured above the base surface, must not exceed 68.9 m, except that the Director of Planning or Development Permit Board may approve additional height, not to exceed 3 m, to accommodate any change in building grades which the city undertakes.

5.2 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that if:

- (a) in the opinion of the Director of Planning or Development Permit Board, higher structures such as:
 - (i) elevator enclosures, lobbies, and stairwells that provide access for building occupants to rooftop common area,
 - (ii) guardrails that do not exceed the minimum height specified in the Building By-law, and

- (iii) pergolas, trellises, and tool sheds that support the use of intensive green roofs and urban agriculture,

will not unduly harm the liveability and environmental quality of the surrounding neighbourhood; and

- (b) the Director of Planning or Development Permit Board first considers:
 - (i) all applicable policies and guidelines adopted by Council,
 - (ii) the submission of any advisory group, property owner, or tenant, and
 - (iii) the effects on public and private views, shadowing, privacy, and open spaces,

the Director of Planning or Development Permit Board may allow a greater height for any such structure.

Parking, loading, and bicycle parking

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, loading, and bicycle parking, except that for multiple dwelling use, there must be at least one parking space for each 100 m² of gross floor area but there need not be more than 1.25 parking spaces for each dwelling unit.

Acoustics

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

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

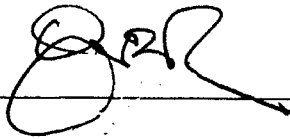
Severability

8. 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.

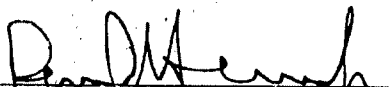
Force and effect

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

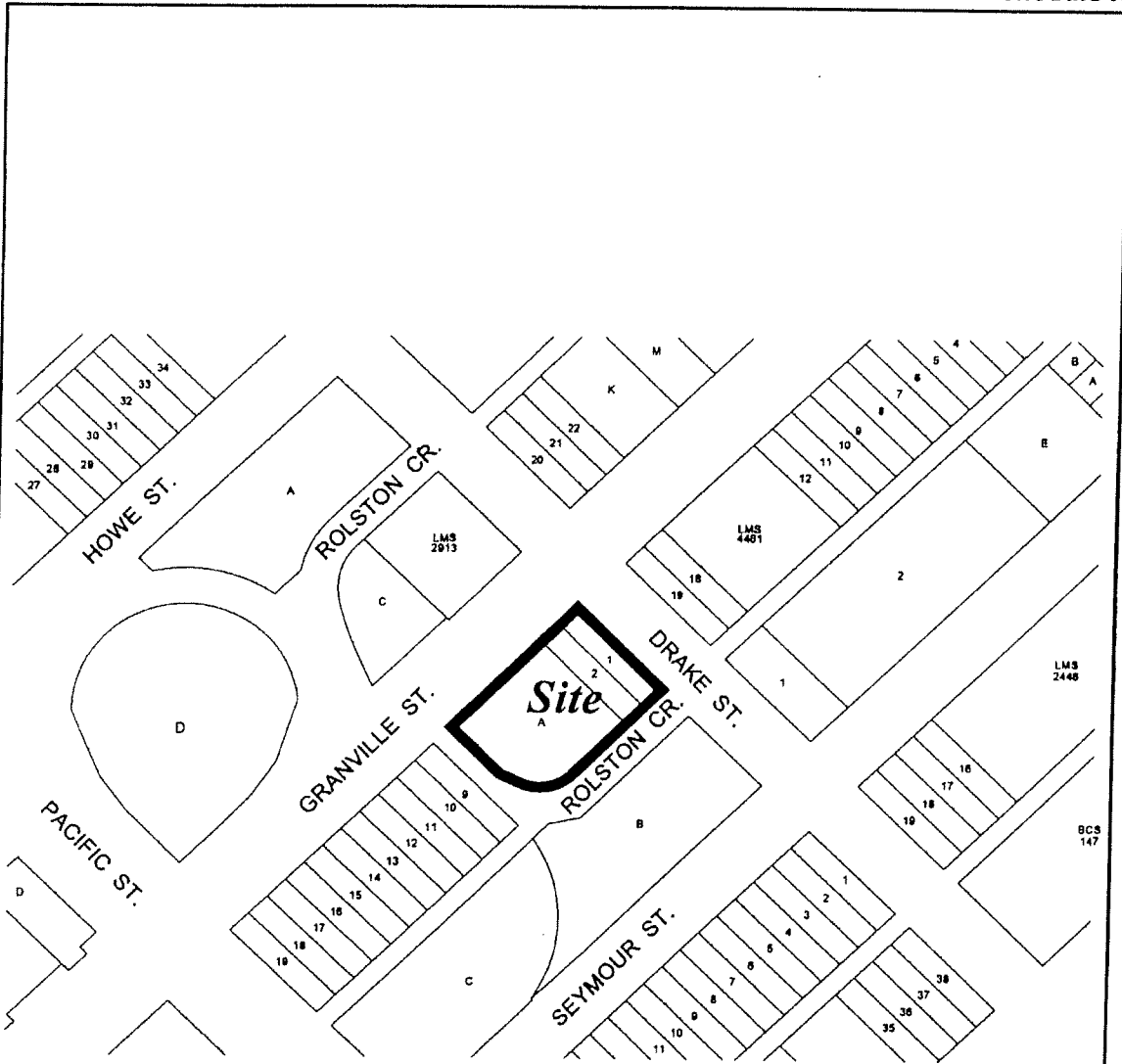
ENACTED by Council this 20th day of April , 2010



Mayor



DEPUTY City Clerk



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

Z-603 (b)

RZ - 1300-1336 Granville Street

map: 1 of 1

scale: NTS



City of Vancouver

date: August 2008

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1, 2 and 5 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

Councillors Chow and Jang rose and confirmed they have received a report of the Public Hearing in regard to By-laws 6 and 7 and would therefore be voting on the enactment of the by-laws.

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT Council, except for those members excused as noted below, enact the by-laws listed on the agenda for this meeting as numbers 3, 4, 6 and 7 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. **A By-law regarding designation of a special event and relaxations of the Sign By-law for the PNE 100th Anniversary (By-law No. 10024)**
2. **A By-law to amend Heritage Taxation Exemption By-law No. 9036 for 5 West Pender Street (By-law No. 10025)**
3. **A By-law to amend Zoning and Development By-law No. 3575 regarding miscellaneous text amendments (By-law No. 10026)**
(Councillors Deal, Meggs, Woodsworth and the Mayor ineligible for the vote)
4. **A By-law to amend CD-1 By-law No. 9193 regarding miscellaneous text amendments (By-law No. 10027)**
(Councillors Deal, Meggs, Woodsworth and the Mayor ineligible for the vote)
5. **A By-law to amend Housing Agreement By-law No. 9853 for 601 East Hastings Street. (By-law No. 10028)**
6. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 1300 - 1336 Granville Street) (By-law No. 10029)**
(Councillors Meggs, Reimer, Woodsworth and the Mayor ineligible to vote)
7. **A By-law to amend Sign By-law No. 6510 (re 1300 - 1336 Granville Street) (By-law No. 10030)**
(Councillors Meggs, Reimer, Woodsworth and the Mayor ineligible to vote)

Such 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 amending by-law.

The preceding agreements shall provide security to the City including warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult with other city officials and City Council.

- B. THAT, the application to amend the Sign By-law, dated June 13, 2007, to establish regulations for this CD-1 in accordance with Schedule E [assigned Schedule "B" (DD)], be approved.
- C. THAT, Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law to include this Comprehensive Development District in Schedule B generally as set out in Appendix C to policy report "CD-1 Rezoning - 745 Thurlow Street" dated July 8, 2008.

CARRIED UNANIMOUSLY
(Councillor Chow absent for the vote.)

**5. CD-1 Rezoning/Heritage Revitalization Agreement (HRA)/
Heritage Designation (HD): 1300-1336 Granville Street**

An application by Martin Nielsen, Busby Perkins & Will, was considered as follows:

Summary: To rezone from Downtown District (DD) to Comprehensive Development District (CD-1) to permit an increase in density from 5.0 to 8.25 FSR. The proposal includes development of a 226 ft. residential tower with commercial at grade, restoration and designation of the Yale Hotel through a HRA, the upgrading and conveyance of the Yale Hotel SRA units to the City, and the exemption and demolition of the SRA-designated units at the Cecil Hotel.

The Director of Planning and the Director of the Housing Centre, in consultation with the Director of Legal Services, recommended approval, subject to conditions as set out in the Agenda for this Public Hearing.

Staff Comments

Karen Hoese, Planner, explained the application and, together with Cameron Gray, Director, Housing Centre, and Jerry Evans, Associate Director, Real Estate Services, responded to questions.

Summary of Correspondence

There was no correspondence received on this 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:

Mike Feser
Vanessa Richards
Waide Luciak, Yale Hotel

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Busby Perkins & Will Architects on behalf of Rize Alliance (1300 Granville Street) Properties Ltd., to rezone 1300-1336 Granville Street (Lots 1 & 2, Block 113, DL 541, Plan 210 and Lot A, Block 113, DL 541, Plan 9441) from Downtown District (DD) to Comprehensive Development District (CD-1), generally as set out in Appendix A to Policy Report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008, 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 Busby Perkins & Will Architects in plans and stamped "Received Planning Department, May 1, 2008", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (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 or Development Permit Board, who shall consider the following conditions:

Design Development

- (i) design development to the projecting balcony elements to increase their transparency without decreasing the robust architectural character of the interconnected forms;

Note to Applicant: Design development should consider reducing the heaviness/solidness of side treatments of the projecting balconies.

- (ii) design development to further enhance the Granville Street frontage to achieve the fine grain active character sought for Granville Street as a pedestrian oriented shopping street;

Note to Applicant: Provision of weather protection is also required.

- (iii) design development to relocate the below-grade parking structure vent to a location that will minimize its impact on pedestrian activities along this frontage;
- (iv) design development to the roofscapes to enhance their visual quality as seen from above through landscaping, screen elements and finishes;

Note to Applicant: Design development should consider expanding the usable outdoor area of the uppermost roof. Vents, mechanical rooms, elevators should be integrated into the roof architectural treatment or screened with material and finishes compatible with the building.

- (v) design development to ensure a high standard of liveability with direct access to usable (unenclosed) outdoor space for each dwelling unit;

Note to Applicant: In conjunction with achieving a LEED Gold standard and no enclosed balconies within the building, provision of an additional 4 percent residential floor area has been provided to enhance the liveability of the dwelling units.

- (vi) provision of high quality, durable architectural materials and detailing;
- (vii) design development to provide street interface solutions, for both existing and anticipated future building grade conditions, with particular consideration given to pedestrian access, building entries and parking and loading access;

Crime Prevention Through Environmental Design (CPTED)

- (viii) design development to take into consideration the principles of CPTED, having particular regard to reduce opportunities for:
 - theft in the underground,
 - graffiti on walls, and
 - mail theft;

Landscape Design

- (ix) notching of parkade slab, where possible, to increase opportunities for planting at or near the property line;

- (x) design development improve the Granville Street commercial interface;

Note to Applicant: the planter at the edge of the commercial patio should be brought to grade level to mitigate blank walls at the pedestrian level. The parkade slab will need to be notched to allocate room for soil depth (refer to section 3, sheet L5).

- (xi) trees at the Rolston Crescent edge to be planted at grade;

- (xii) provide continuous street trees to adjacent streets;

Note to Applicant: This can be done by filling in gaps to existing colonnades or providing new street trees, to the satisfaction of GMES.

- (xiii) design development to improve the quality of the level 13 common terrace;

- (xiv) design development to improve the roof level by:

- providing continuous garden plots planters without compromising the other amenities (**Note to Applicant:** Soil health and planting opportunities can be improved through amalgamation of plots to increase soil volumes),
- providing additional permanent planters that contain small species trees an overall full season planting palette, in addition to edible plants,
- integrating a seating edge to the garden plots;

- (xv) at time of development permit submission, provision of large scale sections through permanent planters and architectural slab;

Urban Agriculture

- (xvi) design development to provide hose bibs, tool storage, composting, a potting/work bench, and sink for the garden plots located on the rooftop;

Note to Applicant: An amenity room could be provided adjacent to the elevator and fan room. The amenity room should include an accessible washroom and kitchenette.

- (xvii) design development to increase the usable rooftop area;

Note to Applicant: Consideration should be given to providing amenity room on the rooftop, in addition to increased outdoor area, in order to increase the functionality and usability of the amenity patio area. A small indoor amenity room could be provided in the northeast corner of the rooftop.

Delete curb returns at parkade and loading entry and show standard City crossings.

Provide details of garbage storage and pick up operations, including internal routes to and from storage areas.

Correct Legal description on page RZ-001 to include Lot A, Block 113, District Lot 541, Plan 9441.

Sustainability

- (xxiii) a preliminary LEED™ score card should be submitted with development (DE) application showing proposed strategies for attainment of LEED™ Gold;

Note to Applicant: Registration and certification with CAGBC (Canada Green Building Council) to achieve LEED™ Gold certification is encouraged but not required. Best effort to pursue equivalency to the satisfaction of the Director of Planning will be accepted.

Heritage

- (xxiv) supply an Interpretative Plan for the site which takes into account the history of the Cecil Hotel, particularly noting the role the Cecil Hotel played in the late 1960's and 1970's with respect to the formation of Greenpeace and the Georgia Straight newspaper;
- (xxv) based on a S3 structural upgrade approach, integrate the conservation plan, with the seismic upgrading, noting any conflicts between this approach and character defining elements as noted in the SOS;
- (xxvi) revise design of new storefront to more closely resemble the original scale and detailing of the storefront as shown in archival photo (1944 (VA 1184-624) shown in the Conservation Plan page iii. Attention should be paid to the proportion of the window dimensions and the location and detail of the cornice at 1st floor location. The existing "Yale Hotel" sign can be retained but should be incorporated into the revised storefront design;

Environmental Health

- the City's acoustical criteria shall form part of the Zoning By-law, and an Acoustical Consultant's report shall be required which assesses noise impacts on the site and recommends noise mitigating measures;

Licensing - Liquor Primary Use

- (xxvii) the proposed stand-alone pub in the new podium should be limited to the 237 liquor licensed seats transferred from the Cecil Hotel;

Social Planning

- (xviii) design development to provide an amenity room on level 13 adjacent to the outdoor amenity patio;

Note to Applicant: The amenity room should include an accessible washroom and kitchenette.

- (xix) design development to provide flexible space on the level 13 amenity patio which can accommodate children's play activities, as well as other uses;

Parking, Loading, Bicycle Parking and Passenger Loading

- (xx) provision of an updated Transportation Assessment Report is required. The report is to include turning templates for all parking and loading access points and for all internal parking and loading circulations clearly showing adequate functionality;

- (xxi) provision of full compliment of commercial loading bays is required;

- (xxii) provision of full compliment of commercial parking stalls is required;

Note to Applicant: Relocation of the residential security gate is required to ensure all the residential parking spaces are located behind the security gate.

Provision of direct and convenient access to loading bays from the Yale Hotel is required.

Clarification of the need for valet parking to serve the restaurant use and details of its operation are required.

Provision of internal access to all CRU's from the loading bays is required. Internal access to the CRU in the southeast corner of the site is required.

Provision of adequate visibility to oncoming vehicles, provision of mirrors at key locations is required.

Note to Applicant: There are walls obstructing visibility adjacent grid lines PB and PJ.

Clarify the depiction of the length of the Yale Hotel, some pages indicating it built to the Granville Street property line, and others are indicating it set back.

- (xxviii) the pub and restaurant must function as separate uses, each with its own entry/exit and without an overlap of functional space;
- (xxix) to avoid future conflicts between the liquor establishments and residential units, the design of the project must provide clear separation of entries with sound attenuation between the uses. A management plan will be required to confirm compatibility of the uses;
- (xxx) the proposal will be subject to a time-limited Development Permit to review compliance and mitigation of traffic, noise, parking and other zoning issues;
- (xxx) standard hours of operation will be limited to 11:00 a.m. to 1:00 a.m., Sunday to Thursday; and 11:00 a.m. to 2:00 a.m., Friday and Saturday; or Extended hours of operation will be limited to 9:00 a.m. to 2:00 a.m. Sunday to Thursday; and 9:00 a.m. to 3:00 a.m., Friday and Saturday;
- (xxx) a signed Good Neighbour Agreement will be required prior to business license issuance.

AGREEMENTS

- (a) THAT, prior to enactment of the CD-1 By-law (unless otherwise specified below), at no cost to the City:

Heritage

- (i) The owner shall enter into an agreement with the City prior to issuance of the development permit for the 1300-1336 Granville Street project, to secure rehabilitation, protection and on-going maintenance of the "B" listed heritage building at 1300 Granville Street and to restrict occupancy of the new tower until rehabilitation to the heritage building is completed, on terms and conditions satisfactory to the Director of Legal Services;
- (ii) Heritage Revitalization Agreement and Designation By-Laws shall be enacted by Council and registered on title, as applicable, along with any side agreements required at the discretion of the Director of Planning or the Director of Legal Services.

Engineering

- (iii) the owner shall make arrangements on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services for the following:
 - (1) dedication of portions of Lot A for road purposes. Delete all structures or portions of the building above and below grade within the dedication area,

- (2) closure & acquisition of portions of Rolston Crescent to form part of the consolidated site,
- (3) provision of a 3.0 m x 3.5 m corner cut at the southeast corner of Lot A. Delete all structures or portions of the building above grade and provide a minimum 3'-0" of cover from the top of the parkade to the building grade. The parkade to be designed to highway loading standards,
- (4) dedication of a 1.0 m x 1.5 m corner cut over the southwest corner of Lot A for pedestrian purposes,

Note to Applicant: For items (1) to (4) above, refer to sketch of site from Engineering Services, dated May 15, 2008, in Appendix H.

- (5) deletion of any portions of building or other structures above and below grade within Right of Way 388292M (as shown on Explanatory Plan 8056); or make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for discharge of the right-of-way,
- (6) consolidation of the site into a single parcel or creation of the proposed lots, arrangements to be made the satisfaction of the General Manager of Engineering Services, Director of Legal Services and Director of Planning to identify all resulting cross boundary issues including the provision of all necessary legal agreements addressing the boundary issues,
- (7) for all existing and proposed encroachments over City streets from the Yale Hotel, and updating and/or replacement of Easement & Indemnity Agreement B77264,
- (8) decommissioning of the existing 2 cavities under the sidewalk, the goods chute and oil intake and discharge of the relevant legal agreements from the title prior to Occupancy of any of the rezoning buildings,
- (9) interim widening of Rolston Crescent to provide adequate passage to the remainder of Rolston Crescent until the loops demolition and road reconstruction takes place. Arrangements to include a detailed design of a road geometric determining adequate temporary road widths. Should the review determine that adequate temporary road widths are not feasible within the existing road rights-of-way arrangements to acquire additional rights-of-way providing for acceptable road widths will be necessary,

- (10) relocation and/or adjustment of hydro poles and utility services along the Rolston Crescent frontages of the site to accommodate changes in the road geometrics and to ensure there is no conflicts with parking and loading access points to the site,
- (11) upgrading of the 250 mm sanitary sewer main on Drake Street from Rolston Crescent to Seymour Street to provide adequate sewer servicing for the development,
- (12) upgrading of the water mains to adequately serve the site. The application currently does not include information to determine if any upgrading is necessary or the possible extent of upgrading, provision of flow rates and additional project details are required to make a determination or arrangements to provide any necessary upgrading must be made,
- (13) provision of new sidewalks (temporary and permanent) adjacent the site in keeping with the sidewalk treatment patterns for the area,
- (14) provision of street trees adjacent the site where space permits,
- (15) provision of improved street lighting on the Rolston Crescent frontages of the site,
- (16) 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;

The above are to be included, where appropriate, in one or more registrable servicing agreements, setting out the obligations for construction and maintenance of the works fully at the owner's expense, at the discretion of the general Manager of Engineering Services and the Director of Legal Services.

Affordable Housing - 1300 Granville Street

- (iv) the owner shall, on terms and conditions satisfactory to the Director of the Housing Centre, the Director of Facility Design and Development and the Director of Legal Services, enter into an agreement to upgrade the low-income housing component of the Yale Hotel at 1300 Granville Street, generally in accordance with the Building Specifications included as Appendix E;

Air Space Parcel -1300 Granville Street

- (v) the owner shall, on terms and conditions satisfactory to the Director of the Housing Centre, the Director of Facility Design and Development and the Director of Legal Services, grant the City an option to purchase for a nominal price the air space parcel within which the second and third floors of the Yale Hotel at 1300 Granville Street will be located after subdivision of the Yale Hotel by airspace parcel subdivision;

Sale of Street

- (vi) the owner shall enter into a purchase and sale agreement to purchase a portion of street (Rolston Crescent) at the southeast corner of Lot A, at a purchase price of \$676,000, and to provide an easement for street purposes in favour of the City which would be extinguished following the completion of construction of the proposed new road layout;

Soils

- (vii) the owner shall do all things and/or enter into such agreements as are deemed appropriate by the Manager of Environmental Protection and the Director of Legal Services, in their discretion, to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (viii) 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, and all other applicable conditions imposed by the City or the Ministry of Environment have been satisfied.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding 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 preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in form and contents 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 particular agreement, who may consult other City officials and City Council.

- B. THAT, the application to amend the Sign By-law, to establish regulations for this CD-1, in accordance with Schedule E to the Sign By-law [assigned Schedule "G1" (DD)], generally as set out in Appendix C to policy report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008, be approved;
- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law to include this Comprehensive Development District in Schedule A as generally set out in Appendix C to policy report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008;
- D. THAT Council designate the Yale Hotel building at 1300 Granville Street, listed in the "B" category on the Vancouver Heritage Register, as a protected heritage property.

FURTHER THAT Council instruct the Director of Legal Services to bring forward for enactment a Heritage Designation By-law.
- E. THAT Council enter into a Heritage Revitalization Agreement for the Yale Hotel Building at 1300 Granville Street, which would secure the long term maintenance and preservation of the building, subject to conditions contained in Appendix B to policy report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008;

THAT Council instruct the Director of Legal Services to bring forward for enactment a Heritage Revitalization Agreement and accompanying by-laws.

FURTHER THAT Council instruct the Director of Legal Services to bring forward side agreements for the timely restoration and protection of the building during the construction process;
- F. THAT Council authorize an exemption for 32 of the 82 SRA-designated units at 1336 Granville Street, know as the Cecil Hotel, from the requirements of the Single Room Accommodation By-law.
- G. THAT Council approve a Single Room Accommodation Conversion/Demolition Permit to allow for the demolition of the remaining 50 SRA-designated units at 1336 Granville Street (Cecil Hotel) and the demolition of 1 unit at 1300 Granville Street (Yale Hotel), on the condition that the owner completes with the upgrading and conveyance of the 43 low-cost housing units located at 1300

Granville Street (Yale Hotel) to the City of Vancouver through an Air Space Parcel as outlined further below in this Report;

FURTHER THAT Council authorize the Director of Legal Services to prepare, execute and register such agreements as necessary, noting that Council approval of these resolutions shall not create any legal rights or obligations and none shall arise until the Purchase and Sale Agreement and all other necessary documentation has been fully executed on terms and conditions to the satisfaction of the Director of Legal Services.

- H. THAT Council approve the entering into of legal agreements by the City related to reciprocal easements, indemnities and other legal obligations appropriate to be implemented in connection with the acquisition and operation of an air space parcel by the City at 1300 Granville Street;

FURTHER THAT Council authorize the Director of Legal Services to execute and deliver on behalf of the City all legal documents required to implement the above, and that all such documents be on terms and conditions satisfactory to the Director of Legal Services.

CARRIED UNANIMOUSLY
(Councillor Chow absent for the vote.)

6. Heritage Revitalization Agreement (HRA)/Heritage Designation (HD): 255 East 7th Avenue

This item was withdrawn from the Agenda.

7. Text Amendment: Southeast False Creek Amendments, Area 3C

An application by Director of Planning was considered as follows:

Summary: To adjust the heights and maximum allowed density to accommodate an improved urban form in Area 3C.

The Director of Planning recommended approval.

Staff Comments

Thor Kuhlmann, Planner, explained the application and, together with Kevin McNaney, Planner, Ralph Segal, Senior Architect/Development Planner, and Dale Morgan, Development Planner, responded to questions.

Summary of Correspondence

There was no correspondence received on this application since referral to Public Hearing.



CITY OF VANCOUVER

**CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
SEPTEMBER 16, 2008**

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, September 16, 2008, 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 Heritage by-laws and Zoning and Sign 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 CLERK'S OFFICE: Tina Hildebrandt, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Capri

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

CARRIED UNANIMOUSLY
(Councillor Chow absent for the vote.)

1. Heritage Revitalization Agreement (HRA): 18 West Hastings Street

An application by Glen Stokes, Bruce Carscadden Architect, was considered as follows:

Summary: To rehabilitate this heritage designated Gastown building through a Heritage Revitalization Agreement (HRA) in exchange for Heritage Building

Backup Notes

By-law No. 10110, dated July 20, 2010

1300-1336 Granville Street

BY-LAW NO. 10110

A By-law to amend CD-1 By-law No. 10029

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

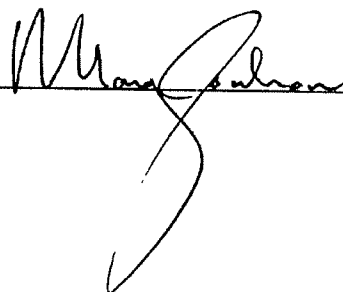
1. This By-law amends the indicated provisions of CD-1 By-law No. 10029.
2. Council repeals section 6, and substitutes:

“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, loading, and bicycle parking.”
3. 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.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 20th day of July, 2010



Mayor



City Clerk

BY-LAWS

MOVED by Councillor Stevenson
SECONDED by Councillor Cadman

THAT Council enact the by-laws before them at this meeting as numbers 1 to 6 and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Deal absent for the vote)

1. **A By-law to designate certain real property as protected heritage property at 1925 West 16th Avenue, the Sanderson House (By-law No. 10105)**
2. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property at 2496 West 8th Avenue (By-law No. 10106)**
3. **A By-law to designate certain real property as protected heritage property at 2496 West 8th Avenue (By-law No. 10107)**
4. **A By-law to amend CD-1 By-law No. 9193 (By-law No. 10108)**
5. **A By-law to amend CD-1 By-law No. 10029 re 1300 - 1336 Granville Street (By-law No. 10110)**
6. **A By-law to amend Southeast False Creek Official Development Plan By-law No. 9073 (By-law No. 10109)**

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Woods

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the zoning, official development plan, and sign by-laws.

CARRIED UNANIMOUSLY
(Councillors Deal and Jang absent for the vote)

* * * * *

At 9:28 pm, at the conclusion of Item 5, Mayor Robertson declared Conflict of Interest on Item 6 as his wife is Chair of the Farmers' Market Board. Mayor Robertson left the meeting and did not return.

Councillor Woodsworth assumed the Chair in Mayor Robertson's absence.

* * * * *

SPECIAL COUNCIL MEETING MINUTES

JULY 20, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 20, 2010, at 7:39 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the heritage, official development plan, sign and zoning by-laws.

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 Stevenson
- Councillor Ellen Woodsworth*

CITY MANAGER'S OFFICE: Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE: Bonnie Kennett, Meeting Coordinator (Minutes)
Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Chow
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the heritage, official development plan, sign and zoning by -laws.

CARRIED UNANIMOUSLY
(Councillors Deal, Louie, Reimer and Woodsworth absent for the vote)

1. ~~HERITAGE DESIGNATION: 1925 West 16th Avenue~~

~~An application by Charles Moorehead, Architect, was considered as follows:~~

~~Summary: To add the existing building to the Vancouver Heritage Register and designate it as protected heritage property.~~

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

Council Decision

MOVED by Councillor Cadman

- A. THAT the building currently located at 2496 West 8th Avenue, listed in the 'B' evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for the building located at 2496 West 8th Avenue to:
 - secure the rehabilitation and long-term preservation of the building; and
 - grant variances in excess of those permitted in the Zoning and District Schedule applicable to the site.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and a by-law to designate the building located at 2496 West 8th Avenue as protected heritage property.
- D. THAT the Heritage Revitalization Agreement be prepared, completed, registered, and given priority, to the satisfaction of the Director of Legal Services and the Director of Planning.

~~CARRIED UNANIMOUSLY~~

~~(Councillor Deal absent for the vote)~~

3. TEXT AMENDMENT: Miscellaneous Text Amendments

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

Summary: To amend CD-1 (Comprehensive Development) No. 448 for 2908-3188 Celtic Avenue and CD-1 No. 482 for 1300-1336 Granville Street for miscellaneous text amendments.

The Director of Planning recommended approval.

Summary of Correspondence

No correspondence had been received regarding the 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 Cadman

- A. THAT the application to amend CD-1 #448 (By-law No. 9193) for 2908-3188 Celtic Avenue and CD-1 #482 (By-law No. 10029) for 1300-1336 Granville Street, for miscellaneous text amendments generally as presented in Appendix A, of the Policy Report dated June 8, 2010, entitled "Miscellaneous Amendments to CD-1 by-laws for 2908-3188 Celtic Avenue and for 1300-1336 Granville Street, the Protection of Trees By-law, and the 2908-3188 Celtic Avenue CD-1 Design Guidelines", be approved.
- B. THAT amendments to the 2908-3188 Celtic Avenue CD-1 Design Guidelines, generally in accordance with Appendix C, of the Policy Report dated June 8, 2010, entitled "Miscellaneous Amendments to CD-1 by-laws for 2908-3188 Celtic Avenue and for 1300-1336 Granville Street, the Protection of Trees By-law, and the 2908-3188 Celtic Avenue CD-1 Design Guidelines", also be approved.

CARRIED UNANIMOUSLY

~~4. TEXT AMENDMENT: Southeast False Creek (SEFC) Height Amendments~~

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

~~Summary: To amend the SEFC Official Development Plan (ODP) to increase in certain areas the maximum allowed heights by 6.25 m and the optimum heights by one storey for lower-scale buildings and two storeys for taller buildings.~~

~~The Director of Planning recommended approval.~~

~~Council also had before it a Memorandum dated July 13, 2010, from the Director of Planning, in regard to the Policy Report dated June 15, 2010, entitled "Southeast False Creek Height Review", which:~~

- ~~a) provided clarification of proposed Recommendation B (i) relating to design guidelines;~~
- ~~b) recommended substituting Appendix A of the Policy Report dated June 15, 2010, entitled "Southeast False Creek Official Development Plan", to reflect revised amendments to the Southeast False Creek (SEFC) Official Development Plan (ODP) based on legal advice obtained since the report was considered on June 22, 2010; and~~
- ~~c) presented one additional public feedback item that was omitted from the Council report.~~