

EXPLANATION**Designation of an area described as
Marpole as a Business Improvement Area 2012-2019**

Enactment of the attached By-law will implement Council's resolution of February 16, 2012, to designate Marpole as a business improvement area with a seven year funding ceiling of \$1,500,000.00 for the term April 1, 2012 to March 31, 2019.

Director of Legal Services
February 28, 2012

BY-LAW NO. _____

A By-law to Designate a Business Improvement Area in that area of the City known as Marpole

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

1. The name of this By-law, for citation, is the "Marpole BIA Designation By-law".
2. Council, by initiative, designates as a business improvement area that portion of the city outlined in black on the plan attached to and forming part of this By-law.
3. The amount of money Council from time to time grants to an applicant for the planning and implementation of a business promotion scheme in the area designated under section 2 must not exceed, in aggregate, \$1,500,000.00.
4. Recovery by the city of the amount of money granted to an applicant is to be pursuant to the levy and imposition of a tax on class 5 and class 6 real property from the owners of land and improvements within the area designated under section 2.
5. This By-law is to come into force and take effect on April 1, 2012, and is to expire and have no further force or effect after March 31, 2019.

ENACTED by Council this _____ day of _____, 2012

Mayor

City Clerk



Marpole B.I.A.



EXPLANATION**Grant Allocation By-law
Marpole Business Association**

On February 16, 2012, following a Court of Revision, Council passed a resolution which included an instruction to bring forward the necessary grant allocation By-law for the business improvement area in an area generally described as Marpole, for a term of seven years. Enactment by Council of this By-law, after its enactment of the Marpole BIA Designation By-law, will complete that instruction.

Director of Legal Services
February 28, 2012

BY-LAW NO. _____

**A By-law to Grant Money for a Business Promotion Scheme
in the Marpole Business Improvement Area**

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

1. The name of this By-law, for citation, is the "Marpole BIA Grant Allocation By-law".
2. In this By-law:

"Director" means the city's Director of Finance;

"grant money" means any money granted to the Society by Council under section 3; and

"Society" means the Marpole Business Association.
3. Subject to the Marpole BIA Designation By-Law, the terms and conditions set out in this By-law, and Council's approval of the budget referred to in section 5, Council, by annual resolution, may grant money to the Society at such times and in such proportions as Council determines.
4. The Society may spend the grant money only to encourage, promote, and develop business in, and to improve the economics and welfare of, the area designated under the Marpole BIA Designation By-law including studies, reports, management, and administration necessary to implement the business promotion scheme.
5. On or before December 31 of each year or as otherwise determined by the Director, the Society must submit to the Director a budget, based on a fiscal year commencing April 1, which contains information sufficient in detail to describe all anticipated expenses and revenues, and which the Society has approved in accordance with the requirements of its constitution and by-laws.
6. At least every three months after Council approves the budget, the Society must submit to the Director a statement of revenues and expenditures.
7. On or before September 30 of each year, the Society must cause its auditor to deliver to the Director the Society's audited financial statements including a balance sheet, a statement of revenue and expenditures, a statement of change in financial position, and a schedule of change in financial reserves.
8. The Society must keep grant money in a separate account, and must cause the revenue and expenditures resulting from use of that separate account to be an audited schedule to the financial statements and reported separately as required by section 6.
9. The Society must not borrow if the result is an indebtedness or other obligation as to grant

money which extends beyond the fiscal year in which Council approved the grant.

10. The Society must permit the Director, or Directors designate, during normal business hours on reasonable notice, to inspect all financial records the Director deems advisable to verify and obtain further particulars of budgets and financial statements of the Society as they relate to grant money.

11. The Society may invest any grant money not required for immediate use but must do so only in securities in which trustees are authorized by law to invest.

12. The Society must carry comprehensive general liability insurance of at least \$2,000,000.00 which includes the city as an additional named insured, and contains a cross coverage provision and an endorsement to give the Director 30 days' notice of change to or cancellation of the policy.

13. The Society must give notice of every general meeting at least 14 days before the date scheduled for the meeting if delivered by hand or transmitted via facsimile or electronic mail, or 21 days by any other means to the Director; to all persons who own class 5 or class 6 properties, as described in section 459 of the *Vancouver Charter*, to their address as ascertained from the most recent assessment rolls for the City of Vancouver; and to all persons who lease class 5 or class 6 properties and from which they carry on a business, to their address as determined by directories, visual inspection or any other information system.

14. If the Society alters its constitution or by-laws without first giving the Director 60 days' notice and obtaining approval from the Director, the city may withhold payment of further grant money.

15. The Society must comply with the requirements under this By-law at its own expense.

16. This By-law is to come into force and take effect on April 1, 2012, and is to expire and have no further force or effect after March 31, 2019.

ENACTED by Council this _____ day of _____, 2012

Mayor

City Clerk

EXPLANATION**Designation of an area described as
Fraser Street as a Business Improvement Area 2012-2019**

Enactment of the attached By-law will implement Council's resolution of February 16, 2012 to designate Fraser Street as a business improvement area with a seven year funding ceiling of \$910,000.00 for the term April 1, 2012 to March 31, 2019.

Director of Legal Services
February 28, 2012

Handwritten initials

BY-LAW NO. _____

**A By-law to Designate a Business Improvement Area
in that area of the City known as Fraser Street**

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

1. The name of this By-law, for citation, is the "Fraser Street BIA Designation By-law".
2. Council, by initiative, designates as a business improvement area that portion of the city outlined in black on the plan attached to and forming part of this By-law.
3. The amount of money Council from time to time grants to an applicant for the planning and implementation of a business promotion scheme in the area designated under section 2 must not exceed, in aggregate, \$910,000.00.
4. Recovery by the city of the amount of money granted to an applicant is to be pursuant to the levy and imposition of a tax on class 5 and class 6 real property from the owners of land and improvements within the area designated under section 2.
5. This By-law is to come into force and take effect on April 1, 2012, and is to expire and have no further force or effect after March 31, 2019.

ENACTED by Council this _____ day of _____, 2012

Mayor

City Clerk



Fraser Street B.I.A.



EXPLANATION**Grant Allocation By-law
South Hill (Fraser Street) Business Association**

On February 16, 2012, following a Court of Revision, Council passed a resolution which included an instruction to bring forward the necessary grant allocation By-law for the business improvement area in an area generally described as Fraser Street, for a term of seven years. Enactment by Council of this By-law, after its enactment of the Fraser Street BIA Designation By-law, will complete that instruction.

Director of Legal Services
February 28, 2012

BY-LAW NO. _____

**A By-law to Grant Money for a Business Promotion Scheme
in the Fraser Street Business Improvement Area**

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

1. The name of this By-law, for citation, is the "Fraser Street BIA Grant Allocation By-law".
2. In this By-law:

"Director" means the city's Director of Finance;

"grant money" means any money granted to the Society by Council under section 3; and

"Society" means the South Hill (Fraser Street) Business Association.
3. Subject to the Fraser Street BIA Designation By-Law, the terms and conditions set out in this By-law, and Council's approval of the budget referred to in section 5, Council, by annual resolution, may grant money to the Society at such times and in such proportions as Council determines.
4. The Society may spend the grant money only to encourage, promote, and develop business in, and to improve the economics and welfare of, the area designated under the Fraser Street BIA Designation By-law including studies, reports, management, and administration necessary to implement the business promotion scheme.
5. On or before December 31 of each year or as otherwise determined by the Director, the Society must submit to the Director a budget, based on a fiscal year commencing April 1, which contains information sufficient in detail to describe all anticipated expenses and revenues, and which the Society has approved in accordance with the requirements of its constitution and by-laws.
6. At least every three months after Council approves the budget, the Society must submit to the Director a statement of revenues and expenditures.
7. On or before September 30 of each year, the Society must cause its auditor to deliver to the Director the Society's audited financial statements including a balance sheet, a statement of revenue and expenditures, a statement of change in financial position, and a schedule of change in financial reserves.
8. The Society must keep grant money in a separate account, and must cause the revenue and expenditures resulting from use of that separate account to be an audited schedule to the financial statements and reported separately as required by section 6.

9. The Society must not borrow if the result is an indebtedness or other obligation as to grant money which extends beyond the fiscal year in which Council approved the grant.
10. The Society must permit the Director, or Director's designate, during normal business hours on reasonable notice, to inspect all financial records the Director deems advisable to verify and obtain further particulars of budgets and financial statements of the Society as they relate to grant money.
11. The Society may invest any grant money not required for immediate use but must do so only in securities in which trustees are authorized by law to invest.
12. The Society must carry comprehensive general liability insurance of at least \$2,000,000.00 which includes the city as an additional named insured, and contains a cross coverage provision and an endorsement to give the Director 30 days' notice of change to or cancellation of the policy.
13. The Society must give notice of every general meeting at least 14 days before the date scheduled for the meeting if delivered by hand or transmitted via facsimile or electronic mail, or 21 days by any other means to the Director; to all persons who own class 5 or class 6 properties, as described in section 459 of the *Vancouver Charter*, to their address as ascertained from the most recent assessment rolls for the City of Vancouver; and to all persons who lease class 5 or class 6 properties and from which they carry on a business, to their address as determined by directories, visual inspection or any other information system.
14. If the Society alters its constitution or by-laws without first giving the Director 60 days' notice and obtaining approval from the Director, the city may withhold payment of further grant money.
15. The Society must comply with the requirements under this By-law at its own expense.
16. This By-law is to come into force and take effect on April 1, 2012, and is to expire and have no further force or effect after March 31, 2019.

ENACTED by Council this _____ day of _____, 2012

Mayor

City Clerk

EXPLANATION

Noise Control By-law amending By-law
Re: 104 - 150 East 1st Avenue

This amendment, approved by Council on May 17, 2011, adds 104 - 150 East 1st Avenue to the Noise Control By-law.

Director of Legal Services
February 28, 2012



104 - 150 East 1st Avenue

BY-LAW NO. _____

**A By-law to amend
Noise Control By-law No. 6555**

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

1. To Schedule B of By-law No. 6555, at the end, Council adds:
"CD-1 (522) By-law No. 10425 104 - 150 East 1st Avenue"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2012

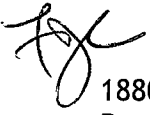
Mayor

City Clerk

EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 1880 Renfrew Street**

After the public hearing on September 19, 2011, Council resolved to amend the Zoning and Development By-law to create a CD-1 zone for a development on this site. The Director of Planning has advised that all prior-to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
February 28, 2012



1880 Renfrew Street
Renfrew Care Centre

BY-LAW NO. _____

**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-638 (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 (524).

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(524), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Institutional Uses, limited to Community Care Facility - Class B; and
- (b) Accessory uses customarily ancillary to the above use.

Density

3.1 Computation of floor area must assume that the site consists of 1 506.3 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 Floor space ratio for all uses must not exceed 3.55.

3.3 Computation of floor space ratio must include:

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

3.4 Computation of floor space ratio must exclude:

- (a) open residential balconies, sundecks or porches, 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 percent 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) where floors are 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, those floors or portions thereof so used, which are:
 - (i) at or below base surface, or
 - (ii) above base surface, developed as off-street parking, and located in an accessory building in the rear yard,except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including recreation facilities, and meeting room, except that the total area excluded must not exceed 10 percent of permitted floor space; and
- (e) areas of undeveloped floors, which are 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.

3.5 The use of floor space excluded under section 3.4 must not include any purpose other than that which justified the exclusion.

Building height

4. The building height, measured above base surface, must not exceed 11.3 m, except that the building height at the front of the site must not exceed 14.7 m to a depth of 12.0 m.

Horizontal Angle of Daylight

5.1 Each habitable room must have at least one window on an exterior wall of a building.

5.2 The location of each such exterior window must allow a plane or planes extending from the window, and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

5.3 Measurement of the plane or planes, referred to in section 5.2, must be horizontally from the centre of the bottom of each window.

5.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

5.5 An obstruction referred to in section 5.2 means:

- (a) any part of the same building, including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (524).

5.6 A habitable room referred to in section 5.1 does not include:

- (a) a bathroom; or
- (b) a kitchen, whose floor area is the lesser of:
 - (i) 10% or less, of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Parking, loading, and bicycle spaces

6. Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law, except that scooter parking may be substituted for bicycle parking, at a rate to be determined by the Director of Planning in consultation with the General Manager of Engineering Services.

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 _____ day of _____, 2012

Mayor

City Clerk



The property outlined in black (**Site F**) is rezoned:
 From **C-2C1** to **CD-1**

Z-638 (a)

RZ - 1880 Renfrew Street

map: 1 of 1

scale: NTS



City of Vancouver

date: 2011-08-08

EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 8440 Cambie Street**

After the public hearing on July 19, 2011, Council resolved to amend the Zoning and Development By-law to create a CD-1 zone for a development on this site. The Director of Planning has advised that all prior-to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
February 28, 2012



8440 Cambie Street

BY-LAW NO. _____

**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-636 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Definitions

2. In this By-law:

“Bicycle Mobility Centre” means a building containing bicycle storage facilities, change rooms for cyclists, retail uses limited to the sale of bicycles, bicycle parts and accessories and bicycle rental, and service uses limited to bicycle repair; and

“Entry Alcoves” mean covered exterior spaces enclosed with vertical walls on three sides and adjacent to an entryway.

Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (523).

3.2 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 (523) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Bicycle Mobility Centre;
- (b) Cultural and Recreational Uses;
- (c) Dwelling Uses;
- (d) Institutional Uses;

- (e) Office Uses;
- (f) Manufacturing Uses, limited to Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Jewellery Manufacturing, Miscellaneous Products Manufacturing - Class B, Printing or Publishing, Textiles or Knit Goods Manufacturing;
- (g) Parking Uses;
- (h) Retail Uses;
- (i) Service Uses;
- (j) Utility and Communication Uses;
- (k) Accessory Uses customarily ancillary to the uses listed in this section 3.2; and
- (l) any other use not specifically listed and defined as a use in section 2 of By-law No. 3575 which, in the opinion of the Director of Planning or the Development Permit Board, is comparable to the uses listed in this section 3.2.

Conditions of use

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

4.2 Despite section 3.2, the only uses permitted within 10 m of any frontage on Marine Drive or on a pedestrian mews are retail, service, cultural and recreational uses, access to residential uses, and office uses, limited to financial institution.

Floor area

5.1 Floor area for all permitted uses must not exceed 81 473 m², except that:

- (a) floor area for Dwelling Uses must not exceed 30 823 m²; and
- (b) floor area for Grocery or Drug Store Use must be at least 2 500 m².

5.2 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
- (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; and

- (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess height, except for additional amounts that represent undeveloped floor areas beneath roof elements, which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

5.3 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks, entry alcoves 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 12% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are 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, those floors or portions thereof so used, which are at or below 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) all 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 is to 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) floor area of a Bicycle Mobility Centre.

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

- (a) enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:

- (i) the total area of all open and enclosed balcony or sundeck exclusions, must not exceed 12% of the residential floor area being provided, and
 - (ii) enclosure of balcony floor area is limited to dwelling units facing Cambie Street, which are four floors or less above Marine Drive Station;
- (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 design features, such as horizontal and vertical extensions, that contribute to solar control and improve energy performance; and
- (d) tool sheds, trellises and other garden structures, which support the use of intensive green roofs and urban agriculture, and, despite section 5.2(b), those portions of stairways and elevator enclosures, which are at the roof level providing access to the garden areas.

5.5 The use of floor space excluded under section 5.3 or 5.4, must not include any purpose other than that which justified the exclusion.

Building height

6.1 The building height, measured from the building grade elevation at the southeast corner of Marine Drive and Cambie Street to the top of the parapet wall on the uppermost habitable floor, must not exceed 102.11 m.

6.2 The Director of Planning may permit a greater height than otherwise permitted by section 6.1, to a maximum of 107 m, for:

- (a) mechanical appurtenances such as elevator machine rooms;
- (b) access and infrastructure required to maintain green roofs or roof-mounted energy technologies, including solar panels and wind turbines;
- (c) decorative roof and enclosure treatments which, in the opinion of the Director of Planning, enhance the appearance of the building and integrate mechanical appurtenances; and
- (d) similar items;

if the Director of Planning first considers:

- (i) the effects on public and private views, shadowing, privacy, and noise impacts, and

- (ii) all applicable policies and guidelines adopted by Council.

Horizontal angle of daylight

7.1 Each habitable room must have at least one window on an exterior wall of a building.

7.2 The location of each such exterior window must allow a plane or planes extending from the window, and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

7.3 Measurement of the plane or planes referred to in section 7.2, must be horizontally from the centre of the bottom of each window.

7.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

7.5 An obstruction referred to in section 7.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (523).

7.6 A habitable room referred to in section 7.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

Parking, loading, and bicycle spaces

8. Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law, except that:

- (a) for residential use, there must be:
 - (i) a minimum of 0.40 space for each dwelling unit, plus one space for each 285 m² of floor area, and

- (ii) a maximum of 0.55 space for each dwelling unit, plus one space for each 220 m² of floor area;
- (b) for non residential use, there must be:
 - (i) a minimum of 1.00 space for each 88 m² of floor area, and
 - (ii) a maximum of 1.00 space for each 48 m² of floor area.

Acoustics

9. 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

10. 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.

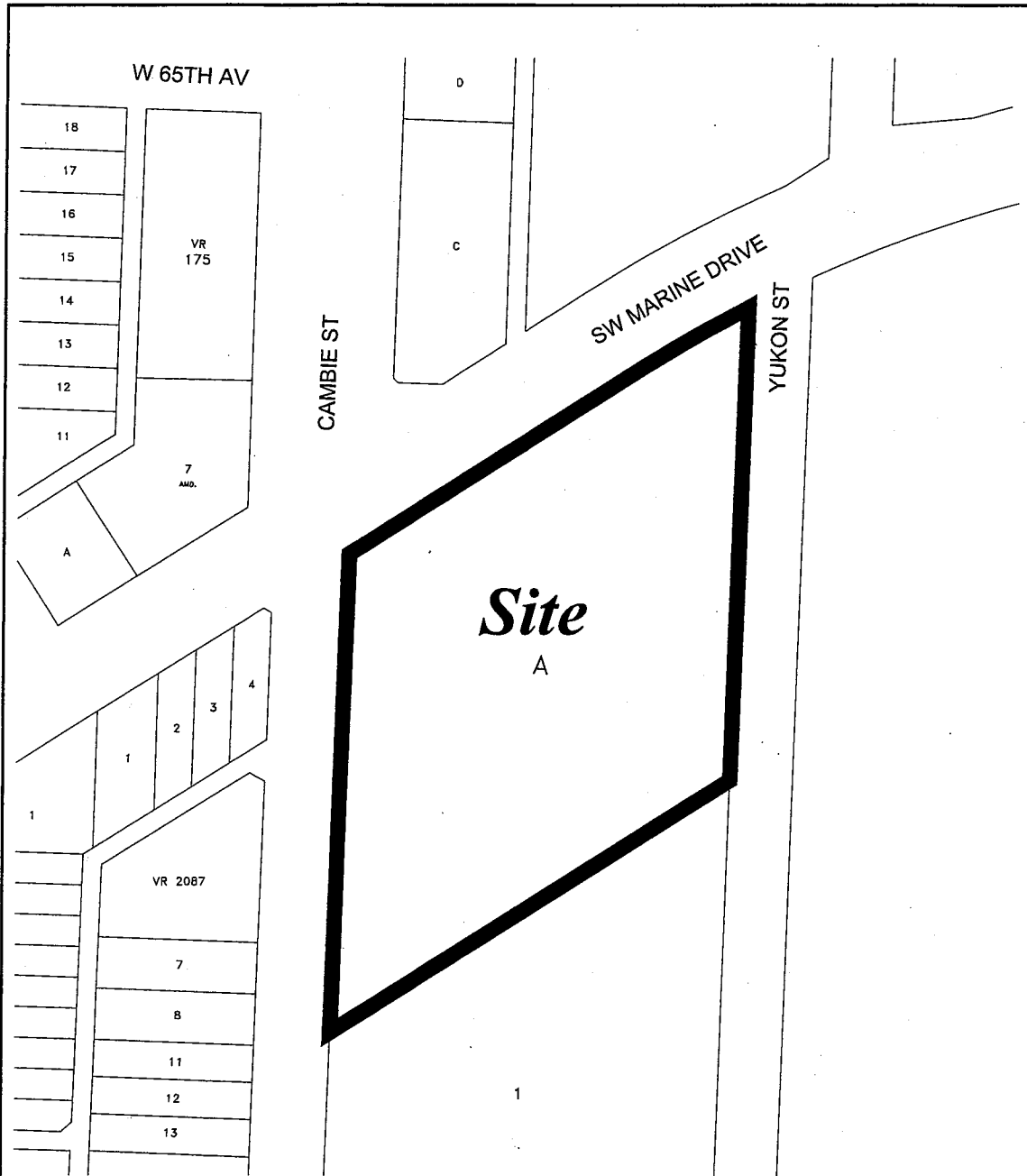
Force and effect

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

ENACTED by Council this _____ day of _____, 2012

Mayor

City Clerk



The property outlined in black (**█**) is rezoned:
From **I-2** to **CD-1**

Z-636 (b)

RZ - 8440 Cambie Street

map: 1 of 1

scale: NTS



City of Vancouver

date: 2011-06-24

EXPLANATION**Procedure By-law amendments regarding public hearings**

Enactment of the attached By-law will amend the Procedure By-law to incorporate new provisions regarding public hearings, as approved by Council on February 28, 2012.

Director of Legal Services
February 28, 2012



BY-LAW NO. _____

**A By-law to amend Procedure By-law No. 9756
regarding public hearings**

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

1. This By-law amends the indicated provisions of the Procedure By-law.
2. In section 1.2, Council adds the following definitions in alphabetical order:
 - “applicant” means the person applying to have a matter referred to and considered at a public hearing;
 - “public comments” mean submissions from the public, either in writing, or in electronic form, including audio or video format, regarding a proposed by-law;
 - “public hearing” means a special meeting to consider a proposed official development plan, zoning by-law, heritage designation by-law, heritage revitalization agreement by-law or sign by-law, pursuant to sections 562, 566, 571A, 571AA, 592 or 594 of the *Vancouver Charter*;
 - “public hearing summary report” means an oral or written report from the Director of Planning or another city official regarding the part of a public hearing conducted in the absence of a Council member;
 - “referral report” means a Council report requesting that Council decide whether or not to refer a matter to public hearing;”
3. In sections 1.2 and 13, Council strikes out the words “public delegation” wherever they appear and substitutes the word “speaker”.
4. After Section 17, Council adds:

**“SECTION 18
PUBLIC HEARINGS**

Public hearing procedures

18.1 The definitions in this By-law and the relevant provisions of sections 2, 4, 5, 6, 7, 8, 9, 11 and 12 are to apply to public hearings, except as this Section 18 otherwise sets out.

Council questions on referral report

18.2 At a regular Council meeting, Council may ask questions of staff related to the decision to refer a proposed by-law to public hearing, or otherwise comment on the process leading to the recommendation for referral, except that all other issues regarding the proposed by-law must be addressed at public hearing.

Public questions on referral report

18.3 A request by a member of the public to speak to a referral report is generally not in order, except that, if a referral report recommends that a matter not be referred to public hearing, the applicant may speak to that referral report.

Requests to speak and public comments prior to public hearing

18.4 All persons who deem themselves to be affected by a proposed by-law which has been referred to public hearing may:

- (a) apply to the City Clerk to speak at the public hearing; and
- (b) submit public comments to the City Clerk in accordance with this Section 18.

Speakers list

18.5 The City Clerk will register all persons who apply to speak at the public hearing, on the speakers list.

Acknowledgment of public comments

18.6 The City Clerk will acknowledge receipt of all public comments submitted in accordance with this By-law, except that a petition will only be acknowledged if it designates a contact person.

Circulation and posting of public comments

18.7 The City Clerk will:

- (a) prepare a file for each public hearing agenda item, containing the referral report, the proposed by-laws, summary and recommendations, any subsequent staff memos proposing amendments, and all public comments received by 5 p.m. on the Thursday preceding the public hearing;
- (b) circulate the contents of the file electronically to Council by noon on the Friday preceding the public hearing; and
- (c) post the contents of the file and the public hearing agenda on the City website, by midnight on the Friday preceding the public hearing.

Public comments received after circulation and posting

18.8 Public comments and any subsequent staff memos proposing amendments, received by the City Clerk after circulation and posting in accordance with subsection 18.7, and before the close of public comments in accordance with subsections 18.23 and 18.24, will be added to the file, circulated to Council, and posted on the City website prior to any Council motion regarding the proposed by-law.

Public hearing file

18.9 The City Clerk will make the file for each agenda item available for public reference at the public hearing.

Deadline for public comments

18.10 Public comments received by the City Clerk later than fifteen minutes after the close of the speakers list will not be circulated to Council.

Author of public comments

18.11 Public comments which do not identify the author by name will not be circulated to Council or posted on the City website.

Personal information

18.12 Public comments will be posted on the City website in their entirety, unless at the time of submission, the author requests that the City Clerk redact specified personal information, except that the author's name will not be redacted.

Order of business

18.13 The order of business at a public hearing is to be:

- (a) roll call;
- (b) motion to go into committee of the whole;
- (c) opening instructions regarding speakers and public comments; and
- (d) for each agenda item:
 - (i) reading of application and summary of public comments received,
 - (ii) presentation by staff,
 - (iii) presentation by applicant,
 - (iv) hearing of speakers on speakers list,
 - (v) call by Chair three times for further speakers,
 - (vi) call by Chair for public comments,
 - (vii) close of speakers list,
 - (viii) closing comments by applicant,

- (ix) closing comments by staff,
- (x) Council questions of staff following staff closing comments,
- (xi) close of public comments pursuant to subsections 18.23 and 18.24,
- (xii) debate, and
- (xiii) motion.

Authority of the Chair

18.14 The Chair:

- (a) will ensure that speakers limit their remarks to matters related to the proposed by-law;
- (b) must make a motion to recess for not more than 5 minutes during each hour of a public hearing to provide a break for participants;
- (c) may make a motion to recess for not more than 10 minutes during a public hearing, to provide a Council member an opportunity to receive a public hearing summary report in accordance with subsection 18.25 or subsection 18.26;
- (d) may make a motion to recess for not more than 10 minutes during a public hearing, to provide Council an opportunity to review public comments submitted pursuant to subsections 18.23 and 18.24; and
- (e) despite the provisions of this By-law, may modify the procedures at a public hearing if the Chair determines it is appropriate to do so.

Delay of commencement of public hearing

18.15 If, at the time the public hearing is scheduled to start, all participating Council members are not in attendance, the Chair may delay the commencement of the public hearing for up to 30 minutes.

Commencement of delayed public hearing

18.16 If, 30 minutes after the public hearing is scheduled to start, all participating Council members are not in attendance and there is a quorum present, the Chair will commence the public hearing.

Absence of quorum

18.17 If, 30 minutes after the public hearing is scheduled to start, no quorum is present, the City Clerk must read the roll, record the result in the minutes, and declare the public hearing cancelled.

Time limit for speaker

18.18 A speaker who is speaking on his or her own behalf, or on behalf of an organization, must not speak at a public hearing for more than five minutes in total nor more than once.

Interpreter

18.19 A speaker who requires the assistance of an interpreter must provide one.

Representative speaker

18.20 A speaker may only speak on behalf of other persons or organizations if:

- (a) the speaker represents three or more other persons, or organizations, or persons and organizations; and
- (b) those represented are also present at the public hearing, either in person or by a representative of each corporation or organization represented by the speaker.

Time limit for representative speaker

18.21 A speaker who represents three or more other persons or organizations, must not speak at a public hearing for more than eight minutes in total nor more than once.

Question to speaker

18.22 A question posed to a speaker at a public hearing by a Council member, and the answer given, must not exceed five minutes in total.

Public comments submitted during the public hearing by speaker

18.23 Despite the provisions of subsection 18.4, a speaker at a public hearing may also submit public comments to Council during the public hearing, except that the public comments must be submitted no later than fifteen minutes after the close of the speakers list, and, if written, must not exceed the greater of two pages or 1500 words.

Public comments submitted during the public hearing by person who does not attend

18.24 Despite the provisions of subsection 18.4, a person who does not attend a public hearing may also submit public comments to Council during the public hearing, except that the public comments must be submitted no later than fifteen minutes after the close of the speakers list, and, if written, must not exceed the greater of two pages or 1500 words.

Vote after absence during day or last day of public hearing

18.25 A Council member who is not present for part of a public hearing which is concluded in one day, or for part of the last day of a public hearing which lasts longer than one day, may only vote on a motion regarding amendment or approval in principle of the proposed by-law if the Council member first receives and reviews a public hearing summary report during a 10 minute recess called for that purpose.

Vote after absence during continuing public hearing

18.26 A Council member who is not present for a part of a public hearing which lasts longer than one day, other than the last day, may only vote on a motion regarding amendment or approval in principle of the proposed by-law if:

- (a) the Council member first receives and reviews a public hearing summary report during a 10 minute recess called for that purpose; or
- (b) the Council member otherwise receives and reviews a public hearing summary report before the vote.

Absence from public hearing

18.27 A Council member who is absent for all of a public hearing may not vote on a motion regarding amendment or approval in principle of the proposed by-law."

5. Council re-numbers existing sections 18, and subsections 18.1 and 18.2 as sections 19, and subsections 19.1, and 19.2 respectively.

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

ENACTED by Council this day of , 2012

Mayor

City Clerk


EXPLANATION

**A By-law to amend the Zoning and Development By-law
Re: 555 Robson Street, 775 Richards Street
and 520 West Georgia Street**

After the public hearing on October 18, 2011, Council resolved to amend the Zoning and Development By-law to create a CD-1 zone for a development on this site. The Director of Planning has advised that all prior-to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
February 28, 2012

555 Robson Street, 775 Richards Street
and 520 West Georgia Street
Telus Block

BY-LAW NO. _____

**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-639 (b), attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

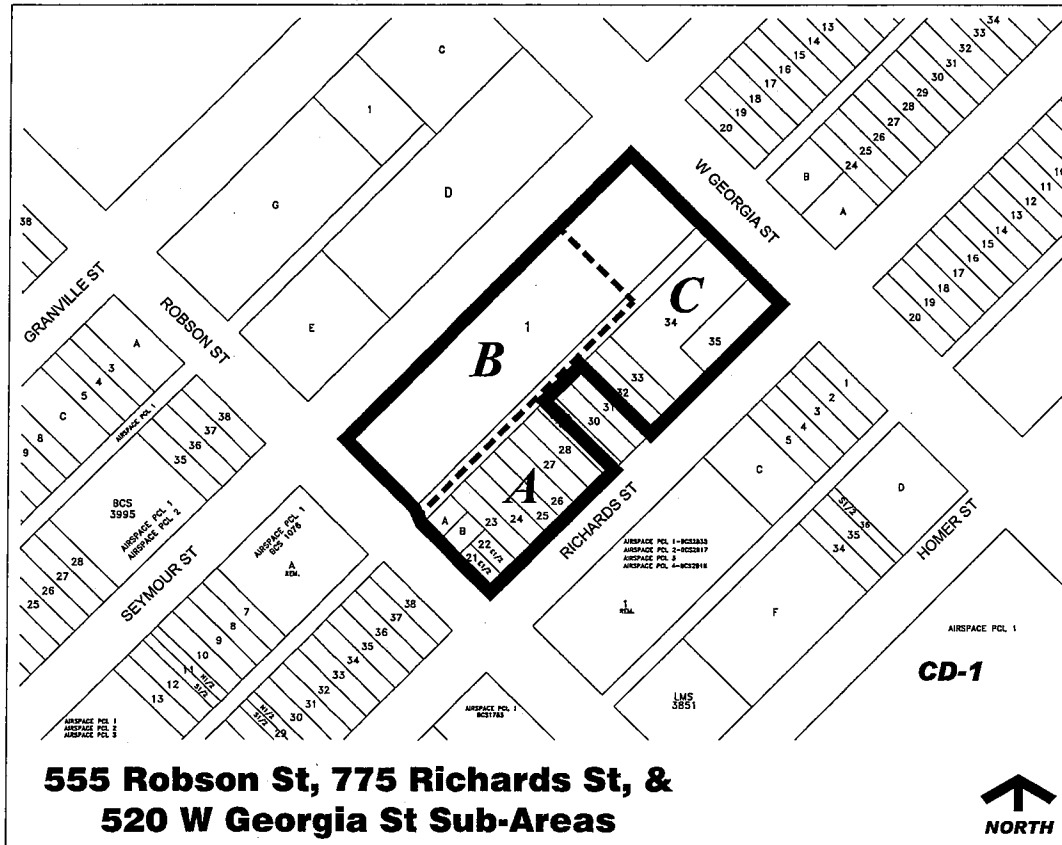
Definitions

2. In this By-law:

“View Shadow” means an existing building that penetrates into a view corridor approved by Council, and blocks a portion of that view across an area extending from the view point origin to the mountains.

Sub-areas

3. Portions of the site are to consist of sub-areas A, B, and C, illustrated in Diagram 1 for the purposes of determining permitted uses, maximum floor area, and building heights in those sub-areas.



Uses

4.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (525).

4.2 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 (525), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, except that such uses are only permitted in sub-area A;
- (c) Institutional Uses;
- (d) Office Uses;

- (e) Retail Uses;
- (f) Service Uses; and
- (g) Accessory Uses customarily ancillary to the uses listed in this section 4.2.

Conditions of use

5.1 All commercial uses must be carried on wholly within an enclosed building except for:

- (a) Restaurant;
- (b) Neighbourhood Public House; and
- (c) Display of flowers, plants, fruits, and vegetables, in conjunction with a permitted use.

5.2 Except for an insurance office, travel agency or real estate office, no office use other than office entrances is permitted across the full width of the front wall of any building, to a depth of 10.7 m on that portion of a storey having an elevation within 2.0 m of street grade on the fronting street.

5.3 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.

Floor area and density

6.1 The maximum floor area in sub-areas A, B, and C, must not exceed the floor area indicated in the following table:

Sub-area	Maximum floor area
A	41 630 m ² of which a minimum of 4 734 m ² must be commercial use
B	38 872 m ²
C	46 412 m ²

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

6.3 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 12% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are 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, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
- (d) all 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 is to be no exclusion for any of the residential storage space above base surface for that unit.

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

- (a) enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusion, must not exceed 12% of residential floor area, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 20%;
- (b) amenity areas, except that the total excluded area must not exceed the lesser of 20% of the permitted floor area or 1 400 m²;
- (c) 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; and

- (d) unenclosed green or landscaped outdoor areas, similar to an open balcony or sundeck, recessed into or projecting from the exterior envelope of a building, if:
 - (i) in the opinion of the Director of Planning or Development Permit Board, the areas contribute to energy performance, character or amenity of the building, and
 - (ii) the area excluded does not exceed 2% of the total floor area.

6.5 The use of floor space excluded under section 6.3 or 6.4, must not include any purpose other than that which justified the exclusion.

Building height

7.1 The maximum building height, measured above base surface, must not exceed the maximum heights set out on the table below, except that the building must not protrude into the view corridors approved by Council, as set out in the City of Vancouver View Protection Guidelines.

Sub Area	Maximum building heights
A	125.7 m
B	91.5 m
C	91.5 m

7.2 Despite section 7.1:

- (a) the Director of Planning may permit an increase in maximum building height to 136.2 m for a building located in sub-area A, if the building is wholly within a view shadow and does not further block a view corridor approved by Council; and
- (b) the Director of Planning or the Development Permit Board, after considering all applicable Council policies and guidelines, may permit an increase in maximum building height in sub area C of no more than 4%.

Parking, loading, and bicycle spaces

8. Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law, except that there must be:

- (a) 0.01 Class A loading spaces per dwelling unit for the first 300 dwelling units;
- (b) 0.008 Class A loading spaces for each additional dwelling unit;
- (c) the number of required Class A loading spaces must be rounded to the nearest whole number; and

- (d) non-residential Class B loading spaces must have a minimum overhead clearance of 4.0 m or the height necessary to accommodate service vehicles, whichever is greater.

Acoustics

9. 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

10. 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

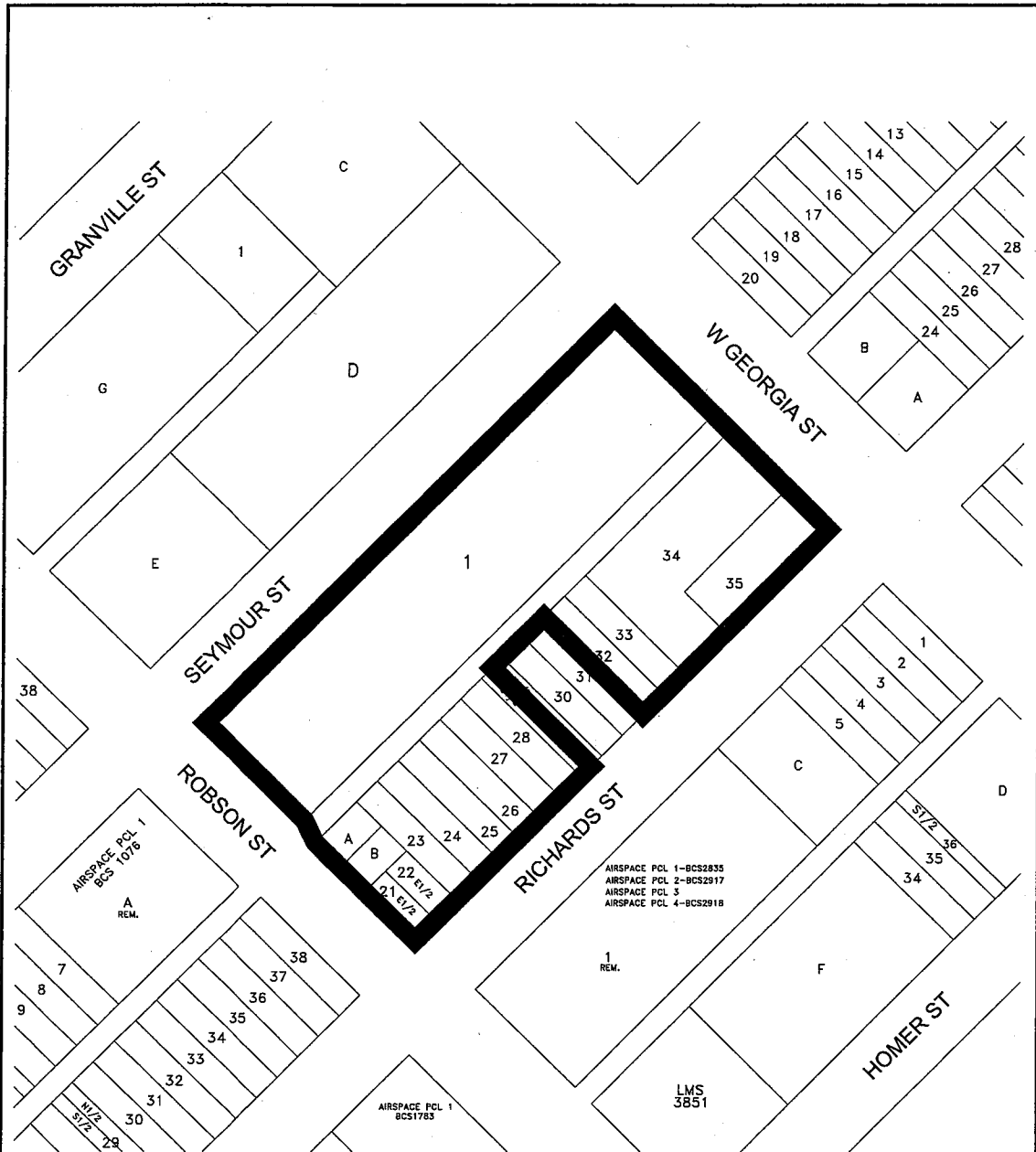
11. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2012

Mayor

City Clerk

Schedule A



The properties outlined in black (**█**) are rezoned:

From **DD** to **CD-1**

Z-639 (b)

RZ - 555 Robson St, 775 Richards St, & 520 W Georgia St

map: 1 of 1

scale: NTS



City of Vancouver

date: 2011-10-05