

**EXPLANATION****Noise Control By-law amending by-law  
re 101 and 149 West Hastings Street and  
150 West Cordova Street**

This amendment, approved by Council on March 21, 2006, adds 101 and 149 West Hastings Street and 150 West Cordova Street to the Noise Control By-law.

Director of Legal Services  
May 30, 2006



**EXPLANATION**

**Building By-law  
amending by-law re fee increases**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Building By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_

**A By-law to amend  
Building By-law No. 8057 to increase fees**

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

1. From the Building By-law, Council repeals the Fee Schedule, as referred to in Article 1A.7.2.5. thereof, and substitutes the Fee Schedule attached to this By-law, which new Fee Schedule is to form part of the Building By-law.
2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

Building By-law - #8057

Current Fees

**PART A - BUILDING**

1 The fees hereinafter specified shall be paid to the City with respect to and upon the application for the issue of a PERMIT as follows:

- (a) Except as provided for in Clause (b) for the CONSTRUCTION of any BUILDING, or part thereof:

When the estimated cost of the work, being the valuation referred to in the Article 1A.7.2.2. of this By-law, does not exceed \$5,000 or for the first \$5,000 of the estimated cost of the work

\$96.00

For each \$1,000, or part thereof, by which the estimated cost of the work exceeds \$5,000 but does not exceed \$50,000

\$8.00

For each \$1,000, or part thereof, by which the estimated cost of the work exceeds \$50,000

\$4.00

- (b) For the installation, CONSTRUCTION, re-construction, ALTERATION or repair of, or ADDITION to, any CHIMNEY, FIREPLACE, INCINERATOR, VENTILATING SYSTEM, AIR-CONDITIONING SYSTEM, or HEATING SYSTEM, the fee shall be in accordance with Clause (a), except that a fee shall not be charged when the cost of such work is less than \$500.

- (c) For a permit for temporary OCCUPANCY of a part of a STREET, or of the AIR SPACE immediately ABOVE a part of a STREET, in accordance with Section 1A.10 of this By-law, the fee shall be for each 10 m<sup>2</sup> or part thereof, of STREET or of AIR SPACE part thereof, of STREET or of AIR SPACE immediately above such STREET to be occupied

\$1.90

Subject to a minimum fee of

\$66.00

**Building By-law - #8057**

**Current Fees**

(d)	For an OCCUPANCY PERMIT not required by this By-law but requested	\$68.00
(e)	For the demolition of a BUILDING, not including a ONE-FAMILY DWELLING, which has at any time since November 1, 1986 provided RESIDENTIAL OCCUPANCY, subject to Section 3:	
	For each DWELLING UNIT	\$1,000.00
	For each sleeping room in a multiple conversion dwelling, hotel or other BUILDING, which is or has been a principal dwelling or residence of a person, family or household	\$1,000.00
(f)	For the demolition of a ONE-FAMILY DWELLING, which has at any time since November 1, 1986 provided RESIDENTIAL OCCUPANCY, subject to Section 3	\$1,000.00
(g)	For the repair of <i>building</i> walls pursuant to requirements of Part 5 for any <i>residential building</i>	Nil
2	The fees hereinafter specified shall be paid to the City as follows:	
(a)	For a required <i>permit</i> inspection for compliance with this By-Law which cannot be carried out during normal working hours and where there is a request to carry out the inspection after hours, the fee to be based on the time actually spent in making such inspection, at a minimum inspection time of four (4) hours, including traveling time:	
	For each hour or part thereof	\$182.00
(b)	For a plan review where an applicant requests in writing that the review be carried out during overtime:	
	For each hour or part thereof	\$191.00

## Building By-law - #8057

### Current Fees

- (c) For each special inspection of a BUILDING or structure to determine compliance with this By-law, and in respect of which no specific fee is otherwise prescribed, the fee to be based on the time actually spent in making the inspection:
- For each hour or part thereof \$127.00
- (d) For each REINSPECTION made necessary due to faulty work or materials or incomplete work requested to be inspected \$127.00
- (e) For each inspection of a drainage tile system:
- For a one- or two-family residence \$158.00
- For all other drain tile inspections:
- When the estimated cost of the CONSTRUCTION of the BUILDING, being the valuation referred to in Article 1A.7.2.2. does not exceed \$500,000 \$295.00
- When the estimated cost of the work exceeds \$500,000 but does not exceed \$1,000,000 \$494.00
- When the estimated cost of the work exceeds \$1,000,000 \$566.00
- (f) For the special search of records pertaining to a BUILDING to advise on the status of outstanding orders and other matters concerning the BUILDING:
- For a one- or two-family residence \$154.00
- For all other BUILDINGS \$311.00
- (g) For enabling the viewing of a plan of a BUILDING or a copy of the plan \$25.00
- (h) For supplying a copy of a plan of a BUILDING, for each page \$7.70
- (i) For a request to renumber a BUILDING \$566.00

**Building By-law - #8057**

**Current Fees**

(j) For the extension of a BUILDING PERMIT where requested in writing by an applicant pursuant to Article 1A.7.5.1.	51 percent of the original BUILDING PERMIT fee to a maximum of \$239.00
(k) For the extension of a building permit by Council where requested in writing by an applicant pursuant to Article 1A.7.5.2.	\$795.00
(l) For the issuance of a partial BUILDING PERMIT pursuant to Article 1A.6.1.6	\$239.00
(m) For an evaluation of plans, specifications, building materials, procedures or design methods for the purpose of Article 1A.2.1.3	
where the PERMIT relates to a ONE-FAMILY DWELLING or a SECONDARY SUITE	\$127.00
plus for each hour, or part thereof, exceeding one hour	\$127.00
where the PERMIT relates to any other BUILDING	\$390.00
plus for each hour, or part thereof, exceeding one hour	\$198.00
(n) For each RE-OCCUPANCY PERMIT after rectification of an UNSAFE CONDITION and related By-law violations	\$119.00
(o) For an evaluation of plans, specifications, building materials, procedures or design methods for the purpose of new construction under Article 2.5.1.3	
for a single application	\$560.00
for two applications	\$1,090.00
for three or more applications	\$1,440.00



**Building By-law - #8057**

**Current Fees**

- (p) For an evaluation of plans, specifications, building materials, procedures or design methods for the purpose of acceptance of existing conditions with mitigating features
  - for a single application \$350.00
  - for two applications \$660.00
  - for three or more applications \$860.00
- (q) For review by the equivalents review panel \$1,720.00
- 3 Upon written application of the payor and on the advice of the General Manager of Community Services, the Director of Finance shall refund to the payor, or a designate of the payor, the fees paid pursuant to Clauses (e) and (f) of Section 1:
  - (a) for all demolished dwelling units in a building that will be replaced by a social housing or co-operative development that has received a Project Commitment Letter from the British Columbia Housing Management Commission or the Canada Mortgage and Housing Corporation; and
  - (b) for each demolished dwelling unit that has been replaced by a dwelling unit occupied by rental tenants and not created pursuant to the Strata Property Act.

**PART B - PLUMBING**

Every applicant for a Plumbing PERMIT shall, at the time of application, pay to the City the fees set out hereunder:

**1 INSTALLATIONS**

**Installation of:**

- One, two or three FIXTURES \$119.00
- Each additional FIXTURE \$42.00

**Building By-law - #8057**

**Current Fees**

Note: For the purpose of this schedule the following shall also be considered as FIXTURES:

Every "Y" intended for future connection;  
Every ROOF DRAIN, swimming pool, dishwasher, and interceptor;  
Every vacuum breaker in a lawn sprinkler system; and  
Every back-flow preventer.

**Alteration of Plumbing (no FIXTURES involved):**

For each 30 metres of piping or part thereof	\$180.00
For each 30 metres of piping or part thereof, exceeding the first 30 metres	\$51.00
Connection of the City water supply to any hydraulic equipment	\$67.00

**2 INSPECTIONS OF FIRELINE SYSTEMS:**

**Hydrant & Sprinkler System:**

First two inspections for each 30 m of water supply pipe or part thereof	\$180.00
Each additional inspection for each 30 m of water supply pipe or part thereof	\$75.00

**Sprinklers:**

First head, one- or two-family dwelling	\$204.00
First head, all other buildings	\$436.00
Each additional head, all buildings (no limit on number)	\$2.10

**Firelines:**

Hose Cabinets	\$23.00
Hose Outlets	\$23.00
Wet & Dry Standpipes	\$23.00

## Building By-law - #8057

### Current Fees

Standpipes	\$23.00
Dual Check Valve In-flow Through Devices	\$23.00
Backflow Preventer	\$121.00
<b>Wet &amp; Dry Line Outlets:</b>	
Each connection	\$23.00
NOTE: A Siamese connection shall be considered as two dry line outlets.	
Each Fire Pump	\$192.00
Each Fire Hydrant	\$58.00
<b>3 RE-INSPECTIONS</b>	
Each re-inspection due to faulty work or materials	\$127.00
<b>4 SPECIAL INSPECTIONS</b>	
Each inspection to establish fitness of any existing <i>fixture</i> for each hour or part thereof	\$127.00
An inspection outside normal working hours and at a minimum inspection time of four (4) hours, including traveling time, for each hour or part thereof	\$182.00
<b>5 BUILDING SEWER INSPECTIONS</b>	
First two inspections for each 30 m of BUILDING SEWER or part thereof	\$158.00
Each additional inspection for each 30 m of BUILDING SEWER or part thereof	\$81.00

## Building By-law - #8057

## Current Fees

### PART C - BUILDING GRADES

The following fees shall be paid to the City upon application for a Development Permit for the design elevations of streets or lanes where they adjoin a building site, whether required pursuant to Subsection 2.3.2 or otherwise:

<b>Length of property abutting street or lane, or both</b>	
0 to 31 m	\$665.00
over 31 m to 90 m	\$1,318.00
over 90 m to 150 m	\$1,982.00
over 150 m to 300 m	\$2,876.00
over 300 m	\$3,964.00

**EXPLANATION**

**Electrical By-law  
amending by-law re fee increases**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Electrical By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_

**A By-law to amend  
Electrical By-law No. 5563 to increase fees**

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

1. From the Electrical By-law, Council repeals Schedule A, and substitutes Schedule A attached to this By-law, which new Schedule A is to form part of the Electrical By-law.
2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**Electrical By-law - #5563  
Schedule A**

	<b>Current Fees</b>
1 The following fees, based on the cost of work, including materials and labour, as estimated by the contractor or owner and established to the satisfaction of the City Electrician, shall be payable to the City and shall accompany every application for a permit for electrical work:	
When the estimated cost does not exceed \$250	\$47.00
When the estimated cost exceeds \$250 but does not exceed \$500	\$63.00
When the estimated cost exceeds \$500 but does not exceed \$700	\$83.00
When the estimated cost exceeds \$700 but does not exceed \$1,000	\$108.00
When the estimated cost exceeds \$1,000 but does not exceed \$10,000	\$108.00
plus for every \$1,000 of the estimated cost, or part thereof, over \$1,000	\$46.00
When the estimated cost exceeds \$10,000 but does not exceed \$50,000	\$522.00
plus for every \$1,000 of the estimated costs, or part thereof, over \$10,000	\$24.00
When the estimated cost exceeds \$50,000 but does not exceed \$100,000	\$1,482.00
plus for every \$1,000 of the estimated costs, or part thereof, over \$50,000	\$14.60
When the estimated cost exceeds \$100,000 but does not exceed \$500,000	\$2,212.00
plus for every \$1,000 of the estimated costs, or part thereof, over \$100,000	\$10.00
When the estimated cost exceeds \$500,000 but does not exceed \$1,000,000	\$6,212.00
plus for every \$1,000 of the estimated cost, or part thereof, over \$500,000	\$8.00

**Electrical By-law - #5563  
Schedule A**

	<b>Current Fees</b>
When the estimated cost exceeds \$1,000,000	\$10,212.00
plus for every \$1,000 of the estimated cost, or part thereof, over \$1,000,000	\$3.00
2 The fee for a temporary power permit shall be:	
(a) for single and two-family dwellings only, for a permit valid for six (6) months	\$128.00
(b) for all other uses, for a permit valid for one year	\$271.00
3 The fee for an annual permit for any one commercial or industrial plant or establishment shall be as follows, except that where one person, firm or corporation has more than one plant or establishment, a separate annual permit shall be required for each plant or establishment:	
Connected load - 1,000 h.p. or less	\$390.00
Each 100 h.p. or part thereof exceeding the first 1,000 h.p.	\$39.00
Subject to a maximum fee of	\$3,310.00
4 The fee for an inspection of electrical work to determine compliance with this By-law, to be based on time actually spent in making such inspection, shall be for each hour or part thereof	\$127.00
5 The fee for an inspection of electrical work where errors or omissions were found at a previous inspection shall be	\$127.00
6 The fee for inspection outside normal working hours and at a minimum inspection time of four (4) hours, including traveling time, shall be for each hour or part thereof	\$182.00



**EXPLANATION**

**Gas Fitting By-law  
amending by-law re fee increases**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Gas Fitting By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to amend  
Gas Fitting By-law No. 3507 to increase fees**

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

1. From the Gas Fitting By-law, Council repeals the Fee Schedule, as referred to in section 5 thereof, and substitutes for it the Fee Schedule attached to this By-law, which new Fee Schedule is to form part of the Gas Fitting By-law.
2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

## Gas Fitting By-law - #3507

### Current Fees

#### Domestic Installations:

This fee is for one family dwellings only. Any other occupancy shall be charged under "Commercial and Industrial Installation" rates.

One, two or three appliances	\$124.00
Each additional appliance	\$45.00
Each replacement water heater or gas range	\$70.00

Where piping only is being installed, see "Piping Permits" below.

#### Commercial and Industrial Installations

Fee for each appliance, based on BTU/hour input rating:

65,000 or less	\$152.00
65,001 to 200,000	\$165.00
200,001 to 409,000	\$188.00
Over 409,000	\$227.00

in addition to all costs incurred by the inspector.

#### Vent or Gas Value or Furnace Plenum (no appliances)

One, two or three units	\$124.00
Each additional unit	\$45.00

#### Piping Permits (no appliances):

For first 60 m of house piping or part thereof	\$129.00
Every 30 m or part thereof exceeding the first 60 m	\$47.00

**Gas Fitting By-law - #3507**

**Current Fees**

**Re-inspections**

Each inspection due to faulty work or materials \$127.00

**Special Inspections**

To establish the fitness of any existing installations, for each hour or part thereof \$127.00

If conducted with a Plumbing Inspection, for each hour of part thereof \$127.00

If outside normal working hours, and at a minimum inspection time of four (4) hours, including traveling time, for each hour or part thereof \$182.00

**EXPLANATION**

**Miscellaneous Fees By-law  
amending by-law re fee increases and miscellaneous matters**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Miscellaneous Fees By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to amend  
Miscellaneous Fees By-law No. 5664  
regarding fee increases and miscellaneous amendments**

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

1. Council repeals Schedule 1 of the Miscellaneous Fees By-law, and substitutes Schedule 1 attached to this By-law, which new Schedule 1 is to form part of the Miscellaneous Fees By-law.
2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**Miscellaneous Fees By-law - #5664**  
**Schedule 1**

**Current Fees**

**Adopt or Amend an Area Development Plan (ADP)**

1	For adoption or amendment of an Area Development Plan:	
	Up to 0.4 ha (43,128 sq. ft.) site area	\$20,700.00
	For each additional 100 m <sup>2</sup> (1,080 sq. ft.) of site area, or part thereof	\$200.00
	Maximum fee	\$82,500.00

**Amend an Official Development Plan (ODP) and Area Development Plan (ADP)**

2	For an amendment to the text of an Official Development Plan and any associated Area Development Plan	\$31,100.00
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**Amend a Regional or Provincial Land Use Designation**

3	For an amendment of a regional or provincial land use designation	\$2,100.00
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**Research Requests**

4	For research requests:	
	(a) Research requests requiring up to a maximum of 2 hours of staff time	\$157.00
	(b) Extensive research requests (as time and staffing levels permit):	
	For each additional hour or part thereof beyond the 2 hours referred to in clause (a) above	\$78.00

**Site Profile Review**

5	For each review of a site profile	\$114.00
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**Miscellaneous Fees By-law - #5664  
Schedule 1**

**Current Fees**

**Appeal to Board of Variance/Parking Variance Board**

6 For the filing of an appeal \$92.00

**Legality Research Requests**

7 Provide written information on the approved use of a building in accordance with the Zoning & Development and Vancouver Building Bylaws

(a) Residential \$33.50

(b) Commercial (one unit only) \$33.50

(c) Commercial and/or mixed use (all units) requiring up to a maximum of 2 hours of staff time \$157.00

For each additional hour or part thereof beyond the 2 hours referred in Clause (c) above \$78.00

**Producing Permit/Document Copies**

8 Provide paper copies of permits or specific documents from either microfiche or our images database.

(a) 1 to 3 paper copies \$33.50

(b) Each additional copy \$6.80

**File Research Environmental**

9 Provide written information as to whether a property has any contamination or environmental issues. \$157.00



**EXPLANATION****Private Property Tree By-law  
amending by-law re fee increases**

The attached by-law will implement Council's resolutions of April 6, 2006 and May 2, 2006 to amend the Private Property Tree By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to amend  
Private Property Tree By-law No. 7347  
to increase fees**

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

1. From section 12B of the Private Property Tree By-law, Council strikes out:
  - (a) "\$48", each time it appears, and substitutes "\$51"; and
  - (b) "\$80", each time it appears, and substitutes "\$145".
2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**EXPLANATION**

**Secondary Suite Inspection Fee By-law  
amending by-law re fee increases**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Secondary Suite Inspection Fee By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to amend  
Secondary Suite Inspection Fee By-law No. 6553  
to increase fees**

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

1. From the Secondary Suite Inspection Fee By-law, Council repeals section 3, and substitutes:

“3. Where an application for a special inspection of a suite is made

(a) within 60 days of the notification date, the applicant shall pay a fee, including all the inspections referred to in section 1, of \$127.00, or

(b) more than 60 days after the notification date, the applicant shall pay a fee, including all of the inspections referred to in section 1, of \$381.00.”

2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**EXPLANATION**

**Sign By-law  
amending by-law re fee increases**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Sign By-law to increase fees.

Director of Legal Services  
May 30, 2006

**BY-LAW NO. \_\_\_\_\_**

**A By-law to amend  
Sign By-law No. 6510 to increase fees**

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

1. From the Sign By-law, Council repeals section 13, and substitutes:

**“13.1 Permit Application Fee**

Every person applying to the Director for a sign permit shall pay to the City at the time such application is filed the appropriate fee as set out in this section, and no application is valid without such payment:

- |     |   |         |
|-----|---|---------|
| (a) | For each sign requiring a permit plus                               | \$71.00 |
| (b) | For each sign requiring an electrical connection plus               | \$71.00 |
| (c) | For each sign incorporating a supporting structure plus             | \$71.00 |
| (d) | For a billboard, free-standing sign or parking lot advertising sign | \$71.00 |

**13.2 Additional Inspection Fee**

- |        |   |          |
|--------|---|----------|
| 13.2.1 | Each permit fee described in section 13.1, provides for one field inspection. Where any additional field inspection is required to complete the final inspection on a installation, the fee for each additional inspection shall be | \$71.00  |
| 13.2.2 | Except where exempted by section 5.2 or 5.3, where any sign has been erected before a permit has been issued for such sign, the fee in Section 13.1 (a), in addition to all other fees, shall be                                    | \$345.00 |

13.3 Permit Fee Refund

No sign permit application fee shall be refunded after the application has been approved or refused, but if the application has been withdrawn prior to processing, the Director of Finance may refund to the applicant a part of the fee as recommended by the Director of Licenses and Inspections.

13.4 Registration Fee

Where a fascia sign will be or has been installed in accordance with Section 5.3.1(a), a registration fee shall be paid to the City as follows:

For each sign face \$43.00

13.5 Annual Encroachment Charge

13.5.1 The owner of a sign, other than a fascia sign, which encroaches over any street shall pay annually the following charge based on the area of the sign face which encroaches:

Area of Sign Face Encroaching Over a Street	Annual Fee
Up to 2 m <sup>2</sup>	\$15.00
2.01 to 4 m <sup>2</sup>	\$21.00
4.01 to 6 m <sup>2</sup>	\$31.00
6.01 to 10 m <sup>2</sup>	\$43.00
For each additional 1 m <sup>2</sup> or fraction thereof over 10 m <sup>2</sup>	\$0.27
Maximum charge for each sign face	\$58.00

- 13.5.2 The charge set out in section 13.5.1 shall be due and payable the first business day of January of each year, except that the charge for any sign installed after July 31st in any year shall be one-half of the charge shown in Section 13.5.1.
- 13.5.3 The Director shall cause the removal, in accordance with Section 12.2.2., of any sign when the charge payable pursuant to this section remains unpaid six months after it has become due and payable.
- 13.6 Amendment Application Fee
- 13.6.1 Every person applying to the City Council for an amendment to the Sign By-law shall pay to the City at the time such application is filed with the Director of Planning the appropriate fee as set forth in this Section, and no application is valid without such payment.
- |     |  |            |
|-----|--|------------|
| (a) | For an amendment, other than Schedule E, where no more than one section requires amendment   | \$5,108.00 |
| (b) | For an amendment, other than Schedule E, where more than one section requires amendment or where the amendment would allow a type of sign that is not permitted                                | \$7,656.00 |
| (c) | For an amendment to Schedule E:  |            |
| (i) | To assign a Comprehensive Development District, at time of creation of the District, to the same sign schedule that applied to the site prior to its Comprehensive Development District zoning | \$127.00   |



- (ii) To assign a Comprehensive Development District to an existing sign schedule with different sign regulations than currently apply to the site \$1,274.00
- (iii) To assign a Comprehensive Development District to a new schedule to be created \$7,656.00

13.6.2 No fee paid to the City pursuant to Section 13.6.1 shall be refunded after the application for the amendment has been considered by the Director of Planning, but where the application has been withdrawn before being considered by the Director of Planning, the Director of Finance may refund to the applicant such part of the fee as is recommended by the Director of Planning.

13.6.3 Where an application to amend the Sign By-law is made by the Director of Planning at the direction of City Council, no fee pursuant to this By-law shall be payable.”

2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**EXPLANATION****A By-law to amend the Subdivision By-law  
re fee increases**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Subdivision By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to amend  
Subdivision By-law No. 5208 to increase fees**

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

1. Council repeals Schedule F of the Subdivision By-law, and substitutes Schedule F attached to this By-law, which new Schedule F is to form part of the Subdivision By-law.
2. This By-law is to come into force and take effect from and after July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**Subdivision By-law - #5208  
Schedule F**

**Current Fees**

Every applicant for subdivision shall at the time of application pay the applicable fee set out below.

- |   |   |             |
|---|---|-------------|
| 1 | CLASS I (Major) - For an application to subdivide pursuant to Part 7 of the Land Title Act or Section 243 of the Strata Property Act, where the site is: (i) more than 40 000 m <sup>2</sup> in area; or (ii) where the site is between 10 000 m <sup>2</sup> and 40 000 m <sup>2</sup> in area and the subdivision is reasonably likely to require that legal agreements be registered on title as a condition of subdivision approval; but in either case where the subdivision is not described in Section 4.5(a), (b) or (c) of this By-law | \$71,100.00 |
| 2 | CLASS II (Intermediate) - For an application to subdivide pursuant to Part 7 of the Land Title Act or Section 243 of the Strata Property Act, where the site is between 4 000 m <sup>2</sup> and 10 000 m <sup>2</sup> in area and the subdivision is reasonably likely to require that legal agreements be registered on title as a condition of subdivision approval, but where the subdivision is not described in Section 4.5(a), (b) or (c) of this By-law or in Class I   | \$35,600.00 |
| 3 | CLASS III (Minor) - For an application to subdivide pursuant to Part 7 of the Land Title Act or Section 243 of the Strata Property Act, where the site is: (i) less than 4 000 m <sup>2</sup> in area; or (ii) where the subdivision is unlikely to require that legal agreements be registered on title as a condition of subdivision approval; but in either case where the subdivision is not described in section 4.5(a) or (b) of this By-law or in Class I or II  | \$6,100.00  |
| 4 | CLASS IV (Dedication) - For an application to subdivide as described in Section 4.5(a) or (b) of this By-law  |             |
|   | (a) where such subdivision is required as a condition of enactment of a zoning by-law, or is otherwise required by the City Engineer  | \$300.00    |

**Subdivision By-law - #5208  
Schedule F**

**Current Fees**

	(b) where such subdivision is required by the Director of Planning or Development Permit Board as a condition of issuance of a development permit, or is otherwise initiated by the owner except as arising from rezoning approval	No Fee
5	CLASS V (Air Space) - For an application to subdivide made pursuant to Part 9 (Air Space Titles) of the Land Title Act	
	(a) for developments having a Floor Space Ratio (FSR) of 2.0 or greater	\$53,300.00
	(b) for developments having a Floor Space Ratio (FSR) of less than 2.0	\$26,700.00
6	RECLASSIFICATION - For an application to change from one sub-area to another sub-area in the RS-1, RS-3, RS-3A, RS-5, or RS-6 Zoning District	\$3,100.00
7	STRATA APPLICATIONS - For an application to convert an existing building to strata title ownership pursuant to Section 242 of the Strata Property Act; or amend Strata Plans pursuant to Part 15 of the Strata Property Act; or for Phased Strata applications made pursuant to Section 13 of the Strata Property Act	\$3,100.00

Note: Strata Conversions and applications to subdivide strata lots also require a separate fee for a Special Inspection Application, to ensure compliance with relevant provisions of the Zoning and Development By-law and Building By-law.

## EXPLANATION

### **Zoning and Development Fee By-law amending by-law regarding fee increases and miscellaneous amendments**

The attached by-law will implement Council's resolution of April 6, 2006 to amend the Zoning and Development Fee By-law to increase fees.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to amend  
Zoning and Development Fee By-law No. 5585  
regarding fee increases and miscellaneous amendments**

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

1. From the Zoning and Development Fee By-law, Council repeals:
  - (a) Schedule 1, and substitutes for it Schedule 1 attached to this By-law, which new Schedule 1 is to form part of the Zoning and Development Fee By-law; and
  - (b) Schedule 2, and substitutes for it Schedule 2 attached to this By-law, which new Schedule 2 is to form part of the Zoning and Development Fee By-law.
2. This By-law is to come into force and take effect on July 1, 2006.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

**Development Permits**

**One-Family dwelling, One-Family Dwelling with Secondary Suite,  
and Two-Family Dwelling**

- |   |  |            |
|---|--|------------|
| 1 | For a new one-family dwelling, one-family dwelling with secondary suite, or two-family dwelling and its accessory building or accessory use or for an addition, alteration, change of use, accessory building or accessory use to an existing one-or two-family dwelling or one-family dwelling with secondary suite where such an addition, alteration, change of use, accessory building or accessory use is equal to or greater than 60 m <sup>2</sup> in gross floor area: |            |
|   | (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law, except as provided in Section 1(d)   | \$1,213.00 |
|   | (b) where the permit would be issued as a conditional approval, except as provided for in Sections 1 (a), 1 (c), 1 (e) and 1C  | \$1,617.00 |
|   | (c) where the permit would be issued as a conditional approval after proceeding to a review by a Council-appointed advisory design panel   | \$2,655.00 |
|   | (d) in the RS-6 or RS-7 Districts, where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law  | \$1,385.00 |
|   | (e) where the permit would be issued as a conditional approval in the RS-6 or RS-7 Districts, with no relaxation of regulations except as provided in Section 1 (d)  | \$1,696.00 |



**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

- |  |            |
|--|------------|
| 1A. Except as provided for in Section 1B, for an addition, alteration, relaxation, change of use, accessory building or accessory use to an existing one- or two-family dwelling or one-family dwelling with secondary suite where such addition, alteration, change of use, accessory building or accessory use is less than 60 m <sup>2</sup> in gross floor area:   |            |
| (a) where the permit would be issued as an outright approval, or where a relaxation of the required yards, building depth or maximum building height is required and where the relaxation of a required rear yard would be less than 60% of what is required by the applicable District Schedule, or where the permit would be issued as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law | \$323.00   |
| (b) in all other cases   | \$636.00   |
| 1B. For conversion of a one-family dwelling to a one-family dwelling with secondary suite  | \$441.00   |
| 1C. Notwithstanding Section 1, for a one-family dwelling in the RS-3, RS-3A, RS-5, RS-6 or RS-7 Districts which includes permission by the Director of Planning to increase the maximum floor space ratio otherwise permitted by the District Schedule   | \$2,117.00 |
| 1D. Despite Section 1, for a two-family dwelling in the RS-7 District which includes permission by the Director of Planning to increase the maximum permitted floorspace ratio otherwise permitted by the District Schedule  | \$2,117.00 |

**Multiple Dwellings**

- |   |   |
|---|---|
| 2 | For a multiple dwelling, or for an addition to an existing multiple dwelling: |
|---|---|

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

- (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:

Each 100 m<sup>2</sup> of gross floor area or part up to 500 m<sup>2</sup> \$660.00

For each additional 100 m<sup>2</sup> of gross floor area or part \$332.00

Maximum fee \$26,744.00

- (b) where the permit would be issued as a conditional approval, except as provided in Section 2(a):

Each 100 m<sup>2</sup> of gross floor area or part up to 500 m<sup>2</sup> \$901.00

For each additional 100 m<sup>2</sup> of gross floor area or part \$551.00

Maximum fee \$44,605.00

**Other Uses (Other Than One- or Two-family or Multiple Dwellings)**

- 3 For a new principal building or use, or for an addition to an existing building or use, being in all cases other than a one- or two-family dwelling and a multiple dwelling:

- (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:

Each 100 m<sup>2</sup> of gross floor area or part up to 500 m<sup>2</sup> \$453.00

For each additional 100 m<sup>2</sup> of gross floor area or part \$218.00

Maximum fee \$22,281.00

- (b) where the permit would be issued as a conditional approval except as provided in

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

Section 3(a):

Each 100 m <sup>2</sup> of gross floor area or part up to 500 m <sup>2</sup>	\$795.00
For each additional 100 m <sup>2</sup> of gross floor area or part	\$453.00
Maximum fee	\$42,707.00

**Alterations, Changes of Use (Other Than One- or Two-family Dwellings)**

- 4 For an accessory building or accessory use to a principal building or principal use already existing, or for an alteration, relaxation, or change of use to an existing building, being in all cases other than a one- or two-family dwelling:

- (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:

Each 100 m <sup>2</sup> of gross floor area or part thereof	\$390.00
Maximum fee	\$3,116.00

- (b) where the permit would be issued as a conditional approval, except as provided in Section 4(a):

Each 100 m <sup>2</sup> of gross floor area or part thereof	\$551.00
Maximum fee	\$3,928.00

**Outdoor Uses**

- 5 For a parking area, storage yard, nursery, or other development which, in the opinion of the Director of Planning, is similar:

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

- (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:

Each 200 m<sup>2</sup> of site area or part up to 1 000 m<sup>2</sup> \$323.00

Each additional 200 m<sup>2</sup> of site area or part \$110.00

- (b) where the permit would be issued as a conditional approval, except as provided in Section 5(a):

Each 200 m<sup>2</sup> of site area or part up to 1 000 m<sup>2</sup> \$441.00

Each additional 200 m<sup>2</sup> of site area or part \$212.00

**Developments Requiring Development Permit Board Approval**

- 6 For an application which proceeds to the Development Permit Board:

- (a) instead of the fees referred to in Sections 1 to 4:

Each 100 m<sup>2</sup> of gross floor area or part up to 10 000 m<sup>2</sup> \$649.00

Each additional 100 m<sup>2</sup> of gross floor area or part over 10 000 m<sup>2</sup> \$123.00

- (b) instead of the fees referred to in Section 5:

Each 200 m<sup>2</sup> of site area or part up to 1 000 m<sup>2</sup> \$477.00

Each additional 200 m<sup>2</sup> of site or part \$231.00

**Child Day Care Facility Or Social Service Centre**

- 7 For a child daycare facility, cultural facility or social service centre, where the applicant is an incorporated non-profit society \$441.00

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

**Demolitions**

- |   |  |          |
|---|--|----------|
| 8 | For the demolition of residential rental accommodation, a building listed on the Heritage Register or a residential building located in the RS-1, RS-3, RS-3A, RS-5 and RS-6 or FSD District | \$212.00 |
|---|--|----------|

**Preliminary Applications**

- |   |   |  |
|---|---|--|
| 9 | For an application in preliminary form only | 25% of the fee that would, except for this provision, apply (with a minimum fee of \$440.00) |
|---|---|--|

NOTE: This fee will be deducted from the fee for an application in complete form which follows approval of a preliminary application.

**Partial Permits**

- |  |                                    |  |
|--|------------------------------------|--|
|  | 9A. For each partial permit issued | 10% of the fee that would, except for this provision, apply (with a minimum fee of \$212.00) |
|--|------------------------------------|--|

**Revisions**

- |    |   |          |
|----|---|----------|
| 10 | For the second revision and every subsequent revision of drawings which are required because of non-compliance with the Zoning and Development By-law, or because there is insufficient information to satisfactorily process the permit, or because the applicant wishes to alter the use or form of development and where less than 15% of the gross floor area or building exterior is altered or less than 15% of the gross floor area is changed in use:<br><br>where the permit is to be issued under:<br><br>(a) sections 1 and 7 of this schedule | \$212.00 |
|----|---|----------|

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

(b) all other sections of this schedule

10% of the fee that would, except for this provision, apply (with a minimum fee of \$212.00)

**Minor Amendments**

11 For each minor amendment to a permit where less than 15% of the gross floor area or building exterior is altered or less than 15% of the gross floor area is changed in use and:

(a) where the original permit was issued under Sections 1 and 7 of this schedule

\$212.00

(b) where the original permit was issued under any other section of this schedule or where the exterior alterations are to a commercial building which has no development permit authorizing its construction and where the alterations are to not more than one storey

25% of the fee that would, except for this provision, apply (with a minimum fee of \$212.00)

**Extensions And Renewals**

12 For an extension of the period of validity of a development permit application or a development permit, or for a renewal of a development permit which has become void

\$441.00

13 For the renewal of a development permit issued with specified time limitations where the conditions of approval have not changed:

(a) for a special needs residential facility or all uses where the applicant is a duly incorporated non-profit society

\$212.00

(b) for each unit of living accommodation

\$441.00

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

(c) for all other uses

75% of the fee that would, except for this provision, apply

NOTE: Where an application is made for the retention of identical uses on more than one site controlled by the same applicant, providing the renewals are required annually and are filed simultaneously, the applications may be combined and considered as one for the purpose of calculating the fee.

**Board of Variance Appeals**

14 For a permit which has been approved as the result of a successful appeal to the Board of Variance after refusal by the Director of Planning or the Development Permit Board

No Charge

**Application Following Refusal**

15 Where an application has been refused and, within 30 days of such refusal, the applicant reapplies with an application which seeks to rectify the reasons for refusal and where the application is, in the opinion of the Director of Planning, not materially different from the original application in terms of layout and design.

50% of original application fee

**Changes to Form of Development in CD-1 District**

16 For a development permit application in a CD-1 district where a change to the form of development requires Council approval and where such change is not accompanied by an amendment to, or adoption of, a CD-1 By-law

\$3,244.00 plus the development application fees that would, except for this provision, apply

**Maintenance of Heritage Buildings**

17 For a permit for the maintenance or minor repair of a building, structure, use or site designated under the Heritage By-law or located in an HA District

\$40.00

**Zoning and Development Fee By-law - #5585  
Schedule 1**

**Current Fees**

**Awnings**

- |    |   |          |
|----|---|----------|
| 18 | For an awning where the permit will be issued combined with a building permit or a sign permit. | \$141.00 |
|----|---|----------|

**Applications Submitted in Metric**

- |    |  |   |
|----|--|---|
| 19 | Notwithstanding sections 1 through 18 of this schedule, for applications accompanied by all plans and drawings in metric measurement | 95% of the fee that would, except for this provision, apply |
|----|--|---|

**Higher Building Application Fee**

- |    |   |             |
|----|---|-------------|
| 20 | Despite any other provision in this schedule 1 to the contrary, for an application for a building that will exceed 137m | \$30,962.00 |
|----|---|-------------|



**Zoning and Development Fee By-law - #5585  
Schedule 2**

**Current Fees**

**Zoning By-law Amendments**

**Change Zoning District (Except to CD-1)**

1	For an amendment to the Zoning District Plan to redesignate from one zoning district to any other zoning district except a new Comprehensive Development District:	
	Up to 4 000 m <sup>2</sup> site area	\$6,790.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$153.00
	Maximum fee	\$67,960.00

**Text Amendments (Except CD-1)**

2	For an amendment to the text of the Zoning and Development By-law	\$13,610.00
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**New CD-1 (Not Contemplated in an ODP)**

3	For an amendment to the Zoning District Plan to redesignate from a zoning district to a new Comprehensive Development District that is <u>not</u> contemplated in an Official Development Plan:	
	(a) Within the downtown area shown on Map 1, where the site area is smaller than 40 000 m <sup>2</sup> :	
	Up to 4 000 m <sup>2</sup> site area	\$54,460.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$250.00
	(b) Outside the downtown area shown on Map 1, where the site area is smaller than 8 000 m <sup>2</sup> :	
	For the first 4 000 m <sup>2</sup> of site area	\$22,760.00

**Zoning and Development Fee By-law - #5585  
Schedule 2**

**Current Fees**

	For each additional 100 m <sup>2</sup> of site area or part thereof	\$250.00
(c)	Outside the downtown area shown on Map 1, where the site area is 8 000 m <sup>2</sup> or greater but smaller than 40 000 m <sup>2</sup> :	
	For the first 8 000 m <sup>2</sup> of site area	\$54,460.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$250.00
(d)	where the site area is 40 000 m <sup>2</sup> or greater:	
	For the first 40 000 m <sup>2</sup>	\$400,000.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$830.00

**Amend CD-1 (Not Contemplated in an ODP)**

4	For an amendment, in terms of permitted uses and regulations, to an existing Comprehensive Development District By-Law that is <u>not</u> contemplated in an Official Development Plan:	
	(a) Within the downtown area shown on Map 1, where the site area is smaller than 40 000 m <sup>2</sup> :	
	For the first 4 000 m <sup>2</sup> site area	\$54,500.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$250.00
	(b) Outside the downtown area shown on Map 1, where the site area is smaller than 8 000 m <sup>2</sup> :	
	For the first 4 000 m <sup>2</sup> site area	\$22,800.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$250.00

**Zoning and Development Fee By-law - #5585  
Schedule 2**

**Current Fees**

(c)	Outside the downtown area shown on Map 1, where the site area is 8 000 m <sup>2</sup> or greater but smaller than 40 000 m <sup>2</sup> :	
	For the first 8 000 m <sup>2</sup> site area	\$54,500.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$250.00
(d)	where the site area is 40 000 m <sup>2</sup> or greater:	
	For the first 40 000 m <sup>2</sup>	\$400,000.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$830.00

**New CD-1 (Contemplated in an ODP)**

5	For an amendment to the Zoning District Plan to redesignate from a zoning district to a new Comprehensive Development District that is contemplated in an Official Development Plan	
	Up to 4 000 m <sup>2</sup> site area	\$102,500.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$830.00

**Amend CD-1 (Contemplated in an ODP)**

6	For an amendment, in terms of permitted uses and regulations, to an existing Comprehensive Development District By-Law that is contemplated in an Official Development Plan:	
	Up to 4 000 m <sup>2</sup> site area	\$102,500.00
	For each additional 100 m <sup>2</sup> of site area or part thereof	\$830.00

**Zoning and Development Fee By-law - #5585  
Schedule 2**

**Current Fees**

**Reduced Fees for Large Sites with Limited Changes**

7 Notwithstanding sections 3(d), 4(d), 5 and 6 of this schedule:

For an amendment to the Zoning District Plan to redesignate from an industrial zoning district to a new Comprehensive Development District that relates to a site area of 40 000 m<sup>2</sup> or greater provided that

- (a) the combined total floor area, of proposed new uses and expanded retail uses, is limited to 20% or less of the total floor area,
- (b) the use of at least 80% of the total floor area remains consistent with the existing zoning schedule and its restrictions on use and density, and
- (c) the maximum floor space ratio for all uses combined remains the same as that in the existing zoning schedule:

For the first 40 000 m<sup>2</sup> of site area \$94,980.00

For each additional 100m<sup>2</sup> of site area or part thereof \$210.00

8 Notwithstanding sections 3(d), 4(d), 5, 6 and 7 of this schedule:

- (a) For an amendment to the Zoning District Plan to redesignate from a zoning district to a new Comprehensive Development District that is contemplated in an Official Development Plan or that is not contemplated in an Official Development Plan but relates to a site area of 40 000 m<sup>2</sup> or greater; or

**Zoning and Development Fee By-law - #5585  
Schedule 2**

**Current Fees**

(b) For an amendment, in terms of permitted uses and regulations, to an existing Comprehensive Development District that is contemplated in an Official Development Plan or that is not contemplated in an Official Development Plan but relates to a site area of 40 000 m<sup>2</sup> or greater; provided, in both cases,

(i) the approved or existing form of development is retained on at least 75% of the site area; or

(ii) the floor space ratio of buildings already existing on the site is not increased by more than 25% or 0.5, whichever is the greater; or

(iii) the Director of Planning determines that the application is similarly limited in scope having regard to use and form of development:

Up to 4 000 m <sup>2</sup> site area	\$20,690.00
For each additional 100 m <sup>2</sup> of site area or part thereof	\$210.00
Maximum fee	\$82,450.00

**Amend CD-1 (One Section Only)**

9 Notwithstanding sections 4, 6 and 7 of this schedule:

For an amendment to an existing CD-1 By-law where no more than one section required amendment	\$9,150.00
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**Zoning and Development Fee By-law - #5585  
Schedule 2**

**Current Fees**

**Resubmission Due to Change in Council  
Composition**

- |    |  |   |
|----|--|---|
| 10 | Notwithstanding any other section of this schedule, for the resubmission of an application which is unable to be enacted because of a change in the composition of Council, provided the resubmission does not alter the application and is made within 6 months of an election or by-election | \$2,226.00 or 15% of the otherwise applicable fee, whichever is greater |
|----|--|---|

**EXPLANATION**

**Debenture By-law  
Street Works**

The attached by-law authorizes the issue of debentures to finance the property owners' share of certain street work projects, and the annual charge equal to the debt charges of the debentures against the properties benefited by the local improvements.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to contract a debt by the issue and sale of debentures  
in the aggregate principal amount of \$517,476.88  
for certain local improvement street work projects, including  
pavement, trees and bulges, curbs, cement walks,  
lane pavement, and speed humps,  
and for imposing an annual special rate  
on real property specially benefited  
by such local improvements**

**PREAMBLE**

Council has deemed it desirable and necessary to carry out certain street work projects, including pavement, curbs, trees and bulges, cement walks, lane pavement, and speed humps (the "works") as local improvements.

The Collector of Taxes for the City of Vancouver (the "City") has prepared and certified a schedule (the "schedule") on March 8, 2006 describing and designating the works as numbers 1 to 109 inclusive, has captioned that schedule with a reference to this By-law, and has deposited the schedule, together with the detailed Court of Revision sheets which support and form part of the schedule, in the office of the Collector of Taxes.

Council declares the schedule to form part of this By-law as if expressly embodied herein.

Council deems that the works will specially benefit the real property (the "assessable real property") designated and described in the schedule.

The City has completed construction of the works.

The City has determined that the assessable real property produces the total number of feet, more or less, of frontage and flankage assessable on the adjacent respective streets as shown in the schedule, after deducting the width of street intersections and exempt properties shown by the statement of frontage and flankage liable for assessment as finally settled.

The owners of the assessable real property must bear that portion of the cost of the works payable by assessments and amounting to \$517,476.88 according to the schedule, which amount does not exceed by more than 10% the amount estimated by the City to be borne by such owners.



There are that certain specified number of feet frontage and flankage of the assessable real property as shown in the schedule upon which it will be required to levy the annual special rates set out in the schedule, sufficient to raise annually the amounts the City will apply toward payment of interest and principal on the debt referred to in this By-law.

Council deems it expedient to borrow a certain amount of money and to contract a debt by the issue and sale of debentures of the City in the aggregate principal amount of \$517,476.88, bearing interest at the rate of 6% per annum, secured on the credit of the City at large, to defray that part of the cost of the works payable by annual special assessments.

According to the last revised averaged assessment roll, the value of all the real property in the City liable to taxation is \$97,332,147,971.00.

As of the date of first reading of this By-law, being the enactment date of this By-law, the total amount of the existing debenture debt of the City is \$509,153,500.00, exclusive of debts incurred for local improvements secured by special rates or assessments, of which none of the principal or interest is in arrears as at that date.

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

1. To defray that part of the cost of the works payable by annual special rates under this By-law, the City will contract a debt by the issue and sale of debentures (the "debentures") of the City in the aggregate principal amount of \$517,476.88 secured on the general credit of the City, which debentures will be in substantially the form and substance set out in Schedule A to this By-law.
2. The debt secured by the debentures will bear interest at the rate of 6% per annum, payable on June 14, 2007 and on June 14 of each year after that during the term of the debentures.
3. The debentures will be fully-registered debentures without coupons.
4. The debentures will bear the common seal of the City and the facsimile signature of the City's Mayor. The City Treasurer, Deputy City Treasurer, or such other person as a by-law may designate will sign the debentures.
5. The debentures will be in denominations equivalent to each of the amounts set out under the column "Principal Payment" in Schedule B to this By-law, will bear the date "June 14, 2006", and will be payable in each of the years 2007 to 2021, both inclusive, in the respective principal amounts set out under the column "Principal Payment" in Schedule B.
6. The debentures will be payable as to both principal and interest at the office of the City Treasurer, City Hall, Vancouver, British Columbia, Canada.

7. Council hereby imposes, in each of the years 2006 to 2020, both inclusive, an annual special rate per foot, as respectively shown in the schedule for the works, on the assessable real property according to the frontage and flankage of such assessable real property, in addition to all other rates and taxes, which special rate will be sufficient to produce annually the respective amounts set out under the column "Total Annual Payment" in Schedule B.

8. The Collector of Taxes will insert the amounts referred to in section 7 in the real property tax roll in each of the years 2006 to 2020, both inclusive, and such amounts will be payable to and collected by the Collector of Taxes in the same manner as other rates on the real property tax roll.

9. The debentures will contain the endorsement referred to in section 252 of the *Vancouver Charter*.

10. Council hereby authorizes the City to carry out the purposes set out in this By-law for the issue of the debentures.

11. The schedules attached to this By-law form part of this By-law.

12. References in this By-law to money are to lawful currency of Canada.

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

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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



THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

It is hereby certified, recited and declared that all acts, conditions and things necessary to be done and to exist precedent to and in the issuance of this Debenture have been properly done, fulfilled and performed and do exist in regular and in due form as required by the laws of the Province of British Columbia, and that the total indebtedness of the City of Vancouver including the Debentures authorized by the said By-law does not exceed any statutory limitations, and provision has been made to levy taxes sufficient to pay the interest promptly as it matures and to pay the principal of this Debenture when due.

IN WITNESS WHEREOF the City of Vancouver has caused these presents to be sealed with the Common Seal of the City of Vancouver, to bear the facsimile signature of its Mayor, to be signed by its authorized signing officer and to be dated the 14th day of June, 2006.

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Mayor

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Authorized Signing Officer

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

DATE OF  
REGISTRATION

NAME AND ADDRESS OF  
REGISTERED OWNER

SIGNATURE OF  
TREASURER

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THIS IS SCHEDULE "B" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

BY-LAW	STREET WORK		6%	15 YEARS
YEAR	DEBENTURES OUTSTANDING	PRINCIPAL PAYMENT	INTEREST PAYMENT	TOTAL ANNUAL PAYMENT
2007	\$517,476.88	\$22,232.32	\$31,048.62	\$53,280.94
2008	495,244.56	23,566.26	29,714.68	53,280.94
2009	471,678.30	24,980.25	28,300.69	53,280.94
2010	446,698.05	26,479.06	26,801.88	53,280.94
2011	420,218.99	28,067.80	25,213.14	53,280.94
2012	392,151.19	29,751.86	23,529.08	53,280.94
2013	362,399.33	31,536.97	21,743.97	53,280.94
2014	330,862.36	33,429.19	19,851.75	53,280.94
2015	297,433.17	35,434.95	17,845.99	53,280.94
2016	261,998.22	37,561.05	15,719.89	53,280.94
2017	224,437.17	39,814.70	13,466.24	53,280.94
2018	184,622.47	42,203.58	11,077.36	53,280.94
2019	142,418.89	44,735.81	8,545.13	53,280.94
2020	97,683.08	47,419.96	5,860.98	53,280.94
2021	50,263.12	<u>50,263.12</u>	<u>3,017.82</u>	<u>53,280.94</u>
		<u>\$517,476.88</u>	<u>\$281,737.22</u>	<u>\$799,214.10</u>

**EXPLANATION****Debenture By-law  
Lane Lighting**

The attached by-law authorizes the issue of debentures to finance the property owners' share of certain lane lighting projects, and the annual charge equal to the debt charges of the debentures against the properties benefited by the local improvements.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to contract a debt by the issue and sale of debentures  
in the aggregate principal amount of \$9,275.47  
for certain local improvement lane lighting projects,  
and for imposing an annual special rate on real property  
specially benefited by such local improvements**

**PREAMBLE**

Council has deemed it desirable and necessary to carry out certain lane lighting projects (the "works") as local improvements.

The Collector of Taxes for the City of Vancouver (the "City") has prepared and certified a schedule (the "schedule") on March 8, 2006 describing and designating the works as numbers 1 to 12 inclusive, has captioned that schedule with a reference to this By-law, and has deposited the schedule, together with the detailed Court of Revision sheets which support and form part of the schedule, in the office of the Collector of Taxes.

Council declares the schedule to form part of this By-law as if expressly embodied herein.

Council deems that the works will specially benefit the real property (the "assessable real property") designated and described in the schedule.

The City has completed construction of the works.

The City has determined that the assessable real property produces the total number of feet, more or less, of frontage and flankage assessable on the adjacent respective streets as shown in the schedule, after deducting the width of street intersections and exempt properties shown by the statement of frontage and flankage liable for assessment as finally settled.

The owners of the assessable real property must bear that portion of the cost of the works payable by assessments and amounting to \$9,275.47 according to the schedule, which amount does not exceed by more than 10% the amount estimated by the City to be borne by such owners.

There are that certain specified number of feet frontage and flankage of the assessable real property as shown in the schedule upon which it will be required to levy the annual special rates set out in the schedule, sufficient to raise annually the amounts the City will apply toward payment of interest and principal on the debt referred to in this By-law.



Council deems it expedient to borrow a certain amount of money and to contract a debt by the issue and sale of debentures of the City in the aggregate principal amount \$9,275.47, bearing interest at the rate of 6% per annum, secured on the credit of the City at large, to defray that part of the cost of the works payable by annual special assessments.

According to the last revised averaged assessment roll, the value of all the real property in the City liable to taxation is \$97,332,147,971.00.

As of the date of first reading of this By-law, being the enactment date of this By-law, the total amount of the existing debenture debt of the City is \$509,153,500.00, exclusive of debts incurred for local improvements secured by special rates or assessments, of which none of the principal or interest is in arrears as at that date.

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

1. To defray that part of the cost of the works payable by annual special rates under this By-law, the City will contract a debt by the issue and sale of debentures (the "debentures") of the City in the aggregate principal amount of \$9,275.47 secured on the general credit of the City, which debentures will be in substantially the form and substance set out in Schedule A to this By-law.
2. The debt secured by the debentures will bear interest at the rate of 6% per annum, payable on June 14, 2007 and on June 14 of each year after that during the term of the debentures.
3. The debentures will be fully-registered debentures without coupons.
4. The debentures will bear the common seal of the City and the facsimile signature of the City's Mayor. The City Treasurer, Deputy City Treasurer, or such other person as a by-law may designate will sign the debentures.
5. The debentures will be in denominations equivalent to each of the amounts set out under the column "Principal Payment" in Schedule B to this By-law, will bear the date "June 14, 2006", and will be payable in each of the years 2007 to 2011, both inclusive, in the respective principal amounts set out under the column "Principal Payment" in Schedule B.
6. The debentures will be payable as to both principal and interest at the office of the City Treasurer, City Hall, Vancouver, British Columbia, Canada.

7. Council hereby imposes, in each of the years 2006 to 2010, both inclusive, an annual special rate per foot, as respectively shown in the schedule for the works, on the assessable real property according to the frontage and flankage of such assessable real property, in addition to all other rates and taxes, which special rate will be sufficient to produce annually the respective amounts set out under the column "Total Annual Payment" in Schedule B.
8. The Collector of Taxes will insert the amounts referred to in section 7 in the real property tax roll in each of the years 2006 to 2010, both inclusive, and such amounts will be payable to and collected by the Collector of Taxes in the same manner as other rates on the real property tax roll.
9. The debentures will contain the endorsement referred to in section 252 of the *Vancouver Charter*.
10. Council hereby authorizes the City to carry out the purposes set out in this By-law for the issue of the debentures.
11. The schedules attached to this By-law form part of this By-law.
12. References in this By-law to money are to lawful currency of Canada.
13. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

CANADA

PROVINCE OF BRITISH COLUMBIA

CITY OF VANCOUVER

SERIAL DEBENTURE

NO.

Under the provisions of the Vancouver Charter, and amendments thereto, and By-law No. \_\_\_\_\_  
**KNOW ALL MEN BY THESE PRESENTS:**

That the City of Vancouver, Province of British Columbia, is indebted to and for value received promises to pay to the registered holder hereof, on the \_\_\_\_\_ day of \_\_\_\_\_, the sum of \_\_\_\_\_ Dollars (\$) of lawful money of Canada at the Office of the City Treasurer, City Hall, Vancouver, British Columbia, and to pay interest thereon at the rate of six per centum (6%) per annum, payable on the 14th day of June in each year during the term of the Debenture, commencing in the year 2007, at the said place, and the City of Vancouver is hereby held and firmly bound and its faith and credit and taxing power are hereby pledged for the prompt payment of the principal and interest of this Debenture at maturity.

This Debenture, or any interest therein, shall not, after a memorandum of ownership has been endorsed thereon by the City Treasurer, be transferable except by entry by the City Treasurer or his Deputy in the Debenture Registry Book of the City of Vancouver.

This Debenture is issued by the City of Vancouver under and by authority of and in full compliance with the provisions of the laws of the Province of British Columbia including the Vancouver Charter, and amendments thereto, and By-law No. \_\_\_\_\_ duly and legally passed by the Council of the City of Vancouver.

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

It is hereby certified, recited and declared that all acts, conditions and things necessary to be done and to exist precedent to and in the issuance of this Debenture have been properly done, fulfilled and performed and do exist in regular and in due form as required by the laws of the Province of British Columbia, and that the total indebtedness of the City of Vancouver including the Debentures authorized by the said By-law does not exceed any statutory limitations, and provision has been made to levy taxes sufficient to pay the interest promptly as it matures and to pay the principal of this Debenture when due.

IN WITNESS WHEREOF the City of Vancouver has caused these presents to be sealed with the Common Seal of the City of Vancouver, to bear the facsimile signature of its Mayor, to be signed by its authorized signing officer and to be dated the 14th day of June, 2006.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Authorized Signing Officer

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

DATE OF  
REGISTRATION

NAME AND ADDRESS OF  
REGISTERED OWNER

SIGNATURE OF  
TREASURER

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THIS IS SCHEDULE "B" REFERRED TO IN  
BY-LAW NO.            OF THE CITY OF VANCOUVER

BY-LAW	LANE LIGHTING			5 YEARS
YEAR	DEBENTURES OUTSTANDING	PRINCIPAL PAYMENT	INTEREST PAYMENT	TOTAL ANNUAL PAYMENT
2007	\$9,275.47	\$1,645.40	\$556.53	\$2,201.93
2008	7,630.07	1,744.13	457.80	2,201.93
2009	5,885.94	1,848.77	353.16	2,201.93
2010	4,037.17	1,959.70	242.23	2,201.93
2011	2,077.47	<u>2,077.47</u>	<u>124.46</u>	<u>2,201.93</u>
		<u>\$9,275.47</u>	<u>\$1,734.18</u>	<u>\$11,009.65</u>

## EXPLANATION

### **Debenture By-law Street Beautification**

The attached by-law authorizes the issue of debentures to finance the property owners' share of an environmental treatment for Crown Street, and the annual charge equal to the debt charges of the debentures against the properties benefited by the local improvements.

Director of Legal Services  
May 30, 2006

BY-LAW NO. \_\_\_\_\_



**A By-law to contract a debt by the issue and sale of debentures  
in the aggregate principal amount of \$46,373.22 for a  
certain local improvement street beautification project,  
and for imposing an annual special rate  
on real property specially benefited  
by such local improvements**

**PREAMBLE**

Council has deemed it desirable and necessary to carry out a certain street beautification project (the "works") as a local improvement.

The Collector of Taxes for the City of Vancouver (the "City") has prepared and certified a schedule (the "schedule") on March 8, 2006 describing and designating the works as number 1, has captioned that schedule with a reference to this By-law, and has deposited the schedule, together with the detailed Court of Revision sheets which support and form part of the schedule, in the office of the Collector of Taxes.

Council declares the schedule to form part of this By-law as if expressly embodied herein.

Council deems that the works will specially benefit the real property (the "assessable real property") designated and described in the schedule.

The City has completed construction of the works.

The City has determined that the assessable real property produces the total number of feet, more or less, of frontage and flankage assessable on the adjacent respective streets as shown in the schedule, after deducting the width of street intersections and exempt properties shown by the statement of frontage and flankage liable for assessment as finally settled.

The owners of the assessable real property must bear that portion of the cost of the works payable by assessments and amounting to \$46,373.22 according to the schedule, which amount does not exceed by more than 10% the amount estimated by the City to be borne by such owners.



There are that certain specified number of feet frontage and flankage of the assessable real property as shown in the schedule upon which it will be required to levy the annual special rates set out in the schedule, sufficient to raise annually the amounts the City will apply toward payment of interest and principal on the debt referred to in this By-law.

Council deems it expedient to borrow a certain amount of money and to contract a debt by the issue and sale of debentures of the City in the aggregate principal amount of \$46,373.22, bearing interest at the rate of 6% per annum, secured on the credit of the City at large, to defray that part of the cost of the works payable by annual special assessments.

According to the last revised averaged assessment roll, the value of all the real property in the City liable to taxation is \$97,332,147,971.00.

As of the date of first reading of this By-law, being the enactment date of this By-law, the total amount of the existing debenture debt of the City is \$509,153,500.00, exclusive of debts incurred for local improvements secured by special rates or assessments, of which none of the principal or interest is in arrears as at that date.

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

1. To defray that part of the cost of the works payable by annual special rates under this By-law, the City will contract a debt by the issue and sale of debentures (the "debentures") of the City in the aggregate principal amount of \$46,373.22 secured on the general credit of the City, which debentures will be in substantially the form and substance set out in Schedule A to this By-law.
2. The debt secured by the debentures will bear interest at the rate of 6% per annum, payable on June 14, 2007 and on June 14 of each year after that during the term of the debentures.
3. The debentures will be fully-registered debentures without coupons.
4. The debentures will bear the common seal of the City and the facsimile signature of the City's Mayor. The City Treasurer, Deputy City Treasurer, or such other person as a by-law may designate will sign the debentures.
5. The debentures will be in denominations equivalent to each of the amounts set out under the column "Principal Payment" in Schedule B to this By-law, will bear the date "June 14, 2006", and will be payable in each of the years 2007 to 2021, both inclusive, in the respective principal amounts set out under the column "Principal Payment" in Schedule B.
6. The debentures will be payable as to both principal and interest at the office of the City Treasurer, City Hall, Vancouver, British Columbia, Canada.

7. Council hereby imposes, in each of the years 2006 to 2020, both inclusive, an annual special rate per foot, as respectively shown in the schedule for the works, on the assessable real property according to the frontage and flankage of such assessable real property, in addition to all other rates and taxes, which special rate will be sufficient to produce annually the respective amounts set out under the column "Total Annual Payment" in Schedule B.

8. The Collector of Taxes will insert the amounts referred to in section 7 in the real property tax roll in each of the years 2006 to 2020, both inclusive, and such amounts will be payable to and collected by the Collector of Taxes in the same manner as other rates on the real property tax roll.

9. The debentures will contain the endorsement referred to in section 252 of the *Vancouver Charter*.

10. Council hereby authorizes the City to carry out the purposes set out in this By-law for the issue of the debentures.

11. The schedules attached to this By-law form part of this By-law.

12. References in this By-law to money are to lawful currency of Canada.

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

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

CANADA

PROVINCE OF BRITISH COLUMBIA

CITY OF VANCOUVER

SERIAL DEBENTURE

NO.

Under the provisions of the Vancouver Charter, and amendments thereto, and By-law No. \_\_\_\_\_  
KNOW ALL MEN BY THESE PRESENTS:

That the City of Vancouver, Province of British Columbia, is indebted to and for value received promises to pay to the registered holder hereof, on the \_\_\_\_\_ day of \_\_\_\_\_, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) of lawful money of Canada at the Office of the City Treasurer, City Hall, Vancouver, British Columbia, and to pay interest thereon at the rate of six per centum (6%) per annum, payable on the 14th day of June in each year during the term of the Debenture, commencing in the year 2007, at the said place, and the City of Vancouver is hereby held and firmly bound and its faith and credit and taxing power are hereby pledged for the prompt payment of the principal and interest of this Debenture at maturity.

This Debenture, or any interest therein, shall not, after a memorandum of ownership has been endorsed thereon by the City Treasurer, be transferable except by entry by the City Treasurer or his Deputy in the Debenture Registry Book of the City of Vancouver.

This Debenture is issued by the City of Vancouver under and by authority of and in full compliance with the provisions of the laws of the Province of British Columbia including the Vancouver Charter, and amendments thereto, and By-law No. \_\_\_\_\_ duly and legally passed by the Council of the City of Vancouver.

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

It is hereby certified, recited and declared that all acts, conditions and things necessary to be done and to exist precedent to and in the issuance of this Debenture have been properly done, fulfilled and performed and do exist in regular and in due form as required by the laws of the Province of British Columbia, and that the total indebtedness of the City of Vancouver including the Debentures authorized by the said By-law does not exceed any statutory limitations, and provision has been made to levy taxes sufficient to pay the interest promptly as it matures and to pay the principal of this Debenture when due.

IN WITNESS WHEREOF the City of Vancouver has caused these presents to be sealed with the Common Seal of the City of Vancouver, to bear the facsimile signature of its Mayor, to be signed by its authorized signing officer and to be dated the 14th day of June, 2006.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Authorized Signing Officer

THIS IS SCHEDULE "A" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

DATE OF  
REGISTRATION

NAME AND ADDRESS OF  
REGISTERED OWNER

SIGNATURE OF  
TREASURER

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THIS IS SCHEDULE "B" REFERRED TO IN  
BY-LAW NO. \_\_\_\_\_ OF THE CITY OF VANCOUVER

BY-LAW	STREET BEAUTIFICATION			6%	15 YEARS
YEAR	DEBENTURES OUTSTANDING	PRINCIPAL PAYMENT	INTEREST PAYMENT	TOTAL ANNUAL PAYMENT	
2007	\$46,373.22	\$1,992.33	\$2,782.39	\$4,774.72	
2008	44,380.89	2,111.87	2,662.85	4,774.72	
2009	42,269.02	2,238.58	2,536.14	4,774.72	
2010	40,030.44	2,372.89	2,401.83	4,774.72	
2011	37,657.55	2,515.27	2,259.45	4,774.72	
2012	35,142.28	2,666.18	2,108.54	4,774.72	
2013	32,476.10	2,826.15	1,948.57	4,774.72	
2014	29,649.95	2,995.72	1,779.00	4,774.72	
2015	26,654.23	3,175.47	1,599.25	4,774.72	
2016	23,478.76	3,365.99	1,408.73	4,774.72	
2017	20,112.77	3,567.95	1,206.77	4,774.72	
2018	16,544.82	3,782.03	992.69	4,774.72	
2019	12,762.79	4,008.95	765.77	4,774.72	
2020	8,753.84	4,249.49	525.23	4,774.72	
2021	4,504.35	<u>4,504.35</u>	<u>270.37</u>	<u>4,774.72</u>	
		<u>\$46,373.22</u>	<u>\$25,247.58</u>	<u>\$71,620.80</u>	

**EXPLANATION****Authorization to enter into a  
Heritage Revitalization Agreement  
with the owner of 73 - 91 East 27<sup>th</sup> Avenue**

After the public hearing on May 16, 2006, Council resolved to enter into a by-law to authorize an agreement with the owner of the property at 73 - 91 East 27<sup>th</sup> Avenue pursuant to Section 592 of the Vancouver Charter. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
May 30, 2006

73 - 91 East 27<sup>th</sup> Avenue



BY-LAW NO. \_\_\_\_\_

**A By-law to authorize Council entering into a  
Heritage Revitalization Agreement  
with the Owner of Heritage Property**

**PREAMBLE**

Council has authority under the *Vancouver Charter* to enter into a heritage revitalization agreement with the owner of heritage property including terms and conditions to which Council and the owner may agree.

Certain property bearing the civic address of 73 - 91 East 27<sup>th</sup> Avenue, and the following legal description:

PID: 009-980-695  
Lot C of Lot 2  
Blocks 1 to 9 and 12 to 14  
District Lot 631  
Plan 8650

contains five heritage buildings.

Council is of the opinion that the buildings have sufficient heritage value to justify their conservation, and Council and the owner of the property have agreed to facilitate such conservation by agreeing to the terms and conditions set out in the attached heritage revitalization agreement.

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

1. Council authorizes the City to enter into a heritage revitalization agreement with the owner in substantially the form and substance of the heritage revitalization agreement attached to this By-law, and also authorizes the Director of Legal Services to execute the agreement on behalf of the City and to deliver it to the owner on such terms and conditions as the Director of Legal Services deems fit.





THIS AGREEMENT dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2006,

BETWEEN:

**HAWKS DEVELOPMENT CORP.**  
(Incorporation No. 621149)  
450 - 319 West Pender Street  
Vancouver, British Columbia, V6B 1T4

(the "Owner")

AND:

**CITY OF VANCOUVER,**  
453 West 12th Avenue  
Vancouver, British Columbia, V5Y 1V4

(the "City")

WHEREAS:

A. The Owner is the registered owner of all and singular that certain parcel or tract of land and premises situate in the City of Vancouver, in the Province of British Columbia, legally described as:

City of Vancouver

Parcel Identifier: 009-980-695  
Lot C of Lot 2  
Blocks 1 to 9 and 12 to 14  
District Lot 631  
Plan 8650

(the "Lands");

B. The Lands are within the RS-7 District of the City's Zoning and Development By-law;

C. Presently situate on the Lands are five older one-family dwellings known as the Shirley Houses which are listed in Category "C" on the Vancouver Heritage Register. Such five "Shirley Houses" and each replica or placement thereof are each collectively called the "Heritage House" and collectively called the "Heritage Houses";

- D. The Owner is desirous of subdividing the Lands by way of the *Strata Property Act* so as to create five separate strata lots having one Heritage House on each of the strata lots thereby created.
- E. The Owner is seeking to preserve the Heritage Houses by way of this heritage revitalization agreement and, in doing so, by way of this heritage revitalization agreement varying the zoning so as to permit subdivision of the Lands in the matter set out above;
- F. But for this agreement, the proposed subdivision of the Lands in the manner set out above would not comply with the existing zoning; and
- G. By Section 592 of the *Vancouver Charter*, a heritage revitalization agreement may allow variations of and supplement to provisions of, among others, the Zoning and Development By-law.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the sum of Ten Dollars (\$10.00) now paid by the City to the Owner and vice versa and for other good and valuable consideration (the receipt and sufficiency of which the Owner and the City hereby acknowledge) the Owner and the City each covenant, promise and agree with the other pursuant to Section 592 of the *Vancouver Charter* as follows:

1. Subject to approval of subdivision by the Approving Officer and fulfilling any conditions set forth in such approval, the City shall permit the subdivision of the Lands by way of the *Strata Property Act* (in accordance with the sketch attached hereto) to create five strata lots with associated common property with the retention of the Heritage Houses on the each strata lot thereby created.
2. The Owner shall, to the satisfaction of the City, restore and rehabilitate each of the Heritage Houses in the manner set out in this Agreement and in the manner set out in any other agreements between the City and the Owner with respect to the Heritage Houses.
3. It is agreed that, with respect to the Lands:
  - (a) section 11.1 of the City's Zoning & Development By-law is hereby deleted;
  - (b) section 3.2.1.DW of the RS-7 District Schedule of the City's *Zoning and Development By-law* be amended so as to permit the use of the Lands for five one-family dwellings as contemplated in development-building permit application DB420680 which development-building permit application and all development-building permits and amendments granted pursuant thereto, from time to time, and all modifications thereof, are collectively called the "Development Permit".
  - (c) RS-7 District Schedule of the City's *Zoning and Development By-law* otherwise be amended as follows:

By-law Section	Required/Maximum	Proposed
4.1.1(b) Minimum Site Area	929 m <sup>2</sup>	581.6 m <sup>2</sup>
4.4 Front Yard	7.15 m	1.78 m
4.5.3 Side Yard - (Exterior)	2.56 m	0 m
4.5.4 Eaves (South Side Only)	0.7 m	0 m
4.6.1 Rear Yard	10.67 m	0.59 m
4.7.2 Floor Space Ratio	0.75 (436.2 m <sup>2</sup> )	1.13 (657.9 m <sup>2</sup> )
4.8.1 Site Coverage	40% of site area	43% of site area
4.16.2 Building Depth	40% of depth of site	94% of depth of site
4.17.3 External Design - Side Entrance (North Side)	No more than one side entrance facing each side Yard	Two entrances on each Heritage House facing the north side yard
4.18 Dwelling Unit Density	62 units per hectare	86 units per hectare
4.19.1 Number of Principal Buildings on Site	One	Five

4. The Owner shall keep the structure of the Heritage House in good repair and shall keep the exterior of the Heritage House in good appearance and in good repair.

5. (a) If the Heritage House is damaged, it shall be repaired if lawful and economic and if not, it shall be replaced. In determining whether it is economic to repair the Heritage House, the parties will consider only land economic factors including the cost of repair, the cost of constructing a replacement building to be constructed as required by this agreement and the market value of a replacement building after

the completion of such repair. If the parties cannot agree on whether it is economic to repair the Heritage House, such question may be determined by arbitration as provided herein. If the parties or the arbitrator agree that it is uneconomic to repair the Heritage House, or if the Heritage House is destroyed, the Owner shall only be permitted to build on the Lands a building of similar massing, height and proportions as the original Heritage House.

- (b) All disputes arising from section 5 of this agreement shall be determined by arbitration. Within thirty (30) days following written notice of the dispute by either party to the other, such dispute shall be referred to a single arbitrator to be chosen by the Owner and the City, provided that if the Owner and the City do not agree as to the choice of a single arbitrator, then by three (3) arbitrators, one (1) of whom shall be chosen by the Owner, one (1) of whom shall be chosen by the City and the third by the two (2) so chosen and the third arbitrator so chosen shall be the chairman. If the arbitrator(s) conclude that any provision herein is vague, ambiguous, uncertain, imprecise or otherwise defective by reason of the language used or by reason of error or omission, the arbitrator(s) shall cure same by interpreting this agreement so as to avoid such vagueness, ambiguity, uncertainty, imprecision, defect, error or omission and give full effect to the intention of the parties. The award will be made by the majority of the arbitrators. If within fifteen (15) days or such extended time as the parties may agree upon, a party who has been notified of a dispute fails to appoint an arbitrator or the two (2) arbitrators appointed by the parties do not agree upon a third arbitrator, then the party or parties not in default may apply to the British Columbia International Commercial Arbitration Centre or, if a successor thereto does not exist at such time, to a Judge of the Supreme Court of British Columbia for the appointment of an arbitrator to represent the party or parties in default or a third arbitrator or both of such arbitrators. The costs of the reference and award shall be in the discretion of the arbitrators who may direct to and by whom and in what manner those costs or any part thereof shall be paid and may tax or settle the amount of costs to be so paid or any part thereof and may award costs to be paid as between solicitor and client. Except as to matters otherwise provided herein, the provisions of the *Commercial Arbitration Act of British Columbia*, as amended or re-enacted from time to time, shall apply.

6. The Owner may not alter the appearance of, renovate, reconfigure or replicate the exterior of the Heritage Houses except as may be permitted by a heritage alteration permit and the terms, requirements and conditions thereof.

7. The Owner shall insure the Heritage Houses to its full replacement value against all perils including damage or destruction by earthquake.

8. The City may affix a commemorative plaque to either the Heritage Houses or the Fence which bears witness to the historical and architectural significance of the Heritage Houses and the Owner agrees to refrain from obscuring, defacing, reversing or removing same.

9. The City shall not be obliged to issue any permit or give any permission contrary to the

terms of this agreement. The City may enforce this agreement by mandatory and prohibitory injunctions. In any action to enforce this agreement the City shall be entitled to court costs on a solicitor and own client basis.

10. The Owner agrees that the opportunity to subdivide the Lands as contemplated by this agreement and to retain, restore and replicate the Heritage Houses from time to time is full and fair compensation for the obligations and restrictions on the Owner by this agreement and the Owner waives and renounces all claims for further or other compensation by reason of this agreement.

11. Nothing in this agreement gives the City an interest in the fee of the soil of the Lands or the subdivided parts thereof.

12. The Owner will indemnify and save harmless the City and its officials, employees, contractors, agents and licensees, from and against all liabilities, actions, statutory or other proceedings, judgements, investigations, claims, losses, loss of profit, damages, consequential damages, fines, penalties, costs and legal costs on a solicitor own client basis which the City may suffer or incur arising out of or in any way connected with:

- (a) the inability of any recipient site to use, in whole or in part, any of the additional development (density) rights that may be transferred pursuant to this agreement whether such inability arises from the decision of the Development Permit Board, City Council, a court of competent jurisdiction, or otherwise; or
- (b) this agreement.

The indemnity set out in this section 12 shall survive the expiration or earlier termination of this agreement.

13. The Owner hereby releases and discharges the City and its officials, employees, contractors, agents and licensees, from and against all liabilities, actions, statutory or other proceedings, judgements, investigations, claims, losses, loss of profit, damages or consequential damages which may arise or accrue to the Owner by reason of the City or its officials, employees, contractors, agents and licensees, exercising any of its rights under this agreement and, without limiting the generality of the foregoing, resulting from the inability of any recipient site to use, in whole or in part, any of the additional development (density) rights that may be transferred pursuant to this agreement whether such inability arises from the decision of the Development Permit Board, City Council, a court of competent jurisdiction, or otherwise. The release set out in this section 13 shall survive the expiration or earlier termination of this agreement.

14. Nothing in this agreement gives express or implied permission to subdivide by way of strata plan or air space plan and nothing in this agreement precludes subdivision by way of strata plan or air space plan. If the Owner wishes to subdivide the Lands or the Heritage Houses by way of strata plan or air space plan, the Owner shall apply to the City for such permission in accordance with applicable City policies and procedures.

15. Nothing contained or implied in this agreement will derogate from the obligations of the Owner under any other agreement with the City or, if the City so elects, prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Vancouver Charter* as amended from time to time and the rights, powers, duties and obligations of the City under all public and private statutes, by-laws, orders and regulations, which may be, if the City so elects, as fully and effectively exercised in relation to the Lands as if this agreement had not been executed and delivered by the Owner and the City.

16. Nothing in this agreement gives the City an interest in the fee of the soil of the Lands or the subdivided parts thereof.

17. Any notice, approval, consent, request, confirmation, or demand required or permitted under this agreement must be in writing, and the sender must deliver it by prepaid registered mail from any post office in British Columbia, by fax or by personal service addressed to the City as follows:

City of Vancouver  
453 West 12th Avenue  
Vancouver, British Columbia  
V5Y 1V4  
Fax: 604.871.6119

Attention: Director of Current Planning c/o Heritage Group

with a copy to:

City of Vancouver  
453 West 12th Avenue  
Vancouver, British Columbia  
V5Y 1V4  
Fax: 604.873.7445

Attention: Director of Legal Services

or to the Owner as follows:

Hawks Development Corp.  
450 - 319 West Pender Street  
Vancouver, British Columbia  
V6B 1T4  
Fax: \_\_\_\_\_

Attention: \_\_\_\_\_

or to such other address or fax number in the Province of British Columbia of which either party may notify the other according to the requirements of this section 17. Service will be deemed complete, if made by registered mail seventy-two (72) hours after the date and hour of mailing; if made by faxed transmission on the first business day after the date of transmission; and if made

by personal service upon the effecting of such service.

18. This agreement continues in full force and effect until such time, if ever, as it may be lawfully ended.

19. No alleged waiver of any breach of this agreement is effective unless it is an express waiver in writing of the breach in respect of which it is asserted against the party alleged to have given the waiver. No waiver by the City or the Owner of any breach of this agreement operates as a waiver of any other breach of this agreement.

20. If any term of this agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that term is to be considered to have been severed from the rest of this agreement and the rest of this agreement remains in force unaffected by that holding or by the severance of that term.

21. The parties hereby agree to execute such further documents and assurances as are required to carry out and more fully effect the intent of this Agreement.

22. If the Lands are subdivided by way of a strata plan:

- (a) this agreement shall charge each strata lot and shall be noted on the common property sheet of the strata corporation;
- (b) the strata corporation or strata corporations so created shall be responsible for the performance and observance of the Owner's covenants and obligations herein at the expense of the strata lot owner; and
- (c) the liability of each strata lot owner for the performance and observance of the Owner's covenants and obligations herein shall be in proportion to the unit entitlement of his, hers or its strata lot as established by the strata plan and shall be treated as a common expense and all strata lot owners shall contribute to such costs in proportion to their unit entitlement.

23. This agreement shall enure to the benefit of and be binding upon the Owner and its successors and trustees and this agreement shall enure to the benefit of and be binding upon the City and its successors and assigns and this agreement shall charge and run with the Lands and enure to the benefit of and be binding upon the owners from time to time of the Lands and all parties claiming through such owners and their respective heirs, executors, administrators, trustees and successors; provided that, this agreement shall be read and shall apply such that the Owner and the respective successors in title to the Owner shall only be bound to perform and observe the Owner's obligations herein so long as the Owner or the successors in title hold an interest in the Lands and all parties claiming through such owners and their respective heirs.

24. Words herein importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females or corporations as well as males, and the converse whenever the context requires.



In Witness whereof the parties have signed these presents as hereunder shown:

Execution Date

Y    M    D

Officer:

Party:

HAWKS DEVELOPMENT CORP. by  
its authorized signatory

\_\_\_\_\_  
Solicitor (as to both signature)

06

\_\_\_\_\_  
Signature and Printed Name

\_\_\_\_\_  
Signature and Printed Name

CITY OF VANCOUVER by its  
Authorized Signatory:

\_\_\_\_\_  
Doug Long, Solicitor  
453 West 12<sup>th</sup> Avenue  
Vancouver BC V5Y 1V4  
604-873-7504

06

\_\_\_\_\_  
Frances J. Connell/Graham P. Johnsen

Approved by By-law No. \_\_\_\_\_

MEMORANDUM AS TO ENCUMBRANCES, LIENS AND INTERESTS

CANADIAN WESTERN TRUST COMPANY (the "Chargeholder")  
Holder of Mortgage BX465009 and Assignment of Rents BX465010 (collectively the "Charge")  
charging Lot C of Lot 2 Block 1 to 9 and 12 to 14 District Lot 631 Plan 8650 (the "Lands")

For Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed to by the Chargeholder, the Chargeholder, being the holder of the Charge, hereby approve, join in and consent to the granting of the Heritage Revitalization Agreement (the "Encumbrance") attached, and consent and agree that the Encumbrance shall be binding upon the Chargeholder's interest in or charge upon the Lands and shall be an encumbrance upon the Lands in priority to the Charge in the same manner and to the same effect as if the Encumbrance had been granted and registered against title to the Lands prior to the dating, execution and registration of the Charge and the advance of any monies thereunder.

Execution Date

Y      M      D

Officer:

Party:

CANADIAN WESTERN TRUST  
COMPANY by its Authorized  
Signatories:

\_\_\_\_\_  
Solicitor (as to both signatures)

06

\_\_\_\_\_  
sign and print name

\_\_\_\_\_  
sign and print name

END OF DOCUMENT

## EXPLANATION

### **Heritage Designation By-law re 73 - 91 East 27<sup>th</sup> Avenue**

After the public hearing on May 16, 2006, Council approved a recommendation to designate a building at 73 - 91 East 27<sup>th</sup> Avenue as protected heritage property. Enactment of the attached by-law will achieve the designation.

Director of Legal Services  
May 30, 2006

73 - 91 East 27<sup>th</sup> Avenue



BY-LAW NO. \_\_\_\_\_

**A By-law to designate certain real property  
as protected heritage property**

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

1. Council considers that the real property described as:

Structure and exterior  
envelope of the  
improvements and  
exterior building  
materials (Shirley  
Houses)

73 - 91 East 27<sup>th</sup> Avenue,  
Vancouver, BC

PID: 009-980-695  
Lot C of Lot 2  
Blocks 1 to 9  
and 12 to 14  
District Lot 631  
Plan 8650

has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the *Vancouver Charter*.

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

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

## EXPLANATION

### **Heritage Designation By-law re 827 East Georgia Street**

After the public hearing on May 16, 2006, Council approved a recommendation to designate a building at 827 East Georgia Street as protected heritage property. Enactment of the attached by-law will achieve the designation.

Director of Legal Services  
May 30, 2006

827 East Georgia Street

BY-LAW NO. \_\_\_\_\_

**A By-law to designate certain real property  
as protected heritage property**

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

1. Council considers that the real property described as:

Structure and exterior  
envelope of the  
improvements and exterior  
building materials (Hendrix  
House)

827 East Georgia Street,  
Vancouver, BC

PID: 015-568-041  
Lot 36  
Block 82  
District Lot 181  
Plan 196

has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the *Vancouver Charter*.

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

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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

**EXPLANATION****Authorization to enter into a  
Heritage Revitalization Agreement  
with the owner of 6475 Balaclava Street**

After the public hearing on January 24, 2006, Council resolved to enter into a by-law to authorize an agreement with the owner of the property at 6475 Balaclava Street pursuant to Section 592 of the Vancouver Charter. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
May 30, 2006

6475 Balaclava Street

BY-LAW NO. \_\_\_\_\_



**A By-law to authorize Council entering into a  
Heritage Revitalization Agreement  
with the Owner of Heritage Property**

**PREAMBLE**

Council has authority under the *Vancouver Charter* to enter into a heritage revitalization agreement with the owner of heritage property including terms and conditions to which Council and the owner may agree.

Certain property bearing the civic address of 6475 Balaclava Street, and the following legal description:

PID: 013-985-701  
Amended Lot 42A (See 347321L)  
Block O  
District Lot 321  
Plan 2242

contains a heritage building listed on the Vancouver Heritage Register as a Category B Building.

Council is of the opinion that the building has sufficient heritage value to justify its conservation, and Council and the owner of the property have agreed to facilitate such conservation by agreeing to the terms and conditions set out in the attached heritage revitalization agreement.

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

1. Council authorizes the City to enter into a heritage revitalization agreement with the owner in substantially the form and substance of the heritage revitalization agreement attached to this By-law, and also authorizes the Director of Legal Services to execute the agreement on behalf of the City and to deliver it to the owner on such terms and conditions as the Director of Legal Services deems fit.





THIS AGREEMENT dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2006,

BETWEEN:

**CAMERON NELSON DAVID WATT**  
6475 Balaclava Street  
Vancouver, British Columbia  
V6N 1L7

(the "Owners")

OF THE FIRST PART

AND:

**CITY OF VANCOUVER,**  
453 West 12th Avenue  
Vancouver, British Columbia  
V5Y 1V4

(the "City")

OF THE SECOND PART

WHEREAS:

A. The Owner is the owner of all and singular that certain parcel or tract of land and premises situate in the City of Vancouver, in the Province of British Columbia, legally described as:

City of Vancouver

PID: 013-985-701  
Amended Lot 42A (See 347321L)  
Block O  
District Lot 321  
Plan 2242

(herein called the "Lands").

B. The residential dwelling presently situate on the Lands and having the postal address of 6475 Balaclava Street is listed in Category "B" in the Vancouver Heritage Register. This residential dwelling including the detached garage proposed in development application DE408053 and each replica thereof from time to time is herein called the "Heritage House".

C. The Lands are presently zoned both RS-1 and RA-1. The boundary between the two zones is on an east-west axis and runs through the Heritage House.

D. Pursuant to development application DE409053, the Owner is desirous of:

- (a) upgrading the Heritage House, and
- (b) subdividing the Lands on an east-west axis so as to create two new parcels as shown on the diagram attached.

The northerly of the two parcels to be created is herein called the "North Parcel" and the southerly is herein called the "South Parcel". The Heritage House will sit on the North Parcel and the South Parcel will be undeveloped for the time being.

E. Because the proposed subdivision does not comply with the requirements of the Subdivision By-Law and the Zoning and Development By-Law, it is necessary to amend the Subdivision By-Law, the RS-1 District Schedule of the Zoning and Development By-Law and the RA-1 District Schedule of the Zoning and Development By-Law all as herein provided.

F. By section 592 of the *Vancouver Charter*, a heritage revitalization agreement may allow variations of and supplements to provisions of, among others, the Subdivision By-law, the zoning by-laws, a development permit and a variation of a heritage alteration permit or a by-law made under Part XXVIII of the *Vancouver Charter*.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the sum of Ten Dollars (\$10.00) now paid by the City to the Owner and vice versa and for other good and valuable consideration (the receipt and sufficiency of which the Owner and the City hereby acknowledge) the Owner and the City each covenant with the other pursuant to Section 592 of the *Vancouver Charter* as follows:

1. (a) The Owner shall subdivide the Lands as shown on the diagram attached.
- (b) The Owner shall upgrade the Heritage House as proposed in development permit application DE409053.

2. As proposed in development application DE409053, so the Owner lawfully may subdivide the Lands and retain the Heritage House and construct a detached garage on the North Parcel, it is agreed in respect of the North Parcel that:

- (a) the RA-1 District Schedule of the Zoning and Development By-Law shall not apply to the North Parcel and the Zoning District Plan of the Zoning and Development By-law is hereby amended accordingly;
- (b) the RS-1 District Schedule of the Zoning and Development By-Law shall apply to the whole of the North Parcel and the Zoning District Plan of the Zoning and Development By-law is hereby amended accordingly;
- (c) section 4.7.1 of the RS-1 District Schedule of the Zoning and Development By-Law is hereby wholly deleted and replaced with the following:
  - “4.7.1 The maximum floor area permitted on the North Parcel is 612.0 m<sup>2</sup>.”;
- (d) each of sections 4.7.2 and 4.7.3 of the RS-1 District Schedule of the Zoning and Development By-law is hereby varied by deleting the words “in the computation of floor space ratio” and replacing them with the words “in the computation of floor area”;
- (e) section 4.8.1 of the RS-1 District Schedule of the Zoning and Development By-Law is hereby wholly deleted and replaced with the following:
  - “4.8.1 The maximum site coverage for building shall be 227.0 m<sup>2</sup>.”;
- (f) section 4.3.1 of the RS-1 District Schedule of the Zoning and Development By-Law is hereby wholly deleted and replaced with the following:
  - “4.3.1 A building shall not exceed 11.55 m in height and shall not have more than 3 storeys.”;
- (g) sections 4.3.2, 4.3.3, 4.3.4, 4.3.5 and 4.7.3 (c)(ii) of the RS-1 District Schedule of the City’s Zoning and Development By-Law shall not apply to the North Parcel;
- (h) section 4.6.1 of the RS-1 District Schedule of the Zoning and Development By-Law is hereby wholly deleted and replaced with the following:
  - “4.6.1 A rear yard with a minimum depth of 3.63 m shall be provided.”;

- (i) section 4.16.1 of the RS-1 District Schedule of the Zoning and Development By-Law is hereby varied by deleting the number “35” and substituting therefore the number “48.2”; and
- (j) sections 10.6.1 and 10.7.1 of the Zoning and Development By-Law shall not apply to the North Parcel.

3. So that the South Parcel is lawful, it is hereby agreed in respect of the South Parcel that:

- (a) the following is deleted from Table 1 of Schedule “A” of the Subdivision By-law:

“District	Minimum Parcel Width	Minimum Parcel Area
RA-1 Limited Agriculture	100’ [30.480 m]	2 ¼ acres [0.910 ha]”

and the following is substituted therefor:

“District	Minimum Parcel Width	Minimum Parcel Area
RA-1 Limited Agriculture	94.5’ [28.8 m]	0.25 acres [0.1 ha]”

- (b) Section 4.1.1 of the RA-1 District Schedule of the Zoning and Development By-law is hereby wholly deleted and replaced with the following:

“4.1.1 The minimum site area shall be 1,009.7 m<sup>2</sup>”;

4. The Owner shall keep the exterior of the Heritage House in good appearance and in good repair and the Owner shall keep the structure of the Heritage House in good repair.

5. Although the Owner is not required to insure the Heritage House, the City encourages the Owner to do so because, as the Owner agrees, the want of insurance coverage shall not relieve the Owner of its obligations herein to repair and replace the Heritage House.

6. If the Heritage House is damaged or destroyed, its structure and exterior shall be restored or replicated at the same location whenever and as often as damage or destruction shall occur.

7. The Owner may not alter the appearance of, renovate, reconfigure or replicate the Heritage House except as may be permitted by a heritage alteration permit and the terms, requirements and conditions thereof.

8. The City may affix a commemorative plaque to the Heritage House or to the gate, fencing or elsewhere on the perimeter of the North Parcel which bears witness to the historical and architectural significance of the Heritage House and the Owner agrees to refrain from obscuring, defacing, reversing or removing same.

9. The City shall not be obliged to issue any permit or give any permission contrary to the terms of this agreement. The City may enforce this agreement by mandatory and prohibitory injunctions. In any action to enforce this agreement the City shall be entitled to court costs on a solicitor and own client basis.

10. Upon the Lands being subdivided into the North Parcel and the South Parcel in the records of the Land Title Office, all restrictions, obligations and liability on the Owner concerning the Heritage House shall only attach to and run with the North Parcel.

11. The Owner agrees that the by-law variations effected by this agreement are full and fair compensation for the obligations and restrictions on the Owner by this agreement and the Owner waives and renounces all claims for further or other compensation by reason of this agreement AND the Owner further agrees such by-law variations are full and fair compensation for any reduction in the market value of the Lands and/or its improvements caused by the council of the City enacting any heritage designation by-law concerning the Lands and/or its improvements and the Owner waives and renounces all claims for further or other compensation by reason of the enactment and registration of any such heritage designation by-law.

12. This agreement shall enure to the benefit of and be binding upon the City and its trustees, successors and assigns and this agreement shall enure to the benefit of and be binding upon the Owner and his trustees and successors and this agreement shall charge and run with the Lands and all subdivided parts thereof and enure to the benefit of and be binding upon the owners from time to time of the Lands and all parties claiming through such owners and their respective heirs, executors, administrators, trustees and successors PROVIDED THAT this agreement shall be read and shall apply such that the Owner and the respective successors in title to the Owner shall only be bound to perform and observe the Owner's obligations herein so long as the Owner or the successor has an interest and only for so long as the Owner or the successor holds such interest.

13. Nothing in this agreement gives express or implied permission for or forbids subdivision by strata plan.

14. Nothing in this agreement gives the City an interest in the fee of the soil of the Lands or the subdivided parts thereof.

15. This agreement continues in full force and effect until such time, if ever, as it may be lawfully ended.

16. Words herein importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females or corporations as well as males, and the converse whenever the context requires.

In Witness whereof the parties have signed these presents as hereunder shown:

Execution Date  
Y M D

Officer:

Party:

\_\_\_\_\_  
06

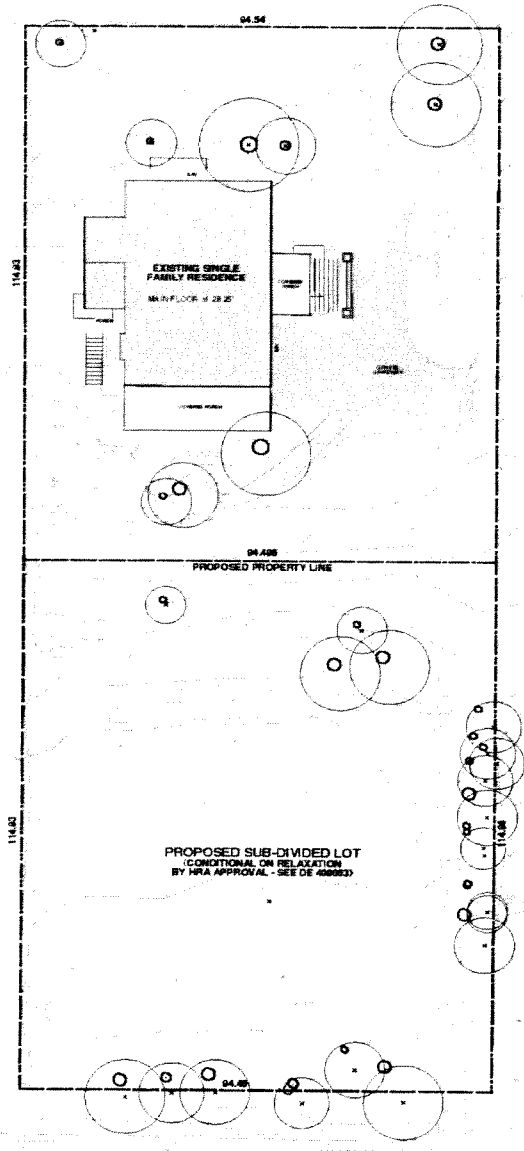
\_\_\_\_\_  
CAMERON NELSON DAVID WATT

**CITY OF VANCOUVER** by its  
Authorized Signatory:

\_\_\_\_\_  
06  
Barbara D. Sage, Solicitor  
City of Vancouver  
453 West 12th Avenue  
Vancouver, B.C., V5Y 1V4  
604-873-7504

\_\_\_\_\_  
Frances J. Connell/Graham P. Johnsen

Approved by By-law No. \_\_\_\_\_



BALACLAVA STREET

WEST 49th AVENUE

END OF DOCUMENT

#87910v5

6475 Balaclava Street  
Heritage Revitalization Agreement



## EXPLANATION

### **Heritage Designation By-law re 6475 Balaclava Street**

After the public hearing on January 24, 2006, Council approved a recommendation to designate a building at 6475 Balaclava Street as protected heritage property. Enactment of the attached by-law will achieve the designation.

Director of Legal Services  
May 30, 2006

6475 Balaclava Street

BY-LAW NO. \_\_\_\_\_



**A By-law to designate certain real property  
as protected heritage property**

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

1. Council considers that the real property described as:

Structure and exterior  
envelope of the  
improvements and  
exterior building  
materials (Magee  
House)

6475 Balaclava Street,  
Vancouver, BC

PID: 013-985-701  
Amended Lot 42A  
(see 347321L)  
Block O  
District Lot 321  
Plan 2242

has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the *Vancouver Charter*.

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

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Mayor

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