

EXPLANATION**Solid Waste By-law amending by-law
re recyclable material amendments and 2008 fee increases**

The attached by-law will implement Council's resolution of November 29, 2007 to amend the Solid Waste By-law regarding amendments including a new definition of "banned materials" consistent with the regulations under the Environmental Management Act and also regarding fee increases.

This by-law increases the garbage disposal fee at the Vancouver Landfill and Vancouver South Transfer Station for loads greater than 900 kilogram from \$65/tonne to \$66/tonne effective January 1, 2008, because a Metro Vancouver proposed regional tipping rate increase of the same amount received their Board's approval on November 30, 2007.

Director of Legal Services
December 11, 2007

**A By-law to amend Solid Waste By-law No. 8417
regarding recyclable material amendments and 2008 fee increases**

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

1. This By-law amends the indicated provisions and schedules of the Solid Waste By-law.
2. To section 2, after the definition of “authorized agent, acting on behalf of an owner”, Council adds:

‘ “banned material” means yard waste, recyclable materials, and products referred to under the product categories set out in each of Schedules 1, 2, 3, and 4 of Environmental Management Act of British Columbia Recycling Regulation No. 449/2004 and amendments to or replacements of those product categories from time to time, ’.
3. After section 6.8, Council adds:

“6.9 General Yard Trimming Service

An owner of a non-residential property may request in writing that the City Engineer provide yard waste collection service at the applicable rates set out in Part V of Schedule B to this By-law.”
4. In section 7.6, Council:
 - (a) from subsection (1), strikes out “10% recyclable”, and substitutes “5% banned”;
 - (b) repeals subsection (2); and
 - (c) re-numbers subsection (3) as subsection (2).
5. Council re-numbers the section headed “**9.2 Responsibilities of Private Contractors**” as “**9.2A Responsibilities of Private Contractors**”.
6. From the sixth line of the second column of section 1 of Schedule A, Council strikes out “\$65”, and substitutes “\$68”.
7. Council repeals sections 6 and 7 of Schedule A, and substitutes:
 - “6. Demolition materials meeting the City Engineer’s specifications for road and infrastructure construction arriving in tandem axle trailer \$520 per load
 7. Demolition materials meeting the City Engineer’s specifications for road and infrastructure construction arriving in tridem axle trailer \$630 per load”.
8. From Section I.B. of Schedule B, Council strikes out “\$70”, “\$82”, “\$99”, “\$115”, and “\$147”, and substitutes “\$68”, “\$81”, “\$97”, “\$114”, and “\$148” respectively.

9. From Part A of Section IV of Schedule B, Council strikes out the second reference to "\$10.00", and substitutes "\$8.00".

10. From Section V of Schedule B, Council strikes out "\$43", "\$47", "\$52", and "\$62", and substitutes "\$37", "\$42", "\$46", and "\$54" respectively.

11. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this day of , 2007

Mayor

City Clerk

EXPLANATION

**Water Works By-law
regarding 2008 fee increases**

Enactment of the attached by-law will implement Council's resolution of November 29, 2007 respecting new water rates and fees to be effective from January 1, 2008.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____



**A By-law to amend
Water Works By-law No. 4848
regarding 2008 fee increases**

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

1. Council repeals Schedules A to I inclusive of the Water Works By-law, and substitutes:

“SCHEDULE A: Flat Rate Connection Fees

<i>Service Pipe Size</i>	<i>Single-Family and Two-Family Dwellings</i>
20 mm (¾")	\$3,216.00
25 mm (1")	3,346.00
40 mm (1 ½")	3,858.00
50 mm (2")	3,858.00

<i>Service Pipe Size</i>	<i>Other Connections</i>
20 mm (¾")	\$6,851.00
25 mm (1")	7,129.00
40 mm (1 ½")	8,226.00
50 mm (2")	8,226.00
100 mm (4")	11,892.00
150 mm (6")	14,709.00
200 mm (8")	16,062.00
300 mm (12")	22,604.00

SCHEDULE A.1: Removal Fees

Service Pipe Size

20 mm (¾") to 50 mm (2") inclusive	\$ 861.00
100 mm (4") to 300 mm (12") inclusive	2,582.00

SCHEDULE B: Annual Flat Rate Service Charges for Residential Properties

The following charges apply to single family dwellings and dwellings comprising not more than two separate dwelling units:

Single Dwelling Unit	\$361.00
Single-Family with suite	489.00
For each strata title duplex	244.00

SCHEDULE C: Annual Flat Rate Service Charges for Unmetered Fire Service Pipes

Fire Service Pipe Size

50 mm (2") or smaller	\$171.00
75 mm (3")	256.00
100 mm (4")	354.00
150 mm (6")	409.00
200 mm (8")	478.00
250 mm (10")	508.00
300 mm (12")	545.00

SCHEDULE D: Charges for Metered Water Service

<i>Two Month Period</i>	<i>Four Month Period</i>	<i>Rate In Dollars per Unit (2,831.6 Litres)</i>
Per unit	Per unit	\$1.742

A minimum charge of 8 units per month will be charged should lower or no consumption be recorded in any billing period.

SCHEDULE E: Meter Service Charges

The following schedule shows the meter charge based on the size and type of meter, payable on each service, in addition to water consumption charges:

Per Two Month Period

Services with Standard Type Meters

17 mm (½") and 20 mm (¾")	\$ 25.00
25 mm (1")	27.00
40 mm (1½")	31.00
50 mm (2")	41.00
75 mm (3")	82.00
100 mm (4")	100.00
150 mm (6")	129.00
200 mm (8")	200.00
250 mm (10")	245.00
300 mm (12")	293.00

Services with Low Head Loss Meters/Detector Check Valves

100 mm (4")	\$115.00
150 mm (6")	168.00
200 mm (8")	226.00
250 mm (10")	281.00
300 mm (12")	336.00

Per Four Month Period

Services with Standard Type Meters

17 mm (½") and 20 mm (¾")	\$ 31.00
25 mm (1")	37.00
40 mm (1½")	49.00
50 mm (2")	66.00

SCHEDULE F: Charges for Temporary Water Service During Construction

The following charges are additional to any charges needed to provide temporary service pipes:

	<i>Building Size in Square Meters of Gross Floor Area</i>	<i>Rate in Dollars of Gross Floor Area Per Building</i>
Up to and including	500	\$159.00
Over 500 but not exceeding	2,000	312.00
Over 2,000 but not exceeding	9,000	469.00
Over 9,000 but not exceeding	24,000	787.00
Over 24,000 but not exceeding	45,000	1,179.00
Over 45,000		1,564.00

SCHEDULE G: Fees for Installation of Water Meters

<i>Size of Standard Meter</i>	<i>Meter on City Property</i>	<i>Meter on Private Property</i>
20 mm (¾")	\$ 2,416.00	\$305.00
25 mm (1")	2,486.00	323.00
40 mm (1½")	2,569.00	323.00
50 mm (2")	2,569.00	459.00
75 mm (3")	9,150.00	708.00
100 mm (4")	9,150.00	708.00
150 mm (6")	31,580.00	792.00
200 mm (8")	31,580.00	917.00
250 mm (10")	37,885.00	1,194.00
300 mm (12")	37,885.00	1,194.00

SCHEDULE H: Miscellaneous Fees for Water Users

Cross Connection Control Administration Fees	
First Assembly	\$25.00
Additional Assembly	12.50
Charges when service pipes are shut off for more than 90 days for 15mm, 20mm or equivalent unmetered services, for each month or part thereof	2.00

SCHEDULE I: Miscellaneous Charges

Charges for Returned Cheques	\$35.00
Residual Water Pressure Estimate Fee	
Original calculation	35.00
Additional copies for same location	10.00
Miscellaneous water information requests (per hour)	40.00".

2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION

**Sewer and Watercourse By-law
regarding 2008 fees**

Enactment of the attached by-law will implement Council's resolution of November 29, 2007 respecting new sewer and watercourse rates and fees to be effective from January 1, 2008.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____



A By-law to amend
Sewer and Watercourse By-law No. 8093
regarding 2008 fee increases

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

1. Council repeals Parts I, III, IV, and V of Schedule A to the Sewer and Watercourse By-law, and substitutes:

“PART I

SEWER CONNECTION RATES

Every applicant for a public sewer connection must, at the time of application, pay to the City the following rates:

1.	Public sewer connection, for One-Family or Two-Family Dwellings:	\$ 6,958.00
2.	Public sewer connection, other than One-Family or Two-Family Dwellings:	
	a) 4 inch/100 mm diameter	\$ 9,678.00
	b) 6 inch/150 mm diameter	\$ 11,681.00
	c) 8 inch/200 mm diameter	\$ 13,214.00
	d) 10 inch/250 mm diameter	\$15,245.00
	e) 12 inch/300 mm diameter	\$17,322.00
	f) 15 inch/375 mm diameter	\$19,370.00
	g) greater than 15 inch/375 mm diameter pursuant to Sentence 2.7(2)	\$19,370.00
	h) manhole installation in conjunction with a public sewer connection pursuant to Sentence 2.7(3)	At cost, pursuant to Sentence 2.7(3)
3.	Where a public sewer connection will be placed more than 5 feet below the ground elevation, taken to the nearest foot and measured at the centre line of the street or lane as determined by the City Engineer, the fees payable shall be an amount equivalent to an increase of 10%, for each additional foot below 5 feet, of the fee otherwise payable by section 1 or 2 above.	

4.		New fitting on a twin sewer pursuant to Sentence 2.7(4)	\$ 3,610.00
5.		New fitting on a single sewer pursuant to Sentence 2.7(4)	\$ 1,591.00
6.		Inspection of a plumbing system, subsoil drainage pipes and a building sewer	\$ 227.00

PART III

**FLAT RATES
FOR UNMETERED PROPERTY**

Single Family Dwelling	\$179.00
Single Family Dwelling with Suite	\$242.00
Strata Duplex (per dwelling unit)	\$121.00
2 Services, 1 Lot	\$358.00
3 Services, 1 Lot	\$537.00
4 Services, 1 Lot	\$716.00
Parking Lot/Garden	\$ 102.00

PART IV

**FLAT RATES FOR OTHER PROPERTY
OR SHUT OFF WATER SERVICE**

Other Property	\$102.00
Turned Off, 1 Service	\$102.00
Turned Off, 2 Services	\$102.00
Turned Off, 3 Services	\$102.00

PART V

UNIT-BASED RATES FOR METERED PROPERTY

Minimum Charge	\$7.50
Metered Property Rate	\$1.103
Waste Discharge Permit User Rate	\$0.10156

2. Council repeals Part II of Schedule B to the Sewer and Watercourse By-law, and substitutes:

"PART II

BOD/TSS/FLOW RATES

A. Usage-Based Rate:

BOD Load Rate (per kilogram of BOD Load)	\$0.040
TSS Load Rate (per kilogram of TSS Load)	\$0.360
Flow Rate (per cubic metre of Flow)	\$0.048

B. GVS&DD Sewage Facility - Capacity Utilization Rate:

BOD Load Capacity Utilization Rate (per Average BOD Load/Operating Day/ per year, as calculated below)	\$ 3.280
TSS Load Capacity Utilization Rate (per Average TSS Load/Operating Day/ per year, as calculated below)	\$23.805
Flow Load Capacity Utilization Rate (per Average Flow/Operating Day/ per year, as calculated below)	\$28.047

3. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this day of , 2007

Mayor

City Clerk

EXPLANATION

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

The attached by-law will implement Council's resolution of November 15, 2007 to amend the Building By-law to increase fees.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____



**A By-law to amend
Building By-law No. 9419 to increase fees**

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

1. Council:
 - (a) repeals the Schedule of Fees attached to the Building By-law, and substitutes for it the Schedule of Fees attached to this By-law, which new Schedule of Fees is to form part of the Building By-law; and
 - (b) approves the fees set out in the new Fee Schedule.
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

SCHEDULE OF FEES

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 Division C of this By-law, does not exceed \$5,000 or for the first \$5,000 of the estimated cost of the work..... \$104.00

For each \$1,000, or part thereof, by which the estimated cost of the work exceeds \$5,000 but does not exceed \$50,000 \$8.10

For each \$1,000, or part thereof, by which the estimated cost of the work exceeds \$50,000..... \$4.05

(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 Division C of this By-law, the fee shall be for each 10 m² or part thereof, of STREET or of AIR SPACE part thereof, of STREET or of AIR SPACE immediately above such STREET to be occupied..... \$2.13

Subject to a minimum fee of..... \$71.00

(d) For an OCCUPANCY PERMIT not required by this By-law but requested..... \$74.00

(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 building walls pursuant to requirements of Part 5 of Division B for any residential building Nil

2. The fees hereinafter specified shall be paid to the City as follows:

- (a) For a required permit 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..... \$196.00
- (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..... \$205.00
- (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..... \$137.00
- (d) For each REINSPECTION made necessary due to faulty work or materials or incomplete work requested to be inspected \$137.00
- (e) For each inspection of a drainage tile system:
 - For a one- or two-family residence \$170.00
 - 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. of Division C does not exceed \$500,000 \$317.00
 - When the estimated cost of the work exceeds \$500,000 but does not exceed \$1,000,000..... \$532.00
 - When the estimated cost of the work exceeds \$1,000,000..... \$609.00

- (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 \$166.00
 - For all other BUILDINGS..... \$335.00
- (g) For enabling the viewing of a plan of a BUILDING or a copy of the plan \$27.00
- (h) For supplying a copy of a plan of a BUILDING, for each page \$8.30
- (i) For a request to renumber a BUILDING \$609.00
- (j) For the extension of a BUILDING PERMIT where requested in writing by an applicant pursuant to Article 1A.7.5.1. of Division C..... 50 percent of the original BUILDING PERMIT fee to a maximum of \$257.00
- (k) For the extension of a building permit by Council where requested in writing by an applicant pursuant to Article 1A.7.5.2. of Division C \$856.00
- (l) For the issuance of a partial BUILDING PERMIT pursuant to Article 1A.6.1.6. of Division C \$257.00
- (m) For an evaluation of plans, specifications, building materials, procedures or design methods for the purpose of Article 1A.2.1.3. of Division C
 - where the PERMIT relates to a ONE-FAMILY DWELLING or a SECONDARY SUITE..... \$137.00
 - plus for each hour, or part thereof, exceeding one hour \$137.00
 - where the PERMIT relates to any other BUILDING..... \$420.00
 - plus for each hour, or part thereof, exceeding one hour \$213.00
- (n) For each RE-OCCUPANCY PERMIT after rectification of an UNSAFE CONDITION and related By-law violations..... \$128.00
- (o) For an evaluation of plans, specifications, building materials, procedures or design methods for the purpose of new construction under Article 2.3.2.1. of Division C
 - for a single application..... \$603.00

- for two applications\$1,170.00
- for three or more applications.....\$1,550.00
- (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..... \$377.00
 - for two applications \$711.00
 - for three or more applications \$925.00
- (q) For review by the equivalent review panel\$1,850.00
- (r) For the evaluation of a resubmission or revised submission made under Clauses (o) or (p) of this Section 2 \$208.00
- 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

For the Installation of:

- One, two or three FIXTURES \$128.00
- Each additional FIXTURE..... \$46.00

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	\$194.00
For each 30 metres of piping or part thereof, exceeding the first 30 metres	\$55.00
Connection of the City water supply to any hydraulic equipment	\$73.00

2. INSPECTIONS OF FIRELINE SYSTEMS:

Hydrant & Sprinkler System:

First two inspections for each 30 m of water supply pipe or part thereof	\$194.00
Each additional inspection for each 30 m of water supply pipe or part thereof ...	\$81.00

Sprinklers:

First head, one- or two-family dwelling	\$220.00
First head, all other buildings	\$469.00
Each additional head, all buildings (no limit on number)	\$2.25

Firelines:

Hose Cabinets	\$25.00
Hose Outlets.....	\$25.00
Wet & Dry Standpipes	\$25.00
Standpipes	\$25.00
Dual Check Valve In-flow Through Devices.....	\$25.00
Backflow Preventer.....	\$131.00

Wet & Dry Line Outlets:

Each connection	\$25.00
-----------------------	---------

NOTE: A Siamese connection shall be considered as two dry line outlets.

Each Fire Pump	\$206.00
Each Fire Hydrant	\$63.00
3. RE-INSPECTIONS	
Each re-inspection due to faulty work or materials	\$137.00
4. SPECIAL INSPECTIONS	
Each inspection to establish fitness of any existing fixture for each hour or part thereof	\$137.00
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	\$196.00
5. BUILDING SEWER INSPECTIONS	
First two inspections for each 30 m of BUILDING SEWER or part thereof	\$170.00
Each additional inspection for each 30 m of BUILDING SEWER or part thereof	\$87.00

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 Article 2.2.2.2. of Division C or otherwise:

Length of property abutting street or lane, or both

0 to 31 m.....	\$716.00
over 31 m to 90 m	\$1,420.00
over 90 m to 150 m.....	\$2,130.00
over 150 m to 300 m	\$3,100.00
over 300 m.....	\$4,270.00

EXPLANATION

Electrical By-law amending by-law re fee increases

The attached by-law will implement Council's resolution of November 15, 2007 to amend the Electrical By-law to increase fees.

Director of Legal Services
December 11, 2007

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. Council:
 - (a) repeals Schedule A of the Electrical By-law, and substitutes for it Schedule A attached to this By-law, which new Schedule A is to form part of the Electrical By-law; and
 - (b) approves the fees set out in the new Schedule A.
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

SCHEDULE A

Current Fees

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	\$51.00
When the estimated cost exceeds \$250 but does not exceed \$500	\$67.00
When the estimated cost exceeds \$500 but does not exceed \$700	\$89.00
When the estimated cost exceeds \$700 but does not exceed \$1,000.....	\$116.00
When the estimated cost exceeds \$1,000 but does not exceed \$10,000.....	\$116.00
plus for every \$1,000 of the estimated cost, or part thereof, over \$1,000	\$46.45
When the estimated cost exceeds \$10,000 but does not exceed \$50,000	\$535.00
plus for every \$1,000 of the estimated costs, or part thereof, over \$10,000.....	\$24.25
When the estimated cost exceeds \$50,000 but does not exceed \$100,000	\$1,505.00
plus for every \$1,000 of the estimated costs, or part thereof, over \$50,000.....	\$14.75
When the estimated cost exceeds \$100,000 but does not exceed \$500,000.....	\$2,245.00
plus for every \$1,000 of the estimated costs, or part thereof, over \$100,000.....	\$10.10
When the estimated cost exceeds \$500,000 but does not exceed \$1,000,000 ...	\$6,285.00
plus for every \$1,000 of the estimated cost, or part thereof, over \$500,000	\$8.10
When the estimated cost exceeds \$1,000,000	\$10,335.00
plus for every \$1,000 of the estimated cost, or part thereof, over \$1,000,000	\$3.05

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 \$138.00
 - (b) for all other uses, for a permit valid for one year \$292.00
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 \$420.00
 - Each 100 h.p. or part thereof exceeding the first 1,000 h.p. \$41.50
 - Subject to a maximum fee of \$3,560.00
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..... \$137.00
5. The fee for an inspection of electrical work where errors or omissions were found at a previous inspection shall be \$137.00
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..... \$196.00

EXPLANATION

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

The attached by-law will implement Council's resolution of November 15, 2007 to amend the Gas Fitting By-law to increase fees.

Director of Legal Services
December 11, 2007

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. Council:
 - (a) repeals the Fee Schedule of the Gas Fitting By-law, 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; and
 - (b) approves the fees set out in the new Fee Schedule.
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

FEE SCHEDULE

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.....	\$134.00
Each additional appliance	\$48.80
Each replacement water heater or gas range	\$75.70

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	\$164.00
65,001 to 200,000	\$177.00
200,001 to 409,000	\$202.00
Over 409,000	\$245.00

in addition to all costs incurred by the inspector.

Vent or Gas Value or Furnace Plenum (no appliances)

One, two or three units.....	\$134.00
Each additional unit.....	\$48.80

Piping Permits (no appliances)

For first 60 m of house piping or part thereof.....	\$139.00
Every 30 m or part thereof exceeding the first 60 m.....	\$50.80

Re-inspections

Each inspection due to faulty work or materials.....	\$137.00
--	----------

Special Inspections

To establish the fitness of any existing installations, for each hour or part thereof \$137.00

If conducted with a Plumbing Inspection, for each hour of part thereof \$137.00

If outside normal working hours, and at a minimum inspection time of four (4) hours, including traveling time, for each hour or part thereof..... \$196.00

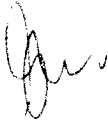
EXPLANATION

**Miscellaneous Fees By-law
amending by-law re fee increases**

The attached by-law will implement Council's resolution of November 15, 2007 to amend the Miscellaneous Fees By-law to increase fees.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____



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

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

1. Council:
 - (a) repeals Schedule 1 of the Miscellaneous Fees By-law, and substitutes for it Schedule 1 attached to this By-law, which new Schedule 1 is to form part of the Miscellaneous Fees By-law; and
 - (b) approves the fees set out in the new Schedule 1.
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

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	\$22,300.00
For each additional 100 m ² (1,080 sq. ft.) of site area, or part thereof.....	\$216.00
Maximum fee	\$88,800.00

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..... \$33,500.00

Amend a Regional or Provincial Land Use Designation

3. For an amendment of a regional or provincial land use designation \$2,260.00

Research Requests

4. For research requests:

(a) Research requests requiring up to a maximum of 2 hours of staff time	\$169.00
(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	\$84.00

Site Profile Review

5. For each review of a site profile..... \$100.00

Appeal to Board of Variance/Parking Variance Board

6. For the filing of an appeal..... \$168.00

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.....\$36.30
 - (b) Commercial (one unit only).....\$36.30
 - (c) Commercial and/or mixed use (all units) requiring up to a maximum of 2 hours of staff time \$169.00

For each additional hour or part thereof beyond the 2 hours referred in Clause (c) above\$84.00

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\$36.30
 - (b) Each additional copy \$7.30

File Research Environmental

- 9. Provide written information as to whether a property has any contamination or environmental issues. \$169.00

EXPLANATION

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

The attached by-law will implement Council's resolution of November 15, 2007 to amend the Private Property Tree By-law to increase fees.

Director of Legal Services
December 11, 2007

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. Council:
 - (a) strikes out "\$53", each time it appears in section 12B of the Private Property Tree By-law, and substitutes "\$55"; and
 - (b) strikes out "\$150", each time it appears in section 12B, and substitutes "\$156".
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

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 November 15, 2007 to amend the Secondary Suite Inspection Fee By-law to increase fees.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____

En.

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 \$137.00, 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 \$411.00.”

2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION

Sign By-law amending by-law re fee increases

The attached by-law will implement Council's resolution of November 15, 2007 to amend the Sign By-law to increase fees.

Director of Legal Services
December 11, 2007



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	\$76.80
(b)	For each sign requiring an electrical connection plus	\$76.80
(c)	For each sign incorporating a supporting structure plus	\$76.80
(d)	For a billboard, free-standing sign or parking lot advertising sign	\$76.80
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	\$76.80
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	\$371.00

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 \$46.70

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 ²	\$16.60
2.01 to 4 m ²	\$22.80
4.01 to 6 m ²	\$33.20
6.01 to 10 m ²	\$46.70
For each additional 1 m ² or fraction thereof over 10 m ²	\$0.28
Maximum charge for each sign face	\$62.30

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 \$5,500.00
- (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 \$8,240.00
- (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 \$137.00
 - (ii) To assign a Comprehensive Development District to an existing sign schedule with different sign regulations than currently apply to the site \$1,370.00
 - (iii) To assign a Comprehensive Development District to a new schedule to be created \$8,240.00

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 on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

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 November 15, 2007 to amend the Subdivision By-law to increase fees.

Director of Legal Services
December 11, 2007

B.

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:
 - (a) repeals Schedule F of the Subdivision By-law, and substitutes for it Schedule F attached to this By-law, which new Schedule F is to form part of the Subdivision By-law; and
 - (b) approves the fees set out in the new Schedule F.
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

**Schedule F
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 m² in area; or (ii) where the site is between 10 000 m² and 40 000 m² 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 \$76,500.00

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 m² and 10 000 m² 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 \$38,300.00

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 m² 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 \$6,570.00

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 \$323.00

 - (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 \$57,400.00
 - (b) for developments having a Floor Space Ratio (FSR) of less than 2.0..... \$28,700.00

- 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\$3,340.00

- 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\$3,340.00

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**Parking By-law amending by-law
re expanding the boundaries of the payment-in-lieu map**

On March 13, 2007, Council resolved to amend the Parking By-law to extend the payment-in-lieu boundary west of Burrard Street to reflect the addition of a city parking facility at 1095 Waterfront Road. Enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____

B.

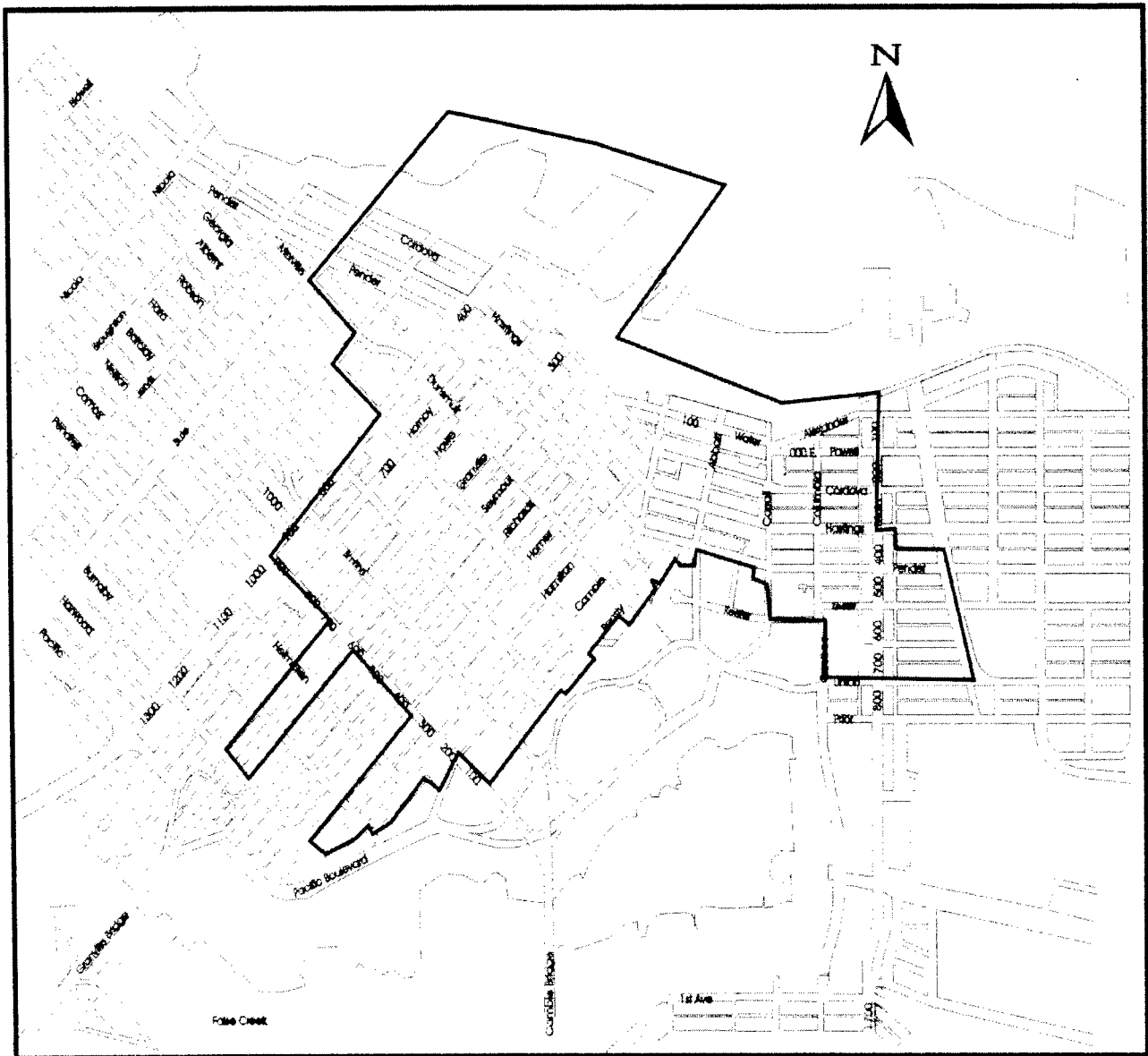
**A By-law to amend Parking By-law No. 6059
to expand the boundaries of the payment-in-lieu map**

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

1. Council repeals Map 4.12.1 set out at the end of section 4.12 of the Parking By-law, and substitutes the following map:

Payment In-Lieu Area

MAP 4.12.1



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

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION**2007 Taxation Exemption By-law
amending by-law re The Baptist Foundation of B.C.**

On February 23, 1995, Council approved permissive property tax exemptions for certain seniors housing properties, as described in a policy report dated February 1, 1995, and instructed the Director of Legal Services “to submit annual exempting by-laws in that regard, with the by-laws reflecting any changes in property status from the previous year”. The by-law providing seniors housing taxation exemption for 2007 omitted one property which this by-law now rectifies. The Director of Finance has requested the attached By-law.

Director of Legal Services
December 11, 2007



BY-LAW NO. _____

**A By-law to amend 2007 Taxation Exemption
By-law No. 9392 regarding The Baptist Foundation of B.C.**

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

1. After the last row of the table set out in section 1 of By-law No. 9392, Council adds:

The Baptist Foundation of B.C. 125 - 6165 Highway 17 Delta, BC V4K 5B8	024-266-772-26-0000	PID: 026-038-218 Lot 1, Block 3, District Lot 336, Plan BCP13061
--	---------------------	--

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

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION**2008 Taxation Exemption By-law
Seniors Housing**

On February 23, 1995, Council approved permissive property tax exemptions for certain seniors housing properties, as described in a policy report dated February 1, 1995, and instructed the Director of Legal Services “to submit annual exempting by-laws in that regard, with the by-laws reflecting any changes in property status from the previous year”. The Director of Finance has requested the attached By-law.

Director of Legal Services
December 11, 2007



BY-LAW NO. _____

**A By-law to exempt from taxation certain lands
and improvements pursuant to
section 396 of the Vancouver Charter**

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

1. Pursuant to section 396(1)(g) of the *Vancouver Charter*, Council exempts from real property taxation for the year 2008 the following lands and improvements:

<u>Name and Address No.</u>	<u>Assessment Roll No.</u>	<u>Legal Description</u>
HFBC Housing Foundation 206-2590 Granville St Vancouver V6H 3H1	002-638-077-07-0000	Lot D, Block 221, District Lot 526 Plan 13958
HFBC Housing Foundation 206-2590 Granville St Vancouver V6H 3H1	002-648-078-05-0000	Lots 19 and 20, Block 302, District Lot 526 Plan 1058
Calling Foundation A-3263 Blenheim Street Vancouver BC V6L 2X7	004-710-072-06-0000	Lot A (Explanatory Plan 7180), Block J District Lot 2027, Plan 5702
Anglican Homes Diocese of New Westminster 2751 West King Edward Ave Vancouver V6L 1T8	004-710-072-95-0000	Lot E, Block G, District Lot 2027, Plan 16624
City of Vancouver 453 West 12 th Ave Vancouver V5Y 1V4	007-634-095-52-0000	Lots 8 to 11, Block 216 District Lot 526, Plan 590
Soroptimist Club of Vancouver BC c/o Leona Griffin 7437 Moffat Rd., Suite 113 Richmond V6Y 3V9	007-683-165-54-0000	Lot A of Lot 5, Block 440, District Lot 526 Plan 5484
Baptist Housing Society of BC 125 6165 Highway 17 Delta V4K 5B8	013-654-184-74-0000	Lots 4 and 5 and 6, Block 32, District Lot 302, Plan 198

Vancouver Kiwanis Senior Citizens Housing Society P O Box 3022 Stn Terminal Vancouver V6B 3X5	012-125-832-84-0000	Lot B, Block E, District Lot 318, Plan 13136
The V E L Housing Society 1717 Adanac Street, Ste 101 Vancouver V5L 4Y9	014-577-259-06-0000	Lots 1-3, Block 20, District Lot 184, Plan 178
Christ Church of China 300 East Pender Street Vancouver V6A 1T9	013-192-592-04-0000	Lot A, Block 122, District lot 196, Plan 13208
Chau Luen Kon Sol Society of Vancouver 325 Keefer Street Vancouver V6A 1X9	013-192-592-92-0000	Lot B, Block 122, District Lot 196, Plan 13208
The V E L Housing Society 101 - 1717 Adanac Street Vancouver V5L 4Y9	014-596-250-04-0000	Lot E of Lot 8 Block D, District Lot 183, Plan 6254
The Baptist Housing Society of BC 125 6165 Highway 17 Delta V4K 5B8	014-631-232-04-0000	Lot 2, Block 71, District Lot 264A, Plan 11322, but not including the land and improvements used and assessed for utility purposes.
HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	014-641-234-20-0000	Lot 11, Except part in Explanatory Plan 17049, of the north 1/2 of Lot B, Block 154, District Lot 264A, Plans 1141 and 1771
Mount Pleasant Housing Society 325 6 th Avenue East, Suite 401 Vancouver V5T 1J9	013-645-194-47-0000	Lot C, Block 28, District Lot 200A, Plan 197(Explanatory Plan 9473)

HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	014-665-230-68-0000	Lot 30 of Lot D, Block 160, District Lot 264A, Plan 10940
HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	014-670-230-83-0000	Lot 28 of Lot D, Block 160, District Lot 264A, Plan 10940
HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	014-670-230-89-0000	Lot 29 of Lot D, Block 160, District Lot 264A, Plan 10940
HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	014-683-230-82-0000	Lot F, Block 171, District Lot 264A, Plan 13858
New Chelsea Society 101 - 3640 Victoria Drive Vancouver V5N 5P1	014-270-670-95-0000	Lot 1 of Lot B, Block 166, District Lot 264A, Plan 8570
New Chelsea Society 101 - 3640 Victoria Drive Vancouver V5N 5P1	014-693-253-64-0000	Lot 1, Blocks D and 13, Plan 13938, District Lot 195, Except Firstly part in SRW Plan 17162 and Secondly Portion in BCP10046
Mennonite Senior Citizens Society of British Columbia 1750 East 41 st Avenue Vancouver V5P 4N5	019-755-237-51-0000	Lot A, Blocks 1 and 2, District Lot 717, Plan 14859
South Amherst Housing Society c/o Atira Property Management 120 Columbia Street Vancouver V6A 3Z8	025-244-805-96-0000	Lot 8, Block 2, Fraserview, Plan 8393
HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	023-722-283-48-0000	Lot B, District Lot 37, Plan LMP16032
Columbus Charities Association 5233 Joyce Street, Suite 407 Vancouver V5R 4G9	023-306-720-45-0000	Lot 2, Blocks 69, 70 and 155 to 157, District Lot 37, Plan 13188

Odd Fellows Low Rental Housing Society 12-5174 Hastings Street Burnaby BC V5B 1P6	023-318-725-95-0000	Lot 26, Blocks 3 and 4, District Lot 49, Plan 12672
The Baptist Foundation of BC 125 6165 Highway 17 Delta V4K 5B8	024-765-266-06-0000	Lot A, Block 3, District Lot 336, Plan LMP42065
Ukranian Senior Citizens Housing Society 7007 Kerr Street Vancouver V5S 3E2	025-300-810-95-0000	Lot 3 of Lot A, Block 71, Fraserview, Plan 11199
Vancouver Kiwanis Senior Citizens Housing Society P O box 3022 Stn Terminal Vancouver V6B 3X5	025-300-811-05-0000	North 1/2 of Lot 4 of Lot A, Block 71, Fraserview, Plan 11199
M. Kopernik (Nicolaus Copernicus) Foundation 3132 - 3150 Rosemont Drive Vancouver V5S 2C9	025-817-300-22-0000	The westerly 217 feet only of Lot 44, District Lot 334, Plan 14240, which portion is used as a low rental apartment for seniors & has the civic address of 3132 Rosemont Drive
Finnish Canadian Rest Home Association 2288 Harrison Drive Vancouver V5P 2P6	025-828-258-06-0000	Lot F, Block 24, Fraserview, Plan LMP7749
HFBC Housing Foundation 206-2590 Granville Street Vancouver V6H 3H1	027-605-113-66-0000	Lot 3, Block 58, District Lot 185, Plan 92
Parish of St. Paul Vancouver c/o Colliers Macaulay - R Fram 200 Granville St., 16 th Floor Vancouver V6C 2R6	027-609-117-44-0000	Lots 4 West Half and 5, Block 37, District lot 185, Plan 92

Society for Christian Care of the Elderly 201 - 675 Hastings Street W Vancouver V6B 1N2	027-613-119-54-0000	Lot 2, Block 12, District Lot 185, Plan 14172
Broadway Pentecostal Benevolent Association of British Columbia 2700 East Broadway Vancouver V5M 1Y8	021-650-274-27-0000	Lot D, Block 22, Section 34, North Half, Town of Hastings Suburban Lands, Narrative Plan 15011
Roman Catholic Archbishop of Vancouver 150 Robson Street Vancouver V6B 2A7	013-596-196-49-0000	Lots 19 to 25, Block 85, District Lot 196, Plan 196
Finnish Canadian Rest Home Association 2288 Harrison Drive Vancouver V5P 2P6	025-828-251-94-0000	Lots 12 to 15 and B, Block 23, Fraserview, Plans 20067 and 8574
Beulah Garden Homes Society 3350 East 5 th Avenue Vancouver V5M 1P4	021-634-300-92-0000 021-634-300-52-0000 021-634-300-04-0000	Lot A, Section 29 THSL, Plan BCP23618 Lot B, Section 29 THSL, Plan BCP23618 Lot C, Section 29 THSL, Plan BCP23618
Beulah Garden Homes Society 3350 East 5 th Avenue Vancouver V5M 1P4	021-634-300-39-0000	Lot A, Block 91, Section 29, Town of Hastings Suburban Lands, Plan 3672
The Baptist Foundation of B.C. 125 - 6165 Highway 17 Delta V4K 5B8	024-266-772-26-0000	Lot 1 Block 3 District Lot 336 Plan BCP 13061

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

ENACTED by Council this day of , 2007

Mayor

City Clerk

EXPLANATION

Vehicles for Hire By-law amending by-law re 2008 taxicab fee increases

The attached by-law will implement Council's resolution of November 29, 2007 to amend the Vehicles for Hire By-law to increase taxicab fees.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____



**A By-law to amend
Vehicles for Hire By-law No. 6066
regarding 2008 taxicab fee increases**

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

1. In Schedule A of the Vehicles for Hire By-law, Council strikes out the license fee of "\$340.00" for a dual taxicab and for a taxicab, for each vehicle, and substitutes a license fee of "\$461.00".
2. This By-law is to come into force and take effect on January 1, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION

A By-law to amend the Zoning and Development By-law re the Best Building

After the public hearing on February 27, 2007, Council resolved to amend the Zoning and Development By-law to create a CD-1 zone for 388 West 1st Avenue. The Director of Planning has advised that all prior-to conditions have been met, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
December 11, 2007

388 West 1st Avenue



BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

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

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-589 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (460).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (460) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses;
- (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Special Needs Residential Facility;
- (c) Live-Work Use;
- (d) Accessory Uses customarily ancillary to the uses listed in this section 2.2; and
- (e) Interim Uses not listed in this section 2.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,

- (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (460), and
- (iv) any development permit for an interim use has a time limit of three years.

Conditions of use

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

3.2 The design and lay-out of at least 22% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

3.3 Any development permit issued for live-work uses must stipulate as permitted uses:

- (a) dwelling units;
- (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio - class A; and
- (c) dwelling unit combined with any uses set out in subsection (b).

Density

4.1 Computation of floor area must assume that the site consists of 1 683 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses, combined, must not exceed 3.5.

4.3 Computation of floor space ratio must include:

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

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

4.4 Computation of floor space ratio must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 1 000 m²; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.

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

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;

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

4.6 The use of floor space excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

Building height

5.1 The building height, measured above base surface, must not exceed 21.3 m.

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

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

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

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

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

Parking, loading, and bicycle spaces

6. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

Acoustics

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

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

7.2 The Director of Planning or Development Permit Board may relax the noise levels listed in section 7.1 in case of a heritage building for which a conservation plan includes the retention of existing windows and glazing.

Severability

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

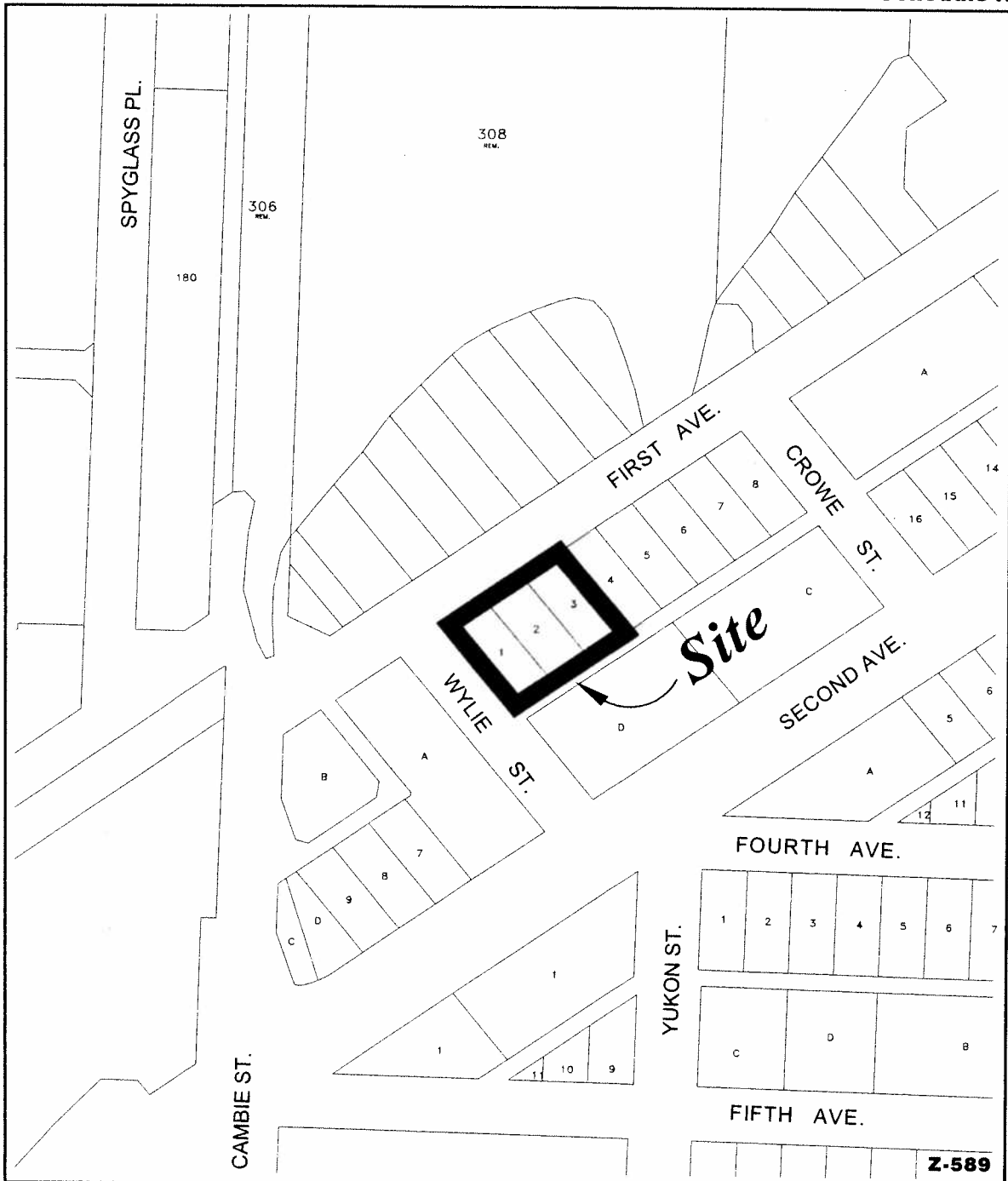
Force and effect

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

ENACTED by Council this day of , 2007

Mayor

City Clerk



RZ - 388 West 1st Avenue

map: 1 of 1

scale: NTS



City of Vancouver

date: Feb. 2007

Z-589

EXPLANATION**A By-law to amend the Sign By-law
re 388 West 1st Avenue**

After the public hearing on February 27, 2007, Council resolved to amend the Sign By-law for this site. The Director of Planning has advised that all prior-to conditions have been met, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
December 11, 2007

388 West 1st Avenue



BY-LAW NO. _____

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

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

1. To Schedule E of the Sign By-law, Council adds:
 "388 West 1st Avenue CD-1(460) B (DD)"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2007

Mayor

City Clerk

EXPLANATION**A By-law to amend CD-1 By-law No. 9195
re maximum floor area**

After the public hearing on December 12, 2006, Council resolved to amend the CD-1 by-law for 1133 West Georgia Street to allow an increase in floor area. 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
December 11, 2007

1133 West Georgia Street



BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 9195

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

1. This By-law amends the indicated provisions of CD-1 By-law No. 9195.
2. In section 5.4, Council:
 - (a) in subsection (b), after “overhangs”, adds “, and any architectural canopy, trellis, or glazed roof that offers weather protection to open space available for common use by residents, visitors, or members of the public”;
 - (b) from the end of subsection (b), strikes out “and”;
 - (c) from the end of subsection (c), strikes out “.”, and substitutes “; and”; and
 - (d) after subsection (c), adds:
 - “(d) interior public space, including atria and other similar spaces, except that:
 - (i) the excluded area must not exceed the lesser of 10% of the permitted floor area and 557.42 m²,
 - (ii) a covenant and right of way in favour of the city, which sets out public access and use, must secure the excluded area, and
 - (iii) the Director of Planning must first consider all applicable policies and guidelines adopted by Council.”
3. Council:
 - (a) repeals section 5.1; and
 - (b) re-numbers sections 5.2 to 5.5 as sections 5.3 to 5.6.

4. After the title to section 5, Council inserts:

“5.1 Computation of floor space ratio must assume that the site consists of 2 426.2 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

5.2 The floor space ratio must not exceed 17.74, except that approval by the Director of Planning of any dwelling use requires the concurrent or prior approval by the Director of Planning of office, retail, or service uses having a floor space ratio of at least 9.0.”

5. To section 7(a)(ii), after “0.025”, Council adds “parking spaces per”.

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

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

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION**BORROWING - \$60,000,000**

Section 263 of the *Vancouver Charter* authorizes Council, without the assent of the electors, to borrow from time to time by way of promissory notes or overdraft such sums as the Council deems necessary to meet the lawful expenditures of the City pending collection of real property taxes.

The authority permits the Director of Finance to borrow on a day-to-day basis and is used only for short periods of time if the need arises.

Enactment of the attached by-law to take effect January 8, 2008, will authorize the Director of Finance to borrow a sum of money by overdraft of which the total outstanding at any one time must not, during the period from January 8, 2008 to January 7, 2009 exceed \$60,000,000.

Director of Legal Services
December 11, 2007

BY-LAW NO. _____



**A By-law to authorize the borrowing
of certain sums of money from
January 8, 2008 to January 7, 2009
pending the collection of real property taxes**

PREAMBLE

In exercise of the power provided by Section 263 of the *Vancouver Charter*, Council deems it necessary to authorize the Director of Finance to borrow from time to time on behalf of the City of Vancouver, by way of overdraft, a sum or sums of money of which the total outstanding must not on any one day during the period from January 8, 2008 up to and including January 7, 2009 exceed \$60,000,000 to meet the lawful expenditures of the City pending the collection of real property taxes and to provide for the repayment of the monies so borrowed as hereinafter set forth.

By Section 263 of the *Vancouver Charter*, Council may provide by by-law for the hypothecation, subject to any prior charge thereon, to the lender, of any amounts receivable from other governments and the whole or any part of the real property taxes then remaining unpaid, together with the whole or part of the real property taxes levied or to be levied for the year in which the by-law is passed, provided that if the by-law is passed before the passing of the rating by-law, the amount of the current taxes that may be hypothecated must be not more than 75% of the real property taxes levied in the next preceding year.

NOW THEREFORE the Council of the City of Vancouver, in public meeting, enacts as follows:

1. In this By-law, the words "real property taxes for general purposes" means that portion of the real property taxes levied or to be levied pursuant to an annual general rating by-law to meet expenses of the City other than the payment of interest on outstanding debentures, payments of principal on serial debentures and payments to sinking funds in respect of debenture debt.

2. The Director of Finance is hereby authorized to borrow on behalf of the City of Vancouver from any lender by way of overdraft a sum or sums of money of which the total outstanding must not on any one day during the period from January 8, 2008 to and including January 7, 2009 exceed \$60,000,000 in such amounts and at such time or times (subject as herein provided) as the same may be required, bearing interest at such rate or rates as agreed to by the Director of Finance and the lender or lenders at the time of such borrowing, and to cause the sum or sums to be paid into the hands of the City Treasurer of the City of Vancouver for the purpose of meeting the lawful expenditures of the City of Vancouver pending the receipt of monies from other governments and the collection of real property taxes by the City of Vancouver, upon the following conditions:

- (a) the monies so borrowed as herein provided, together with interest thereon, will be a liability payable out of the revenues of the City of Vancouver and must be payable and repaid to the lenders on or before January 7, 2009;
- (b) the City of Vancouver hereby hypothecates as security for the repaying of
 - (i) the monies so borrowed up to and including December 31, 2008, the real property taxes for general purposes remaining unpaid as of January 8, 2008 together with the real property taxes for general purposes to be levied in the year 2008 in an amount equal to not more than \$322,409,000.00 which amount is equal to 75% of the real property taxes for general purposes levied in 2007, and
 - (ii) the monies so borrowed subsequent to December 31, 2008, the real property taxes for general purposes then remaining unpaid and any amounts receivable by the City of Vancouver from other governments as of December 31, 2008;

and the said taxes will be a security for the monies so borrowed under this by-law, and such taxes and monies receivable from other governments must be applied, inter alia, in the repayment of such monies so borrowed by way of overdraft and the interest thereon, provided always that the granting of such security will in no way limit or affect the general liability of the City of Vancouver.

- 3. Council repeals By-law No. 9413.
- 4. This By-law is to come into force and take effect on January 8, 2008.

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

EXPLANATION

**Authorization to enter into a
Heritage Revitalization Agreement
with the owner of 1529 West 33rd Avenue**

After the public hearing on March 13, 2007, Council resolved to enter into a by-law to authorize an agreement with the owner of the property at 1529 West 33rd Avenue pursuant to Section 592 of the Vancouver Charter. Enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
December 11, 2007

1529 West 33rd 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 1529 West 33rd Avenue, and the following legal description:

PID: 011-004-843
Lot 10
Block 810
DL 526
Plan 6011

contains a heritage 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.

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

ENACTED by Council this _____ day of _____, 2007

Mayor

City Clerk

LAND TITLE ACT

FORM C

(Section 233)

Province of British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office Use)

Page 1 of 12 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Jim Blair

City of Vancouver Law Department

453 West 12th Avenue

Vancouver, B.C., V5Y 1V4

Phone 873-7514 (SFH/mk) Client No. 10647

Signature of Agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

(LEGAL DESCRIPTION)

011-004-843

Lot 10 Block 810 District Lot 526 Plan 6011

3. NATURE OF INTEREST:*

DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED
TO INTEREST

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

[] D.F. No.

(b) Express Charge Terms

[XX] Annexed as Part 2

(c) Release

[] There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharge as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

JOHN PAUL PHILIPPSON

CHRISTINA MARIE PHILIPPSON

THE BANK OF NOVA SCOTIA (as to priority)

6. TRANSFEREE(S):* (including postal address(es) and postal code(s))*

CITY OF VANCOUVER

453 West 12th Avenue

Vancouver, B.C., V5Y 1V4

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)	Execution Date			Party(ies) Signature(s)
	Y	M	D	
_____ (Solicitor) (as to both signatures)	07			JOHN PAUL PHILIPPSON
				CHRISTINA MARIE PHILIPPSON
				CITY OF VANCOUVER by its authorized signatory:
_____ Stephen F. Hayward Barrister & Solicitor 453 West 12 th Avenue Vancouver BC V5Y 1V4 Tel: 604-871-7714	07			_____ Frances J. Connell/Graham P. Johnsen (Approved by By-Law No. _____)

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

LAND TITLE ACT
FORM D
EXECUTIONS CONTINUED

Officer Signature(s)	Execution Date			Party(ies) Signature(s)
	Y	M	D	
<hr/> (Solicitor)(as to both signatures)	0	7		THE BANK OF NOVA SCOTIA by its authorized signatory <hr/> Signature and Printed Name <hr/> Signature and Printed Name

OFFICER CERTIFICATION:
Your signature constitutes a representation that your are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM E
SCHEDULE

Enter the Required Information in the Same Order as the Information Must Appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

3. NATURE OF INTEREST:*

DESCRIPTION	DOCUMENT REFERENCE (page and paragraph)	PERSON ENTITLED TO INTEREST
Section 219 Covenant	Page 6 Article 1	Transferee
Priority Agreement granting the above Section 219 Covenant priority over Mortgage CA30993	Page 12	Transferee
Section 219 Covenant	Pages 7 - 8 Article 2	Transferee
Priority Agreement granting the above Section 219 Covenant priority over Mortgage CA30993	Page 12	Transferee
Section 219 Covenant	Page 9 Article 3	Transferee
Priority Agreement granting the above Section 219 Covenant priority over Mortgage CA30993	Page 12	Transferee
Equitable Charge	Page 9 Article 4	Transferee
Priority Agreement granting the above Equitable Charge priority over Mortgage CA30993	Page 12	Transferee

TERMS OF INSTRUMENT - PART 2

WHEREAS:

- A. It is understood and agreed that this instrument shall be read as follows:
- (i) the Transferors, **John Paul Philippon** and **Christina Marie Philippon**, are together called the “Owner”; and
 - (ii) the Transferee, **City of Vancouver**, is the “City”;
- B. The Owner is the registered owner of the parcel described in Item 2 in Form C hereof (the “Lands”), having a civic address of 1529 West 33rd Avenue, Vancouver;
- C. The Lands are within the RS-5 Zoning District of the City’s *Zoning and Development By-law*;
- D. Situate on the Lands is a one-family dwelling known as the “Crosby House” building. The “Crosby House” building is listed in Category B on the Vancouver Heritage Register. In this Agreement, the term “Heritage Building” means the “Crosby House” building and all replacements thereof;
- E. Pursuant to development permit application DE410501 (development permit application DE410501 together with all development permits issued pursuant thereto and all amendments, modifications and replacements thereof are collectively called the “Development Permit”) the Owner proposes to rehabilitate and upgrade the Heritage Building and to build a second one-family dwelling (the “Infill Dwelling”) on the Lands consistent with the drawings and plans that form the Development Permit (the “Plans”);
- F. As part of the subject redevelopment of the Lands, a by-law will be enacted to designate Crosby House as a “Protected Heritage Property”;
- G. Because the proposed Infill Dwelling does not comply with the requirements of the *Zoning and Development By-law*, it is necessary, on the terms and conditions set out in this Agreement, to amend the RS-5 District Schedule and Section 10 of the *Zoning and Development By-law* with respect to the Lands;
- H. Pursuant to Section 592 of the *Vancouver Charter*, a heritage revitalization agreement may allow variations of and supplements to provisions of, among others, a subdivision by-law, a zoning by-law, 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 for other good and valuable consideration passing

from the City to the Owner (the receipt and sufficiency of which the Owner hereby acknowledges) and as a condition of the application to develop the Lands, the Owner covenants with the City as set out hereunder.

ARTICLE 1
HERITAGE REHABILITATION, PROTECTION AND CONSERVATION

1.1 Pursuant to Section 219 of the *Land Title Act*, R.S.B.C. 1996, c.250, and amendments thereto and re-enactments thereof (the "*Land Title Act*"), the Owner agrees with the City, as a covenant running with and binding the Lands, that:

- (a) the Owner shall develop the Lands only as contemplated in the Development Permit and in accordance with this Agreement;
- (b) the Owner shall at all times preserve, protect and keep in good order the Heritage Building as would a reasonable and prudent owner;
- (c) the Owner shall at all times keep the exterior of the Heritage Building in good appearance and in good repair as would a reasonable and prudent owner;
- (d) neither the Owner, nor any other person, may alter the appearance of, renovate, reconfigure, make structural changes to or replace the Heritage Building or the Infill Dwelling or any part of either thereof, except as may be permitted by a heritage alteration permit issued by the City, and except as may be permitted by terms, requirements and conditions of this Agreement. Further, such alterations, renovations, reconfigurations and/or replacements shall comply with all City policies (from time to time) concerning the same;
- (e) the Owner shall, to the satisfaction of the City, insure and at all times keep insured, the Heritage Building and the Infill Dwelling and their respective replacements to their respective full replacement value against all perils including, without limitation, damage or destruction by earthquake, and shall, prior to registration of this Agreement, and thereafter forthwith on request by the City, provide to the City a copy of a certificate(s) of insurance evidencing the same, and, if at any time requested by the City, promptly provide a certified copy of the insurance policy(ies) signed by the insurer(s);
- (f) if the Heritage Building is damaged, it shall be repaired, or if the Heritage Building is destroyed, the Owner shall only be permitted to build on the Lands a replica building;
- (g) agrees that the City may affix a commemorative plaque to the Heritage Building which bears witness to the historical and architectural significance of the Heritage Building and the Owner agrees to refrain from obscuring, defacing or removing same; and

- (h) agrees that the City shall not be obliged to issue any permit or give any permission contrary to the terms of this Agreement. ⁷

ARTICLE 2 DENSITY AND BYLAW VARIATION

2.1 Pursuant to Section 219 of the *Land Title Act*, as a covenant running with and binding the Lands:

- (a) the City agrees that to assist the Owner in defraying the cost of rehabilitating and upgrading the Heritage Building as contemplated in the Development Permit and in this Agreement, the City will vary and supplement the RS-5 District Schedule and Section 10 of the *Zoning and Development By-law* in respect of the Lands (nothing in this Agreement varies RS-5 District Schedule and/or Section 10 of the *Zoning and Development By-law* as it applies to any other property) by allowing the variances outlined in paragraph (c) below (collectively, the “Variances to Development Rights”);
- (b) The City agrees to grant the Variances to Development Rights and to permit the Owner to build the Infill Dwelling on the Lands, provided that the same shall only be done in strict compliance with this Agreement, the Development Permit, the Plans and any subsequent permits, guidelines or instructions that the City may give to the Owner;
- (c) the City agrees to vary the RS-5 District Schedule and Section 10 of the *Zoning and Development By-law* as follows in respect of the Lands:
 - (i) Section 2.2.A(b) (Accessory Building) of RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow the existing non-conformance (being 10.2 m or 33.5 ft from the rear property line);
 - (ii) Section 3.2.1. (DW Infill Dwelling) of RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow the construction of an “infill one-family dwelling” without any qualification that it be occupied by a caretaker and/or not exceed 75 m²;
 - (iii) Section 4.4 (Yards - Front) of the RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow the non-conformance of the existing dwelling (being 10.64 m or 34.9 ft), and further to allow a non-conformance for the Infill Dwelling of 10.64 m (34.9 ft) calculated to the front edge of the side walls and roof at the front of the Infill Dwelling;
 - (iv) Section 4.5 (Yards - Side (West)) of the RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow the non-conformance of the existing dwelling (being 2.6 m or 8.7 ft);

- (v) Section 4.5 (Yards - Side (East)) of the RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow a clearance of 0.9 m or 3 ft for the Infill Dwelling;
 - (vi) Section 4.6 (Yards - Rear) of the RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow a clearance of 0.61 m (2 ft) for the Infill Dwelling;
 - (vii) Section 4.7.1 (FSR (Floor Area Above Grade) of the RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow an above grade FSR of 0.45 (602.9 m² or 6,489 sq. ft);
 - (viii) Section 4.16 (Building Depth) of the RS-5 District Schedule of the *Zoning and Development By-law* is hereby amended to allow the building depth of 32.9 m (108 ft);
 - (ix) Section 10.16.3 (Fence in Side Yard (East) of the *Zoning and Development By-law* is hereby amended to allow construction of a fence of 3.05 m (10 ft) from the entrance front roof line of the Infill Dwelling to the rear of the property;
 - (x) Section 10.16.3 (Fence in Rear Yard) of the *Zoning and Development By-law* is hereby amended to allow construction of a fence of 2.74 m (9 ft); and
 - (xi) Section 10.16.4 (Fence in front yard) of the *Zoning and Development By-law* is hereby amended to allow construction of a fence of 2.23 m (7.3 ft).
- (d) the Owner acknowledges and understands that the by-law variations impacting the Lands that will be effected by the City as a result of this Agreement will include a heritage designation by-law, which will identify Crosby House as a “Protected Heritage Property” and impose consequent restrictions on the future redevelopment of the Lands.
- (e) the Owner agrees that the by-law variations effected by, and the other terms and conditions of, 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.
- (f) the Owner agrees that neither the Crosby House nor the Infill Dwelling may be converted to accommodate a secondary suite or be used for anything other than single-family residence.

**ARTICLE 3
REHABILITATION OF HERITAGE BUILDING**

3.1 Pursuant to Section 219 of the *Land Title Act*, the Owner agrees with the City, as a covenant running with and binding the Lands, that:

- (a) the Owner shall, in the manner more particularly set out in the Development Permit, forthwith undertake and diligently prosecute to conclusion the rehabilitation of the Heritage Building to the full satisfaction of the City (which rehabilitation of the Heritage Building in accordance with the Development Permit and to the full satisfaction of the City is the “Rehabilitation”);
- (b) all heritage aspects of the Rehabilitation shall be supervised by a qualified conservation consultant (registered architect or professional engineer) who has substantial experience doing such work;
- (c) until the Rehabilitation, Infill Dwelling and related landscaping is fully complete:
 - (i) neither the Owner nor any other person whatsoever shall suffer, cause or permit the use or occupation of the Infill Dwelling or any part thereof;
 - (ii) neither the Owner nor any other person whatsoever shall apply for an occupancy permit for the Infill Dwelling (or any part thereof) or take any action, directly or indirectly, to compel the issuance of an occupancy permit for the Infill Dwelling (or any part thereof); and
 - (iii) the City shall be under no obligation to issue an occupancy permit for the Infill Dwelling or part thereof notwithstanding that all other conditions and City by-law requirements in respect thereof may have been fulfilled to the satisfaction of the Director of Planning; and
- (d) on completion of the Rehabilitation, the Owner’s construction and heritage advisors shall each submit to the City’s Director of Planning a signed statement confirming that the Rehabilitation has been completed in accordance with this Agreement and in accordance with the plans and specifications approved for in the Development Permit including any “Conservation Plan” and, if not, detailing any deviations therefrom and the reasons therefore, and, in either case that the work was completed to his or her satisfaction.

**ARTICLE 4
EQUITABLE CHARGE**

4.1 The Owner grants to the City an equitable charge over the Lands for the payment of all sums (including all interest thereon) which may at any time be payable by the Owner to the City under the terms of this Agreement or otherwise at law and the provisions of this Article 4 of this

Agreement shall survive the termination of this Agreement and continue to apply. This equitable charge may be enforced by the appointment of a receiver for the sale of the Lands.

ARTICLE 5 INDEMNIFICATION AND RELEASE

5.1 The Owner hereby indemnifies and saves harmless the City and its officials, councillors, 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 to complete the Infill Building 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 release and indemnity set out in this Article 5 is an integral part of each of the instruments that constitute this Agreement. The release and indemnity set out in this Article 5 shall survive the expiration or earlier termination of this Agreement.

ARTICLE 6 GENERAL

6.1 If the fee simple owner of the Lands shall be more than one party such parties shall be jointly and severally liable to the City for the performance and observance of the Owner's obligations in this Agreement.

6.2 The Owner shall, after execution of this Agreement, do or cause to be done, at its own cost and expense, all things and acts necessary to ensure that this Agreement is registered against title to the Lands with priority over all other encumbrances except encumbrances in favour of the City.

6.3 In any action to enforce this Agreement the City shall be entitled to court costs on a solicitor and own client basis. In addition to any other rights the City may have pursuant to this Agreement or at law or in equity, the City may enforce this Agreement by mandatory and prohibitory injunctions.

6.4 If the Land Title Office refuses to register this Agreement for reasons of form, the Owner agrees to modify or re-execute this Agreement so as to be in a form suitable for registration.

6.5 This agreement shall enure to the benefit of and be binding upon the Owner and its successors and trustees and this Agreement shall charge and run with the Lands and shall enure to the benefit of and be binding upon the Owner's successors in title and their respective trustees and successors and all parties claiming through such owners.

6.6 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.

6.7 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.

6.8 The sections in this Article 6 form an integral part of each of the instruments that constitute this Agreement.

IN WITNESS WHEREOF the parties have executed this Agreement on Form C which is a part hereof.

MEMORANDUM AS TO ENCUMBRANCES, LIENS AND INTERESTS

THE BANK OF NOVA SCOTIA (the "Chargeholder")
Holder of Mortgage CA30993 (collectively the "Charge")
charging Lot 10 Block 810 District Lot 526 New Westminster District Plan 6011 (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 Section 219 Covenants, Statutory Right of Way and Equitable Charge (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.

IN WITNESS WHEREOF the Chargeholder has executed this priority agreement by causing its proper officers to sign the General Instrument - Part 1 attached hereto.

END OF DOCUMENT

EXPLANATION

**Heritage Designation By-law
re 1529 West 33rd Avenue**

After the public hearing on March 13, 2007, Council approved a recommendation to designate a building at 1529 West 33rd Avenue as protected heritage property. Enactment of the attached by-law will achieve the designation.

Director of Legal Services
December 11, 2007

1529 West 33rd 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 (Crosby
House)

1529 West 33rd Avenue,
Vancouver, BC

PID: 011-004-843
Lot 10
Block 810
DL 526
Plan 6011

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 _____, 2007

Mayor

City Clerk