

**EXPLANATION**

**A By-law to amend the Parking By-law  
Re: 5675 Manson Street, 665-685 West 41 Avenue  
and 5688 Heather Street**

After the public hearing on December 17, 2013, Council resolved to add 5675 Manson Street, 665-685 West 41 Avenue and 5688 Heather Street to Schedule C of the Parking By-law. The Director of Planning has advised that all prior to conditions have been satisfied, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
September 30, 2014

CD-1 District Parking requirements  
5675 Manson Street, 665-685 West 41 Avenue  
and 5688 Heather Street



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

**A By-law to amend Parking By-law No. 6059  
with regard to CD-1 Districts Parking requirements**

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

1. This By-law amends the indicated provisions of the Parking By-law.
2. To Schedule C, Council adds:

“

Address	By-law No.	CD-1 No.	Parking requirements
5675 Manson Street, 665-685 West 41 Avenue and 5688 Heather Street	By-law No. 11048	CD-1 (576)	Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Parking By-law on September 16, 2014, except that:  a) the minimum residential parking requirement may be reduced by 20%.

”

3. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this      day of      , 2014

\_\_\_\_\_  
Mayor

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

**EXPLANATION****A By-law to amend Zoning and Development By-law No. 3575  
Re: 201 West 2<sup>nd</sup> Avenue**

After the public hearing on October 17, 2006, Council resolved to rezone 201 West 2<sup>nd</sup> Avenue as a CD-1 zone. 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  
September 30, 2014

201 West 2<sup>nd</sup> 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-585(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

### Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (582).

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

- (a) Dwelling Uses, limited to Multiple Dwelling;
- (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Special Needs Residential Facility;
- (c) Live-Work Use;
- (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Batteries Manufacturing, Clothing Manufacturing, Dairy Products Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Ice Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Plastic Products Manufacturing, Printing or Publishing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Software Manufacturing, Textiles or Knit Goods Manufacturing, Tobacco Products Manufacturing, and Wood Products Manufacturing - Class B;

- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, Liquor Store, and Vehicle Dealer;
- (h) Service Uses, limited to Barber Shop or Beauty Salon, Bed and Breakfast Accommodation, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Restaurant - Class 1, School - Arts or Self-Improvement, and School - Business;
- (i) Accessory Uses customarily ancillary to the uses listed in this section 2.2; and
- (j) 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 (582), 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 25% 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 All uses except dwelling uses must have direct access to grade.
- 3.4 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 5 329.15 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2 The floor space ratio for all uses 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;
  - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
  - (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.
- 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 m<sup>2</sup> 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 m<sup>2</sup>; 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) despite section 4.3(c), open to below spaces or double height volumes on the second storey units if the location of the first floor is within 2 m of grade to a maximum of 15% of the floor area of the first floor of that unit for residential and live-work units;
- (e) passive solar appurtenances to reduce solar gain; and
- (f) garden 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, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 47 m.

5.2 Despite section 5.1, maximum building height does not include a mechanical penthouse, or garden structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

### **Horizontal angle of daylight**

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

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

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 If:

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

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



6.5 An obstruction referred to in section 6.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (582).

6.6 A habitable room referred to in section 6.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) less than 10% of the total floor area of the dwelling unit, or
  - (ii) less than 9.3 m<sup>2</sup>.

#### **Parking, loading, and bicycle spaces**

7. 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**

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

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

#### **Severability**

9. 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.





Z-585 (a)

RZ - 201 West 2nd Avenue

map: 1 of 1

scale: NTS



City of Vancouver

date: Sept. 2006

**EXPLANATION**

**Health By-law amending By-law  
Re: Electronic cigarettes**

The attached By-law will implement Council's resolution of September 30, 2014 to amend the Health By-law regarding electronic cigarettes.

Director of Legal Services  
September 30, 2014



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

**A By-law to amend Health By-law No. 9535  
regarding electronic cigarettes**

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

1. This By-law amends the indicated provisions of By-law No. 9535.
2. In Section 1.2, in alphabetical order, Council adds:  
  
"vapourize" or "vapourizing" means to inhale or exhale vapour produced by an electronic cigarette, electronic pipe, electronic hookah or other similar device that can be used to deliver nicotine or other substances."
3. In Section 2.2:
  - a) in the heading, after "smoking", Council adds "and vapourizing"; and
  - b) in section 2.2, Council strikes out "A person must not smoke:" and substitutes "A person must not smoke or vapourize:".
4. In Section 2.3:
  - a) in the heading, after "smoking", Council adds "and vapourizing"; and
  - b) after the word "smoke" adds "or vapourize".
5. Council strikes out section 2.4 and substitutes:

**"Signs banning smoking and vapourizing**

- 2.4 A responsible person must display, or ensure the display of, a sign at all times:
- (a) at each entrance to a building or customer service area or to premises, or in a vehicle for hire, where section 2.2 prohibits smoking or vapourizing, stating:  
  
THIS IS A SMOKE FREE ENVIRONMENT - NO SMOKING OR VAPOURIZING; and
  - (b) on each exterior wall of a building, where section 2.2 prohibits smoking or vapourizing, stating:  
  
SMOKING OR VAPOURIZING IS PROHIBITED WITHIN SIX METRES OF OPENINGS INTO THIS BUILDING INCLUDING DOORS AND WINDOWS THAT OPEN AND ANY AIR INTAKE."

6. In Section 2.7:
- a) in the heading, after “smoking”, Council adds “and vapourizing”; and
  - b) after the word “smoking” adds “and vapourizing”.
7. 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.
8. The provisions of this By-law are to come into force and take effect from the date of enactment, except that the amendments to section 2.4 set out in paragraph 5 herein are to come into force and take effect on September 30, 2016.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
Mayor

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

**EXPLANATION****License By-law amending By-law  
Re: Conditions on licences and electronic cigarettes**

The attached By-law will implement Council's resolution of September 30, 2014 to amend the License By-law regarding electronic cigarettes.

Director of Legal Services  
September 30, 2014



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

**A By-law to amend License By-law No. 4450  
regarding conditions on licences and electronic cigarettes**

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

1. This By-law amends the indicated provisions of the License By-law.
2. In Section 2, in alphabetical order, Council adds:  
  
“Electronic Cigarettes” means electronic cigarettes, electronic pipes, electronic hookahs, or similar devices that can be used to deliver nicotine or other substances, and replaceable cartridges and refills used with those devices.”
3. In Section 4, after subsection 4(9), Council adds:  
  
“(10) The Chief License Inspector may impose such terms and conditions on a license as he considers appropriate, including but not limited to conditions:
  - (a) requiring that signs be posted, to the satisfaction of the Chief License Inspector, warning that the use of electronic cigarettes is prohibited in a business, or within six metres of openings into the building in which a business is located, including doors and windows that open and any air intake.”
4. Council re-numbers sections 14.1 and 14.2 as 14.2 and 14.3 respectively.
5. After Section 13.5, Council adds:  
  
“ELECTRONIC CIGARETTES AND SIMILAR DEVICES  
  
14.1 (1) The provisions of this section apply to all persons carrying on the business of dealing in, supplying, selling, offering to sell or distributing electronic cigarettes.  
  
(2) No person shall deal in, supply, sell, offer to sell or distribute electronic cigarettes to a minor.  
  
(3) No person shall display electronic cigarettes in any manner by which the devices may reasonably be seen or accessed by a minor who is outside or inside the business.  
  
(4) No person shall advertise or promote the use of electronic cigarettes in any manner by which the advertising may reasonably be seen or heard by a minor who is outside or inside the business.”





**EXPLANATION**

**A By-law to amend  
Building By-law No. 10908,  
regarding changes to definitions related to construction safety plans,  
construction on flood plains and flood construction levels  
and regulations related to designated flood plains**

On July 9, 2014, Council resolved to amend Building By-law, No. 10908 to raise flood construction levels. The enactment of this By-law will comply with that resolution.

Director of Legal Services  
September 30, 2014



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

**A By-law to amend *Building* By-law No. 10908  
regarding changes to definitions related to construction safety plans,  
construction on flood plains and flood construction levels  
and regulations related to designated flood plains**

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

1. This By-law amends the indicated provisions of the *Building* By-law.
2. In Book I, Division A, Part 1, at the end of Clause 1.1.3.1.(1)(b), Council strikes out “of Division B”.
3. In Book I, Division A, Part 1, Council:
  - a) in Subclause 1.1.3.1.(1)(b)(iv) strikes out “Appendix Note A-1.4.1.2. of Division A (Designated flood plain)” and substitutes “Appendix Note A-1.4.1.2.(1) Designated Flood Plain of Division A”; and
  - b) in Subclause 1.1.3.1.(1)(b)(v) strikes out “Appendix Note A-1.4.1.2. of Division A (Flood construction level requirements)” and substitutes “Appendix Note A-1.4.1.2.(1) Flood Construction Level Requirements of Division A”.
4. In Book II, Division A, Part 1, Sentence 1.1.3.1.(1), Council strikes out “except for Appendix Note A-1.4.1.2. Diagram B - Still Creek flood plain and flood construction levels” and substitutes:

“except for the following Appendix notes in Appendix A of Division A

  - a) Appendix Note A-1.4.1.2.(1) Designated flood plain, and
  - b) Appendix Note A-1.4.1.2.(1) Flood construction level requirements.”
5. In Books I and II, Division A, Part 1, Sentence 1.4.1.2. (1), Council:
  - 1) strikes out the definitions of “*Designated flood plain*” and “*Flood construction level requirements*” and substitutes:

“***Designated flood plain***” means those lands in the City which are hereby designated, for the purposes of section 306(cc) of the Vancouver Charter, as flood plains susceptible to flooding and subject to *flood construction level requirements*, and those lands so designated include:

    - a) lands located in proximity to the *natural boundary* of Burrard Inlet, English Bay, False Creek and the Fraser River, which are located within

the areas shown shaded on the maps attached to this By-law as Diagrams A1 and A2. (See Appendix A for Diagram A1- Burrard Inlet, English Bay, False Creek and Fraser River flood plains and for Diagram A2 - Burrard Inlet, English Bay, False Creek and Fraser River flood plain wave effect zone.); and

- b) lands located in the areas shown shaded on the map attached to this By-law as Diagram B. (See Appendix A for Diagram B - Still Creek flood plain and *flood construction levels.*)”

“**Flood construction level requirements**” means:

- a) on the Burrard Inlet, English Bay, False Creek and Fraser River flood plains:
    - (i) for *buildings* located within the areas shown shaded on the map attached to this By-law, the underside of a floor system or the top of a concrete slab of a *building* used for habitation, business or storage of goods, shall not be lower than 4.6 m Greater Vancouver Regional District datum. (See Appendix A for Diagram A1- Burrard Inlet, English Bay, False Creek and Fraser River flood plains); and
    - (ii) for *buildings* located in the areas shown shaded on the map attached to this By-law, an additional elevation allowance above 4.6 m may be required for wave run-up, at a level as determined by a Professional Engineer and to the satisfaction of the Chief *Building* Official. (See Appendix A for Diagram A2 - Burrard Inlet, English Bay, False Creek and Fraser River flood plain wave effect zone); and
  - b) on the Still Creek flood plain:
    - (i) the underside of a floor system or the top of a concrete slab of any *building* used for habitation, business or storage of goods shall not be lower than the applicable elevation shown on the map attached to this By-law. (See Appendix A for Diagram B - Still Creek flood plain and *flood construction levels.*)”; and
- 2) strikes out the definition of “Construction Safety Program” and substitutes:

“**Construction Safety Plan** means a plan containing construction procedures and fire safety measures designed to protect workers on a project, neighbouring private property, public property, and members of the general public.”

6. In Books I and II, Division A, Council adds the following defined terms in alphabetical order to Appendix Note A-1.4.1.2.(1):

***“Designated Flood Plain***

The Burrard Inlet, English Bay, False Creek and Fraser River flood plains are illustrated on Diagram A1 and the wave effect zones are illustrated on Diagram A2. Diagrams A1 and A2 are located at the end of Appendix A.

The Still Creek flood plain is illustrated on Diagram B and is located at the end of Appendix A.”;

***“Flood Construction Level Requirements***

The Burrard Inlet, English Bay, False Creek and Fraser River flood plains are illustrated on Diagram A1 and the wave effect zones are illustrated on Diagram A2. These diagrams are located at the end of Appendix A.

The Still Creek flood construction levels are illustrated on Diagram B. Diagram B is located at the end of Appendix A.”

7. In Books I and II, Division A, at the end of Appendix A, before Diagram B, Council adds Diagram A1 - Burrard Inlet, English Bay, False Creek and Fraser River flood plains, and Diagram A2 - Burrard Inlet, English Bay, False Creek and Fraser River flood plain wave effect zone, attached to this By-law as Schedules 1 and 2.

8. In Books I and II, Division C, Part 1, Council strikes out Article 1.5.2.11. and substitutes:

**“1.5.2.11. Permits in Designated Flood Plain**

- 1) If a *building* is located on a *designated flood plain* the *Chief Building Official* may
  - a) require plans and supporting documents to demonstrate that the elevation or design of the *building* incorporates *flood construction level requirements* intended to reduce the risk of flood damage,
  - b) require that a covenant acknowledging the risk of flood damage be registered against the land, and
  - c) withhold issuance of a *permit* until the requirements of the *Chief Building Official* have been satisfied.
- 2) The Chief Building Official *may increase the flood construction level requirements or the setback requirements as provided in Article 2.2.9.5.*
- 3) The *Chief Building Official* may relax the *flood construction level requirements* or the setback requirements in this By-law as provided in Article 2.2.9.6.”

9. In Book I, Division C, Part 2, Council strikes out Subsection 2.2.8. and substitutes:

**“2.2.9. Buildings on Designated Flood Plains**

**2.2.9.1. Exemptions from Flood Construction Level Requirements**

- 1) *Flood construction level requirements* do not apply to:
  - a) *alteration of an existing building*, not including *reconstruction* as defined in this By-law. (See Appendix A),
  - b) *alteration of an existing building* to increase the *building area* by less than 25 per cent of the total *building area* existing as of [*date of enactment of the By-law*], if
    - (i) the number of *dwelling units* is not increased,
    - (ii) there is no further encroachment into setbacks required by this By-law, and
    - (iii) there is no further reduction in the *flood construction level*,
  - c) enclosed parking areas, including bicycle and residential storage areas, in a *multiple dwelling*, if there is
    - (i) an unobstructed non-mechanized means of pedestrian ingress and egress to the areas, above the *flood construction level*, and
    - (ii) a sign posted at all entry points warning of the risk of flood damage,
  - d) *buildings* and portions of *buildings* used as a carport or garage,
  - e) non-residential accessory buildings, and
  - f) loading facilities used for water oriented industry.

**2.2.9.2. Design Considerations on Designated Flood Plains**

- 1) For *buildings* constructed on *designated flood plains*, the *building designer* shall comply with by-law requirements regarding *construction materials* and *service equipment installations* below *flood construction level requirements*, to the satisfaction of the *Chief Building Official*. (See Article 1.5.2.11. of Division C.)

**2.2.9.3. Construction Considerations on Designated Flood Plains**

- 1) For *buildings* constructed on *designated flood plains*, *construction* of the *buildings* to *flood construction level requirements* shall be achieved, to the satisfaction of the *Chief Building Official*, by
  - a) the structural elevation of the floor system of the *building*
  - b) the use of adequately compacted fill, or

- c) a combination of structural elevation and compacted fill.
- 2) No person shall install furnaces, electrical switchgear, electrical panels, fire protection systems or other fixed *building* services susceptible to flood damage, below the *flood construction level*, unless such services are protected from flood damage and accessible for servicing during a flood, to the satisfaction of the *Chief Building Official*.
- 3) No person shall store hazardous or toxic substances below the flood construction level.
- 4) All piping, wiring and conduit penetrations shall be water stopped and sealed to prevent water seepage into the building.

#### **2.2.9.4. Setback Requirements on Designated Flood Plains**

- 1) Subject to the provisions of this By-law, no *building*, structural support or fill shall be constructed or located within
  - a) 30 m of the *natural boundary* of the Fraser River,
  - b) 15 m of the *natural boundary* of Burrard Inlet, English Bay or False Creek,
  - c) 5 m of the *natural boundary* of Still Creek,
  - d) 7.5 m of any structure erected for flood protection or seepage control, or
  - e) in the case of a *building*, structural support, or fill located on a bluff in a *designated flood plain*, where the toe of the bluff is subject to erosion or is closer than 15 m from the natural boundary, a setback measuring 3.0 times the height of the bluff as measured from the toe to the crest of the bluff.

#### **2.2.9.5. Increase of Flood Construction Level and Setback Requirements on Designated Flood Plains**

- 1) The *Chief Building Official* may increase the *flood construction level requirements* or the setback requirements in this By-law if, in the opinion of the *Chief Building Official*, a higher *flood construction level* or a greater setback is necessary as the result of a site-specific geological or hydrological feature.

#### **2.2.9.6. Relaxation of Flood Construction Level and Setback Requirements on Designated Flood Plains**

- 1) The *Chief Building Official* may relax the *flood construction level requirements* in this By-law in accordance with Article 1.5.2.11., if
  - a) the *owner* demonstrates to the satisfaction of the *Chief Building Official*, that, due to existing site characteristics and the location of





Diagram A1: Burrard Inlet, English Bay, False Creek and Fraser River Flood Plains

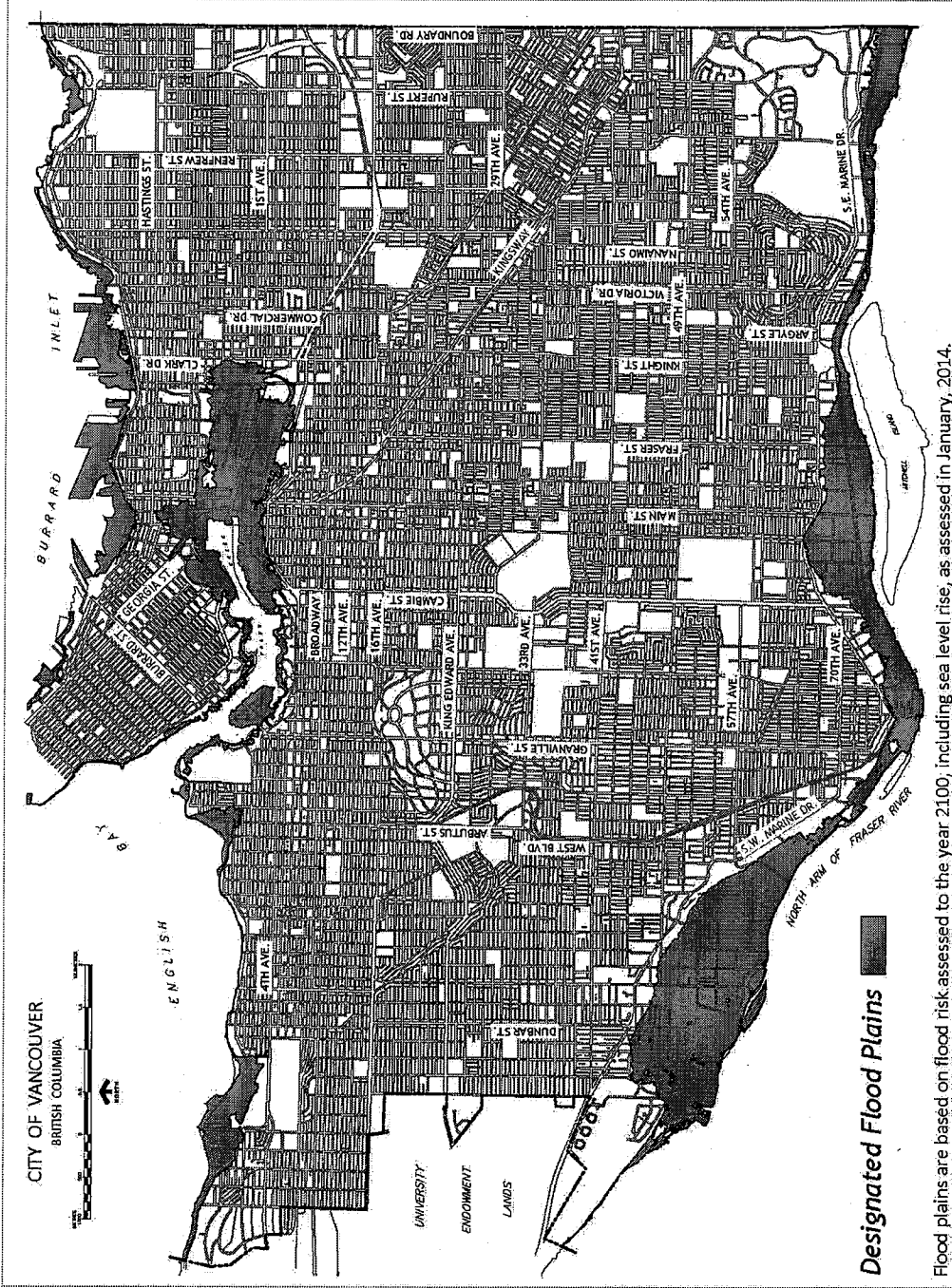


Diagram A2: Burrard Inlet, English Bay, False Creek and Fraser River Flood Plain Wave Effect Zone

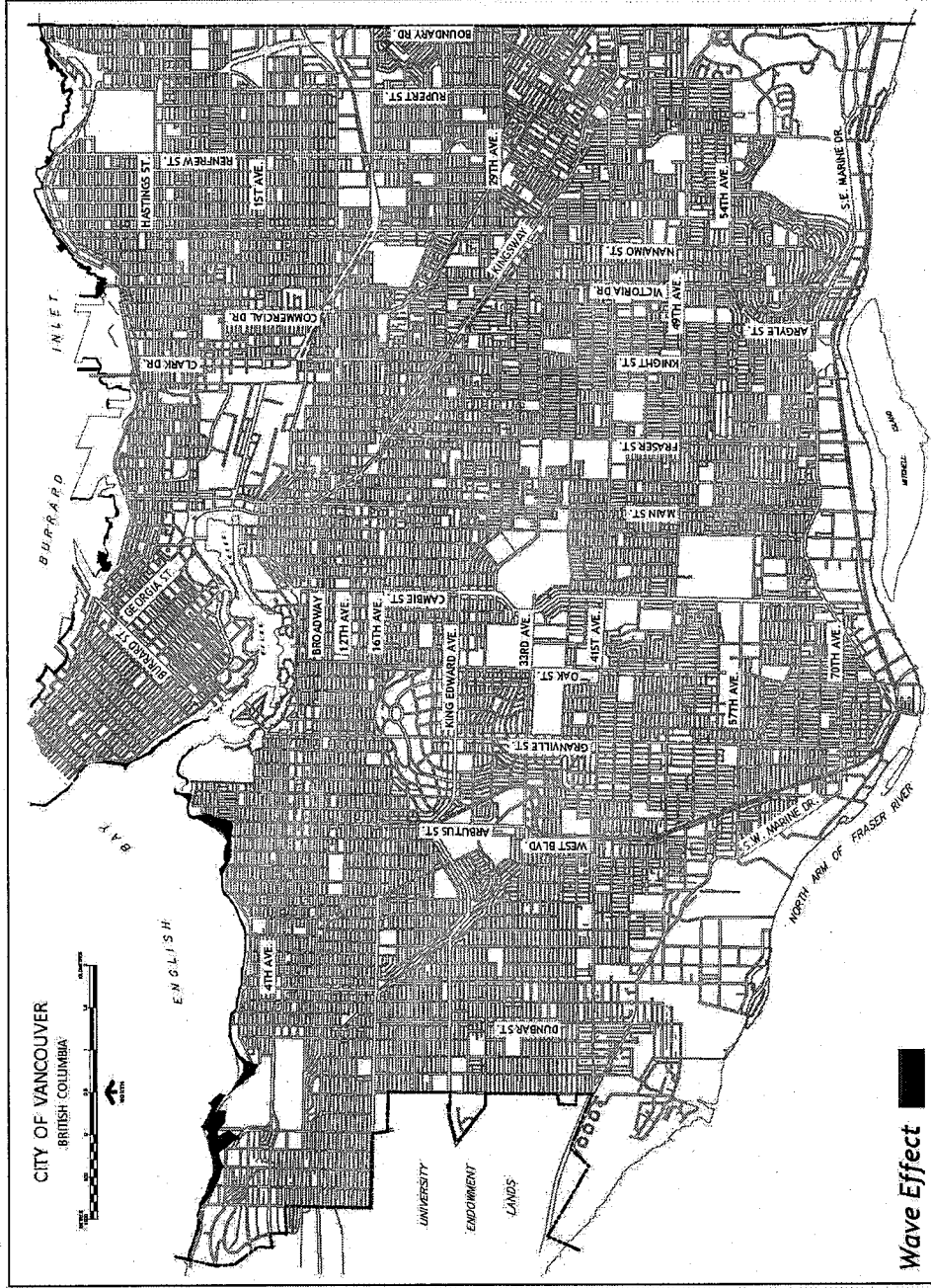
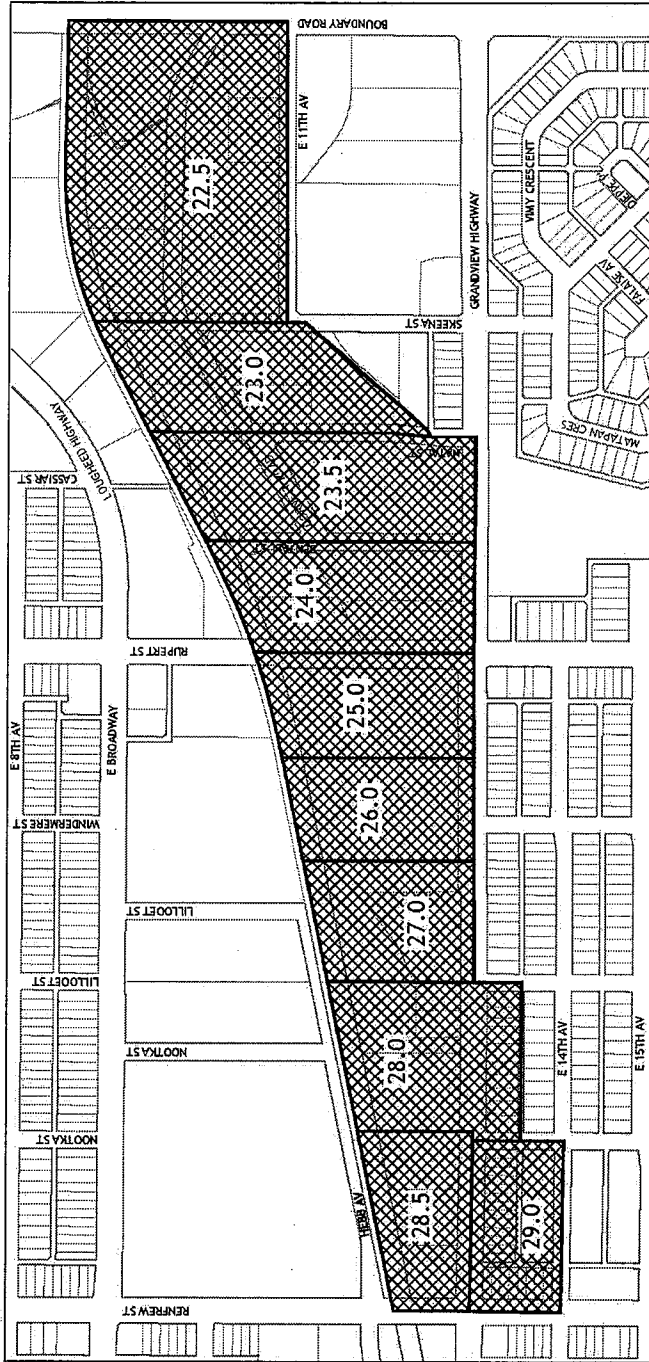


Diagram B: Still Creek Flood Plain and Flood Construction Levels



FCL Area  
 FCL Value in Meters (GVRD Datum)



**EXPLANATION****A By-law to amend the Zoning and Development By-law  
Re: floor area exclusions for sites in designated flood plains in R districts**

After the public hearing on September 16, 2014, Council resolved to amend the Zoning and Development By-law regarding floor area exclusions for sites in designated flood plains in R districts. 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  
September 30, 2014

Amendment regarding floor area  
exclusions for sites  
in a designated flood plain in an R district



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

**A By-law to amend Zoning and Development By-law No. 3575  
regarding floor area exclusions for sites  
in a designated flood plain in an R district**

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

1. This by-law amends the indicated provisions of By-law No. 3575.
2. In section 10.28, Council strikes out the words "Floor space" and substitutes "Floor area".
3. After section 10.38, Council adds:  
  
**"10.39 Floor Area Exclusions for Sites in a Designated Flood Plain in an R District**  
  
The Director of Planning may exclude floors located at or below finished grade with a ceiling height of less than 1.5 m from the computation of floor area, in order to achieve flood construction levels on sites located in a designated flood plain in an R district."
4. 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.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
Mayor

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

**EXPLANATION****Street Name By-law No. 4054  
Re: Rivergrass Drive**

Enactment of the attached By-law will implement Council's resolution of September 30, 2014 to name the street as set out in the attached By-law.

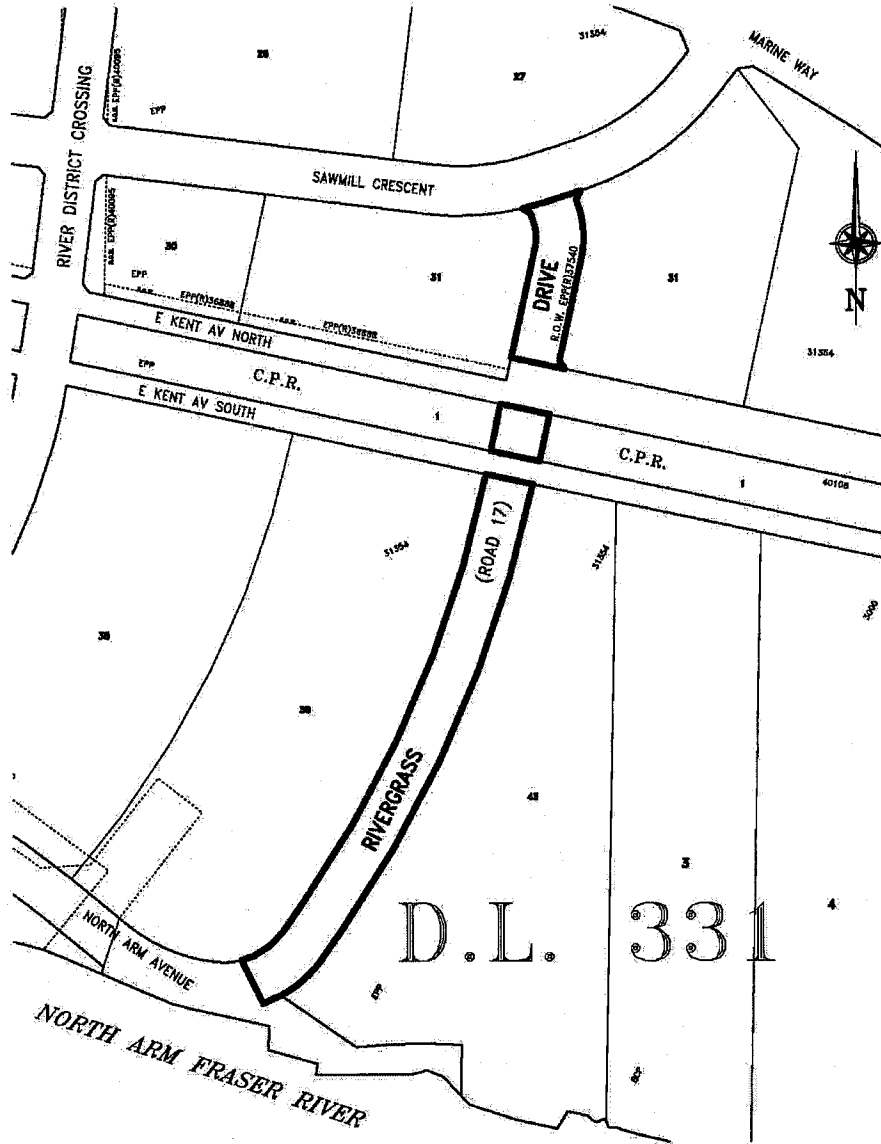
Director of Legal Services  
September 30, 2014



PLAN TO ACCOMPANY A BY-LAW TO  
AMEND STREET NAME BY-LAW No. 4054.

LF 11991

DRAWING NOT TO SCALE



LF 11991

JAS; MAPS V/W-25/26

ENGINEERING SERVICES  
SEPT 12, 2014



**EXPLANATION****2015 - 2018 Capital Plan  
Questions Authorization By-law**

The attached By-law will implement Council's resolution of September 30, 2014 to enact a By-law regarding the 2015 - 2018 Capital Plan Questions. Council should only enact this By-law if it first approves the Council Report pertaining without amendment.

Director of Legal Services  
September 30, 2014



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

**A By-law to authorize questions for the assent of electors regarding the 2015 - 2018 Capital Plan**

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

1. Council authorizes putting to the electors, under section 245 of the *Vancouver Charter*, the following questions with respect to the following matters:

**“1. PARKS AND RECREATION**

This question seeks authority to borrow funds to be used in carrying out the basic capital works program with respect to Parks and Recreation.

*Are you in favour of Council having the authority, without further assent of the electors, to pass by-laws between January 1, 2015 and December 31, 2018 to borrow an aggregate \$58,200,000 for the following purposes?*

**A. Parks**

To provide for major maintenance, upgrading or replacement of existing parks and features within parks, such as pathways, playgrounds and playfields that are beyond economical repair or no longer meet operational requirements.

\$17,950,000

**B. Recreational and Exhibition Facilities**

To provide for major maintenance, upgrading or replacement of existing recreational, entertainment and exhibition facilities that are beyond economical repair or no longer meet operational requirements, and provision of new recreational facilities to serve Vancouver’s growing population.

\$40,250,000

**Total..... \$58,200,000**

*If this question receives the assent of the electors, Council has the power, without further assent of the electors, to pass by-laws, as and when Council considers appropriate, to borrow money for the projects described up to \$58,200,000.*

**2. PUBLIC SAFETY AND PUBLIC WORKS**

This question seeks authority to borrow funds to be used in carrying out the basic capital works program with respect to Public Safety and Public Works.

*Are you in favour of Council having the authority, without further assent of the electors, to pass by-laws between January 1, 2015 and December 31, 2018 to borrow an aggregate \$95,700,000 for the following purposes?*

**A. Public Safety Facilities**

To provide for major maintenance, upgrading or replacement of existing public safety facilities, such as fire halls and police buildings, that are beyond economical repair or no longer meet operational requirements.

\$22,250,000

**B. Street and Bridge Infrastructure**

To provide for major maintenance, reconstruction and enhancement of the arterial and neighbourhood transportation networks, greenways and cycle routes and to undertake major maintenance of bridges and other structures.

\$56,450,000

**C. Street Lighting, Traffic Signals and Communications Systems**

To provide for major maintenance, replacement and expansion of street lighting, traffic signal and communications systems that are beyond economical repair or no longer meet operational requirements.

\$17,000,000

**Total.....\$95,700,000**

*If this question receives the assent of the electors, Council has the power, without further assent of the electors, to pass by-laws, as and when Council considers appropriate, to borrow money for the projects described up to \$95,700,000.*

**3. COMMUNITY AND CIVIC FACILITIES**

This question seeks authority to borrow funds to be used in carrying out the basic capital works program with respect to Community and Civic Facilities.

*Are you in favour of Council having the authority, without further assent of the electors, to pass by-laws between January 1, 2015 and December 31, 2018 to borrow an aggregate \$81,100,000 for the following purposes?*

**A. Community Facilities**

To provide for major maintenance, upgrading or replacement of existing community facilities, such as libraries, cultural facilities, affordable housing, social facilities and childcare centres, that are beyond economical repair or no longer meet operational requirements, and provision of new community facilities to serve Vancouver's growing population.

\$59,750,000

**B. Civic Facilities and Infrastructure**

To provide for major maintenance, upgrading or replacement of existing civic facilities and infrastructure, such as information technology systems, civic offices and maintenance yards, that are beyond economical repair or no longer meet operational requirements.

\$21,350,000

**Total .....\$81,100,000**

*If this question receives the assent of the electors, Council has the power, without further assent of the electors, to pass by-laws, as and when Council considers appropriate, to borrow money for the projects described up to \$81,100,000."*

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

ENACTED by Council this                      day of                      , 2014

\_\_\_\_\_  
Mayor


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

**EXPLANATION****Subdivision By-law No. 5208 amending By-law  
Re: 5675 Manson Street, 665-685 West 41 Avenue  
and 5688 Heather Street**

Enactment of the attached By-law will delete 5675 Manson Street, 665-685 West 41 Avenue, and 5688 Heather Street from the maps forming part of Schedule A of the Subdivision By-law, and implement Council's resolution of December 17, 2013 dealing with the rezoning of the property, and is consequential to the rezoning of the property.

Director of Legal Services  
September 30, 2014

5675 Manson Street,  
665-685 West 41st Avenue  
and 5688 Heather Street

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

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

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

1. Council amends Schedule A to the Subdivision By-law in accordance with the plan labelled Schedule A, and attached to and forming part of this By-law, by deleting therefrom Lots 1-5, Block 872, Plan 8313 District Lot 526; PIDs: 008-636-923, 010-166-033, 010-166-050, 010-166-068, and 010-166-076 from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

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

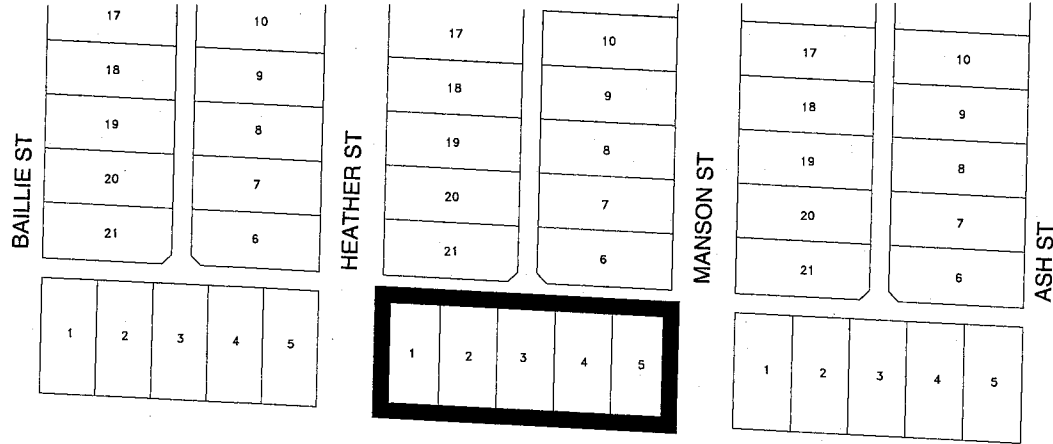
ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
Mayor

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

By-law No. \_\_\_\_\_ being a By-law to amend By-law No. 5208

being the Subdivision By-law



The properties outlined in black (  ) are deleted from the RS-1/RS-3/RS-3A/RS-5/RS-6 maps forming part of Schedule A of the Subdivision By-law

5675 Manson Street, 665-685 West 41st Avenue &  
5688 Heather Street

map: 1 of 1  
scale: NTS



City of Vancouver

date: 2014-09-22

BCS  
1471

**EXPLANATION****A By-law to amend Zoning and Development By-law No. 3575  
Re: 7249 Cypress Street**

Following the public hearing on September 24, 2013, Council resolved to rezone 7249 Cypress Street as a CD-1 zone. 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  
September 30, 2014



7249 Cypress Street



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

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

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

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-664 (d) 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 (584).

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 the only uses permitted within CD-1 (584), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law, and Multiple Dwelling;
- (c) Institutional Uses, limited to Child Day Care Facility;
- (d) Office Uses, limited to General Office, Financial Institution, Health Care Office, and Health Enhancement Centre;
- (e) Retail Uses, limited to Farmers' Market, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Repair Shop Class - B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade; and

- (g) Accessory uses customarily ancillary to the uses permitted in this Section 2.2.

### Floor Area and Density

3.1 Computation of floor space ratio must assume that the site consists of 820 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law.

3.2 Floor space ratio for all uses must not exceed 1.2, and the number of dwelling units must not exceed 6.

3.3 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) where the distance from a floor to the floor above or, where there is no floor area to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height.

3.4 Computation of floor area 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 permitted residential floor area;
- (b) patios and roof gardens, provided that 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 the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length and the maximum exclusion for heating and mechanical equipment shall not exceed 1.4 m<sup>2</sup> in each unit;
- (d) areas of undeveloped floor located:
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m, or
  - (iii) under covered verandas or porches as described in subsection (f), and to which there is no permanent means of access;

- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (f) covered porches if:
  - (i) they are located at the basement or first storey,
  - (ii) that portion facing the street or rear property line is open or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,
  - (iii) the total area being excluded does not exceed 5% of the permitted floor area, and
  - (iv) the ceiling height, including roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor.

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

#### **Building Height**

4. Building height, measured from base surface, must not exceed 10.7 m.

#### **Setbacks**

5.1 Setbacks for multiple dwellings on the site must be a minimum of:

- (a) 2.4 m from the east property line;
- (b) 0.5 m from the west property line; and
- (c) 2.5 m from the north property line.

5.2 Despite the provisions of section 5.1, the Director of Planning may allow projections into the required setbacks if:

- (a) the Director of Planning first considers all applicable Council policies and guidelines; and
- (b) those portions of buildings which project into the required setbacks are:
  - (i) steps,
  - (ii) bay windows which project no more than 0.6 m into a required setback or 0.6 m from the building face,

- (iii) balconies, eaves, bays or similar features,
- (iv) canopies, if:
  - a) they are cantilevered;
  - b) they do not project more than 1.2 m measured at right angles to the face of the building; and
  - c) they are not located closer than 0.3 m measured horizontally from any window of a habitable room where any part of such window is located below the level of the canopy;
- (v) entry porches located at the basement or first storey,
- (vi) cantilevered eaves forming part of a porch,
- (vii) chimneys or piers,
- (viii) underground parking and storage structures located entirely below grade,
- (ix) access structures to underground parking, and
- (x) hydro and gas utility meters, vaults or similar equipment.

#### **Horizontal Angle of Daylight**

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

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

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 If:

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

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

6.5 An obstruction referred to in section 6.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (584).

6.6 A habitable room referred to in section 6.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) 10% or less of the total floor area of the dwelling unit, or
  - (ii) 9.3 m<sup>2</sup>.

**Acoustics**

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

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

**Severability**

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

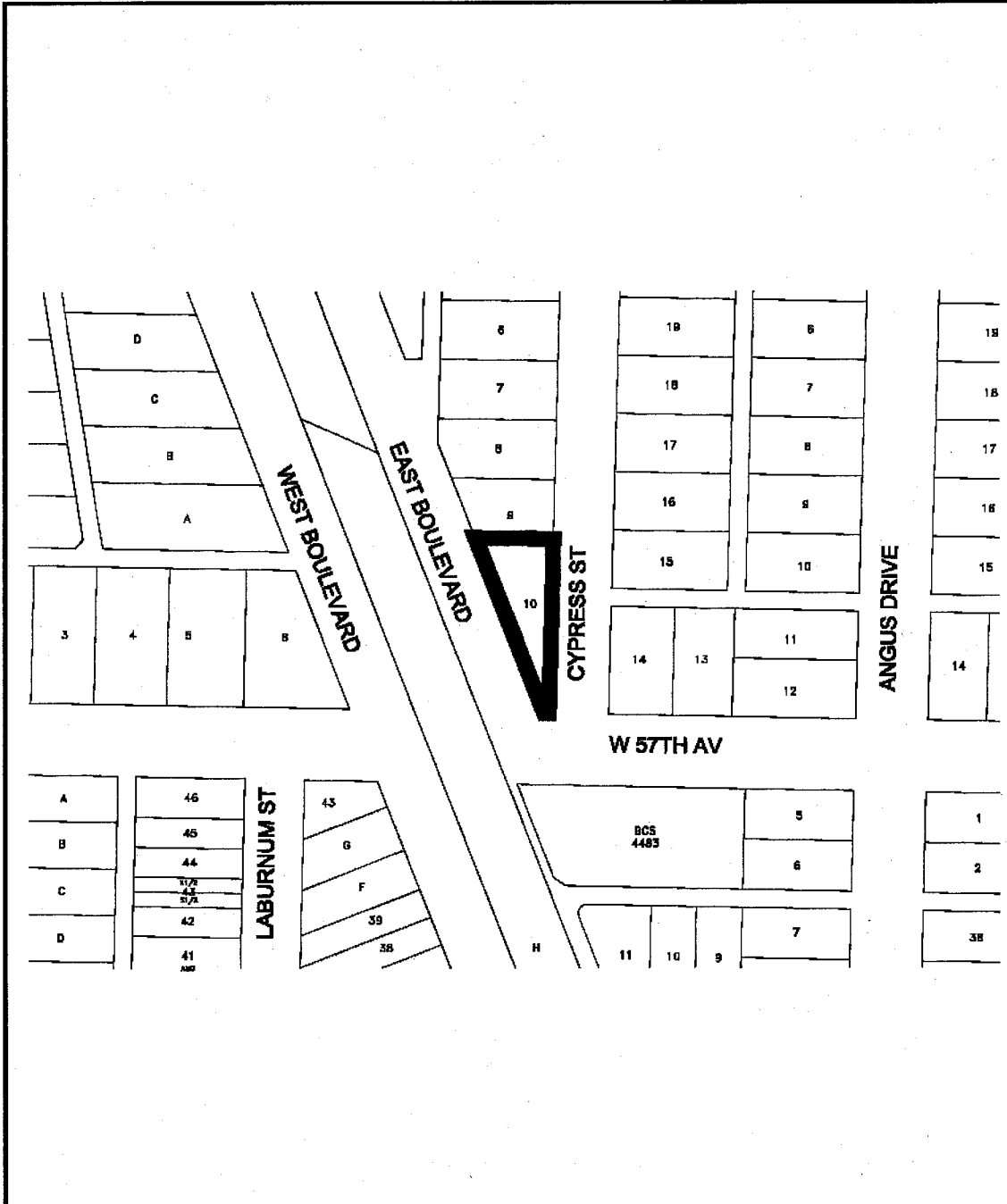
**Force and Effect**


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

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

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



The property outlined in black (  ) is rezoned:  
 From **RS-6** to **CD-1**

**Z-664 (d)**

RZ - 7249 Cypress Street

map: 1 of 1

scale: NTS



**City of Vancouver**

date: 2013-07-31