


EXPLANATION**A By-law to amend the Noise Control By-law
Re: 3030 East Broadway**

After the public hearing on June 18, 2013, Council resolved to amend the Noise Control By-law regarding this site. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
September 15, 2015

3030 East Broadway

 BY-LAW NO. _____

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

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

1. To Schedule A (Activity Zone) of By-law No. 6555, at the end, Council adds:
"CD-1 (616) By-law No. 11311 3030 East Broadway"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2015

Mayor

City Clerk

EXPLANATION**A By-law to amend the Parking By-law
Re: 3030 East Broadway**

After the public hearing on June 18, 2013, Council resolved to add 3030 East Broadway to Schedule C of the Parking By-law. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
September 15, 2015

CD-1 Districts Parking Requirements
3030 East Broadway



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:

| | | | |
|---------------------|---------------------|------------|---|
| “3030 East Broadway | By-law No. 11311 | CD-1 (616) | Parking, loading and bicycle spaces in accordance with by-law requirements on July 21, 2015, except: <ol style="list-style-type: none">a) maximum of one parking space per 37 m² gross floor area;b) at least one Class A bicycle space per 250 m² gross floor area; andc) at least one Class B bicycle space per 1 000 m² gross floor area.” |
|---------------------|---------------------|------------|---|
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 _____, 2015

Mayor

City Clerk

EXPLANATION**A By-law to amend the Sign By-law
Re: 3030 East Broadway**

After the public hearing on June 18, 2013, Council resolved to amend the Sign By-law for this site. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
September 15, 2015

3030 East Broadway



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:
"3030 East Broadway CD-1 (616) By-law No. 11311 B (I-2)"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2015

Mayor

City Clerk

EXPLANATION**A By-law to amend the Parking By-law
Re: 445 Southwest Marine Drive**

After the public hearing on February 24 and 26, 2015, Council resolved to add 445 Southwest Marine Drive to Schedule C of the Parking By-law. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
September 15, 2015

CD-1 District Parking requirements
445 Southwest Marine Drive
(Marine Gardens)



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:

“

445 Southwest
Marine Drive

By-law
No. 11316

CD-1 (71)

Parking, loading and bicycle
spaces in accordance with
by-law requirements on
July 21, 2015 except that
there must be:

- a) a minimum of 0.40
residential parking spaces
per dwelling unit plus one
space for each 285 m² of
gross floor area and a
maximum of 0.55
residential parking spaces
per dwelling unit plus one
space for each 220 m² of
gross floor area;
- b) a minimum of one
non-residential parking
space for each 88 m² of
gross floor area and a
maximum of one
non-residential parking
space for each 18.6 m² of
gross floor area for child
day care uses;
- c) Class A loading spaces
provided at a rate of 0.01
spaces per dwelling unit
up to and including 300
units, and at a rate of
0.008 spaces per dwelling

d) a minimum of 2 Class A and 6 Class B bicycle spaces provided for child day care use.”

- ENACTED by Council this day of , 2015

City Clerk

EXPLANATION**A By-law to amend the Noise By-law
Re: 984 West Broadway**

After the public hearing on March 15, 2011, Council resolved to amend the Noise By-law regarding this site. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
September 15, 2015

984 West Broadway



BY-LAW NO. _____

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

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

1. To Schedule B of By-law No. 6555, at the end, Council adds:
"CD-1 (618) By-law No. 11317 984 West Broadway"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2015

Mayor

City Clerk

EXPLANATION**A By-law to amend the Sign By-law
Re: 984 West Broadway**

After the public hearing on March 15, 2011, Council resolved to amend the Sign By-law for this site. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
September 15, 2015

984 West Broadway



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:

“984 West Broadway CD-1(618) By-law No. 11317 B (C-3A)”

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

ENACTED by Council this day of , 2015

Mayor

City Clerk

EXPLANATION

A By-law to provide for the indemnification of officers, employees, elected officials and members and employees of certain boards against claims arising out of the performance of their duties

On June 24, 2014, Council instructed the Director of Legal Services to bring forward a By-law to repeal and replace the Liability Indemnity By-law with new By-laws which would continue to protect employees and officers of the City and Council and Board members from personal liability and would also protect civilian employees of the Police Board and volunteers assisting the City of Vancouver, the Park Board, the Police Board and the Library Board, from liability for claims arising out of the performance of their duties. Enactment of the attached by-law will accomplish Council's instructions regarding employees.

The attached by-law contains revisions to the form of by-law which was attached as Appendix A to the Administrative Report dated May 27, 2014, in order to streamline and modernize the language, to clarify the extent of and terms on which the City will provide indemnity and the circumstances in which the City will seek indemnity from others.

Director of Legal Services
September 15, 2015



BY-LAW NO. ____

**A By-law to provide for the indemnification of officers,
employees, elected officials and members and employees
of certain boards, against claims arising out of the performance of their duties**

WHEREAS section 180 of the Vancouver Charter authorizes Council to enact a by-law to provide indemnity to officers and employees of the City of Vancouver, Council members and members and employees of certain boards, against claims arising out of the performance of their duties, to the extent set out in the by-law;

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

Interpretation

1. In this by-law:

“City” means the City of Vancouver.

“claim” means:

- (a) a claim for damages or other legal remedy; or
- (b) an oral or written claim for compensation or other legal remedy;

against a person, arising out of and in the course of employment, or the exercise of duties, powers or functions as an official, Board or Council member.

“damages” means damages, including prejudgment interest, due or awarded in payment for actual injury or economic loss and does not include punitive, aggravated or exemplary damages, fines or penalties.

“indemnify” means, at the sole discretion of the City:

- (a) to defend , settle or pay a claim; or
- (b) to pay or satisfy a judgment or an award of damages imposed in connection with a claim.

“officer” means a person who is the holder of an office created by the *Vancouver Charter*.

“person” means a person listed in section 2.1 of this By-law.

Indemnification

2.1 Subject to sections 2.2 and 2.3 of this By-law, the City will indemnify persons who are current or former:

- a) City Council members;
- b) members of the Board of Parks and Recreation;
- c) members and employees of the Vancouver Library Board;
- d) members of the Vancouver Police Board;
- e) employees of the Vancouver Police Board who are not appointed under the *Police Act*; and
- f) officers and employees of the City, including those assigned to the Board of Parks and Recreation.

2.2 Subject to section 2.3 of this By-law, the City will indemnify a person referred to in section 2.1 of this By-law, if the person to be indemnified:

- a) promptly after being served with a claim, delivers a copy of the same to the City Clerk;
- b) does not admit or assume fault in connection with the claim, or enter into any settlement or resolution of the claim, without the prior approval of the Director of Legal Services;
- c) consents in writing to the City having complete discretion to resolve the claim, including resolution by:
 - i) appointment and instruction of legal counsel,
 - ii) assumption of the defence of the claim,
 - iii) payment of legal costs and expenses,
 - iv) conduct of all necessary investigations,
 - v) compromise or settlement of the claim, or
 - vi) payment or satisfaction of a judgment or an award of damages imposed in connection with the claim;
- d) cooperates fully in the defence of the claim, to the satisfaction of the Director of Legal Services; and
- e) provides statements and discloses documents upon request, to the satisfaction of the Director of Legal Services.

2.3 The City will not indemnify a person pursuant to this By-law if:

- a) the claim is for a fine imposed on a person upon conviction for a criminal offence; or
- b) the person, in relation to the conduct that is the subject matter of the claim:
 - i) is guilty of dishonesty, gross negligence, malicious or wilful misconduct, or a criminal act,
 - ii) has wilfully acted contrary to the terms of his employment,
 - iii) has willfully acted contrary to a lawful direction or order of a supervisor, or
 - iv) has not acted in the honest performance of their duties.

Indemnity over

3. The City will not seek indemnity against a person in respect of any conduct by such person which results in a claim, unless a court, tribunal or arbitrator first determines that the person:

- a) is guilty of dishonesty, gross negligence, malicious or wilful misconduct, or a criminal act;
- b) has willfully acted contrary to the terms of his employment;
- c) has willfully acted contrary to a lawful direction or order of a supervisor; or
- d) has not acted in the honest performance of their duties.

Repeal

4. Council repeals By-law No. 6579.

Citation

5. The name of this By-law, for citation, is the “Indemnification of Employees By-law”.

Severability

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.

Force and effect

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

ENACTED by Council this day of , 2015

Mayor

City Clerk

EXPLANATION**A By-law to indemnify volunteers against
claims arising out of the performance of their duties**

On June 24, 2014, Council instructed the Director of Legal Services to bring forward By-laws to repeal and replace the Liability Indemnity By-law with new By-laws which would continue to protect employees and officers of the City, Board and Council members from personal liability and would also protect civilian employees of the Police Board and volunteers assisting the City of Vancouver, the Park Board, the Police Board and the Library Board, from liability for claims arising out of the performance of their duties. Enactment of the attached by-law will accomplish Council's instruction to bring forward a By-law to indemnify volunteers.

The attached By-law contains revisions to the form of by-law which was attached as Appendix A to the Administrative Report dated May 27, 2014, in order to streamline and modernize the language, to clarify the extent of and terms on which the City will provide indemnity to volunteers.

Director of Legal Services
September 15, 2015



BY-LAW NO. ____

A By-law to provide for the indemnification of registered volunteers

WHEREAS section 180 of the Vancouver Charter authorizes Council to enact a By-law to provide indemnity to volunteers against claims arising out of the performance of their duties, to the extent set out in the By-law;

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

Interpretation

1. In this By-law:

“City” means the City of Vancouver.

“Volunteer Form” means a City approved form signed by a registered volunteer and by a program organizer.

“claim” means:

- (a) an action for damages or other legal remedy, brought by any originating legal process, cross-claim, counter claim or third or similar party notice; or
- (b) an oral or written demand for compensation or other legal remedy;

against a registered volunteer, arising out of and in the course of performing the activities described in the Volunteer Form.

“damages” means damages, including prejudgment interest, due or awarded in payment for actual injury or economic loss and does not include punitive, aggravated or exemplary damages, fines or penalties.

“indemnify” means, at the sole discretion of the City:

- (a) to defend, settle or pay a claim; or
- (b) to pay or satisfy a judgment or an award of damages imposed in connection with a claim.

“program organizer” means a manager, supervisor or employee who is authorized by the City, the Board of Parks and Recreation, the Vancouver Library Board, or the Vancouver Police Board, to supervise registered volunteers.

“registered volunteer” means a person who has signed a Volunteer Form, has been accepted as a volunteer and is providing or has provided a public service at the request of or with the consent of the City, the Board of Parks and Recreation, the Vancouver Library Board, or the Vancouver Police Board.

Indemnification

2.1 Subject to section 2.2 of this By-law, the City will indemnify a registered volunteer, if the registered volunteer:

- a) promptly after being served with a claim, delivers a copy of the same to the City Clerk;
- b) does not admit or assume fault in connection with the claim, or enter into any settlement or resolution of the claim, without the prior approval of the Director of Legal Services;
- c) consents in writing to the City having complete discretion to resolve the claim, including resolution by:
 - i) appointment and instruction of legal counsel,
 - ii) assumption of the defence of the claim,
 - iii) payment of legal costs and expenses,
 - iv) conduct of all necessary investigations,
 - v) compromise or settlement of the claim, or
 - vi) payment or satisfaction of a judgment or an award of damages imposed in connection with the claim;
- d) cooperates fully in the defence of the claim, to the satisfaction of the Director of Legal Services; and
- e) provides statements and discloses documents upon request, to the satisfaction of the Director of Legal Services.

2.2 Despite Section 2.1, the City will not indemnify a registered volunteer if:

- a) the claim includes allegations of dishonesty, gross negligence, malicious or wilful misconduct, libel or slander, a criminal act or an intentional tort;
- b) the registered volunteer has misrepresented a material fact on the Volunteer Form;
- c) the claim is in relation to anything that is specifically excluded from indemnity on the Volunteer Form;

- d) the claim is in relation to a failure to comply with a City policy or a direction of a supervisor or program organizer; or
- e) the claim is for a fine or penalty imposed on the registered volunteer.

Indemnity over

3. The City will not seek indemnity against a registered volunteer in respect of any conduct by such registered volunteer which results in a claim, unless:

- a) the claim includes allegations of dishonesty, gross negligence, malicious or wilful misconduct, libel or slander, a criminal act or an intentional tort;
- b) the registered volunteer has misrepresented a material fact on the Volunteer Form;
- c) the claim is in relation to anything that is specifically excluded from indemnity on the Volunteer Form;
- d) the claim is in relation to a failure to comply with a City policy or a direction of a supervisor or program organizer; or
- e) the claim is for a fine or penalty imposed on the registered volunteer.

Citation

4. The name of this By-law, for citation, is the “Indemnification of Volunteers By-law”.

Severability

5. 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

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

ENACTED by Council this day of , 2015

Mayor

City Clerk

EXPLANATION**2016 Real Property Tax Interest on Arrears**

The attached By-law will implement Council's resolution of September 15, 2015 to set the interest rate for delinquent real property taxes for 2016 at 6.7%.

Director of Legal Services
September 15, 2015



BY-LAW NO. _____

**A By-law to provide for the imposition of interest
on delinquent property taxes for 2016**

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

1. The name of this By-law, for citation, is the "2016 Real Property Tax Interest By-law".
2. All real property taxes that are or become delinquent after December 31, 2015, are to bear interest at the rate of 6.7% per annum compounded annually.
3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2015

Mayor

City Clerk

EXPLANATION**Heritage Designation By-law
Re: 1749 Waterloo Street**

At a public hearing on May 26, 2015, Council approved a recommendation to designate the structure and exterior envelope, of the improvements and exterior building materials of a building at 1749 Waterloo Street as protected heritage property. Enactment of the attached By-law will achieve the designation.

Director of Legal Services
September 15, 2015

1749 Waterloo Street



BY-LAW NO.

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

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

1. Council considers that the real property described as:

Structure and
exterior envelope of
the improvements
and exterior
building materials of
heritage building

1749 Waterloo Street
Vancouver, B.C.

PID: 015-436-837
LOT A (REFERENCE PLAN 229)
BLOCK 11
DISTRICT LOT 540
PLAN 229

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 _____, 2015

Mayor

City Clerk

EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 5805 Wales Street (Avalon Dairy)**

After the public hearing on July 8, 2014, Council resolved to amend the Zoning and Development By-law to create a CD-1 By-law for 5805 Wales Street. 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 15, 2015

5805 Wales 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-680 (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 (619).

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

- (a) Dwelling Use, limited to Multiple Dwelling, Dwelling Unit, and Lock-off Unit; and
- (b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of use

3. The design and layout 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".

Floor area and density

4.1 Computation of floor space ratio must assume that the site consists of 4 723.2 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 must not exceed 1.2.

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

4.4 Computation of floor area must exclude:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
 - (i) the total area of all such exclusions must not exceed 12% of permitted floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs, walls, or similar features;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.

4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any purpose other than that which justified the exclusion.

Building height

5. The building height, measured from base surface, must not exceed 13.4 m.

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 (619).
- 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 m².

Severability

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.

Force and effect

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

ENACTED by Council this day of , 2015

Mayor

City Clerk

Z-680 (a)

