



CITY OF VANCOUVER
POLICY REPORT
URBAN STRUCTURE

P2

Date: April 4, 2006
Author: Desiree Drewitt
Phone No.: 604.873.7699
RTS No.: 05851
VanRIMS No.: 11-3600-03
Meeting Date: April 18, 2006

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: Miscellaneous Text Amendments

RECOMMENDATION

- A. THAT the Director of Current Planning be instructed to make application to amend several CD-1 By-laws and the Sign By-law generally as described in Appendix A, and that the application be referred to Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-laws, generally as described in Appendix A, for consideration at the Public Hearing.

- B. THAT, should the CD-1 By-law for 101 and 149 West Hastings Street/150 West Cordova Street (Woodward's site) be enacted, the Director of Current Planning be instructed to make application to amend that CD-1 By-law generally as described in Appendix A, and that the application be referred to Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally as described in Appendix A, for consideration at the Public Hearing.

- C. THAT a miscellaneous amendment to the Noise Control By-law be approved, generally in accordance with Appendix B;

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary by-law, generally as described in Appendix B, for enactment.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Service RECOMMENDS approval of A, B, and C.

COUNCIL POLICY

There is no Council policy directly applicable to the proposed amendments.

PURPOSE

This report recommends miscellaneous text amendments to several CD-1 By-laws to correct staff omissions and thereby achieve the intent of earlier rezonings.

DISCUSSION

From time to time, Council has approved packages of miscellaneous text amendments intended to fix typographical or inadvertent errors, and to provide clarity for the public and staff in interpretation of by-laws. Proposed amendments that are substantive in nature are not included in these packages, but are reported and recommended separately. The last package of miscellaneous text amendments was approved by Council at the Public Hearing of February 28, 2006 and enacted on March 21, 2006.

The following proposed amendments require a public hearing. Appendix A contains an explanation and draft by-law wording for each.

CD-1 BY-LAWS

During a recent review of development applications for downtown sites which were rezoned to CD-1 in 2005, staff determined that some minor, but nevertheless important, provisions governing floor space ratio calculation, building height, and parking requirements were inadvertently omitted. A review of all CD-1 By-laws in the downtown area approved and enacted over the last two years was undertaken to ensure consistency in these provisions among all those by-laws. The following amendments are proposed to achieve this consistency and to ensure that the intent of the original rezoning is achieved.

Floor Space Exclusions:

To the CD-1 By-laws listed in Part 1 of Appendix A, add a provision regarding floor space exclusions.

Floor Area Exclusions:

To the CD-1 By-laws listed in Part 2 of Appendix A, amend a provision regarding floor area computation exclusions.

Heating and Mechanical:

To the CD-1 By-laws listed in Part 3 of Appendix A, amend a provision regarding heating and mechanical exclusions.

Section 10.11 - Relaxation of Limitations on Building Height:

To the CD-1 By-laws listed in Part 4 of Appendix A, add a provision regarding the relaxation of limitations on building height.

Height

To the CD-1 By-laws listed in Part 5 of Appendix A, amend the provision regarding height exceptions for mechanical appurtenances and decorative roof, and further amend the provision regarding relaxation of limitations on building height.

Parking, loading, and bicycle parking:

To the CD-1 By-laws listed in Part 6 of Appendix A, add more specific language to the parking requirements provision.

Woodward's Site:

A draft CD-1 By-law for 101 and 149 West Hastings Street/150 West Cordova Street went before Council at a Public Hearing on March 21, 2006. The by-law was approved in principle, but as of the date of this report has not yet achieved enactment. As a result, the proposed by-law may need to go to a public hearing separate from the other by-laws listed in Appendix A. Should the by-law be enacted by Council, staff recommend the amendments set out in Part 7 of Appendix A, being to correct a typographical error regarding maximum exclusion of interior public space, add a provision regarding floor space exclusions, and add a further provision regarding the relaxation of limitations on building height.

SIGN BY-LAW

To correct a typographical error in section 2.0 (a) of Schedule G2 by adding "11.9" as a section of the by-law that is not applicable.

NOISE CONTROL BY-LAW

To correct a typographical error in the first column of Schedule B (the Hillcrest Park and Nat Bailey Stadium Park CD-1 reference number).

This proposed amendment can be approved without a public hearing. An explanation and draft by-law wording is outlined in Appendix B.

CONCLUSION

This report proposes amendments to correct several existing by-laws. It is recommended that staff be instructed to make application to amend several CD-1 By-laws and the Sign By-law, and that the application be referred to Public Hearing. An amendment to the Noise Control By-law is also recommended.

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PROPOSED MISCELLANEOUS TEXT AMENDMENTS
CD-1 BY-LAWS AND SIGN BY-LAW

[All additions are shown in *bold italics*. Deletions are shown in ~~strikethrough~~]

Draft by-law amendments will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting, to the satisfaction of the Director of Legal Services.

CD-1 BY-LAWS

Part 1

Floor Space Exclusions

CD-1 No. 7679 (363) 201 Burrard Street
CD-1 No. 8587 (415) 651 Expo Boulevard
CD-1 No. 8592 (416) 1175 Broughton Street
CD-1 No. 8819 (419) 1201 West Hastings Street
CD-1 No. 8896 (422) 900 Pacific Boulevard
CD-1 No. 8978 (427) 1001 - 1015 Denman Street
CD-1 No. 8993 (428) 33 West Pender Street
CD-1 No. 9088 (432) 950 Quebec Street
CD-1 No. 9116 (435) 1380 Hornby Street
CD-1 No. 9154 (437) 3585 Graveley Street
CD-1 No. 9167 (440) 1750 Davie Street
CD-1 No. 9173 (442) 898 Seymour Street/887 - 897 Richards Street
CD-1 No. 9184 (443) 826 - 848 West Hastings Street
CD-1 No. 9190 (444) 955 Burrard Street
CD-1 No. 9204 (445) 969 Burrard Street
CD-1 No. 9195 (446) 1133 West Georgia Street

Amendment:

Where appropriate, add "*The use of floor space excluded, under preceding sections [], from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion.*"

CD-1 No. 8536 (413) 801 West Georgia Street
CD-1 No. 8546 (414) 600 Granville Street/602 Dunsmuir Street

Amendment:

Delete section 3.5, and replace with "*The use of floor space excluded, under preceding sections 3.3 and 3.4, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion.*"

CD-1 No. 8740 (418) 488 Robson Street

Amendment:

Delete section 4.9, and replace with "*The use of floor space excluded, under preceding sections 4.6 and 4.7, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion.*"

Part 2

Floor Area Exclusions

CD-1 No. 8536 (413) 801 West Georgia Street
CD-1 No. 8546 (414) 600 Granville Street/602 Dunsmuir Street
CD-1 No. 8587 (415) 651 Expo Boulevard
CD-1 No. 8896 (422) 900 Pacific Boulevard
CD-1 No. 8943 (426) 1120 West Georgia Street
CD-1 No. 9081 (431) 811 - 821 Cambie Street
CD-1 No. 9088 (432) 950 Quebec Street
CD-1 No. 9170 (441) 1211 Melville Street
CD-1 No. 9173 (442) 898 Seymour Street/887 - 897 Richards Street
CD-1 No. 9184 (443) 826 - 848 West Hastings Street
CD-1 No. 9190 (444) 955 Burrard Street
CD-1 No. 9204 (445) 969 Burrard Street
CD-1 No. 9195 (446) 1133 West Georgia Street

Amendment:

Where appropriate, add "*and floor area*" after "Computation of floor space ratio".

Part 3

Heating and Mechanical

CD-1 No. 9173 (442) 898 Seymour Street/887 - 897 Richards Street
CD-1 No. 9190 (444) 955 Burrard Street
CD-1 No. 9204 (445) 969 Burrard Street
CD-1 No. 9195 (446) 1133 West Georgia Street

Amendment:

Where appropriate, add "*heating and mechanical equipment*" after "bicycle storage,".

Part 4

Section 10.11 - Relaxation of Limitations on Building Height

CD-1 No. 7679 (363) 201 Burrard Street
CD-1 No. 8536 (413) 801 West Georgia Street
CD-1 8546 (414) 600 Granville Street/602 Dunsmuir Street
CD-1 No. 8587 (415) 651 Expo Boulevard
CD-1 No. 8592 (416) 1175 Broughton Street
CD-1 No. 8740 (418) 488 Robson Street
CD-1 No. 8896 (422) 900 Pacific Boulevard
CD-1 No. 8978 (427) 1001 - 1015 Denman Street
CD-1 No. 9081 (431) 811 - 821 Cambie Street
CD-1 No. 9088 (432) 950 Quebec Street
CD-1 No. 9170 (441) 1211 Melville Street
CD-1 No. 9173 (442) 898 Seymour Street/887 - 897 Richards Street
CD-1 No. 9184 (443) 826 - 848 West Hastings Street
CD-1 No. 9190 (444) 955 Burrard Street
CD-1 No. 9204 (445) 969 Burrard Street

Amendment:

Where appropriate, add "*Section 10.11 Relaxation of Limitations on Building Height of the Zoning and Development By-law does not apply.*"

Part 5

Height

CD-1 No. 8943 (426) 1120 West Georgia Street

Amendment:

To the end of section 6.1, delete the period and add the words from section 6.2 ", *except that mechanical appurtenances and decorative roof may increase the building height to no more than 196.9 m.*"

Delete section 6.2, and replace with a new section 6.2 "*Section 10.11 Relaxation of Limitations on Building Height of the Zoning and Development By-law does not apply.*"

CD-1 No. 9195 (446) 1133 West Georgia Street

Amendment:

To the end of section 6.1, delete the period and add the words from section 6.2 ", *except that mechanical appurtenances and decorative roof may increase the building height to no more than 182.9 m.*"

Delete section 6.2, and replace with a new section 6.2 "*Section 10.11 Relaxation of Limitations on Building Height of the Zoning and Development By-law does not apply.*"

Part 6

Parking, loading and bicycle parking

CD-1 No. 9190 (444) 955 Burrard Street

Amendments:

To Section 7

7 (a)(ii) for dwelling units of more than 80 m² of gross floor area, *a minimum of* one parking space for each unit plus one additional *parking* space for each 125 m² of gross floor area in excess of *the initial* 80 m², *except that no more than* ~~to a maximum of~~ two spaces for each unit *need be provided*, and

(iii) for all dwelling units, the maximum permitted parking must not exceed 0.2 spaces *per unit* more than the required minimum number of parking spaces;

CD-1 No. 9204 (445) 969 Burrard Street

Amendments:

To Section 6

6 (a)(ii) for dwelling units of more than 80 m² of gross floor area, *a minimum of* one parking space for each unit plus one additional *parking* space for each 125 m² of gross floor area in excess of *the initial* 80 m², *except that no more than* ~~to a maximum of~~ two spaces for each unit *need be provided*, and

(iii) for all dwelling units, the maximum permitted parking must not exceed 0.2 spaces *per unit* more than the required minimum number of parking spaces;

Part 7

Woodward's Site

CD-1 No. XXXX (450) 101 and 149 West Hastings/150 West Cordova Street

On March 21, 2006, the above noted CD-1 was considered by Council at a public hearing, and approved in principle. As of the date of this report, the by-law has not yet achieved enactment. Should the by-law be enacted by Council, staff recommend the following amendments.

Amendments:

In Section 4.3 (b) (i), substitute "1 115 m²" for "11 115 m²".

Where appropriate, add " *The following will be included in the computation of floor space ratio:*

- (a) *all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be 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, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.*"

Where appropriate, add " *The use of floor space excluded, under preceding sections 4.2 and 4.3, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion.*"

Where appropriate, add " *Section 10.11 Relaxation of Limitations on Building Height of the Zoning and Development By-law does not apply.*"

SIGN BY-LAW

On November 20, 2003, the Sign By-law was amended to permit two oversized automatic changeable copy (video) signs at 798 Granville Street. Several amendments to create a new Schedule G2 for the site were approved by Council at that time. The following amendment will achieve Council's intent.

Amendment:

Section 2.0 (a) of Schedule G1 and G2

- (a) two automatic changeable copy signs at the level of the third storey of any building in that area, each of which must not exceed 28 m², and to which sections 11.6, 11.8.5, 11.8.7, ~~and~~ 11.8.9, *and 11.9* do not apply.

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PROPOSED MISCELLANEOUS TEXT AMENDMENT
NOISE CONTROL BY-LAW

[All additions are shown in *bold italics*. Deletions are shown in ~~strike~~through]

NOISE CONTROL BY-LAW

On February 14, 2006, an amendment to the Noise Control By-law was enacted to add CD-1 By-law No. 9230 Hillcrest Park and Nat Bailey Stadium Park to the end of Schedule B. The following amendment will correct the CD-1 By-law reference number.

Amendment:

Schedule B

441 *449* 9230 Hillcrest Park and Nat Bailey Stadium Park

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