



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: September 7, 2010  
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Meeting Date: September 21, 2010

TO: Vancouver City Council

FROM: Director of Planning

SUBJECT: Miscellaneous Text Amendments to the Zoning and Development By-law and to CD-1 By-laws for 6708-6776 Granville Street and for 538-560 West Broadway

**RECOMMENDATION**

- A. THAT, the Director of Planning be instructed to make application to amend the Zoning and Development By-law with regard to Farmers' Markets and Comprehensive Development (CD-1) #485 By-law No. 10088 for 6708-6776 Granville Street with regard to floor space exclusions, for miscellaneous text amendments generally as presented in Appendix A, and that the application be referred to a Public Hearing;

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

- B. THAT, subject to enactment of the Comprehensive Development (CD-1) #494 By-law for 538-560 West Broadway scheduled for September 21, 2010 and previously approved by Council at Public Hearing on November 3, 2009, the Director of Planning be instructed to make application to amend the CD-1 By-law to increase the amount of amenity space which may be excluded from floor space ratio computation, generally as presented in Appendix A, and that the application be referred to a Public Hearing;

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

### ***GENERAL MANAGER'S COMMENTS***

The General Manager of Community Services RECOMMENDS approval of the foregoing.

### ***COUNCIL POLICY***

There is no applicable Council Policy.

### ***PURPOSE AND SUMMARY***

This report recommends a number of miscellaneous text amendments to the Zoning and Development By-law and to CD-1 By-laws for 6708-6776 Granville Street and for 538-560 West Broadway. The amendments achieve the intent of earlier zoning approvals and correct inadvertent errors.

### ***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 the interpretation of by-laws and guidelines. Proposed amendments that are substantive in nature are not included in these packages, but are reported separately. The last package of miscellaneous text amendments was enacted by Council in July 2010.

The following is an explanation and description of the proposed amendments that require a Public Hearing. The draft by-law wording for each is contained in Appendix A.

#### **Zoning and Development By-law – Section 10 General Regulations**

- On July 22, 2010, Council enacted by-laws to support the advancing of farmers' markets and to make consequential changes to the Zoning and Development By-law. Staff have since determined that it is necessary to remove the reference to Farmers' Market in Section 10 General Regulations to achieve consistency in the Zoning and Development By-law.

#### **Zoning and Development By-law – RM-5, RM-5A, RM-5B and RM-5C**

- On July 22, 2010, Council enacted by-laws to support the advancing of farmers' markets and to make consequential changes to various district schedules of the Zoning and Development By-law. In the RM-5, RM-5A, RM-5B and RM-5C District Schedule, the reference to Farmers' Market was inadvertently removed. This amendment would achieve the intent of the original rezoning.

### CD-1 #485 (By-law No. 10088) for 6708-6776 Granville Street

- During the review of a development application for 6700 Granville Street (DE413857), staff determined that the floor area exclusion of below-grade space, provided in Section 3.5 (c) does not allow for the intended form of development to be achieved. Rowhouse design has evolved to include a private, secured parking for specific units with direct access to the unit from a below grade multi-purpose utility room. Floor space exclusions in the CD-1 by-laws have not been adapted to reflect this new design element, resulting in difficulty in achieving the approved form of development. Staff therefore propose amending this CD-1 By-law to realize the intent of the original rezoning.

### Pending CD-1 #494 By-law for 538-560 West Broadway

- A CD-1 By-law for 538-560 West Broadway was approved at Public Hearing on November 3, 2009 but has yet to be enacted. It includes a provision for exclusion from the computation of floor space ratio amenity areas for the social and recreational enjoyment of building occupants, up to a maximum of the "lesser of 20% of the permitted floor space or 1 000 m<sup>2</sup>". The form of development approved in principle by Council at the Public Hearing includes an amenity room adjacent to a roof deck and green roof, which will be for the use and enjoyment of building occupants. The total amenity space proposed exceeds 1 000 m<sup>2</sup> but does not exceed the overall maximum of 20% as noted in the by-law. Including the 1 000 m<sup>2</sup> maximum in the draft by-law was an inadvertent error. Staff propose that the by-law be amended to remove the 1 000 m<sup>2</sup> maximum and permit the amount of amenity space to be up to 20% of permitted floor space. No change to the form of development would result from this amendment.

### *FINANCIAL IMPLICATIONS*

There are no financial implications.

### *CONCLUSION*

This report proposes miscellaneous amendments to achieve the intent of earlier rezonings, and to correct inadvertent errors. To this end, it is recommended that the Director of Planning be instructed to make applications to amend to Section 10 of the Zoning and Development By-law, the RM-5, RM-5A, RM-5B and RM-5C District Schedule of the Zoning and Development By-law, the CD-1 #485 (By-law No. 10088) for 6708-6776 Granville Street, and the pending CD-1 #494 By-law for 538-560 West Broadway, and that these applications be referred to a Public Hearing and be approved.

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PROPOSED MISCELLANEOUS TEXT AMENDMENTS  
Zoning and Development By-Law,  
CD-1 By-Law #485 (By-Law No. 10088) for 6708-6776 Granville Street  
and  
Pending CD-1 By-Law for 538-560 West Broadway

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

**Note:** A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning and Development By-Law (By-law No. 3575)

1. Section 10 General Regulations

Repeal 10.33 Farmers' Market and renumber the subsequent sections as follows:

~~10.33~~ ~~————~~ ~~Farmers' Market~~

- |                                   |   |
|-----------------------------------|---|
| <del>10.34</del> <i>10.33</i>     | <b>Exterior walls in CD-1 districts</b>   |
| <del>10.34.1</del> <i>10.33.1</i> | Despite anything to the contrary in any CD-1 by-law listed in the CD-1 (Comprehensive Development) District Schedule, computation of floor space ratio or floor area is to exclude, with respect to exterior: <ul style="list-style-type: none"><li>(i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or</li><li>(ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15), the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009.</li></ul> |
| <del>10.34.2</del> <i>10.33.2</i> | A registered professional must verify that any wall referred to in section 10.34.1(ii) meets the standards set out therein.   |
| <del>10.35</del> <i>10.34</i>     | <b>Secondary dwelling units</b>   |
| <del>10.35.1</del> <i>10.34.1</i> | Each secondary dwelling unit must include at least one complete bathroom unit, comprising one water-closet, one hand wash-basin, and one bathtub or shower.   |
| <del>10.35.2</del> <i>10.34.2</i> | Each secondary dwelling unit must include no more than one kitchen.   |

Zoning and Development By-Law (By-law No. 3575)

2. RM-5, RM-5A, RM-5B, RM-5C Districts Schedule

Insert the words "Farmers' Market" as follows:

3.2.1.R [Retail]

- Retail Store, in a building which has been designated as a Municipal Heritage Site. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- *Farmers' Market. Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*

CD-1 #485 (By-law No. 10088) for 6708-6776 Granville Street

3. Section 3 Density

Insert after section 3.5 (h) as follows:

3.5 Computation of floor space ratio must exclude:

- (i) *a maximum of 185 m<sup>2</sup> of residential space located in a cellar and forming part of a dwelling unit above grade, provided the Director of Planning first approves the location, size and design of the space.*

Pending CD-1 #494 By-Law for 538-560 West Broadway

4. Section 3 Density

Amend 3.3 as follows:

3.3 Computation of floor space ratio must exclude:

- (b) amenity areas for the social and recreational enjoyment of employees or providing a service to the public, including facilities for general fitness and general recreation, except that the total area excluded must not exceed ~~the lesser of~~ 20% of the permitted floor space ~~and 1 000 m<sup>2</sup>~~;

\* \* \* \* \*