



POLICY REPORT
DEVELOPMENT AND BUILDING

P1

Report Date: January 6, 2012
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Meeting Date: January 31, 2012

TO: Vancouver City Council

FROM: Director of Planning in consultation with the Director of Legal Services

SUBJECT: Miscellaneous Text Amendments: CD-1 By-laws #462, #464, #490, #500, and #513; and the Sign By-law

RECOMMENDATION *

A. THAT the Director of Planning be instructed to make application to amend the following CD-1 (Comprehensive Development) District By-laws:

- (i) CD-1 #462 (By-law No. 9594) for 140 West 1st Avenue;
- (ii) CD-1 #464 (By-law No. 9600) for 99 West 2nd Avenue;
- (iii) CD-1 #490 (By-law No. 10123) for 2304 West 8th Avenue;
- (iv) CD-1 #500 (By-law No. 10238) for 6511 Granville Street; and
- (v) CD-1 #513 (By-law No. 10382) for 2402 East Broadway;

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 the Director of Planning be instructed to make application to amend the Sign By-law (By-law No. 6510) for miscellaneous text amendments, generally as presented in Appendix B, 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 B, for consideration at the Public Hearing.

REPORT SUMMARY *

This report recommends a number of miscellaneous text amendments to CD-1 #462 for 140 West 1st Avenue, to CD-1 #464 for 99 West 2nd Avenue, to CD-1 #490 for 2304 West 8th Avenue, to CD-1 #500 for 6511 Granville Street, to CD-1 #513 for 2402 East Broadway, and to the Sign By-law. The amendments achieve the intent of earlier zoning approvals and correct inadvertent errors.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS *

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

REPORT:

Background/Context *

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. 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 on July 26, 2011.

Strategic Analysis *

Proposed amendments

CD-1 #462 (By-law No. 9594) for 140 West 1st Avenue

- To amend Section 3.2(i) to include "Beauty and Wellness Centre", "Laundromat or Dry Cleaning Establishment" and "Repair Shop - Class B" as permitted Service Uses. The range of non-residential uses provided in this CD-1 By-law was intended to allow the area to meet its role as a mixed commercial and residential precinct area, as called for in the Southeast False Creek Official Development Plan. The three service uses proposed to be added are neighbourhood-servicing uses which are permitted in almost all commercial districts in the city under outright approval. It was an oversight that the uses were not initially included in the CD-1 By-law.

CD-1 #464 (By-law No. 9600) for 99 West 2nd Avenue

- To amend Section 3.2(h) to include "Beauty and Wellness Centre", "Laundromat or Dry Cleaning Establishment" and "Repair Shop - Class B" as permitted Service Uses. The range of non-residential uses provided in this CD-1 By-law was intended to allow the area to meet its role as a mixed commercial and residential precinct area, as called for in the Southeast False Creek Official Development Plan. The three service uses proposed to be added are neighbourhood-servicing uses which are permitted in almost all commercial districts in the city under outright approval. It was an oversight that the uses were not initially included in the CD-1 By-law.

CD-1 #490 (By-law No. 10123) for 2304 West 8th Avenue

- To amend section 6.2 regarding the horizontal angle of daylight. This section establishes regulations to ensure a minimum standard of daylight. A plane extending from the window is to encounter no obstruction over a distance of 24.0 m. An incorrect figure of 24.4 m was inadvertently used instead. The proposed amendment

will not alter the form of development that was presented to Council on November 3, 2009 and subsequently approved by Council on November 5, 2009. The proposed amendment is consistent with the horizontal angle of daylight provision in other CD-1 By-laws and in the Zoning and Development By-law.

CD-1 #500 (By-law No. 10238) for 6511 Granville Street

- To amend section 3.4(d) regarding the exclusion from the computation of floor space ratio of undeveloped floor area above the highest storey or half-storey. This section was meant to reflect the intent of section 7.4.3(e) of the RS-6 District Schedule, which does not place a ceiling height restriction on the exclusion of the aforementioned undeveloped floor area. However, a provision was inadvertently included in CD-1 #500 that restricts the particular exclusion to that with a ceiling height of less than 1.2 m. Removing this unintended restriction from CD-1 #500 will not increase the height of the building that was approved by Council on March 24, 2009.
- To amend section 4 to clarify how height is calculated. The CD-1 should have specified that building height must be measured in reference to the geodetic datum (elevation 0.0 m). The omission of this clarification may lead to incorrect and unintended interpretations of how building height is to be measured. Adding this clarification to CD-1 #500 will not increase the height of the building that was approved by Council on March 24, 2009.

CD-1 #513 (By-law No. 10382) for 2402 East Broadway

- To amend section 2.2 regarding approved uses. "Dwelling Uses" should have been limited such that it could only occur in conjunction with another approved use (the latter being a commercial use on the ground floor of the building). Not including this restriction in CD-1 #513 was due to an oversight. Amending the by-law to add this restriction will ensure that the by-law adheres to the intended uses of the building (a mix of commercial and residential, rather than only residential), as presented to and approved by Council on July 8, 2008.

Sign By-law (By-law No. 6510)

- To amend Schedule E to reflect changes to CD-1 By-laws. The rezoning which created 2402 East Broadway (CD-1 #513), as approved by Council at the Public Hearing on July 8, 2008, should have included a consequential amendment to the Sign By-law to remove, from Schedule E, 2410 East Broadway (CD-1 #167) and to replace it with 2402 East Broadway (CD-1 #513). This proposed amendment will correct that oversight.
- To amend Schedule B by removing three CD-1 sites. These three sites should have only been added to Schedule E, but were also inadvertently added to Schedule B. This proposed amendment will correct that error.

Implications/Related Issues/Risk (if applicable)

Financial *

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 CD-1 #462 (By-law No. 9594) for 140 West 1st Avenue, CD-1 #464 (By-law No. 9600) for 99 West 2nd Avenue, CD-1 #490 (By-law No. 10123) for 2304 West 8th Avenue, CD-1 #500 (By-law No. 10238) for 6511 Granville Street, CD-1 #513 (By-law No. 10382) for 2402 East Broadway, and the Sign By-law (By-law No. 6510); that these applications be referred to a Public Hearing; and that, subject to the Public Hearing, the applications be approved.

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PROPOSED TEXT AMENDMENTS
CD-1 BY-LAWS #462, #464, #490, #500, & #513

[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.

CD-1 #462 (By-law No. 9594) for 140 West 1st Avenue

- Section 3 – Uses

In Section 3.2(i), add “Beauty and Wellness Centre”, “Laundromat or Dry Cleaning Establishment”, and “Repair Shop - Class B” as permitted Service Uses.

CD-1 #464 (By-law No. 9600) for 99 West 2nd Avenue

- Section 3 – Uses

In Section 3.2(h), add “Beauty and Wellness Centre”, “Laundromat or Dry Cleaning Establishment”, and “Repair Shop - Class B” as permitted Service Uses.

CD-1 #490 (By-law No. 10123) for 2304 West 8th Avenue

- Section 6 – Horizontal angle of daylight

Amend section 6.2 as follows:

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 ~~24.4 m~~ *24.0 m*.

CD-1 #500 (By-law No. 10238) for 6511 Granville Street

1. Section 3 – Density

Amend section 3.4(d) as follows:

3.4(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;

2. Section 4 – Building height

Amends section 4 as follows:

4 The building height must not exceed 13.9 m *above base surface*.

3. Renumbering of sections

Renumber sections 2, 3, 4, 5, 6, 7, 8, and 9 as 3, 4, 5, 6, 7, 8, 9, and 10, respectively.

4. Definition

Insert a new section immediately after section 1, which will provide the definition of “base surface” as follows:

In this By-law, “base surface” means 82.3 m above geodetic datum (elevation 0.0 m).

CD-1 #513 (By-law No. 10382) for 2402 East Broadway

• Section 2 – Uses

Amend section 2.2(a) as follows:

Dwelling Uses, ~~limited to multiple dwelling~~ *in conjunction with any of the uses listed in this section 2.2;*

* * * * *

PROPOSED TEXT AMENDMENTS
SIGN BY-LAW

[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.

Sign By-law (By-law No. 6510)

1. Schedule E – Comprehensive Development Areas

Delete the following line from Schedule E:

~~2410 E. Broadway CD 1(167) By law No. 5836 B (C 1)~~

Add the following line to Schedule E:

2402 E. Broadway CD-1(513) By-law No. 10382 B (C-1)

2. Schedule B – Commercial and Industrial Areas

Delete the following lines from Schedule B:

~~CD 1 (516) 1650 Quebec Street
CD 1 (517) 8495 Granville Street
CD 1 (518) 428 Terminal Avenue~~

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