



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: May 22, 2015  
Contact: Kevin McNaney  
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Meeting Date: June 23, 2015

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services

SUBJECT: Miscellaneous Text Amendments to the Zoning and Development By-law, RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, to the Downtown Official Development Plan, to various CD-1 By-laws and to the West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines

**RECOMMENDATION**

- A. THAT the General Manager of Planning and Development Services be instructed to make application to:
- (i) amend the Zoning and Development By-law for miscellaneous text amendments to the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, generally as presented in Appendix A;
  - (ii) amend the Downtown Official Development Plan By-law for miscellaneous text amendments, generally as presented in Appendix B;
  - (iii) amend CD-1 (569) By-law No. 10934 for 516 West 50th Avenue and 6629-6709 Cambie Street for miscellaneous text amendments, generally as presented in Appendix C;
  - (iv) amend CD-1 (577) By-law No. 11020 for 8175 Cambie Street, 519 Southwest Marine Drive and 8180-8192 Lord Street for miscellaneous text amendments, generally as presented in Appendix D;
  - (v) amend CD-1 (589) By-law No. 11108 for 563-571 West King Edward Avenue for miscellaneous text amendments, generally as presented in Appendix E;

- (vi) amend CD-1 (600) By-law No. 11194 for 508 West 28th Avenue and 4439-4461 Cambie Street for miscellaneous text amendments, generally as presented in Appendix F;

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 appendices A through F for consideration at public hearing.

- B. THAT the West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines be amended, as contained in Appendix G, to provide guidance for development in RM-5D areas.

### ***REPORT SUMMARY***

This report recommends miscellaneous text amendments to the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule of the Zoning and Development By-law, the Downtown Official Development Plan, and to the CD-1 by-laws for: 516 West 50th Avenue and 6629-6709 Cambie Street; 8175 Cambie Street, 519 Southwest Marine Drive and 8180 - 8192 Lord Street; 563-571 West King Edward Avenue; and 508 West 28th Avenue and 4439-4461 Cambie Street. The report also recommends that Council amend the West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines. The amendments would achieve the intent of the initial rezoning approvals and correct inadvertent errors.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

- RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, last amended February 2014
- West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines, last amended February 2014
- West End Community Plan, 2013
- Downtown Official Development Plan, 1975, last amended 2015
- CD-1 (569) By-law No. 10934 for 516 West 50th Avenue and 6629-6709 Cambie Street, enacted May 13, 2014
- CD-1 (577) By-law No. 11020 for 8175 Cambie Street, 519 Southwest Marine Drive and 8180 - 8192 Lord Street, enacted July 22, 2014
- CD-1 (589) By-law No. 11108 for 563-571 West King Edward Avenue, enacted October 28, 2014
- CD-1 (600) By-law No. 11194 for 508 West 28th Avenue and 4439-4461 Cambie Street, enacted April 28, 2015

### ***REPORT***

#### ***Background/Context***

From time to time, Council considers miscellaneous text amendments to provide greater clarity in by-laws, to correct typographical or inadvertent errors, and to provide clear

direction for the public and staff in the interpretation of by-laws. By-law amendments that are substantive in nature are not included in these packages, but are reported separately.

### ***Strategic Analysis***

This report presents six minor amendments to existing by-laws, as well as minor amendments to Council-approved guidelines, and each is summarized below.

#### **1. RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule of the Zoning and Development By-law**

As part of West End Plan implementation, amendments to the RM-5, RM-5A, RM-5B and RM-5C Districts Schedule were proposed to introduce a new district, RM-5D. These amendments were approved by Council at public hearing on January 23, 2014 and were enacted on February 4, 2014. The new RM-5D District provides a density incentive for social housing, with a total maximum FSR of 7.0 and a maximum height of 58 m for projects providing at least 20% of the floor area for social housing. As part of the amendments to the RM-5, RM-5A, RM-5B and RM-5C Districts Schedule, three cross-references were inadvertently omitted in sections 3 and 5 of the district schedule.

- It is proposed that Section 3, Conditional Approval Uses, be amended to include a cross-reference to the RM-5D District. This cross reference was inadvertently omitted from Section 3.
- Amendments are proposed to Section 5, Relaxation of Regulations, to cross-reference “dwelling units, in conjunction with other uses listed in the district schedule”. It is intended that the RM-5D district provide the same density incentive for social housing to proposals including “dwelling units, in conjunction with other uses listed in the district schedule”.

#### **2. Downtown Official Development Plan By-law**

As part of the Downtown Official Development Plan (DODP) a series of maps are provided, showing the Downtown District (DD) boundary, areas, live-work areas, retail areas, maximum heights, applicable view cones and Council-approved public realm areas. These maps accompany the written provisions of the DODP, illustrating where each of the DODP regulations apply, and also show sites within the DD zoning boundary that have been rezoned to CD-1. Current practice has been to amend the DODP maps on a regular basis, to show sites that have been rezoned and are no longer part of the Downtown District.

- It is proposed that the following graphics be amended:
  1. Downtown District Map, page 3;
  2. Downtown District Map 1 - Areas, page 10;
  3. Downtown District Map 1A - Live-Work Areas, page 11;
  4. Downtown District Map 2 - Retail Uses, page 14;
  5. Downtown District Map 3 - Building Height Limits, page 21;

6. Downtown District Map 5 - Parking, page 24; and,
7. Downtown District Map 6 - Public Realm Areas, page 27.

to include an updated illustration of areas that are not zoned DD. The proposed amendments would not alter the provisions of the DODP and would only update the maps to reflect areas rezoned by Council to CD-1.

3. CD-1 (569) By-law No. 10934 for 516 West 50th Avenue and 6629-6709 Cambie Street
4. CD-1 (577) By-law No. 11020 for 8175 Cambie Street, 519 Southwest Marine Drive and 8180 - 8192 Lord Street
5. CD-1 (589) By-law No. 11108 for 563-571 West King Edward Avenue
6. CD-1 (600) By-law No. 11194 for 508 West 28th Avenue and 4439-4461 Cambie Street

As part of the initial rezoning for the four CD-1 by-laws listed in sections 3, 4, 5 and 6, Council approved a condition requiring the applicant to provide space for a future Public Bike Share (PBS) station on private land within the rezoning site. In drafting the CD-1 By-law for these four sites, Public Bike Share was inadvertently omitted as a permitted use.

- It is proposed that CD-1 (569), CD-1 (577), CD-1 (589), and CD-1 (600) be amended to include Public Bike Share as a permitted use. This amendment would reflect Council's intent to provide space for a future PBS location on the site.

7. **West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines**

As part of West End Plan implementation, amendments to the West End RM-5, RM-5A, RM-5B, and RM-5C Guidelines were approved, to provide guidance for development in RM-5D areas. Two cross-references were inadvertently omitted in sections 1 and 2 of the guidelines.

- It is proposed that a reference to RM-5D be added to Section 1, Application and Intent, so that this section references the updated title of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule.
- An amendment is proposed to sub-section 2.1, Neighbourhood Character, to update Figure 1, West End Residential Neighbourhoods, to illustrate the updated zoning district boundaries for the RM-5, RM-5A, RM-5B, RM-5C and RM-5D districts.

***Financial***

There are no financial implications associated with the proposed text amendments.

***CONCLUSION***

This report proposes miscellaneous text amendments that, if approved, will achieve the intent of the initial rezonings. To this end, it is recommended that the General Manager of Planning and Development Services be instructed to make application to amend the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule of the Zoning and Development By-law, the Downtown Official Development Plan, and to the CD-1 by-laws for: 516 West 50th Avenue and 6629-6709 Cambie Street; 8175 Cambie Street, 519 Southwest Marine Drive and 8180-8192 Lord Street; 563-571 West King Edward Avenue; and 508 West 28th Avenue and 4439-4461 Cambie Street, that the application be referred to a Public Hearing, and that, subject to the Public Hearing, the application be approved. It is further recommended that Council approve the proposed amendments to the West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines.

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PROPOSED TEXT AMENDMENT TO  
THE ZONING AND DEVELOPMENT BY-LAW, BY-LAW No. 3575  
RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule

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

1. In Section 3, Conditional Approval Uses, amend sub-section 3.1 by striking “and RM-5C” and inserting the following in its place:
  - “, RM-5C and RM-5D”
  
2. In Section 5, Relaxation of Regulations, amend sub-section 5.1 as follows:

“5.1 The Director of Planning or the Development Permit Board may relax the regulations in the RM-5D district regarding permitted floor space ratio for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:

  - (a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and
  - (b) the floor space ratio does not exceed 7.0.”
  
3. In Section 5, Relaxation of Regulations, amend sub-section 5.2 as follows:

“5.2 The Director of Planning or the Development Permit Board may relax the regulations in the RM-5D district regarding permitted height for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:

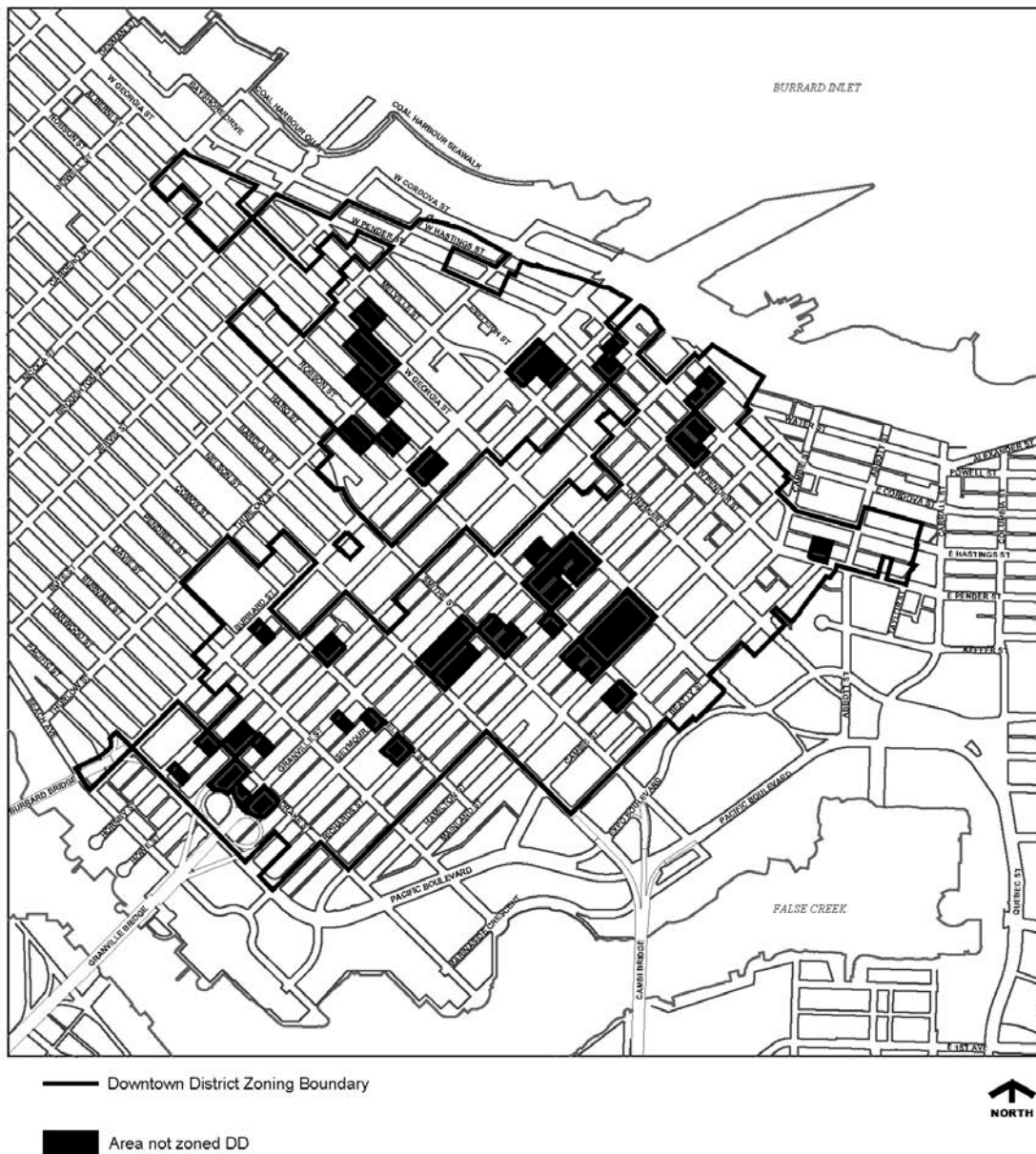
  - (a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and
  - (b) the maximum height does not exceed 58 m.”

PROPOSED TEXT AMENDMENT TO  
THE DOWNTOWN OFFICIAL DEVELOPMENT PLAN, BY-LAW NO. 4912

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

1. In Application and Intent, page 3, strike the "Downtown District" graphic and insert the following in its place:

**Downtown District**



2. In Section 1, Land Use, page 10, strike the "Downtown District Map 1 - Areas" graphic and insert the following in its place:

**Downtown District Map 1 - Areas**



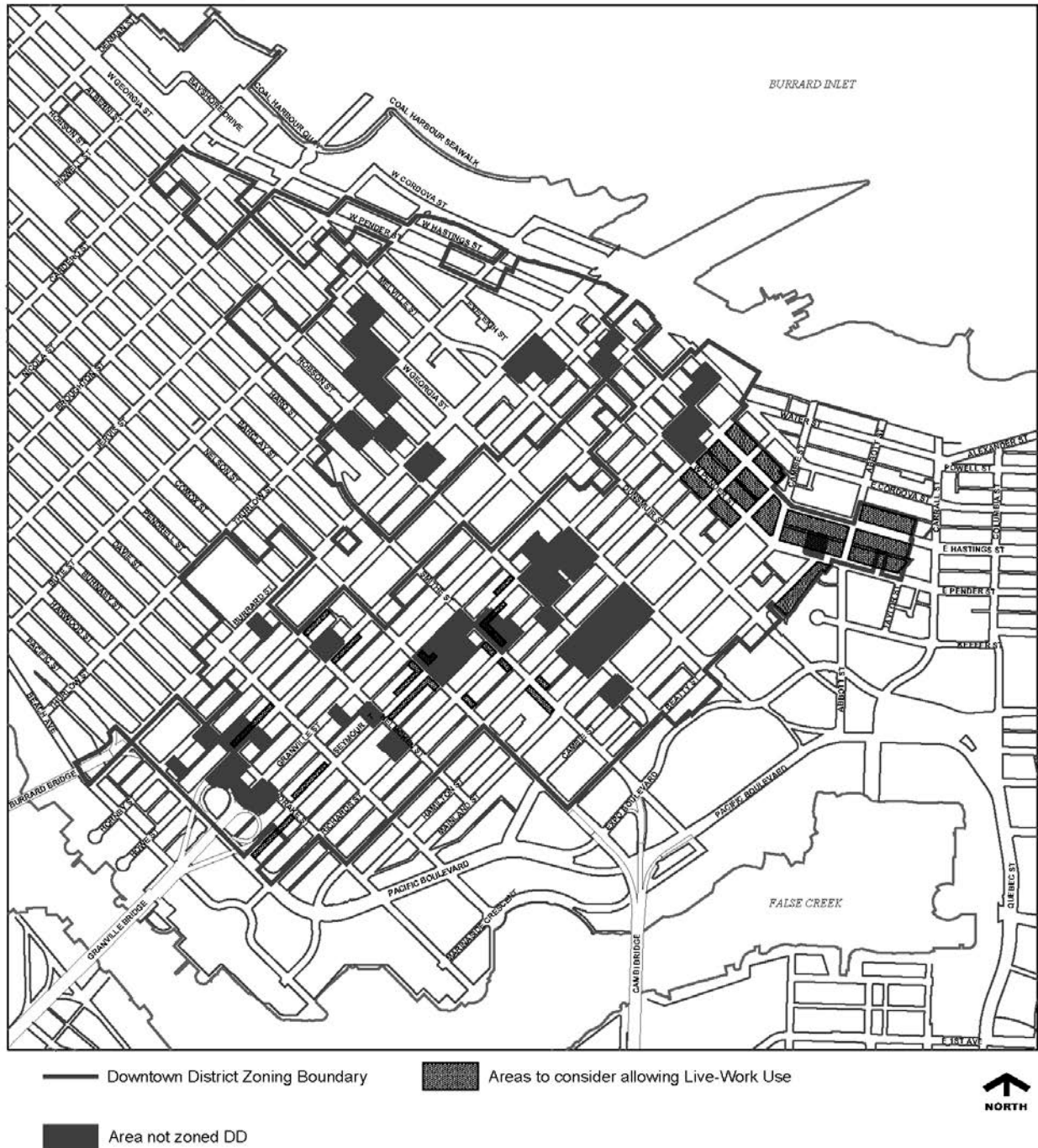
■ Downtown District Zoning Areas  
■ CD-1: Area not zoned DD





3. In Section 1, Land Use, page 11, strike the "Downtown District Map 1A - Live-Work Areas" graphic and insert the following in its place:

**Downtown District Map 1A - Live Work Areas**



4. In Section 2, Retail Use Continuity, page 14, strike the "Downtown District Map 2 - Retail Uses" graphic and insert the following in its place:

Downtown District Map 2 - Retail Uses



- Downtown District Zoning Boundary
- Area not zoned DD
- ■ ■ ■ Continuous ground floor retail, retail-commercial and service uses required.
- — — — Some ground floor retail, retail-commercial and service uses required.
- ~~~~~ Ground floor retail, retail-commercial and service uses prohibited.  
 [(a) except in corner sites where up to 2,500 sq. ft. of retail, retail-commercial and service uses are permitted, and  
 (b) except ground floor retail, retail-commercial and service uses are permitted:  
 -along Mainland Street frontage between Nelson and Smithe Streets.  
 -along Nelson and Smithe Street frontages between Mainland and Cambie Streets;  
 for the life of a building existing as of (Dec. 11, 2001)].



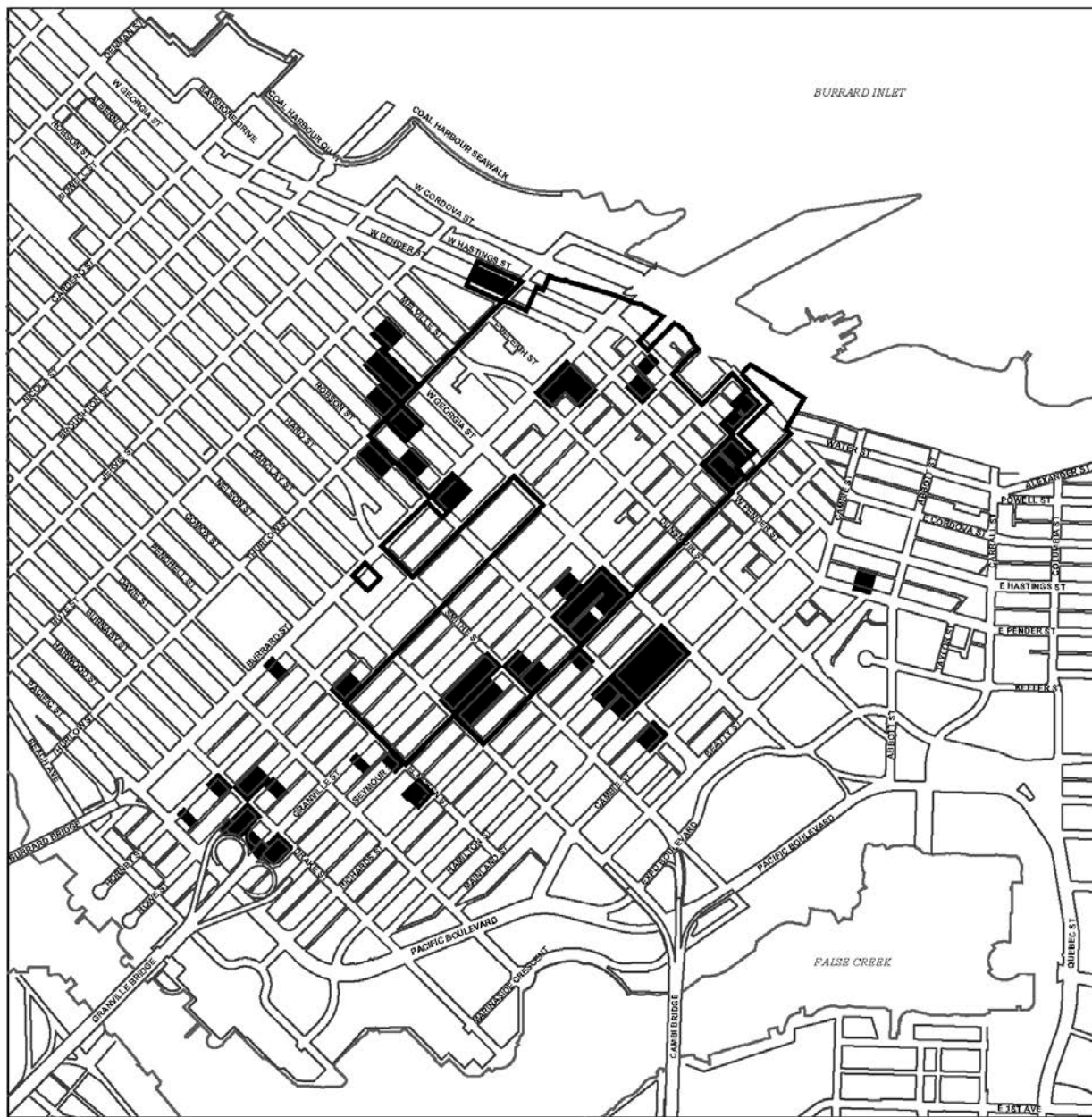
5. In Section 4, Height of Buildings, page 21, strike the "Downtown District Map 3 - Building Height Limits" graphic and insert the following in its place:

**Downtown District Map 3 - Building Height Limits**



6. In Section 5, Parking, page 24, strike the "Downtown District Map 5 - Parking" graphic and insert the following in its place:

**Downtown District Map 5 - Parking**

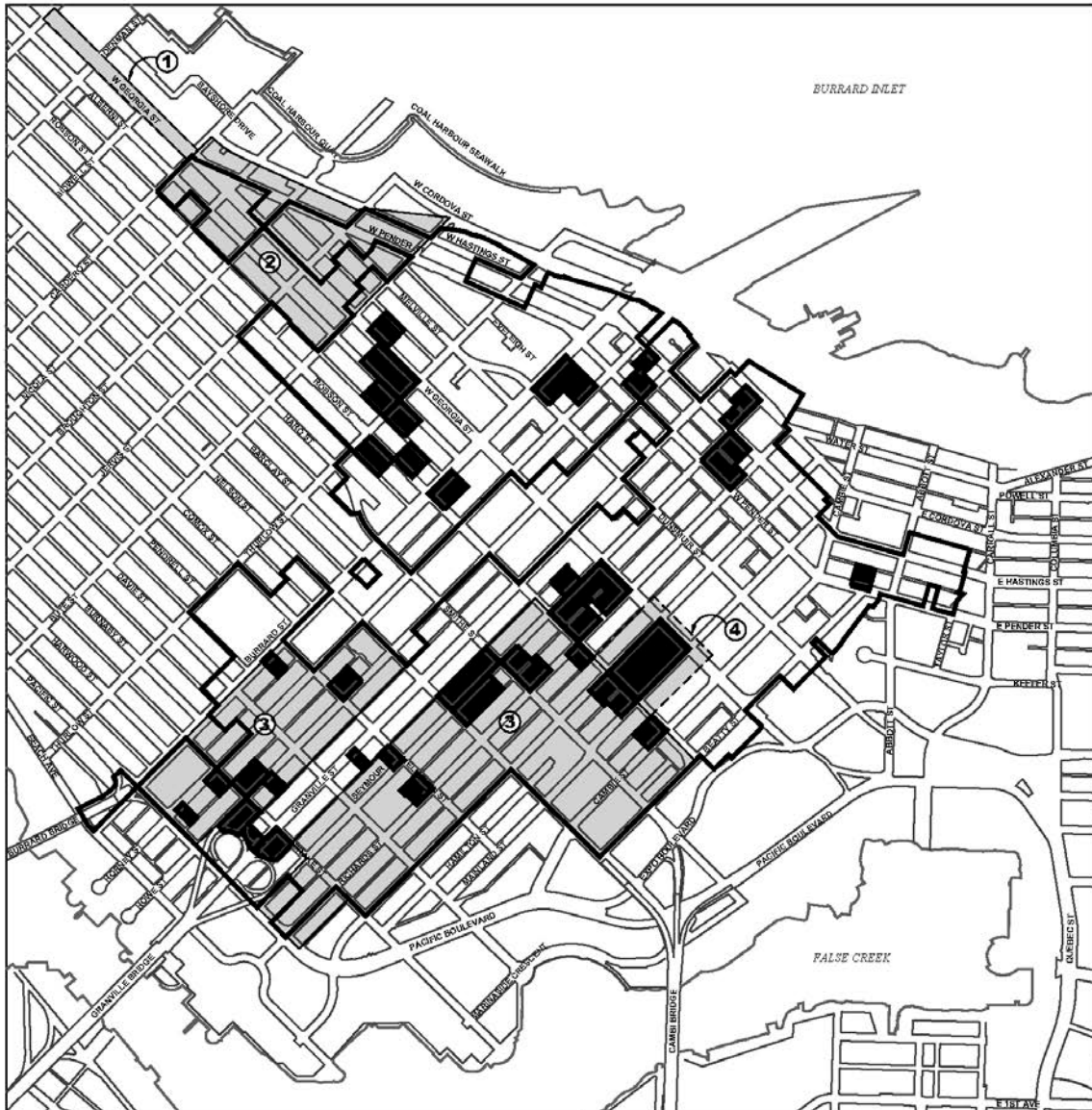


■ Area not zoned DD



7. In Section 7, Public Realm Design, page 27, strike the “Downtown District Map 6 - Public Realm Areas” graphic and insert the following in its place:

**Downtown District Map 6 - Public Realm Areas**



— Downtown District Zoning Boundary

■ Area not zoned DD

Council - Approved  
Public Realm Areas:

- ① Georgia Street - West End
- ② Triangle West
- ③ Downtown South
- ④ Library Precinct



NORTH

PROPOSED TEXT AMENDMENT TO  
CD-1 (569) BY-LAW NO. 10934 FOR 516 WEST 50TH AVENUE AND  
6629-6709 CAMBIE STREET

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

1. Amend Section 2, Uses, as follows:

“ 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 the By-law or in a development permit, the only uses permitted within CD-1 (569), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

(a) Multiple Dwelling; ~~and~~

(b) Retail uses, limited to Public Bike Share; and

~~(b)(c)~~ Accessory Uses customarily ancillary to the uses listed in this section 2.2.”

PROPOSED TEXT AMENDMENT TO  
CD-1 (577) BY-LAW NO. 11020 FOR 8175 CAMBIE STREET, 519 SOUTHWEST MARINE DRIVE  
AND 8180 - 8192 LORD STREET

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

1. In Section 4, Uses, amend sub-section 4.2(e) as follows:  
  
“(e) Retail Uses, limited to Farmer’s Market, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Small-Scale Pharmacy, and Secondhand Store;”
  
2. In Section 5, Conditions of Use, insert new sub-sections 5.1(e) as follows:  
  
“ 5.1 All commercial uses permitted by this By-law shall be carried on wholly within a completely enclosed building except for:  
  
(a) Farmer’s Market;  
(b) Restaurant;  
(c) Neighbourhood Public House; ~~and~~  
(d) Display of plants, flowers, fruit and vegetables in conjunction with a permitted use; and  
(e) Public Bike Share.”

PROPOSED TEXT AMENDMENT TO  
CD-1 (589) BY-LAW NO. 11108 FOR 563-571 WEST KING EDWARD AVENUE

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

1. Amend Section 2, Uses, as follows:

" 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 the By-law or in a development permit, the only uses permitted within CD-1 (569), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

(a) Multiple Dwelling; ~~and~~

(b) Retail uses, limited to Public Bike Share; and

~~(b)~~(c) Accessory Uses customarily ancillary to the uses listed in this section 2.2."



PROPOSED TEXT AMENDMENT TO  
CD-1 (600) BY-LAW NO. 11194 FOR 508 WEST 28TH AVENUE AND  
4439-4461 CAMBIE STREET

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

1. Amend Section 2, Uses, as follows:

“ 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 the By-law or in a development permit, the only uses permitted within CD-1 (569), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

(a) Multiple Dwelling; ~~and~~

(b) Retail uses, limited to Public Bike Share; and

~~(b)(c)~~ Accessory Uses customarily ancillary to the uses listed in this section 2.2.”

**PROPOSED AMENDMENT TO  
WEST END RM-5, RM-5A, RM-5B, RM-5C AND RM-5D GUIDELINES**

- In Section 1, Application and Intent, strike “and RM-5C” and insert the following in its place:
  - “, RM-5C and RM-5D”
- In sub-section 2.1, Neighbourhood Character, remove “Figure 1. West End Residential Neighbourhoods” and insert the following in its place:

