



**POLICY REPORT  
DEVELOPMENT AND BUILDING**

Report Date: November 1, 2016  
Contact: Susan Haid  
Contact No.: 604.871.6431  
RTS No.: 11680  
VanRIMS No.: 08-2000-20  
Meeting Date: November 15, 2016

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: Miscellaneous Text Amendments

***RECOMMENDATION***

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to:

- (i) amend CD-1 (642) By-law No. 11658 for 4375 Arbutus Street (formerly known as 4255 Arbutus Street) for miscellaneous text amendments, generally as presented in Appendix A;
- (ii) amend CD-1 (582) By-Law No. 11069 for 1768 Cook Street (201 West 2nd Avenue) for a miscellaneous text amendment, generally as presented in Appendix B;
- (iii) amend CD-1 (612) By-law No. 11279 for 1551 Quebec Street, 1600 Ontario Street and 95 East 1st Avenue (Southeast False Creek Areas 3A and 3B) for a miscellaneous text amendment, generally as presented in Appendix C; and
- (iv) amend RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedule, generally as presented in Appendix D;

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 D for consideration at public hearing.

## **REPORT SUMMARY**

This report recommends miscellaneous text amendments to three CD-1 Districts, CD-1 (642) By-law No. 11658 for 4375 Arbutus Street (formerly known as 4255 Arbutus Street), CD-1 (582) By-Law No. 11069 for 1768 Cook Street (201 West 2nd Avenue) and CD-1 (612) By-law No. 11279 for 1551 Quebec Street, 1600 Ontario Street and 95 East 1st Avenue (Southeast False Creek Areas 3A and 3B) and to the, RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule. The amendments would achieve the intent of the initial rezoning approvals, and correct inadvertent errors.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- CD-1 (642) By-law No. 11658 for 4375 Arbutus Street (formerly known as 4255 Arbutus Street), enacted November 1, 2016.
- CD-1 (582) By-Law No. 11069 for 1768 Cook Street (201 West 2nd Avenue), enacted September 30, 2014, amended November 17, 2015.
- CD-1 (612) By-law No. 11279 for 1551 Quebec Street, 1600 Ontario Street and 95 East 1st Avenue (Southeast False Creek Areas 3A and 3B), enacted June 23, 2015.
- RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule.

## **CITY MANAGER'S/GENERAL MANAGER'S COMMENTS**

The City Manager recommends approval of the foregoing.

## **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. Proposed amendments that are substantive in nature are not included in these packages, but are reported separately.

### **Strategic Analysis**

This report presents miscellaneous text amendments to three CD-1 Districts and one amendment to a Districts Schedule. Detailed information on each change is included in the Appendices.

1. CD-1 (642) By-law No. 11658 for 4375 Arbutus Street (formerly known as 4255 Arbutus Street)

In the course of reviewing the Building Permit for the mixed-use development at 4375 Arbutus Street, staff identified conflicts in the land uses permitted in the CD-1 By-law. CD-1 (642) permits both residential and industrial (Mini-Storage Warehouse) in one building. However, pursuant to the Vancouver Building By-law 2014 and the provincial Building Code, this combination of uses in one building is prohibited. The incompatibility of uses has implications for the issuing of the building permit. As such

the amendment is to delete, from Section 3.2 Uses, “Transportation and Storage Uses, limited to a Mini-Storage Warehouse”. As a result of the removal of the use, a consequential reduction of maximum floor area for all uses and a reduction in the minimum commercial space are required. The maximum floor area will be amended from 81,000 m<sup>2</sup> to 67,065 m<sup>2</sup> and the minimum commercial space will be amended from 25,000 m<sup>2</sup> to 11,065 m<sup>2</sup>. These amendments to CD-1 (642) will allow for the required permits to be issued.

In addition to the above changes, there are further changes to the wording in the floor area and density section of CD-1 (642) to make it consistent with the Zoning and Development By-law.

2. CD-1 (582) By-Law No. 11069 for 1768 Cook Street (201 West 2nd Avenue)

The proposed text amendment to CD-1 (582) is to amend Section 2.2 (a) under Uses, by striking out “Dwelling Uses, limited to Multiple Dwelling” and replacing it with “Dwelling Uses, limited to Multiple Dwelling and dwelling units in conjunction with any other uses in this Section 2.2”. The use was inadvertently omitted from the by-law considered at public hearing on October 17, 2006. The inclusion of the use is consistent with the intention of the original application to permit mixed-use development and consistent with the overall vision of the Southeast False Creek Official Development Plan.

3. CD-1 (612) By-law No. 11279 for 1551 Quebec Street, 1600 Ontario Street and 95 East 1st Avenue (Southeast False Creek Areas 3A and 3B)

In the course of reviewing the Development Permit for residential buildings on this site, staff identified that the geodetic elevation referenced in Section 6.1 should be 4.6 m instead of 4.5 m. This increase of 0.1 m is a result of an assessment of the development in accordance with Section 4.0 - Flood Construction Levels (FCLs) of “Flood Plain Standards and Requirements” guidelines of the City of Vancouver. The amendment to CD-1 (612) will ensure that the CD-1 reflects the condition of the Development Permit.

4. RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule

The text amendment for RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule is to relocate all requirements relating to floor space to Section 4.7, Floor Area and Density. Currently the Conditions of Use, Section 3.3.4 includes information relating to the maximum allowable floor space ratio for RM-5D. This provision is more appropriately located in Section 4.7 of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedules along with other floor space ratio requirements. The amendment will increase clarity and usability of the Districts Schedule.

### ***Financial***

As a result of the proposed text amendments for 4375 Arbutus Street to delete Mini-Storage Warehouse use and the subsequent reduction in floor area, the anticipated Development Cost Levy (DCL) will be adjusted to reflect the amended floor area.

There are no other financial implications.

### ***CONCLUSION***

This report proposes miscellaneous text amendments that, if approved, will achieve the initial intent of the respective rezoning applications and zoning schedules as well as correct inadvertent errors in the by-laws. To this end, it is recommended that the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend CD-1 (642) By-law No. 11658 for 4375 Arbutus Street, CD-1 (582) By-Law No. 11069 for 1768 Cook Street (201 West 2nd Avenue) and CD-1 (612) By-law No. 11279 for 1551 Quebec Street, 1600 Ontario Street and 95 East 1st Avenue (Southeast False Creek Areas 3A and 3B) and the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, that these amendments be referred to public hearing, and that, subject to the public hearing, the application be approved.

\* \* \* \* \*

**PROPOSED AMENDMENT TO  
CD-1 (642) BY-LAW NO. 11658  
4375 ARBUTUS STREET (FORMERLY KNOWN AS 4255 ARBUTUS 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. This By-law amends the indicated provisions of By-law 11658.
2. In Section 3.2, Council:
  - (a) Strikes out subsection 3.2(i); and
  - (b) Re-names subsections 3.2(j) and (k) as 3.2(i) and (j) respectively.
3. In Section 5.1, Council:
  - (a) strikes out “81,000”, and substitutes “67,065”; and
  - (b) strikes out “25,000”, and substitutes “11,065”.
4. In sections 5.2 and 5.4, Council strikes out “floor space ratio” and substitutes “floor area”.
5. In section 5.3, Council:
  - (a) strikes out “floor space ratio” and substitutes “floor area”; and
  - (b) in subsection (d) strikes out “storage space” wherever it appears and substitutes “storage area”.
6. In section 5.5, Council strikes out “floor space” and substitutes “floor area”.

\* \* \* \* \*

**PROPOSED AMENDMENT TO  
CD-1 (582) BY-LAW NO. 11069  
for 1768 Cook Street (201 West 2nd 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. This By-law amends the indicated provisions of By-law 11069.

(a) In Section 2.2 Uses, Council strikes out subsection (a) and substitutes:

“(a) Dwelling Uses, limited to Multiple Dwelling and dwelling units in conjunction with any other uses that are listed in this Section 2.2 and that are permitted in conjunction with dwelling uses;”.

\* \* \* \* \*

**PROPOSED AMENDMENT TO  
CD-1 (612) BY-LAW NO. 11279  
1551 Quebec Street, 1600 Ontario Street and 95 East 1st Avenue (Southeast False Creek  
Areas 3A and 3B)**

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

1. This By-law amends the indicated provisions of By-law 11279.
2. In Section 6.1, Council strikes out “4.5” and substitutes”4.6”.

\* \* \* \* \*

**PROPOSED AMENDMENT TO THE  
RM-5, RM-5A, RM-5B, RM-5C AND RM-5D DISTRICT SCHEDULES**

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

1. This By-law amends the indicated provisions of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule.

2. In **Section 3 Conditional Approval Uses**, Council strikes out Section 3.3.4.

3. In section 4.7.1, Council:

(a) at the end of subsection 4.7.1(a), strikes out “and”;

(b) at the end of subsection 4.7.1(b), strikes out “.” and substitutes “;and”; and

(c) after subsection 4.7.1 (b), adds in alphabetical order

“(c) despite the provisions of subsections 4.7.1 (a) and (b), the maximum allowable floor space ratio for all permitted uses, other than dwelling uses, in the RM-5D District, is 0.65.”

\* \* \* \*