

BY-LAW NO. _____

**A By-law to amend Zoning and Development By-law No. 3575
regarding amendments related to RS district schedules intent statements, covered
porches and front doors, occupancy limit for residential unit associated with an artist
studio, accessory retail in artist studios, and Director of Planning and Development
Permit Board authority**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends or adds to the indicated provisions of the Zoning and Development By-law.
2. Council strikes out section 11.19.1 and renumbers section 11.19.2 as section 11.19.1.
3. In the RA-1 District Schedule, Council strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”.

4. In the RS-1 District Schedule, Council:

(a) strikes out section 1 and substitutes:

“1 Intent

The intent of this Schedule is generally to maintain the residential character of the RS-1 District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, and infill and multiple conversion dwellings in conjunction with retention of character houses. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape.”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

(a) the intent of this Schedule and all applicable Council policies and guidelines; and

(b) the submission of any advisory group, property owner or tenant.”;

(c) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”;

(d) in section 4.4.1(d), strikes out “1.2 m” and substitutes “1.8 m”; and

(e) strikes out section 4.17.5 and substitutes:

“4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may:

(a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989 in the RS-1 District; or

(b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.”.

5. In the RS-1A District Schedule, Council:

(a) strikes out section 1 and substitutes:

“1. Intent

The intent of this Schedule is to maintain the residential character of the District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, multiple conversion dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses.”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

(a) the intent of this Schedule and all applicable Council policies and guidelines; and

(b) the submission of any advisory group, property owner or tenant.”;

- (c) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and
- (d) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”.

6. In the RS-1B District Schedule, Council:

- (a) strikes out section 1 and substitutes:

“1 Intent

The intent of the Schedule is to maintain the residential character of the District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, infill, or two principal dwelling units on some sites, and infill and multiple conversion dwellings in conjunction with retention of character houses.”;

- (b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

- (c) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”.

7. In the RS-2 District Schedule, Council:

- (a) strikes out section 1 and substitutes:

“1. Intent

The intent of this Schedule is primarily to maintain the residential character of the District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, infill, multiple conversion dwellings, two-family and multiple-family dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses.”;

- (b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”;
 - (c) in section 3.2.DW [Dwelling] under subsection (a) of the fourth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (d) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”;
 - (e) in section 4.5.4, strikes out “or the Development Permit Board, as the case may be,”;
 - (f) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;
 - (g) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”; and
 - (h) in subsection 5.2(a), strikes out “he” and substitutes “the Director of Planning”.
8. In the RS-3 and RS-3A Districts Schedule, Council:
- (a) strikes out section 1 and substitutes:
 - “1. Intent**
 - The intent of this Schedule is to preserve and maintain the residential character of the RS-3 and RS-3A Districts in the form of one-family dwellings with or without a secondary suite and with or without a laneway house in a manner compatible with the existing amenity and design of development. Infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views and by ensuring that the bulk and size of new development is similar to existing development. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape. The RS-3 District permits a higher non-discretionary density than the RS-3A District.”;
 - (b) strikes out section 3.1 and substitutes:
 - “3.1** Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”;

- (c) in section 4.4.3, strikes out “1.2 m” and substitutes “1.8 m”; and
- (d) strikes out section 4.17.5 and substitutes:

“4.17.5 Notwithstanding section 4.17.2, the Director of Planning may:

- (a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard if it provides access to a building existing prior to March 14, 1989; or
- (b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.”.

9. In the RS-4 District Schedule, Council:

- (a) strikes out section 1 and substitutes:

“1. Intent

The intent of this Schedule is primarily to maintain the residential character of the District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, infill, multiple conversion dwellings, two-family dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses.”;

- (b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.DW [Dwelling] under subsection (a) of the fourth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (d) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”; and
- (e) in section 4.5.3, strikes out “, subject to section 4.5.4.”.

10. In the RS-5 District Schedule, Council:

- (a) strikes out section 1 and substitutes:

“1. Intent

The intent of this Schedule is generally to maintain the existing residential character of the RS-5 District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development. Infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants.”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

(c) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”; and

(d) strikes out section 4.17.5 and substitutes:

“4.17.5 Notwithstanding Section 4.17.2 or Section 4.17.3, the Director of Planning may:

- (a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989; or
- (b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.”.

11. In the RS-6 District Schedule, Council:

(a) strikes out section 1 and substitutes:

“1. Intent

The intent of this Schedule is to maintain the residential character of the District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, to encourage a high standard of building design, materials, and landscape development while allowing

design diversity in new development. Infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established landscape.”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

(c) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”; and

(d) strikes out section 4.17.5 and substitutes:

“4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may:

- (a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989; or
- (b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.”.

12. In the RS-7 District Schedule, Council:

(a) strikes out section 1 and substitutes:

“1. Intent

The intent of this Schedule is to maintain the residential character of the RS-7 District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, infill, two-family dwellings, multiple conversion dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses. On larger lots, multiple dwellings may also be permitted. Neighbourhood amenity is enhanced through external design regulations.”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.1.DW [Dwelling] under subsection (a) of the fourth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (d) in section 4.1.2, strikes out “or the Development Permit Board, as the case may be”;
- (e) strikes out section 4.17.2 and substitutes:
“4.17.2 There shall be no more than one separate and distinct front entrance to a one-family dwelling or one-family dwelling with secondary suite.”;
- (f) strikes out section 4.17.4 and substitutes:
“4.17.4 Notwithstanding section 4.17.2 or section 4.17.3 of this Schedule, the Director of Planning may:
 - (a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989; or
 - (b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.”; and
- (g) in section 5.6, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”.

13. In the RT-1 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”; and
- (b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”.

14. In the RT-2 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and
- (c) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears.

15. In the RT-3 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under subsection (a) of the sixth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”.

16. In the RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(c) strikes out section 4.4.3 and substitutes:

“4.4.3 The Director of Planning may relax the minimum depth of the required front yard provided the Director of Planning first considers the depths of the adjacent front yards and all applicable Council policies and guidelines.”;

(d) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.”; and

(e) strikes out section 5.3 and substitutes:

“5.3 In order to maintain the character of the neighbourhood, including where possible the retention of existing buildings, the Director of Planning may relax the provisions of sections 4.5 and 4.6 of this Schedule in the case of infill, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.”.

17. In the RT-7 District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

(a) the intent of this Schedule and all applicable Council policies and guidelines; and

(b) the submission of any advisory group, property owner or tenant.”;

(b) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and

(c) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on

neighbouring sites of building height, shadow, open space and landscaping.”.

18. In the RT-8 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.”;

- (b) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and

- (c) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.”.

19. In the RT-9 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.”;

- (b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and

- (c) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law

where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.”.

20. In the RT-10 and RT-10N Districts Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

(b) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.”.

21. In the RM-1 and RM-1N Districts Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

(b) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears; and

(c) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.”.

22. In the RM-2 District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

- (b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 4.3.2, strikes “or the Development Permit Board, as the case may be,”;
- (d) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears; and
- (e) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”.

23. In the RM-3 District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.”;

- (b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;

- (d) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning or the Development Permit Board, as the case may be,”; and
- (e) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of this Schedule with respect to any of the following developments where he considers the development site to consist of locked in lots and provided he also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:” and substitutes “The Director of Planning or the Development Permit Board, as the case may be, may relax the minimum site area requirements of this Schedule with respect to any of the following developments where the Director of Planning or the Development Permit Board considers the development site to consist of locked in lots and provided the Director of Planning or the Development Permit Board also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

24. In the RM-3A District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable Council policies and guidelines; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;
- (d) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”; and
- (e) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of this Schedule with respect to any of the following developments where he considers the development site to consist of locked-in lots and provided he also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:” and substitutes “The Director of Planning may relax the minimum site area requirements of this Schedule with respect to any of the following developments where the Director of Planning considers the development site to consist of locked-in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

25. In the RM-4 and RM-4N District Schedules, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

(a) the intent of this Schedule and all applicable Council policies and guidelines; and

(b) the submission of any advisory group, property owner or tenant.”;

(b) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(c) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;

(d) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”;

(e) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of this Schedule with respect to any of the following developments where he considers the development site to consist of locked in lots and provided he also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:” and substitutes “The Director of Planning may relax the minimum site area requirements of this Schedule with respect to any of the following developments where the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”; and

(f) in section 5.3 strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax any of the regulations of this schedule for the following developments where he is satisfied that the relaxation will serve to accomplish certain social and community goals” and substitutes “The Director of Planning may relax any of the regulations of this Schedule for the following developments where the Director of Planning is satisfied that the relaxation will serve to accomplish certain social and community goals”.

26. In the RM-5, RM-5A, RM-5B, RM-5C, and RM-5D Districts Schedule, Council strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 as specified in sections 3.2.1 and 3.2.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.”.

27. In the RM-6 District Schedule, Council strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.”.

28. In section 4.10.4 of the RM7, RM-7N, RM-7AN, RM-8, RM-8N, RM-9, RM-9A, RM-9N, RM-9AN, RM-9BN, and RM-12N District Schedules, Council strikes out “or Development Permit Board” wherever it appears.

29. In the FM-1 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 3.3.1, adds the words “Director of Planning or” before the words “Development Permit Board” wherever they appear;
- (d) strikes out subsection 4.7.1(b) and substitutes:

“(b) in the case of any development the Director of Planning or the Development Permit Board may permit an increase in the permitted floor space ration from 0.60 to any figure up to and including 1.5, providing the Director of Planning or the Development Permit Board first considers all applicable policies and guidelines adopted by Council, the nature and size of the site, the adequacy of open space, overall design and the provision of amenities which would result in community benefits.”; and

(e) in section 5.1, adds the words “Director of Planning or” before the words “Development Permit Board”.

30. In the C-1 District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(b) the submission of any advisory group, property owner or tenant.”;

(b) in section 3.2.DW [Dwelling] under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(c) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(d) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(e) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;

(f) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”; and

(g) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 and the front yard requirements of section 4.4 to permit the outdoor display of retail goods or an outdoor eating area in conjunction with a restaurant, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this Schedule.”.

31. In the C-2 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (d) in section 3.2.DW [Dwelling] under the fifth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (e) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (f) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;
- (g) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”; and
- (h) strikes out section 5.2 and substitutes:
- “5.2 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.”.

32. In the C-2B District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided

that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the amount of open space, plazas and landscaping being provided and the impact of the development on the character of the community.”;
- (b) in section 3.2.DW [Dwelling] under the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (c) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (d) in section 3.2.DW [Dwelling] under the fifth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (e) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (f) in section 3.3.2(b), strikes out “Development Permit Board” wherever it appears and substitutes “Director of Planning”;
 - (g) in section 3.3.2(c), strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (h) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;
 - (i) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”;
 - (j) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.”;
 - (k) in section 5.3, strikes out “Development Permit Board or the Director of Planning, as the case may be,” wherever it appears and substitutes “Director of Planning”; and
 - (l) strikes out section 5.4 and substitutes:

“5.4 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.”.

33. In the C-2C District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the amount of open space, plazas and landscaping being provided and the impact of the development on the character of the community.”;

(b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(c) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(d) in section 3.3.2, strikes out “Development Permit Board where it is satisfied” and substitutes “Director of Planning where the Director of Planning is satisfied”;

(e) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;

(f) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”;

(g) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.”;

(h) strikes out section 5.3 and substitutes:

“5.3 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.”; and

(i) in section 5.4, strikes out “or Development Permit Board, as the case may be”.

34. In the C-2C1 District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;

(b) the submission of any advisory group, property owner or tenant; and

(c) the amount of open space, plazas and landscaping being provided and the impact of the development on the character of the community.”;

(b) in section 3.2.DW [Dwelling] under subsection (a) of the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(c) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(d) in section 3.3.2, strikes out “Development Permit Board where it is satisfied” and substitutes “Director of Planning where the Director of Planning is satisfied”;

(e) in section 3.3.3(b), strikes out “Development Permit Board” wherever it appears and substitutes “Director of Planning”;

(f) in section 3.3.3(c), strikes out “Development Permit Board” and substitutes “Director of Planning”;

(g) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;

(h) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”;

- (i) strikes out section 5.2 and substitutes:

“5.2 The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.”;
- (j) strikes out section 5.3 and substitutes:

“5.3 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.”; and
- (k) in section 5.4, strikes out “or Development Permit Board, as the case may be”.

35. In the C-3A District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (b) in section 3.2.DW [Dwelling] under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 3.2.DW [Dwelling] under the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (d) in section 3.2.DW [Dwelling] under subsection (a) of the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (e) in section 3.2.DW [Dwelling] under the fourth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (f) in section 3.2.DW [Dwelling] under the fifth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

- (g) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (h) in section 4.3.2, strikes out “The Development Permit Board may permit an increase in the maximum height of a building with respect to any development, provided that it first considers:” and substitutes “The Director of Planning or the Development Permit Board may permit an increase in the maximum height of a building with respect to any development, provided that the Director of Planning or the Development Permit Board first considers:”;
- (i) in subsection 4.7.1(a), strikes out “the Development Permit Board may permit an increase in floor space ratio to a maximum of 3.00, if it first considers:” and substitutes “the Director of Planning or the Development Permit Board may permit an increase in floor space ratio to a maximum of 3.00, if the Director of Planning or the Development Permit Board first considers:”;
- (j) strikes out subsection 4.7.1(b) and substitutes:
 - “(b) despite the provisions of subsection 4.7.1(a), if the Director of Planning or the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage density available for transfer, the Director of Planning or the Development Permit Board may permit an additional increase in permitted floor area of one m² for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.”;
- (k) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”; and
- (l) strikes out section 5.3 and substitutes:
 - “5.3 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.”.

36. In the C-5, C-5A and C-6 Districts Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 as specified in sections 3.2.1 and 3.2.2, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the appropriateness of the use with respect to the items which are shown in italics following the use.”;
 - (b) in section 3.2.1.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”; and
 - (c) strikes out subsection 4.7.1.1(b) and substitutes:
 - “(b) if the Director of Planning or the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage density available for transfer, the Director of Planning or the Development Permit Board may permit an additional increase in permitted floor area of one m² for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.”
37. In the C-7 and C-8 District Schedules, Council:
- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
 - (b) in section 3.2.1.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (c) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears;
 - (d) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”; and
 - (e) strikes out section 5.2 and substitutes:
 - “5.2 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include

such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.”.

38. In the FC-1 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
(b) the submission of any advisory group, property owner or tenant.”;

- (b) in section 3.2.DW [Dwelling] under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) in section 3.2.DW [Dwelling] under the third bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (d) in section 3.2.DW [Dwelling] under the fifth bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (e) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (f) in subsection 4.7.3(e)(vii), strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (g) strikes out section 5.1 and substitutes:
“5.1 The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.”; and
- (h) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”.

39. In the FC-2 District Schedule, Council:

- (a) in section 2.2A under subsection (c) of the second bullet point, adds the words “except for accessory retail uses associated with an Artist Studio,” before the words “must be separated by a wall”;
 - (b) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
 - (c) in section 3.2.1.Z, strikes out “Development Permit Board or”;
 - (d) in section 4.6.2, strikes out “or the Development Permit Board”; and
 - (e) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears.
40. In the MC-1 and MC-2 Districts Schedule, Council:
- (a) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
 - (b) in section 3.2.2DW [Dwelling] under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (c) in section 3.2.2DW [Dwelling] under the second bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (d) in section 3.2.1Z, strikes out “Development Permit Board” and substitutes “Director of Planning”; and
 - (e) in section 4.10.4, strikes out “or Development Permit Board” wherever it appears.

41. In the M-1 District Schedule, Council:

(a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(b) the submission of any advisory group, property owner or tenant.”;

(c) in section 3.2.Z under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and

(d) strikes out section 4.6.2 and substitutes:

“4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.”.

42. In the M-1A District Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;

(b) the submission of any advisory group, property owner or tenant;

(c) the provision of appropriate landscaping; and

- (d) the design character and choice of building material in relation to adjoining residential districts.”;
 - (b) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (c) in section 4.4.1, strikes out “or the Development Permit Board, as the case may be”;
 - (d) in section 4.6.1, strikes out “or the Development Permit Board, as the case may be,”; and
 - (e) strikes out section 4.6.2 and substitutes:

“4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.”.
43. In the M-1B District Schedule, Council:
- (a) in section 2.2A under the second bullet point, adds the words “, except for accessory uses associated with an Artist Studio,” after the words “general public”;
 - (b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
 - (c) in section 3.2.Z under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (d) in section 3.3.2, strikes out “Development Permit Board” and substitutes “Director of Planning”;
 - (e) in section 4.1.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”;
 - (f) in section 4.6.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”;

- (g) strikes subsection 4.7.1(b) and substitutes:
 - “(b) the Director of Planning may relax the maximum floor space ratio as provided for in section 5.4 of this Schedule; and”;
- (h) strikes out section 5.1 and substitutes:
 - “5.1 The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any of the uses permitted in this Schedule, provided the Director of Planning considers the intent of this Schedule and all policies and guidelines adopted by Council, and provided that in no case shall the minimum site area be less than 3,100 m² unless comprised of one or more smaller parcels on record in the Land Title Office for Vancouver as of August 12, 1980.”;
- (i) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may permit an increase in the maximum height prescribed in section 4.3.1, provided he first considers:” and substitutes “The Director of Planning may permit an increase in the maximum height prescribed in section 4.3.1, provided the Director of Planning first considers:”;
- (j) in section 5.3, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may waive the requirement to provide a rear yard where he is satisfied” and substitutes “The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied”; and
- (k) in section 5.4, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may permit an increase in the maximum floor space ratio to any figure between 1.50 to 2.00 provided he first considers:” and substitutes “The Director of Planning may permit an increase in the maximum floor space ratio to any figure between 1.50 to 2.00 provided the Director of Planning first considers:”.

44. In the M-2 District Schedule, Council:

- (a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;
- (b) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.Z under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and
- (d) strikes out section 4.6.2 and substitutes:

“4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.”

45. In the IC-1 and IC-2 Districts Schedule, Council:

- (a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;
- (b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.Z under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and
- (d) strikes out section 4.6.2 and substitutes:

“4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.”.

46. In the IC-3 District Schedule, Council:

- (a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(b) the submission of any advisory group, property owner or tenant.”;

(c) in section 3.2.Z under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(d) in section 4.7.4, strikes out “or Director of Planning” and “or the Director of Planning” wherever they appear;

(e) in section 4.17.2, strikes out “or Development Permit Board” wherever it appears;

(f) in section 5.1, strikes out “or the Development Permit Board” wherever it appears; and

(g) in section 5.2, strikes out “or the Development Permit Board” wherever it appears.

47. In the I-1 District Schedule, Council:

(a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(b) the submission of any advisory group, property owner or tenant.”;

(c) in section 3.2.Z under the first bullet point, strikes out “Development Permit Board” and substitutes “Director of Planning”; and

(d) strikes out section 4.6.2 and substitutes:

“4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.”.

48. In the I-1A District Schedule, Council:

(a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(b) the submission of any advisory group, property owner or tenant.”;

and

(c) in section 3.2.Z under the first bullet point, strikes out “or Development Permit Board”.

49. In the I-1B District Schedule, Council:

(a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;

(b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.”; and
- (c) in section 3.2.Z under the first bullet point, strikes out “or the Development Permit Board”.

50. In the I-2 District Schedule, Council:

- (a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “the floor area in accessory retail use”;
- (b) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.Z under the first bullet point, strikes out “or Development Permit Board”;
- (d) strikes out section 4.6.2 and substitutes:
 - “4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.”; and
- (e) in section 4.7.5, strikes out “The Development Permit Board or the Director of Planning, as the case may be,” and substitutes “The Director of Planning”, and further strikes out “he first considers” and substitutes “the Director of Planning first considers.”.

51. In the I-3 District Schedule, Council:

- (a) in section 2.2.A under the second bullet point, adds the words “, except for accessory retail use associated with an Artist Studio,” after the words “floor area in accessory retail use”;

- (b) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.Z under the first bullet point, strikes out “or Development Permit Board”; and
- (d) strikes out section 4.6.2 and substitutes:
 - “4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.”.

52. In the I-4 District Schedule, Council:

- (a) in section 2.2A under subsection (c) of the second bullet point, adds the words “except for accessory retail uses associated with an Artist Studio,” before the words “must be separated by a wall”;
- (b) strikes out section 3.1 and substitutes:
 - “3.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;
- (c) in section 3.2.Z under the first bullet point, strikes out “or Development Permit Board”; and
- (d) strikes out section 4.6.2 and substitutes:

“4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.”.

53. In the HA-1 and HA-1A Districts Schedule, Council:

(a) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.”;

(b) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;

(c) in section 4.4.2, strikes out “The Development Permit Board may allow a portion of the building to be recessed above the second floor for the purpose of increasing residential units’ exposure to natural light, provided that it first considers:” and substitutes “The Director of Planning or the Development Permit Board may allow a portion of the building to be recessed above the second floor for the purpose of increasing residential units’ exposure to natural light, provided that the Director of Planning or Development Permit Board first considers:”;

(d) in section 4.5.2, strikes out “The Development Permit Board may allow setbacks for the purpose of creating a light well or providing open space at grade, provided that no portion is closer than 4.0 m to a street façade, and further that any window looking directly into the light well is set back a minimum of 3.0 m from the nearest obstruction, and provided that it first considers:” and substitutes “The Director of Planning or the Development Permit Board may allow setbacks for the purpose of creating a light well or providing open space at grade, provided that no portion is closer than 4.0 m to a street façade, and further that any window looking directly into the light well is set back a minimum of 3.0 m from the nearest obstruction, and provided that the Director of Planning or Development Permit Board first considers:”;

(e) strikes out section 4.10.4 and substitutes:

“4.10.4 The Director of Planning may relax the horizontal angle of daylight requirement, if:

- (a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council;
 - (b) the minimum distance of unobstructed view is not less than 2.4 m; and
 - (c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.”;
- (f) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax the frontage and rear yard regulations of sections 4.2 and 4.6 of this Schedule, provided that he first considers.” and substitutes “The Director of Planning may relax the frontage and rear yard regulations of sections 4.2 and 4.6 of this Schedule, provided that the Director of Planning first considers.”;
- (g) in section 5.2, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as he deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, and the hours of operation, provided that he first considers.” and substitutes “The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, and the hours of operation, provided that the Director of Planning first considers.”; and
- (h) strikes out section 5.3.

54. In the HA-2 District Schedule, Council:

- (a) in section 2.3.2, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (b) strikes out section 3.1 and substitutes:

“3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.”;

- (c) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (d) in section 4.3.2, strikes out “The Development Permit Board may permit an increase or decrease in the maximum or minimum height of a building with respect to any development provided they first consult with any advisory group approved by Council for the area and take into account the following:” and substitutes “The Director of Planning or the Development Permit Board may permit an increase or decrease in the maximum or minimum height of a building with respect to any development provided the Director of Planning or the Development Permit Board first consults with any advisory group approved by Council for the area and takes into account the following.”;
- (e) strikes out section 4.10.4 and substitutes:
 “4.10.4 The Director of Planning may relax the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council;
 - (b) the minimum distance of unobstructed view is not less than 2.4 m; and
 - (c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.”;
- (f) in section 5.1, strikes out “The Development Permit Board or the Director of Planning, as the case may be, may relax the use conditions of sections 2.3.1 and 3.3.3 for the following uses, and may include additional conditions, provided they first consider” and substitutes “The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.3 for the following uses, and may include additional conditions, provided the Director of Planning first considers”; and
- (g) strikes out section 5.2.

55. In the HA-3 District Schedule, Council:

- (a) strikes out section 3.1 and substitutes:
 “3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;

- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.”;
- (b) in section 3.2.Z, strikes out “Development Permit Board” and substitutes “Director of Planning”;
- (c) strikes out section 4.10.4 and substitutes:
 “4.10.4 The Director of Planning may relax the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council;
 - (b) the minimum distance of unobstructed view is not less than 2.4 m; and
 - (c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.”; and
- (d) strikes out section 5.

56. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

57. This By-law is to come into force and take effect on _____, 2018.

ENACTED by Council this _____ day of _____, 2018

Mayor

City Clerk