



## POLICY REPORT

Report Date: January 29, 2019  
Contact: Karen Hoesse  
Contact No.: 604.871.6403  
RTS No.: 13058  
VanRIMS No.: 08-2000-20  
Meeting Date: March 12, 2019

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Text Amendment: 6 West 17th Avenue (Turner Dairy)

### **RECOMMENDATION**

A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend the text of CD-1 (Comprehensive Development) District (724) By-law No. 12364 for 6 West 17th Avenue (Turner Dairy) [*PID: 030-587-441, Lot 1 Block 524 District Lot 526 Group 1 New Westminster District Plan EPP82967*], generally in accordance with Appendix A, to achieve the following:

- (i) add "Multiple Conversion Dwelling" as a permitted use; and
- (ii) add "Infill One-Family Dwelling" as a permitted use;

FURTHER THAT the application be referred to a Public Hearing;

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

B. THAT Recommendation A be adopted on the following conditions:

- (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

### **REPORT SUMMARY**

This report recommends a text amendment to the Section 2.2 of CD-1 (Comprehensive Development) District (724) By-law No. 12364 for 6 West 17th Avenue (Turner Dairy) to add Multiple Conversion Dwelling and Infill One-Family Dwelling as permitted uses. The amendments would achieve the intent of the initial rezoning approvals and correct inadvertent omissions.

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

- CD-1 (724) By-law No. 12364 for 6 West 17th Avenue (Turner Dairy), enacted February 12, 2019.

### **REPORT**

#### **Background/Context**

From time to time, Council considers minor staff-initiated 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.

#### **Strategic Analysis**

This report presents a text amendment to one CD-1 District, summarized below. The proposed by-law amendment is included in Appendix A.

#### **1. CD-1 (Comprehensive Development) District (724) By-law No. 12364 for 6 West 17th Avenue (Turner Dairy)**

CD-1 (Comprehensive Development) District (724) By-law No. 12364 for 6 West 17th Avenue (Turner Dairy) was approved in principle at Public Hearing on February 20, 2018 and enacted on February 12, 2019. It permits adaptive reuse of the existing three-storey “Turner Dairy” building, including its heritage restoration and designation, as well as 13 market residential units at West 17th Avenue and Ontario Street. Multiple Conversion Dwelling and Infill One-Family Dwelling uses were inadvertently omitted as permitted uses from the by-law considered at Public Hearing. These uses are needed to permit adaptive reuse of the existing building. This proposed amendment, generally as presented in Appendix A, would achieve the intent of the original rezoning.

#### **Financial Implications**

The amendment entails no changes to density or floor space, as such there are no additional Community Amenity Contributions, Development Cost Levies, or public art contributions associated with it.

**CONCLUSION**

This report proposes a CD-1 text amendment that, if approved, will achieve the intent of the initial rezoning and correct inadvertent omissions. It is recommended that the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend CD-1 (Comprehensive Development) District (724) By-law No. 12364 for 6 West 17th Avenue (Turner Dairy)) and that this application be referred to Public Hearing and, subject to the Public Hearing, be approved.

\* \* \* \* \*

**PROPOSED TEXT AMENDMENT TO  
CD-1 (724) BY-LAW NO. 12364 FOR 6 WEST 17TH 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 12364.
2. In Section 2.2, Council strikes out subsection (a) and substitutes:  
“(a) Dwelling Uses, limited to Multiple Conversion Dwelling, Multiple Dwelling, and Infill One-Family Dwelling; and”.

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