



POLICY REPORT

Report Date: February 26, 2019
Contact: Karen Hoese
Contact No.: 604.871.6403
RTS No.: 13028
VanRIMS No.: 08-2000-20
Meeting Date: March 12, 2019

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: Text Amendments: CD-1 (684) at 1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue, CD-1 (551) at 1265-1299 Howe Street and 835 Drake Street

RECOMMENDATION

THAT the General Manager of Planning, Urban Design and Sustainability in conjunction with the General Manager of Arts, Culture and Community Services be instructed to make an application to amend:

- (i) CD-1 (Comprehensive Development) District (684) By-law No. 11944 for 1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue [*PID 030-275-768; Lot 1, Block 14, District Lot 200A, Group 1 New Westminster District, Plan EPP53535*]; and
- (ii) CD-1 (Comprehensive Development) District (551) By-law No. 10754 for 1265-1299 Howe Street and 835 Drake Street [*PID 029-098-041; Lot K, Block 101, District Lot 541, Group 1 New Westminster District, Plan EPP30416*]

to allow "Arts and Culture Indoor Event" as a permitted use generally as outlined in Appendices A and B respectively, 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 and B for consideration at Public Hearing.

REPORT SUMMARY

This report assesses a proposal to amend Section 2 in CD-1 (Comprehensive Development) District (684) By-law No. 11944 for 1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue ("Main Street site") and Section 2 in CD-1 (551) By-law No. 10754 for 1265-1299 Howe Street and 835 Drake Street ("Howe Street site") to add "Arts and Culture

Indoor Event” as a permitted use in each. Approval of these amendments would allow for events of an artistic or cultural nature to be held within the cultural amenity spaces located on these sites. No change to floor area, density, or form of development of the existing buildings is proposed.

Staff recommend that the application be referred to a Public Hearing with the recommendation of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Arts, Culture and Community Services to approve it, subject to the Public Hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

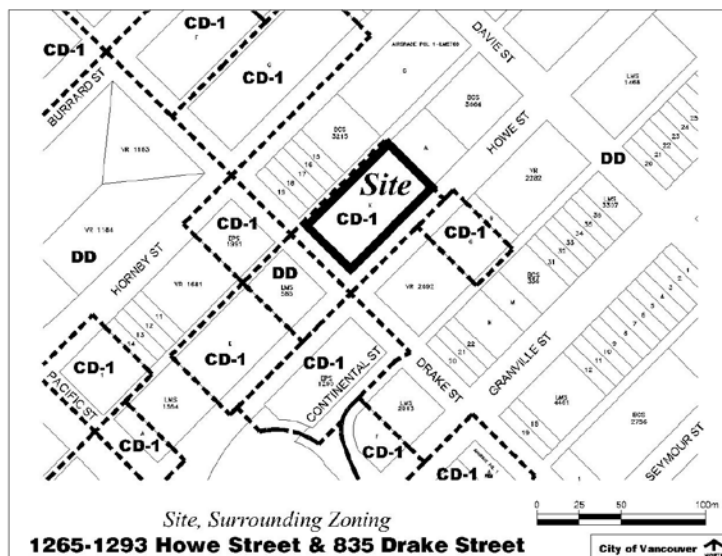
- CD-1 (551) By-law No. 10754, enacted on July 24, 2013
- CD-1 (684) By-law No. 11944, enacted on October 31, 2017
- 2011 Artist Studio Regulatory Review
- 2011 Live Performance Venues Regulatory Review
- 2013 Culture Plan: Strategic Directions
- 2015 Report Back on the Arts Event Licence Pilot Program
- On October 18, 2017, Council received the *Creative City Strategy* framework to develop the City’s future directions and priorities for arts and culture.
- 2018 Making Space for Arts and Culture: Cultural Infrastructure Plan

REPORT

Background/Context

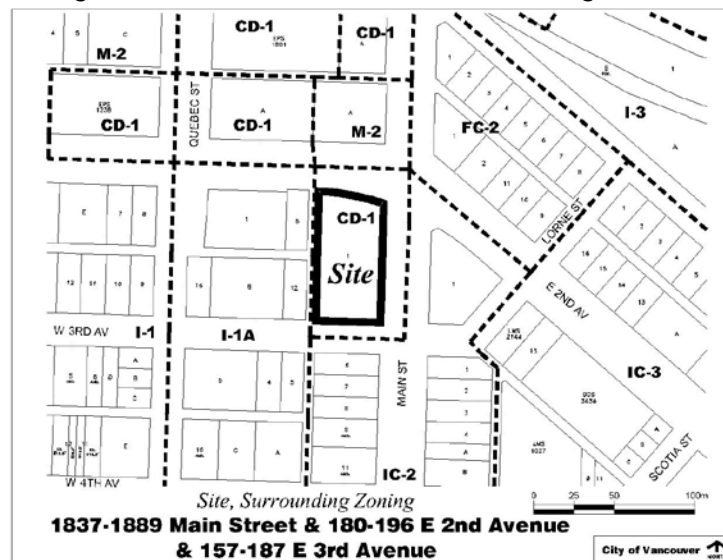
The Howe Street site is located in the Hornby Slopes sub-area of *Downtown South*. On July 24, 2013, the site was rezoned from DD (Downtown) District to CD-1 to permit a 41-storey residential building with a floor area of approximately 1,010 sq. m. (10,872 sq. ft.) of secured cultural amenity space for use as artist studios at grade. These artist studios provide production space for approximately 20 or more artists. The site and location are shown in Figure 1.

Figure 1: Howe Street site and surrounding context



The Main Street site is located in the Lower Main sub-area of the *Mount Pleasant Community Plan*. On October 31, 2017, the site was rezoned from IC-2 (Industrial) District to CD-1 to permit a 12-storey mixed-use building with 372 sq. m. (4,000 sq. ft.) of secured cultural amenity space for use as artist studio space. The cultural amenity space is intended to be used as shared artist production space. The site and location are shown in Figure 2.

Figure 2: Main Street site and surrounding context



Policy Context

In November 17, 2015, Section 2 of the Zoning and Development By-law was amended to include the definition for an Arts and Culture Indoor Event. Arts and Culture Indoor Events are defined as events of an artistic or cultural nature, including but not limited to visual, performing, media, literary, craft or interdisciplinary arts, for a maximum of 250 persons, which occurs not more than three days per month in a building.

The inclusion of Arts and Culture Indoor Event use as a permitted use within the CD-1s aligns with current City policy related to Arts, Culture and Community Services. Based on previous initiatives undertaken by the City, the 2018 *Making Space for Arts and Culture: Cultural Infrastructure Plan* identified a number of key considerations and recommendations. These include the retention, enhancement and development of affordable, sustainable cultural spaces in Vancouver, including presentation and shared artist studio production spaces; and the reduction of regulatory barriers and streamlining of regulatory processes for arts and cultural spaces for occasional events.

Strategic Analysis

The addition of the Arts and Culture Indoor Event use to the CD-1 By-laws would allow for events of a cultural or artistic nature to take place in the cultural amenity spaces at these sites. Each event staged at these locations would require a separate, temporary licence from the City. Event presenters would need to apply for and comply with the Arts Event Licence which permits events to be held up to three days per month for up to 250 people, depending on the size of the venue. Considerations such as health and safety requirements, noise, liquor licensing and code requirements are reviewed as part of the license application.

Prior to rezoning as a CD-1 District, the Main Street site lots were located in the IC-2 (Industrial) District, where Arts and Culture Indoor Event is considered an outright approval use. When the rezoning was approved, the intent was for the cultural amenity space to be used as shared artist studio space to support work and creative endeavours for artists in the Mount Pleasant and surrounding neighbourhoods. The adjacent publicly accessible plaza, secured by a statutory right-of-way, was also intended to occasionally function as a venue for public events and for non-profit programmed use. Events of an artistic or cultural nature within the shared artist studio space were to support both the indoor artist production use and outdoor event use but were not included as a permitted use in the CD-1 By-law.

Additionally, the rezoning for the Howe Street site was intended to provide a creation and production anchor in the neighbourhood and assist in animating the local area. The ability to host occasional arts and culture events would support the cultural amenity space's main function as an artist studio space. As the CD-1 By-law was approved prior to the Arts and Culture Indoor Event use being added to the Zoning and Development By-law, this change would retroactively add the use to allow for consistency in appropriate zoning districts, including the surrounding Downtown District.

Staff support the inclusion of Arts and Culture Indoor Event use as a permitted use in both CD-1s, as the inclusion of this use is consistent with the intent of the secured cultural amenity spaces at these sites.

PUBLIC INPUT

Information about the proposed amendments to the CD-1 sites, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage www.vancouver.ca/rezapps. There has been no public feedback in response to the rezoning application.

PUBLIC BENEFITS

Development Cost Levies (DCLs) – Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

Both City-wide DCLs and SEFC layered DCLs were paid on the development at building permit issuance, following enactment of the initial rezoning to a new CD-1 (Comprehensive Development) District. As the proposed amendments relate to the permitted uses of an existing building with no increase in floor area, there is no additional DCL.

Public Art Program – The Public Art Policy for Rezoning Development requires that rezonings involving a floor area of 9,290.0 sq. m (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. As the application proposes no additional floor area, no public art contribution is required.

Community Amenity Contribution (CAC) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. As no changes are proposed to the approved height, density or form of development for this site, a CAC is not anticipated.

Financial Implications

As noted the public benefits section above, there are no additional Community Amenity Contributions, Development Cost Levies or public art contributions associated with the proposed CD-1 text amendment.

CONCLUSION

It is recommended that the CD-1 By-laws for 1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue, and 1265-1299 Howe Street and 835 Drake Street be amended to permit Arts and Culture Indoor Event use. The inclusion of the use to allow events of an artistic or cultural nature is consistent with the intent of the secured cultural amenity space.

* * * * *

**1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue
PROPOSED BY-LAW PROVISIONS
to amend CD-1 (684) By-law No. 11944**

Note: A By-law to amend CD-1 (684) By-law No. 11944 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. In section 2.2 (a), Council adds the words “Arts and Culture Indoor Event,” after “Artist Studio”.

* * * * *

**1265-1299 Howe Street and 835 Drake Street
PROPOSED BY-LAW PROVISIONS
to amend CD-1 (551) By-law No. 10754**

Note: A By-law to amend CD-1 (551) By-law No. 10754 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. In section 2.2 (a), Council adds the words “Arts and Culture Indoor Event,” after “Artist Studio”.

* * * * *

**1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

APPLICANT AND PROPERTY INFORMATION

Street Address	1837-1937 Main Street, 170-180 East 2nd Avenue and 177-196 East 3rd Avenue
Legal Description	PID: 030-275-768; Lot 1, Block 14, Plan Epp53535, District Lot 200a, NWD Group 1
Applicant/Architect	City of Vancouver
Property Owner	0839879 BC LTD

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	CD-1 (684)	amended CD-1 (684)
Uses	Cultural and Recreational Uses limited to Artist Studio and Fitness Centre, Dwelling Uses, Manufacturing Uses, Offices Uses, Retail Uses, and Services Uses	No change, except adding Arts and Culture Indoor Event to Cultural and Recreational Uses
Max. Density	5.50	No change
Floor Area	Not specified	No change
Maximum Height	35.83 m	No change
Parking, Loading and Bicycle Spaces	As per Parking By-law.	No change

* * * * *

**1265-1299 Howe Street and 835 Drake Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

APPLICANT AND PROPERTY INFORMATION

Street Address	1265-1299 Howe Street and 835 Drake Street
Legal Description	PID: 029-098-041; Lot K, Block 101, Plan Epp30416, District Lot 541, NWD Group 1
Applicant/Architect	City of Vancouver
Property Owner	Howe Street Developments General

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	CD-1 (551)	amended CD-1 (551)
Uses	Cultural and Recreational Uses, Dwelling Uses, Institutional Uses, Retail Uses, and Services Uses	No change, except adding Arts and Culture Indoor Event to Cultural and Recreational Uses
Max. Density	9.15	No change
Floor Area	Not specified	No change
Maximum Height	114.3 m	No change
Parking, Loading and Bicycle Spaces	As per Parking By-law.	No change

* * * *