



## REFERRAL REPORT

Report Date: January 5, 2021  
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Meeting Date: January 19, 2021

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: Miscellaneous Amendments - Zoning and Development By-law and Sign By-law

### **RECOMMENDATION**

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law, generally as presented in Appendix A, to:
- i. correct numbering errors in Section 11.17;
  - ii. insert reserved sections 4.11 to 4.14 in the C-1 and C-3A District Schedules to allow for consistent numbering;
  - iii. remove a duplicate reference to retail store in section 3.2.1.R in the FC-2 District Schedule;
  - iv. correct numbering errors in sections 4.4.2(a) and 4.7.5 in the I-2 District Schedule;
  - v. update references to entries, porches and verandahs and covered porches in various District Schedules that were inadvertently missed in amending by-law 12731;
  - vi. clarify the floor area exclusion for parking spaces in an accessory building in section 4.7.6(c)(ii) of the RT-5 and RT-5N District Schedules and section 4.7.6(d)(ii) of the RT-6 District Schedule;
  - vii. correct a section reference error in section 4.7.7 in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule;

- viii. correct a grammatical error in section 3.2.DW in the RM-10 and RM-10N Districts Schedule; and
- ix. update a section reference within the text of section 3.2.DW in the RM-2, the RM-3 and RM-3A, the RM-4 and RM-4N and FM-1 District Schedules;

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-law, generally in accordance with Appendix A, for consideration at Public Hearing.

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

- i. amend Section 4 of the Sign By-law, generally as presented in Appendix B, to correct an omission by including an additional reference for the removal or alteration of signs;

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-law, generally in accordance with Appendix B, for consideration at Public Hearing.

### **REPORT SUMMARY**

This report recommends miscellaneous amendments to the Zoning and Development By-law and the Sign By-law. The proposed amendments would achieve the intent of the by-laws and correct inadvertent errors, update references, and improve the administration of the Zoning and Development By-law and Sign By-law.

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

On July 24, 2020, Council enacted amendments to the Zoning and Development By-law as presented in the *Regulation Redesign – Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines* report.

On July 23, 2019, Council enacted amendments to the Zoning and Development By-law, Sign By-law and RM-12N Guidelines as described in the *Miscellaneous Amendments – Zoning and Development By-law, Sign By-law and RM-12N Guidelines* report.

On July 9, 2019, Council enacted amendments to the Zoning and Development By-law as described in the *Regulation Redesign – Amendments to the Zoning and Development By-law, Various Official Development Plans, Parking By-law and Various Land Use and Development Policies and Guidelines* report.

On September 19, 2017, Council enacted amendments to the RT-5 and RT-6 District Schedules as described in *Increasing Housing Choice and Character Retention Incentives in the Mount Pleasant and Grandview-Woodland Communities – Proposed Amendments to the Zoning and Development By-law*.

On July 25, 2017, Council enacted the Sign By-law, as described in the report entitled *Sign By-law Review: New Sign By-law and Sign Fee By-law*.

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

The Acting City Manager recommends approval of the foregoing.

### **REPORT**

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

From time to time, miscellaneous amendments to the Zoning and Development By-law or other by-laws are required in order to improve clarity, update terminology or address inadvertent errors or omissions and to better streamline the development review process. In general, one or two miscellaneous amendment reports per year are reported to Council. By-law amendments that are substantive in nature are not included in these packages, but are reported separately.

#### ***Strategic Analysis***

#### **Amendment to the Zoning and Development By-law:**

#### **RT-5, RT-5N and RT-6 District Schedules: Section 4.7.6 (c) in RT-5 and RT-5N and Section 4.7.6 (d) in RT-6**

The proposed change is to clarify the intent of the floor area exclusion for parking spaces in an accessory building (i.e. a detached garage) and to correct an inadvertent error in the RT-5 and RT-6 District Schedules. The maximum 42 m<sup>2</sup> exclusion is intended for the total area used for all off-street parking. For example, the exclusion applies to an entire double car garage with two standard parking spaces, rather than each parking stall. This report proposes deleting the text “for a parking space” to correct this error and clarify the intent.

#### **Miscellaneous amendments to the Zoning and Development By-law:**

This report proposes various housekeeping amendments that are needed for clarity and in some cases to correct inadvertent errors. The table below summarizes the proposed amendments.

<b>Section</b>	<b>Proposed Amendment</b>
11.17	Renumber “1.17.15” as “11.17.15”; renumber “1.17.20” as “11.17.20”; and renumber “1.17.21” as “11.17.21”.
4.11 to 4.14 of the C-1 and C-3A District Schedules	Insert a new section to the C-1 and C-3A District Schedules: “4.11 to 4.14 - Reserved” to allow for consistent numbering.
3.2.1.R in the FC-2 District Schedule	Remove a duplicate reference to retail store.
4.4.2(a) and 4.7.5 in the I-2 District Schedule	Renumber “4.4.2(a)(ii)” as “4.4.2(a)(i)”, “4.4.2(a)(iii)” as “4.4.2(a)(ii)”, and “4.4.2(a)(iv)” as “4.4.2(a)(iii)”.  Renumber “4.7.1(e)” as “4.7.1(f)” in section 4.7.5.
4.7.3 in the RT-4, RT-4A, RT-4N and RT-4AN, RT-7, RT-8, RT-9, RT-10 and RT-10N and RM-1 District Schedules  4.7.9 in the RM-10 and RM-10N, and RM-11 and RM-11N District Schedules  4.7.11 in the RM-12N District Schedule  4.7.15 in the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN District Schedules	Replace “covered verandas or porches” with “entries, porches and verandahs and covered porches above the first storey” to reflect wording that was inadvertently missed in amending by-law 12731 enacted in July 2020.
4.7.7 of RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule	Correct an inadvertent section reference error by striking out “4.7.8” and substituting “5.2” to reflect changes enacted in amending by-law 12731 in July 2020.
3.2.DW in the RM-10 and RM-10N Districts Schedule	Correct grammatical errors by striking out “an building” and substituting “a building”.
3.2.DW in the RM-2, the RM-3 and RM-3A, the RM-4 and RM-4N District Schedules	Move reference to section 3.3.1 up within the text of section 3.2DW.
3.2DW in the FM-1 District Schedule	Move reference to section 3.3.2 up within the text of section 3.2DW.

### **Amendment to Sign By-law:**

The proposed change corrects the inadvertent omission of a section on the removal or alteration of signs in Part 4 - Responsibilities of Owner of the Sign By-law. This provision was unintentionally missed when the new Sign By-law was enacted in July 2017, and only recently brought to the attention of staff. The proposed amendment would add in the following as section 4.13:

**“4.13 Removal or Alteration of Signs**

An owner must remove or alter:

- (a) any signs that include first party advertising that no longer advertises, promotes, or directs attention to goods, services, or activities available on the premises where the sign is located; and
- (b) any signs that identify a business or a licensed home occupation that is no longer located on the premises.”

***Financial Implications***

Staff do not anticipate any material changes to development contributions arising from the proposed text amendments.

**CONCLUSION**

This report recommends several minor regulatory amendments that will, if approved, correct errors and improve clarity, update regulations, and provide more certainty for both staff and applicants. These minor amendments ensure continuous improvements and modernization of the City’s by-laws.

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

**DRAFT By-law to amend  
Zoning and Development By-law No. 3575  
Regarding Miscellaneous Amendments**

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

1. This By-law amends the indicated provisions of the Zoning and Development Bylaw.
2. Council amends section 11.17 by:
  - (a) renumbering “1.17.15” as “11.17.15”;
  - (b) renumbering “1.17.20” as “11.17.20”; and
  - (c) renumbering “1.17.21” as “11.17.21”.
3. In the C-1 and the C-3A District Schedules, Council adds **“4.11 to 4.14 (Reserved)”**, in the correct numerical order.
4. In section 3.2.1.R of the FC-2 District Schedule, Council strikes out the following:

“

  - Retail Store, but limited to:
  - Accessory Retail Use.”.
5. In the I-2 District Schedule, Council:
  - (a) in section 4.4.2(a):
    - a. renumbers section 4.4.2(a)(ii) as 4.4.2(a)(i),
    - b. renumbers section 4.4.2(a)(iii) as 4.4.2(a)(ii), and
    - c. renumbers section 4.4.2(a)(iv) as 4.4.2(a)(iii); and
  - (b) in section 4.7.5, strikes out “4.7.1(e)” and substitutes “4.7.1(f)”.
6. In section 4.7.3 of the RT-4, RT-4A, RT-4N and RT-4AN, RT-7, RT-8, RT-9, RT-10 and RT-10N, and RM-1 District Schedules, section 4.7.9 of the RM-10 and RM-10N, and RM-11 and RM-11N Districts Schedules, section 4.7.11 of the RM-12N District Schedule, and section 4.7.15 of the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council strikes out “covered verandas or porches” and substitutes “entries, porches and verandahs and covered porches above the first storey”.
7. In section 4.7.6(c)(ii) of the RT-5 and RT-5N Districts Schedules, and section 4.7.6(d)(ii) of the RT-6 District Schedule, Council strikes out “for a parking space”.

8. In section 4.7.7 of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, Council strikes out “4.7.8” and substitutes “5.2”.

9. In section 3.2.DW of the RM-10 and RM-10N Districts Schedule, Council strikes out “an building” and substitutes “a building”.

10. In section 3.2.DW of the RM-2, RM-3, RM-3A, and RM-4 and RM-4N District Schedules, Council strikes out:

- “
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:
    - (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
    - (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,
- in accordance with section 3.3.1 of this Schedule.”

and substitutes the following:

- “
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956 and in accordance with section 3.3.1 of this Schedule, provided that:
    - (a) before making a decision, the Development Permit Board shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
    - (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building.”.

11. In section 3.2.DW of the FM-1 District Schedule, Council strikes out:

- “
- Multiple Conversion, resulting from the conversion of a building existing as of June 18, 1956, provided that:
    - (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
    - (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,





**DRAFT By-law to amend Sign By-law No.11879  
Regarding Housekeeping Amendment**

*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 or adds to the indicated provisions of By-law No. 11879.
2. In section 4, Council;
  - (a) inserts a new section 4.13 as follows:

**“4.13 Removal or Alteration of Signs**

An owner must remove or alter:

- (a) any signs that include first party advertising that no longer advertises, promotes, or directs attention to goods, services, or activities available on the premises where the sign is located; and
  - (b) any signs that identify a business or a licensed home occupation that is no longer located on the premises.”; and
- (b) renumbers section 4.13 as 4.14.

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