



## REFERRAL REPORT

Report Date: February 23, 2021  
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RTS No.: 14300  
VanRIMS No.: 08-2000-20  
Meeting Date: March 9, 2021

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: Miscellaneous Amendments to Various CD-1 By-laws

### **RECOMMENDATION**

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

- (i) amend CD-1 (758) By-law No. 12869 for 1956-1990 Stainsbury Avenue to correct an inconsistency in the computation of floor area, and to correct the maximum building height, generally as presented in Appendix A.
- (ii) amend CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue to correct map labelling, generally as presented in Appendix A;
- (iii) amend Schedule A of Sign By-law No. 11879 by adding CD-1 (521) By-law No. 10413 for 7299 Granville Street, generally as presented in Appendix B; and
- (iv) amend CD-1 (620) By-law No. 11374 for 1412-1424 East 41st Avenue to permit a wider range of commercial uses, creating consistency with more recently approved and comparable CD-1 by-laws.

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 the respective appendices, for consideration at Public Hearing.

## **REPORT SUMMARY**

This report recommends miscellaneous minor text amendments to the CD-1 (758) By-law No. 12869 for 1956-1990 Stainsbury Avenue, CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue, Schedule A of the Sign By-law No. 11879 to add CD-1 (521) By-law No. 10413 for 7299 Granville Street, and to CD-1 (620) By-law No. 11374 for 1412-1424 East 41st Avenue. The amendments would correct inadvertent errors.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- CD-1 (758) By-law No. 12869 for 1956-1990 Stainsbury Avenue, enacted January 20, 2021
- CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue, enacted April 14, 2020
- CD-1 (521) By-law No. 10413 for 7299 Granville Street (formerly 7101-7201 Granville Street), enacted January 17, 2012 (last amended September 21, 2016)
- CD-1 (620) By-law No. 11374 for 1412-1424 East 41st Avenue, enacted November 11, 2015

## **REPORT**

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

From time to time, Council considers minor staff-initiated amendments to provide greater clarity in zoning by-laws, to correct typographical or inadvertent errors, and to provide clear direction for the public and staff in the interpretation of by-laws. Proposed amendments that are substantive in nature are not included in these packages, but are reported separately.

### ***Strategic Analysis***

This report presents miscellaneous amendments to three CD-1 by-laws and one Sign By-law amendment concerning an existing CD-1 By-law, summarized below. The proposed by-law amendments are included in Appendices A, B, C and D.

#### **1. CD-1 (758) By-law No. 12869 for 1956-1990 Stainsbury Avenue**

CD-1 (758) By-law for 1956-1990 Stainsbury Avenue was approved in principle at Public Hearing on January 21, 2020, and enacted on January 20, 2021. It permits a five-storey residential building containing 80 secured rental housing units, of which 20% of the residential floor area will be secured for households earning a moderate income under the *Moderate Income Rental Housing Pilot Program (MIRHPP)*. The form of development approved in-principle by Council included an indoor rooftop amenity space, with a maximum approved height of 18 m (59.2 ft.). This height was calculated in error. This amendment would correct this error by amending the maximum height of the CD-1 (758) By-law to 20.32 m (66.67 ft.) (see Appendix A). This amendment does not change the form of development approved in-principle by Council, as shown in Figure 1 below.

An amendment to the CD-1 (758) By-law is also being proposed to clarify how floor area exclusions are calculated for MIRHPP projects (see Appendix A). The adjustment will make the CD-1 (758) By-law consistent with the by-laws of other MIRHPP projects approved to date, and does not affect the form of development approved in-principle by Council.

**Figure 1 – South Elevation with Rooftop Indoor Amenity Space**

## **2. CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue**

CD-1 (743) By-law for 3281-3295 East 22nd Avenue was approved in principle at Public Hearing on May 15, 2018 and enacted on April 14, 2020. It permits a six-storey mixed-use development with commercial uses at grade and 55 secured rental housing units. The zoning for the site changed from C-1 to CD-1, however the Schedule A map in the CD-1 (743) By-law is labelled “From C-2 to CD-1”. This amendment corrects the error, deleting the Schedule A labelled “From C-2 to CD-1” and replacing it with a new Schedule A labelled “From C-1 to CD-1” (see Appendix B). The map itself is unchanged.

## **3. Add CD-1 (521) By-law No. 10413 for 7299 Granville Street to Schedule A of Sign By-law No. 11879**

CD-1 (521) By-law for 7299 Granville Street (Shannon Mews, formerly 7101-7201 Granville Street) was approved in principle at Public Hearing on July 29, 2011 and enacted on January 17, 2012. It permits a mixed-use development with commercial uses and 735 residential dwelling units. When the rezoning application went forward, a necessary consequential amendment to the Sign By-law was overlooked. This amendment would correct this error by adding the CD-1 (521) By-law to Schedule A of the Sign By-law (see Appendix C). This correction provides signage opportunities as they pertain to the commercial uses on the site. No changes to the CD-1 (521) By-law itself are proposed.

## **4. CD-1 (620) By-law No. 11374 for 1412-1424 East 41st Avenue**

CD-1 (620) By-law No. 11374 for 1412-1424 East 41st Avenue was approved in principle at Public Hearing on February 18, 2014 and enacted on November 11, 2015. It permits a four-storey mixed-use development with commercial uses at grade and 42 secured rental housing units.

The approved by-law applies a range of limitations on uses of the ground floor commercial units. The amendment would remove a number of these limitations to accommodate a wider range of business types and to support the viability of these commercial units. Any uses that are considered to be incompatible with the site would not be approved through the Development

Permit or business licensing processes. The amendment will make the CD-1 (620) By-law consistent with more recently approved secured rental housing projects, and does not affect the form of development approved in-principle by Council.

### ***Financial Implications***

The amendments put forward above would correct inadvertent errors. As such, they do not have an effect on the Community Amenity Contributions, Development Cost Levies, or public art contributions associated with the development of the sites.

### ***CONCLUSION***

This report proposes miscellaneous amendments that, if approved, would correct inadvertent errors. It is recommended that the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend the CD-1 (758) By-law for 1956-1990 Stainsbury Avenue, the CD-1 (743) By-law for 3281-3295 East 22nd Avenue, Schedule A of the Sign By-law to add the CD-1 (521) By-law for 7299 Granville Street, and the CD-1 (620) By-law for 1412-1424 East 41st Avenue. Further, it is recommended that this application be referred to Public Hearing and, subject to the Public Hearing, be approved.

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**PROPOSED AMENDMENT TO  
CD-1 (758) BY-LAW NO. 12869 FOR 1956-1990 STAINSBURY 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 No. 12869.
2. In section 6.4, Council strikes out “Computation of floor area must exclude:” and substitutes “Computation of floor area and dwelling unit area must exclude:”.
3. In section 7, Council strikes out “must not exceed 18.0 m.” and substitutes “must not exceed 20.32 m”.

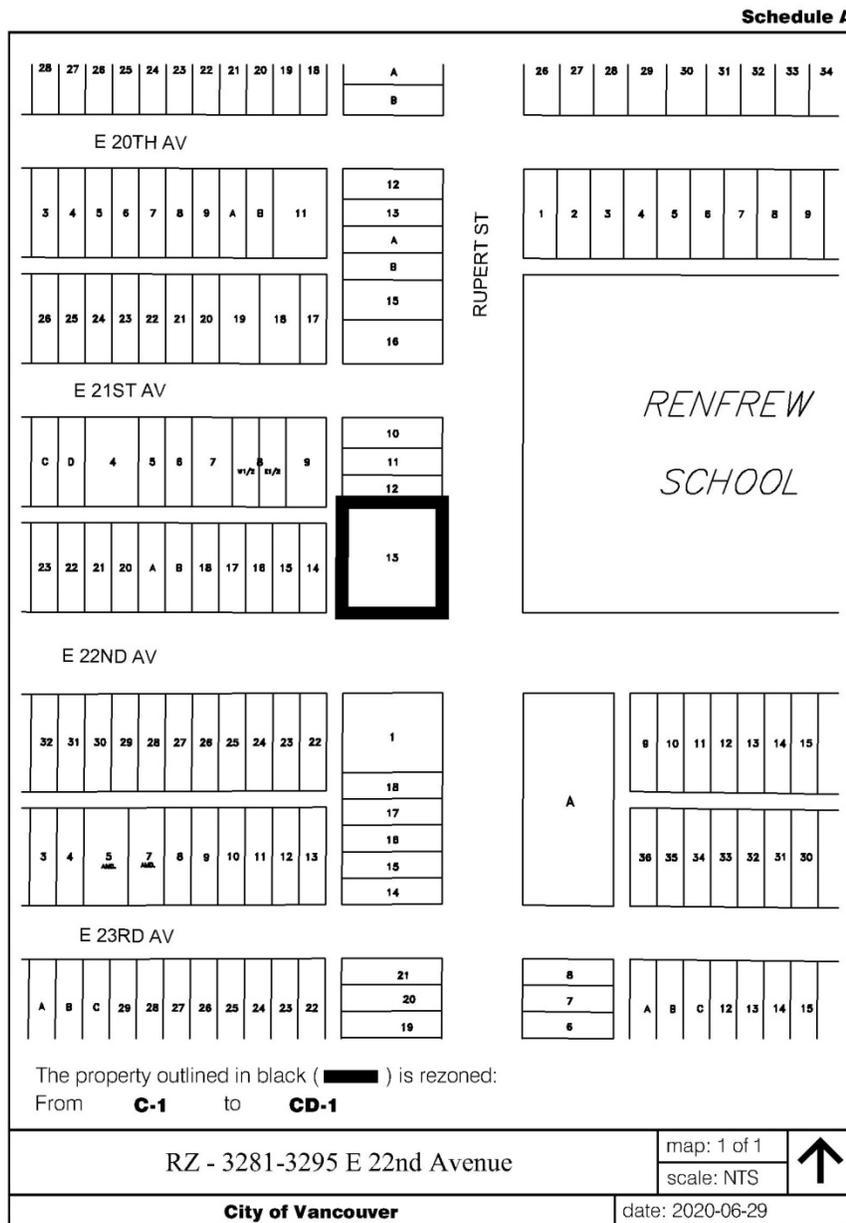
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**PROPOSED AMENDMENT TO  
CD-1 (743) BY-LAW NO. 12675 FOR 3281-3295 EAST 22ND AVENUE**

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 No. 12675.
2. Council strikes out Schedule A and substitutes the following:

“



”

3. In section 1, Council strikes out “the plan numbered Z-735 (c) attached as Schedule A to this By-law” and substitutes “the plan numbered Z-(\_\_\_\_) attached as Schedule A to this By-law”.

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**DRAFT AMENDMENT TO THE SIGN BY-LAW NO. 11879  
CONCERNING CD-1 (521) BY-LAW NO. 10413 FOR 7299 GRANVILLE STREET (formerly  
7101-7201 GRANVILLE STREET)**

Amend Schedule A (CD-1 Zoning Districts regulated by Part 9) by adding the following:

“7299 Granville Street      CD-1 (521)      By-Law No. 10413      C-2”

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**PROPOSED AMENDMENT TO  
CD-1 (620) BY-LAW NO. 11374 FOR 1412-1424 East 41ST 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 No. 11374.
2. Council strikes out section 2.2 and substitutes the following:

“2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (620), and the only uses for which the Director of Planning or the Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law except that no portion of the first storey of a building to a depth of 10.7 m from the north wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion;
- (b) Cultural and Recreational Uses;
- (c) Institutional Uses;
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing and Publishing;
- (e) Office Uses;
- (f) Retail Uses;
- (g) Service Uses;
- (h) Utility and Communication Uses; and
- (i) Accessory Uses customarily ancillary to the uses listed in this section.”

\* \* \* \* \*

**APPENDIX E: REDLINE VERSION**

1. 1956-1990 STAINSBURY AVENUE
2. 3281-3295 EAST 22ND AVENUE
3. 1412-1424 EAST 41ST AVENUE

**THIS DOCUMENT IS BEING PROVIDED FOR INFORMATION ONLY AS A REFERENCE TOOL TO HIGHLIGHT THE PROPOSED AMENDMENTS. THE DRAFT AMENDING BY-LAWS ATTACHED TO THE COUNCIL REPORT RTS NO. 14300 ENTITLED MISCELLANEOUS AMENDMENTS TO VARIOUS CD-1 BY-LAWS REPRESENT THE AMENDMENTS BEING PROPOSED TO COUNCIL FOR APPROVAL. SHOULD THERE BE ANY DISCREPANCY BETWEEN THIS REDLINE VERSION AND THE DRAFT AMENDING BY-LAWS, THE DRAFT AMENDING BY-LAWS PREVAIL.**

## **CD-1 (758) BY-LAW NO. 12869 FOR 1956-1990 STAINSBURY AVENUE**

**6.4 ~~Computation of floor area must exclude:~~ Computation of floor area and dwelling unit area must exclude**

- (a) open residential balconies or sun decks and any other appurtenances, which in the opinion of the Director of Planning are similar to the foregoing, except that:
  - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area, and
  - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof gardens, if the Director of Planning first approves the design of the sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

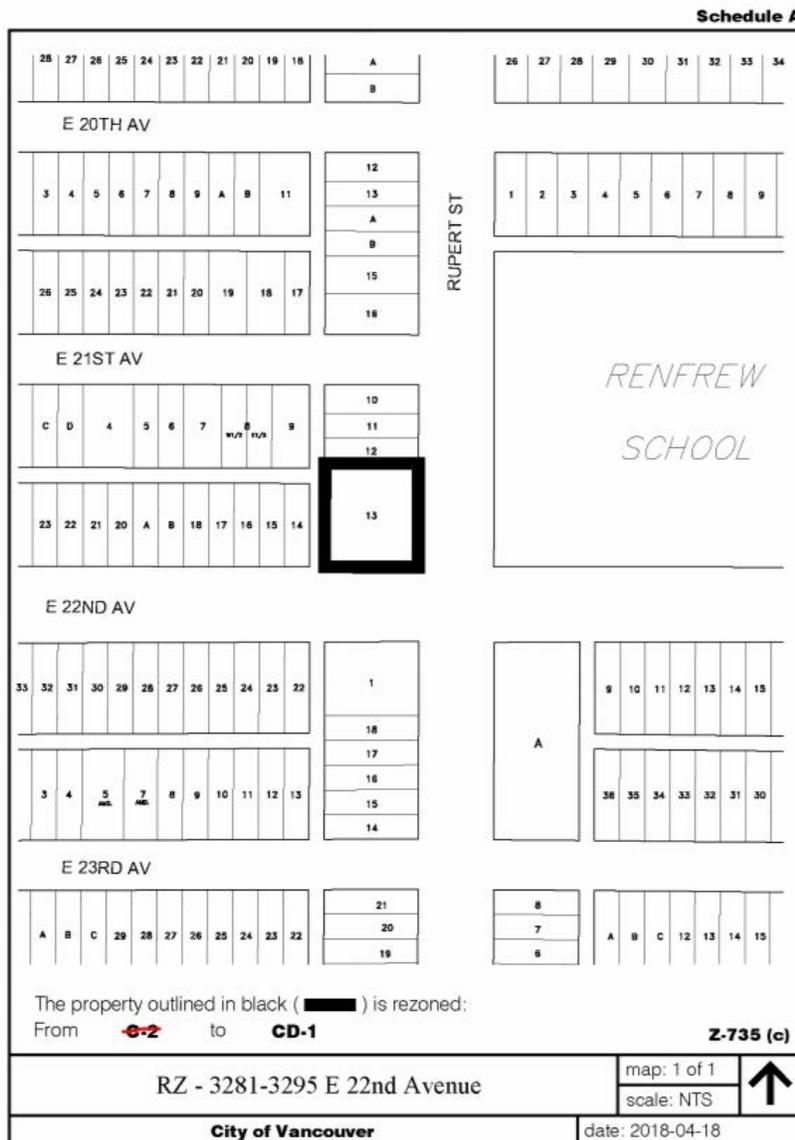
6.5 The use of floor area excluded under section 6.4 must not include any use other than that which justified the exclusion.

6.6 Where floor area associated with storage space is excluded under section 6.4 (e), a minimum of 20% of the excluded floor area must be located within the Moderate Income Rental Housing Units.

**Building Height**

7. Building height, measured from base surface to top of parapet, ~~must not exceed 18.0 m~~ **must not exceed 20.32 m** except that no part of the development shall protrude into the approved view corridors, as set out in the City of Vancouver *View Protection Guidelines*.

# CD-1 (743) BY-LAW NO. 12675 FOR 3281-3295 EAST 22ND AVENUE



## CD-1 (620) BY-LAW NO. 11374 FOR 1412-1424 EAST 41ST AVENUE

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (620), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, ~~limited to Arcade, Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Museum or Archives;~~
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law except that no portion of the first storey of a building to a depth of 10.7 m from the north wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion;
- (c) Institutional Uses, ~~limited to Child Day Care Facility and Social Service Centre;~~
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing and Publishing;
- (e) Office Uses;
- (f) Retail Uses, ~~limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;~~
- (g) Service Uses, ~~limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Repair Shop – Class A, Repair Shop Class – B, Restaurant – Class 1, Restaurant – Class 2, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;~~
- (h) Utility and Communication Uses, ~~limited to Public Utility or Radiocommunication Station;~~ and
- (i) Accessory ~~u~~Uses customarily ancillary to the uses permitted in this ~~S~~section ~~2.2~~.