

SUMMARY AND RECOMMENDATION

4. Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments

Summary: To amend the Zoning and Development By-law to simplify height regulations by introducing definitions for height and decorative roof, by updating the definition for base surface, and by amending section 10.18 Height to provide more flexibility for access to rooftop amenity spaces, and to make other housekeeping amendments to clarify wording in various by-laws and land use documents to correct inadvertent errors, update references, and improve the administration of the by-laws.

Applicant: General Manager of Planning, Urban Design and Sustainability

Referral: This item was referred to Public Hearing at the Council Meeting of June 8, 2021.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability.

- A. THAT Council approves the application to amend the Zoning and Development By-law, generally as presented in Appendix A, of the Referral Report dated May 28, 2021, entitled “Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments” to:
- (i) add new definitions for building height and decorative roof to Section 2 and amend the definition for base surface;
 - (ii) update height regulations in section 10.18; and
 - (iii) subject to approval of A(ii), in sections 4.17.8 of the RS-6 and RS-7 District Schedules, correct a reference to section 10.18.
- B. THAT Council approves the application to amend the Zoning and Development By-law for various housekeeping amendments, generally as presented in Appendix A, of the Referral Report dated May 28, 2021, entitled “Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments” to:
- (i) add infill dwellings to section 10.23A;
 - (ii) in section 4.19.2 of the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule, replace ‘a second principal building’ with ‘more than one principal building’ to enable the intended form of development described in the intent statement of the schedule and the guidelines;
 - (iii) correct a reference in section 6.4;
 - (iv) add I-1A, I-1B and I-1C districts to the list of zoning districts in section 9.1;
 - (v) update reference to districts in section 10.27;
 - (vi) correct a reference in Schedule C;
 - (vii) delete section 4.2.2 in the RM-7, RM-7 and RM-7AN Districts Schedules;

- (viii) remove a duplicate word in section 4.14.1(i) in the C-2 District Schedule;
 - (ix) reorder accessory uses in the FM-1 and RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedules to align with other district schedules;
 - (x) update references to entries, porches, verandahs and covered porches in various District Schedules that were inadvertently missed in amending bylaw 12731;
 - (xi) update residential uses and remove date restrictions for neighbourhood grocery stores that were inadvertently missed in amending by-law 12893 in RS-1B, RS-3, RS-3A, RM-4 and RM-4N, , and RT-11 and RT-11N Districts Schedules; and
 - (xii) insert 'building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing' into the list of uses that are subject to the rental housing replacement and site area requirements in the RM-3A and RM-4 and RM4N district(s) schedule and the frontage requirements in the RM-4 and RM-4N districts schedule, as these regulations were intended to apply.
- C. THAT Council approves the application to amend the Downtown-Eastside/Oppenheimer District Official Development Plan, generally as presented in Appendix B, of the Referral Report dated May 28, 2021, entitled "Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments" to re-insert "general office" as an exception to the retail continuity requirement as it was inadvertently omitted.
- D. THAT Council approves the application to amend the Sign By-law, generally as presented in Appendix C, of the Referral Report dated May 28, 2021, entitled "Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments" to:
- (i) amend Part 7 – Sign Districts, to correct an omission by adding the I-1C District Schedule to the list of sign districts;
 - (ii) amend Part 9 – Commercial, Mixed Use and Industrial Sign District, to correct omissions by including missing district schedules and to correct typographical errors.
- E. THAT Council approves the amendment to the Zoning and Development Fee By-law, generally as presented in Appendix D, of the Referral Report dated May 28, 2021, entitled "Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments" to correct references.
- F. THAT Council approves the amendment to the Noise Control By-law, generally as set out in Appendix E, of the Referral Report dated May 28, 2021, entitled "Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments" to add missing district schedules.
- G. THAT Council approves the amendment to the Subdivision By-law, generally as set out in Appendix F, of the Referral Report dated May 28, 2021, entitled "Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments" to add missing district schedules and to remove repealed district schedules.
- H. THAT Council approves the amendment to the License By-law, generally as set out in Appendix G, of the Referral Report dated May 28, 2021, entitled "Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments" to correct an incorrect reference in section 26.4.

- I. THAT Council approves amendment to the Parking By-law, generally as set out in Appendix H, of the Referral Report dated May 28, 2021, entitled “Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments” to insert correct by-law and CD-1 numbers.
- J. THAT Council approves the amendments to the following land use documents, generally as presented in Appendix I, of the Referral Report dated May 28, 2021, entitled “Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments”:
- (i) subject to approval of recommendation B(ii), *RM-8 and RM-8N Guidelines* to align with the regulations for number of buildings on a site in the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule;
 - (ii) subject to approval of recommendation B(ii), the *RM-8A and RM-8AN Guidelines* to align with the regulations for the number of buildings on a site in the regulations in the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule;
 - (iii) the *Guidelines for the Administration of Variances for Zero Emission Buildings in the RS, RT and RA Districts*, to clarify submission materials for net zero energy applications, to add a reference to a mechanical room exclusion previously approved by Council, and to correct grammatical errors;
 - (iv) the *Guidelines for the Administration of Variance in Larger Zero Emission Buildings* to clarify submission materials for net zero energy applications, to add a reference to a mechanical room exclusion previously approved by Council, and to correct grammatical errors;
 - (v) the *Artist Studio Guidelines* to remove an outdated explanatory note and correct grammatical errors and numbering;
 - (vi) the *Rezoning Policy for Sustainable Large Developments* to correct a reference to an administrative bulletin;
 - (vii) the *West End Georgia/Alberni Guidelines*, to rename the guidelines *RM-6 West End Georgia/Alberni Guidelines*; and
 - (viii) the *Charles/Adanac RS-1 Rezoning Policy* to repeal it, as it has been superseded by updated land use policy.

[Regulation Redesign – Simplifying Height Regulations and Miscellaneous Amendments]