



## REFERRAL REPORT

Report Date: September 7, 2021  
Contact: Yardley McNeill  
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RTS No.: 14663  
VanRIMS No.: 08-2000-20  
Meeting Date: September 21, 2021

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Text Amendment: 3380 Maquinna Drive

### **RECOMMENDATION**

A. THAT the application by Architelier Architecture, on behalf of Canada Elite International Consulting Co, Ltd., with consent of the owner, the City of Vancouver, to amend the text of CD-1 (Comprehensive Development) District (136) By-law No. 5270 with respect to the 3380 Maquinna Drive [*PID 007-221-631; Lot 116 District Lots 334 and 335 Plan 18038*], to alter the land use provisions by providing additional local-serving uses, be referred to Public Hearing, together with:

- (i) draft CD-1 By-law amendments, generally as presented in Appendix A; and
- (ii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle;

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 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; 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 risk of the lessee; 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 assesses an application to amend CD-1 (136) By-law No. 5270 (the “CD-1 By-law”) to create a sub-area for the parcel addressed as 3380 Maquinna Drive. All of the lands associated with CD-1 (136) are owned by the City. Some of the parcels within the lands that are subject to the CD-1 By-law are leased, such as 3380 Maquinna Drive. The new sub-area would permit a variety of local serving uses including a child day care facility. There are no changes proposed to the existing building or site development. If the zoning amendment is approved, a development permit application would be submitted by the lessee, to request a change of use to a child day care facility, noting the application would be subject to meeting all applicable conditions and guidelines related to the use.

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

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

- CD-1 (136) By-law No. 5270, enacted July 24, 1979

### **REPORT**

#### **Background/Context**

Champlain Heights is a large low-density residential neighbourhood west of Boundary Road and north of Southeast Marine Drive. The neighbourhood has several large parks including Everett Crowley Park, Champlain Heights Park, Captain Cook Park, and Sparwood Park. Community facilities in this neighbourhood include Champlain Heights Annex, Champlain Heights Community Centre, Captain James Cook Elementary School, Champlain Heights Elementary School, and the Champlain Child Development Centre. The neighbourhood consists of single-family detached homes, townhouses, and low-rise apartments.

The existing CD-1 (136) By-law was enacted in 1979 and permits limited Cultural and Recreational, Institutional, Office, Retail, and Service uses. It is one of five large CD-1 districts that regulate the land use of the Champlain Heights neighbourhood. This CD-1 district includes the Champlain Heights Community Centre, Champlain Heights Annex, Champlain Child Development Centre, two commercial retail buildings, a neighbourhood pub, and Champlain Heights Park, see Figure 1. The parcel at 3380 Maquinna Drive, contains a one-storey commercial building with a surface parking area. The By-law was drafted at a time when the permitted use, height and density for each parcel, was not specifically noted, but was understood to be described by the form of development approved in conjunction with the By-law.

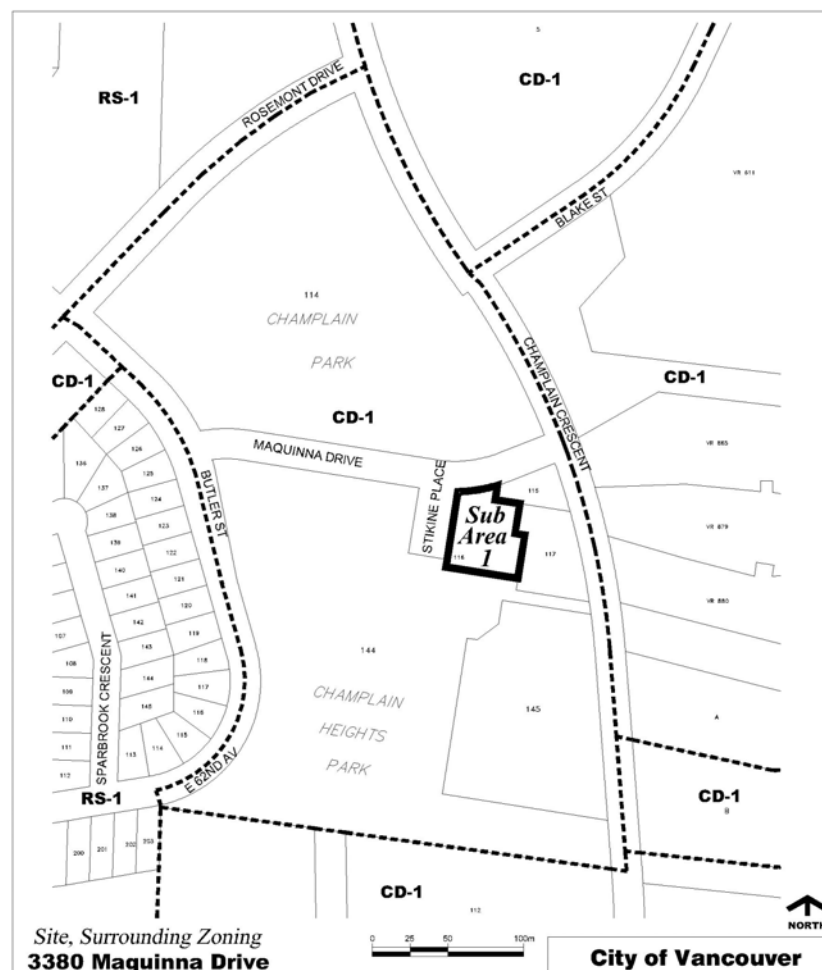
## Strategic Analysis

The application is to designate 3380 Maquinna Drive as a distinct sub-area within CD-1 (136) By-law, and provide for additional uses to accommodate local community needs (see Figure 1). The existing zoning provisions for this parcel are limited to the existing development, noted as a one-storey commercial building, containing mostly office space. This has restricted the ability to renovate and occupy the building for other purposes. Expanding the permitted uses would allow the lessee to pursue alternative uses, such as the proposed child day care facility.

Proposed uses for Sub-area 1 are noted in Appendix A and listed below. Permitted uses outside of the sub-area would remain unchanged, and reflect each parcels existing development.

- Cultural and recreational Uses, limited to Arts and Culture Indoor Event
- Institutional Use, limited to Child Day Care Facility
- Office Uses, limited to General Office, and Health Care Office
- Retail Uses, limited to Neighbourhood Grocery Store, Small-scale Pharmacy, and Retail Store
- Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre

**Figure 1 – Proposed Sub-area 1 (3380 Maquinna Drive) contained within CD-1 (136) By-law**



Staff have evaluated the proposal and support the amendments to the CD-1 (136) By-law. The intent of the original By-law was to provide for a range of local community services and the proposal complies with this intent.

### **Public Input**

A rezoning information sign was installed on the site on May 13, 2021, noting the changes to the CD-1 By-law and the intended future change in use to a child day care facility. Notification and application information, as well as an online comment form, was provided on the City's digital engagement platform *Shape Your City Vancouver* ([shapeyourcity.ca/](https://shapeyourcity.ca/)). Staff received a total of 33 responses from the public expressing the following:

- Support for a child day care facility at this location.
- Retail on site has been left vacant and underutilized for a long period of time.
- Other services are also needed in the area.

### **PUBLIC BENEFITS**

**Development Cost Levies (DCL)** – 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.

The value of DCLs will be determined at the time of development permit application and based on the DCL policies.

**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. CACs typically include either the provision of on-site amenities or a cash contribution.

The amendment to the By-law does not convey additional development rights with respect to height or density, and is not subject to a Community Amenity Contribution.

### **FINANCIAL IMPLICATIONS**

The value of DCLs will be determined at the time of development permit application and based on the DCL policies and applicable floor area and uses.

### **CONCLUSION**

Staff have reviewed and support the proposed amendment to CD-1 (136) By-law No. 5270. The amendment will provide for a greater range of uses within the sub-area addressed as 3380 Maquinna Drive and provide for an opportunity to apply for a development permit application for a child day care facility. The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing, together with the draft by-law provisions generally as set out in Appendix A, and that it be approved, subject to the Public Hearing.

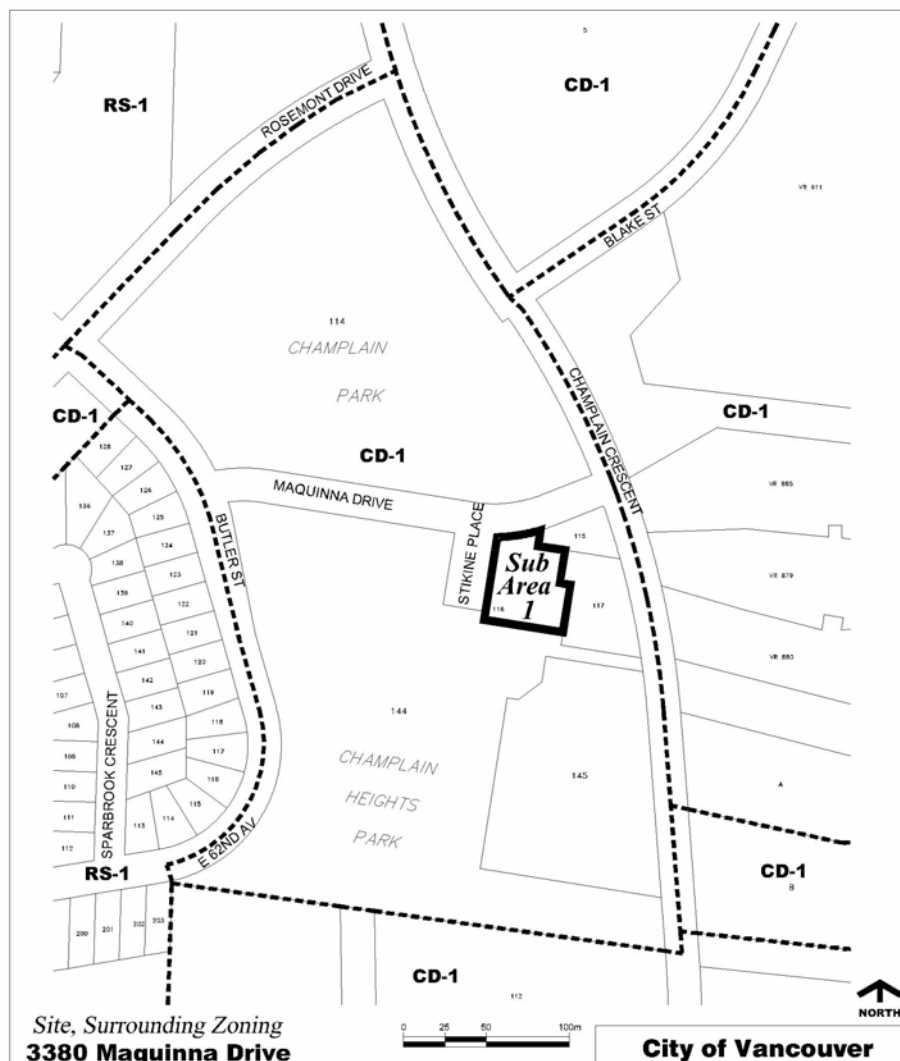
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**3380 Maquinna Drive  
PROPOSED BY-LAW PROVISIONS  
to amend CD-1 (136) By-law No. 5270**

Note: A By-law to amend CD-1 (136) By-law No. 5270 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. 5270.
2. Council adds new sections 2A and 2B in the correct alphanumerical order as follows:  
“2A. The said area is to include one sub-area approximately as illustrated in Figure 1, for the purpose of designating an area in which certain additional uses are permitted.

**Figure 1**



- 2B. 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 additional uses permitted within Sub-Area 1, and the only additional uses within Sub-Area 1 for which the Director of Planning of Development Permit Board will issue development permits are:

Cultural and Recreational Uses, limited to Arts and Culture Indoor Event;

Institutional Use, limited to Child Day Care Facility;

Office Uses, limited to General Office, and Health Care Office;

Retail Uses, limited to Neighbourhood Grocery Store, Small-scale Pharmacy, and Retail Store;

Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre; and

Accessory uses customarily ancillary to the uses listed in this section.”.

\* \* \* \* \*

**3380 Maquinna Drive**  
**APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT AND PROPERTY INFORMATION**

<b>Street Address</b>	3380 Maquinna Drive
<b>Legal Description</b>	PID 007-221-631; Lot 116, District Lots 334 and 335, Plan 18038
<b>Applicant/Architect</b>	Architelier Architecture and Real Estate Consulting
<b>Property Lease</b>	Canada Elite International Consulting Co, Ltd.
<b>Property Owner</b>	City of Vancouver

**DEVELOPMENT STATISTICS**

	<b>Permitted Under Existing Zoning</b>	<b>Proposed</b>
<b>Zoning</b>	CD-1 (136) for 3380 Maquinna Drive	Amended CD-1 (136), Sub-area 1
<b>Uses</b>	<ul style="list-style-type: none"> <li>• Offices, provided that at least 75% of the floor area cater needs of the residents of the local neighbourhood such as medical and dental practitioners, lawyers, notary publics, real estate, insurance or similar</li> <li>• Non-medical-dental uses should not exceed 25% of the total floor area</li> <li>• Commercial retail uses relating to medical/dental component such as a drugstore</li> </ul>	<p>Adding the following to permitted uses in sub-area 1:</p> <ul style="list-style-type: none"> <li>• Cultural and Recreational Uses, limited to Arts and Culture Indoor Event</li> <li>• Institutional Use, limited to Child Day Care Facility</li> <li>• Office Uses, limited to General Office, and Health Care Office</li> <li>• Retail Uses, limited to Neighbourhood Grocery Store, Small-scale Pharmacy, and Retail Store</li> <li>• Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre</li> </ul>
<b>Parking, Loading and Bicycle Spaces</b>	As per the Parking By-Law	As per the Parking By-Law