



REFERRAL REPORT

Report Date: October 5, 2021
Contact: Yardley McNeill
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RTS No.: 14693
VanRIMS No.: 08-2000-20
Meeting Date: October 19, 2021

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

RECOMMENDATION TO REFER

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to bring forward the zoning by-law amendments as described below and that the application be referred to Public Hearing together with the recommendations set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

THAT Council approves the application to:

- (i) amend CD-1 (60) By-law No. 4491 for 3595 Kingsway (Odd Fellows Manor) to correct CD-1 number, generally as presented in Appendix A;
- (ii) amend CD-1 (777) By-law No. 13002 for 1506 West 68th Avenue and 8405-8465 Granville Street to correct the site area figure, generally as presented in Appendix B;
- (iii) amend CD-1 (728) By-law No. 12425 for 3070 Kingsway to correct the enactment sign off year, generally as presented in Appendix C;
- (iv) amend By-law No. 13081 for 749-815 West 49th Avenue to correct the zoning, generally as presented in Appendix D;
- (v) amend CD-1 (782) By-law No. 13083 for 2543-2583 Renfrew Street and 2895 East 10th Avenue to permit a wider range of commercial uses,

creating consistency with more recently approved and comparable CD-1 by-laws, generally as presented in Appendix E;

- (vi) amend CD-1 (783) By-law No. 13084 for 2603-2655 Renfrew Street to permit a wider range of commercial uses, creating consistency with more recently approved and comparable CD-1 by-laws, generally as presented in Appendix F.

REPORT SUMMARY

This report recommends miscellaneous amendments to CD-1 (60) By-law No. 4491 for 3595 Kingsway (Odd Fellows Manor), CD-1 (777) By-law No. 13002 for 1506 West 68th Avenue and 8405-8465 Granville Street, CD-1 (728) By-law No. 12425 for 3070 Kingsway, By-law No. 13081 for 749-815 West 49th Avenue, CD-1 (782) By-law No. 13083 for 2543-2583 Renfrew Street, and CD-1 (783) By-law No. 13084 for 2603-2655 Renfrew Street. The amendments would correct inadvertent errors and omissions.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (60) By-law No. 4491 for 3595 Kingsway (Odd Fellows Manor), enacted April 28, 1970 and amended up to October 1, 2019
- CD-1 (777) By-law No. 13002 for 1506 West 68th Avenue and 8405-8465 Granville Street, enacted June 9, 2021
- CD-1 (728) By-law No. 12425 for 3070 Kingsway, enacted May 28, 2019
- By-law No. 13081 for 749-815 West 49th Avenue, enacted July 20, 2021
- CD-1 (782) By-law No. 13083 for 2543-2583 Renfrew Street and 2895 East 10th Avenue, enacted July 20, 2021
- CD-1 (783) By-law No. 13084 for 2603-2655 Renfrew Street, enacted July 20, 2021

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 five CD-1 by-laws and one RM-8A by-law, summarized below. The proposed by-law amendments are included in Appendices A to G.

1. CD-1 (60) By-law No. 4491 for 3595 Kingsway (Odd Fellows Manor)

CD-1 (60) By-law was approved in principle at Public Hearing on March 26, 1970, enacted on April 28, 1970 and amended on September 19, 2017 and October 1, 2019. It permits the development of a six-storey mixed-use building containing commercial retail units at grade, 44 social housing units and 117 secured for-profit affordable rental housing units.

Section 6 of the approved by-law references CD-1 (676). This amendment would correct this error by amending the By-law number to CD-1 (60). This amendment does not change the form of development approved in-principle by Council.

2. CD-1 (777) By-law No. 13002 for 1506 West 68th Avenue and 8405-8465 Granville Street

CD-1 (777) By-law was approved in principle at Public Hearing on June 5, 2018 and enacted June 9, 2021. The by-law permits the development of a 10-storey mixed-use building that includes commercial uses at grade, office on the second floor, and 45 market residential units.

Section 4.1 of the by-law denotes the site area as 6,699 sq. m. This was written in error, and this amendment would correct the error by amending the site area to the correct figure of 1,861 sq. m. This amendment does not change the form of development approved in-principle by Council.

3. CD-1 (728) By-law No. 12425 for 3070 Kingsway

CD-1 (728) By-law was approved in principle at Public Hearing on July 31, 2018 and enacted May 28, 2019. The by-law permits the development of a six-storey mixed-use building with a three-storey townhouse development at the lane. The development includes commercial use at grade and 40 secured market rental units.

The by-law notes that it was enacted on May 28, 2018. This was written in error. This amendment would correct the error by amending the enactment date to May 28, 2019. This amendment does not change the form of development approved in-principle by Council.

4. By-law No. 13081 for 749-815 West 49th Avenue

By-law No. 13081 was approved in principle at Public Hearing on July 11, 2019 and enacted on July 20, 2021. The by-law changed the zoning from RS-1 to RM-8A and permits the development of stacked townhouses or rowhouses up to three storeys.

West 49th Avenue is a secondary arterial street, and a townhouse rezoning on an arterial street requires noise mitigation. Noise mitigation is included in the RM-8AN District Schedule and therefore 749-815 West 49th Avenue should have been rezoned to RM-8AN and not RM-8A. This amendment would correct this error.

5. CD-1 (782) By-law No. 13083 for 2543-2583 Renfrew Street and 2895 East 10th Avenue

CD-1 (782) By-law was approved in principle at Public Hearing on December 12, 2019 and enacted July 20, 2021. The by-law permits the development of a seven-storey mixed-use

building including commercial uses at grade and 96 secured rental units with 20% of the residential floor area secured as moderate income units.

The approved by-law applies a range of limitations on uses of the ground floor commercial units. This 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. This amendment would make CD-1 (782) By-law consistent with more recently approved rezonings, and does not affect the form of development approved in-principle by Council.

6. CD-1 (783) By-law No. 13084 for 2603-2655 Renfrew Street

CD-1 (783) By-law was approved in principle at Public Hearing on December 12, 2019 and enacted July 20, 2021. The by-law permits the development of a six-storey mixed-use building including commercial uses at grade and 82 secured rental units with 20% of the residential floor area secured as moderate income units.

The approved by-law applies a range of limitations on uses of the ground floor commercial units. This 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. This amendment would make CD-1 (783) By-law consistent with more recently approved rezonings, and does not affect the form of development approved in-principle by Council.

Financial Implications

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

CONCLUSION

This report proposes miscellaneous amendments that, if approved, would correct inadvertent errors and inconsistencies. It is recommended that the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend CD-1 (60) By-law No. 4491 for 3595 Kingsway (Odd Fellows Manor), CD-1 (777) By-law No. 13002 for 1506 West 68th Avenue and 8405-8465 Granville Street, CD-1 (728) By-law No. 12425 for 3070 Kingsway, By-law No. 13081 for 749-815 West 49th Avenue, CD-1 (782) By-law No. 13083 for 2543-2583 Renfrew Street, and CD-1 (783) By-law No. 13084 for 2603-2655 Renfrew Street. 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 (60) BY-LAW NO. 4491
FOR 3595 KINGSWAY (ODD FELLOWS MANOR)**

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. 4491.
2. In section 6.5(b), Council strikes out “CD-1 (676)” and substitutes “CD-1 (60)”.

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**PROPOSED AMENDMENT TO CD-1 (777) BY-LAW NO. 13002
FOR 1506 WEST 68TH AVENUE AND 8405-8465 GRANVILLE STREET**

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. 13002.
2. In section 4.1, Council strikes out “the site area is 6,699 m²” and substitutes “the site area is 1,861 m²”.

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PROPOSED AMENDMENT TO CD-1 (728) BY-LAW NO. 12425 FOR 3070 KINGSWAY

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. 12425.
2. On page 5, Council strikes out “ENACTED by Council this 28th day of May, 2018” and substitutes “ENACTED by Council this 28th day of May, 2019”.

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PROPOSED AMENDMENT TO BY-LAW NO. 13081 FOR 749-815 WEST 49TH 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. 13081.
2. Council strikes out “A By-law to amend Zoning and Development By-law No. 3575 to rezone an area from RS-1 to RM-8A” and substitutes “A By-law to amend Zoning and Development By-law No. 3575 to rezone an area from RS-1 to RM-8AN”
3. In section 3, Council strikes out “RM-8A” and substitutes “RM-8AN”

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**PROPOSED AMENDMENT TO CD-1 (782) BY-LAW NO. 13083
FOR 2543-2583 RENFREW STREET AND 2895 EAST 10TH 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. 13083.
2. Council strikes out section 4 and substitutes the following:

“4 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 (782), and the only uses for which the Director of Planning or the Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section;
- (c) Institutional Uses;
- (d) Manufacturing Uses;
- (e) Office Uses;
- (f) Retail Uses;
- (g) Service Uses;
- (h) Utility and Communication Uses; and
- (i) Accessory Uses customarily ancillary to the uses permitted in this section.”

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**PROPOSED AMENDMENT TO CD-1 (783) BY-LAW NO. 13084
FOR 2603-2655 RENFREW STREET**

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. 13084.
2. Council strikes out section 4 and substitutes the following:

“4 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 (783), and the only uses for which the Director of Planning or the Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section;
- (c) Institutional Uses;
- (d) Manufacturing Uses;
- (e) Office Uses;
- (f) Retail Uses;
- (g) Service Uses;
- (h) Utility and Communication Uses; and
- (i) Accessory Uses customarily ancillary to the uses permitted in this section.”

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BLACKLINE VERSIONS OF DRAFT BY-LAWS

1. 3595 KINGSWAY (ODD FELLOWS MANOR)
2. 1506 WEST 60TH AVENUE AND 8405-8465 GRANVILLE STREET
3. 3070 KINGSWAY
4. 749-815 WEST 49TH AVENUE
5. 2543-2583 RENFREW STREET AND 2895 EAST 10TH AVENUE
6. 2603-2655 RENFREW STREET

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. 14693 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 BLACKLINE VERSION AND THE DRAFT AMENDING BY-LAWS, THE DRAFT AMENDING BY-LAWS PREVAIL.

CD-1 (60) BY-LAW NO. 4491 FOR 3595 KINGSWAY (ODD FELLOWS MANOR)

6 Horizontal angle of daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
 - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in section 6.2 means:
 - (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (~~676~~ 60).
- 6.6 A habitable room referred to in section 6.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m²

CD-1 (777) BY-LAW NO. 13002 FOR 1506 WEST 68TH AVENUE AND 8405-8465 GRANVILLE STREET

- 4.1 Computation of floor space ratio must assume that the site area is ~~6,699 m²~~ **1,861 m²**, being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

CD-1 (728) BY-LAW NO. 12425 FOR 3070 KINGSWAY

ENACTED by Council this 28th day of May, ~~2018~~ **2019**

BY-LAW NO. 13081 FOR 749-815 WEST 49TH AVENUE

A By-law to amend Zoning and Development By-law No. 3575 to rezone an area from RS-1 to ~~RM-8A~~ **RM-8AN**

3. The area shown within the heavy black outline on Schedule A is rezoned and moved from the RS-1 District Schedule to the ~~RM-8A~~ **RM-8AN** District Schedule.

CD-1 (782) BY-LAW NO. 13083 FOR 2543-2583 RENFREW STREET

4. Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted **within CD-1 (782)**, and the only uses for

which the Director of Planning or 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 section;
- (b) ~~Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;~~
- (c) ~~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 Studio, Print Shop, Production or Rehearsal Studio, Repair Shop – Class A, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade, and Wedding Chapel;~~
- (d) ~~Institutional Uses, limited to Child Day Care Facility and Social Service Centre;~~
- (e) **Manufacturing;**
- (f) Office Uses;
- (g) ~~Cultural and Recreational Uses, limited to Artist Studio, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;~~
- (h) ~~Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and~~
- (i) Accessory Uses customarily ancillary to the uses listed **permitted** in this section.

CD-1 (783) BY-LAW NO. 13084 FOR 2603-2655 RENFREW STREET

- 4. Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted **within CD-1 (783)**, and the only uses for which the Director of Planning or 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 section;

- (b) ~~Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;~~
- (c) ~~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 Studio, Print Shop, Production or Rehearsal Studio, Repair Shop—Class A, Repair Shop—Class B, Restaurant, School—Arts or Self-Improvement, School—Business, School—Vocational or Trade, and Wedding Chapel;~~
- (d) ~~Institutional Uses, limited to Child Day Care Facility and Social Service Centre;~~
- (e) **Manufacturing;**
- (f) Office Uses;
- (g) ~~Cultural and Recreational Uses, limited to Artist Studio, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;~~
- (h) ~~Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and~~
- (i) Accessory Uses customarily ancillary to the uses ~~listed~~ **permitted** in this section.

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