



REFERRAL REPORT

Report Date: November 8, 2021
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 14750
VanRIMS No.: 08-2000-20
Meeting Date: November 16, 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 (791) Bylaw No. 13120 for 619-685 West Hastings Street to allow for the exclusion of floor area designated for amenity and terrace/balcony spaces, subject to the approval of the Director of Planning, generally as presented in Appendix A; and
- (ii) amend CD-1 (788) By-law No. 13109 for 4750 Granville Street and 1494 West 32nd Avenue to correct the site area figure, generally as presented in Appendix B.

REPORT SUMMARY

This report recommends miscellaneous amendments to CD-1 (791) By-law No. 13120 for 619-685 West Hastings Street for amenity and terrace/balcony spaces and CD-1 (788) By-law No. 13109 for 4750 Granville Street and 1494 West 32nd Avenue to correct the site area figure. The amendments would correct inadvertent errors and omissions.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (791) By-law No. 13120 for 619-685 West Hastings Street, enacted September 21, 2021
- CD-1 (788) By-law No. 13109 for 4750 Granville Street and 1494 West 32nd Avenue, enacted September 21, 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 two CD-1 by-laws summarized below. The proposed by-law amendments are included in Appendices A to C.

1. CD-1 (791) By-law No. 13120 for 619-685 West Hastings Street

CD-1 (791) By-law was approved in principle at Public Hearing on May 26, 2020 and enacted on September 21, 2021. The By-law permits a 28-storey commercial office building with a total floor area of 14,756 sq. m (158,837 sq. ft.) in accordance with the Downtown Official Development Plan and the Rezoning Policy for the CBD and CBD Shoulder.

The approved by-law allows for floor area exclusions to the floor area and density. The proposed amendment would allow for the exclusion of floor area for amenity areas associated with the office use. The exclusion allows a maximum of 10% of the permitted floor area or 929 sq. m (10,000 sq. ft.), whichever is less, of amenity area to be excluded from the floor area in sub-area B of the CD-1 By-law at the discretion of the Director of Planning or Development Permit Board.

The proposed amendment would also allow for amenity and terrace/balcony spaces within the enclosed atrium/light well located in sub-area A to be excluded from the floor area computation at the discretion of the Director of Planning. These spaces are similar to outdoor terraces found on other commercial office buildings, where the floor area is not included in the floor area computation. The amendment would make CD-1 (791) By-law consistent with recently approved rezonings, and does not affect the form of development approved in-principle by Council.

2. CD-1 (788) By-law No. 13109 for 4750 Granville Street and 1494 West 32nd Avenue

CD-1 (788) By-law was approved in principle following Public Hearing on July 28 and 29, 2020 and enacted on September 21, 2021. The By-law permits the development of a four-storey residential building that includes 81 secured market rental housing units.

Section 5.1 of the by-law denotes the site area as 5,635 sq. m. This was written in error, and this amendment would correct the error by amending the site area to the correct figure of 3,522.6 sq. m. This amendment does not change 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 (791) By-law No. 13120 for 619-685 West Hastings Street and CD-1 (788) By-law No. 13109 for 4750 Granville Street and 1494 West 32nd Avenue. 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 (791) BY-LAW NO. 13120
FOR 619-685 WEST HASTINGS 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. 13120.
2. Council strikes out Section 6.6 and substitutes the following:

“6.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board amenity areas, balconies and decks within the atrium and other appurtenances which, in the opinion of the Director of Planning or the Development Permit Board, are similar to the foregoing, except that the total exclusion must not exceed, in aggregate 929 m² or 10% of the permitted floor area, whichever is less.”
3. Council adds a new Section 6.7 as follows:

“6.7 The use of floor area excluded under sections 6.5 and 6.6 must not include any purpose other than that which justified the exclusion.”

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**PROPOSED AMENDMENT TO CD-1 (788) BY-LAW NO. 13109
FOR 4750 GRANVILLE STREET AND 1494 WEST 32ND 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. 13109.
2. In section 5.1, Council strikes out “the site area is 5,635 m²” and substitutes “the site area is 3,522.6 m²”.

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BLACKLINE VERSIONS OF DRAFT BY-LAWS

1. 619-685 WEST HASTINGS STREET
2. 4750 GRANVILLE STREET AND 1494 WEST 32ND 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. 14750 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 (791) BY-LAW NO. 13120 FOR 619-685 WEST HASTINGS STREET

6 Floor Area and Density

- 6.1 Computation of floor space ratio must assume that sub-area A consists of 870 m² and sub-area B consists of 580 m², being the site sizes at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 6.2 The floor space ratio in sub-area A must not exceed 9.0, except that for a building existing as of September 21, 2021, the floor space ratio must not exceed 15.0.
- 6.3 The floor space ratio in sub-area B must not exceed 25.5.
- 6.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 6.5 Computation of floor area must exclude:
 - (a) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls; and
 - (b) 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, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length.
- 6.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board amenity areas, balconies and decks within the atrium and other appurtenances which, in the opinion of the Director of Planning or the Development Permit Board, are similar to the foregoing, except that the total exclusion must not exceed, in aggregate 929 m² or 10% of the permitted floor area, whichever is less.

- 6.7 The use of floor area excluded under sections 6.5 and 6.6 must not include any purpose other than that which justified the exclusion.

CD-1 (788) BY-LAW NO. 13109 FOR 4750 GRANVILLE STREET AND 1494 WEST 32ND AVENUE

- 5.1 Computation of floor area must assume that ~~the site area is 5,635 m²~~ **the site area is 3,522.6 m²**, being the site area at the time of the application for the rezoning application evidenced by this By-law, and before any dedications.

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