



REFERRAL REPORT

Report Date: January 25, 2022
Contact: Yardley McNeill
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RTS No.: 14933
VanRIMS No.: 08-2000-20
Meeting Date: February 8, 2022

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 (803) By-law No. 13257 for 150 West 4th Avenue to apply the floor space restriction currently placed on all service uses to restaurant use only, generally as presented in Appendix A; and
- (ii) amend CD-1 (684) By-law No. 11944 for 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Avenue (180 East 2nd 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 B.

REPORT SUMMARY

This report recommends miscellaneous amendments to CD-1 (803) and CD-1 (684). The amendments would correct inadvertent errors and omissions.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (803) By-law No. 13257 for 150 West 4th Avenue, enacted January 25, 2022
- CD-1 (684) By-law No. 11944 for 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Avenue (180 East 2nd Avenue), enacted October 31, 2017

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 (803) By-law No. 13257 for 150 West 4th Avenue

CD-1 (803) By-law was approved in principle at Public Hearing on November 16, 2021 and enacted on January 25, 2022. The by-law permits the development of a seven-storey, industrial and office building.

Section 5.2 (b) of the by-law inadvertently limits Service uses to a maximum of 300 sq. m. The limitation on floor space was intended only to restrict the amount of space that could be used as restaurant space, as is consistent with the original I-1 (Industrial) district. The amendment to this floor space limitation does not change the form of development approved in-principle by Council.

2. CD-1 (684) By-law No. 11944 for 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Avenue (180 East 2nd Avenue)

CD-1 (684) By-law was approved in principle at Public Hearing on November 24, 2015 and enacted October 31, 2017. The by-law permits the development of a mixed use development that includes 226 strata-titled residential units, 30 social housing units, commercial space, a cultural space for artist production and a public plaza. The development is built and occupied.

The approved by-law applies limitations on permitted uses for 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 (684) 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 (803) and CD-1 (684).

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 (803) BY-LAW NO. 13257
FOR 150 WEST 4TH 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. 13257.
2. Council amends section 5.2(b) by striking out “Service Uses” and substituting “Restaurant use”.

**PROPOSED AMENDMENT TO CD-1 (684) BY-LAW NO. 11944
FOR 1837-1847 MAIN STREET, 180 EAST 2ND AVENUE AND
157-185 EAST 3RD AVENUE (180 EAST 2ND 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. 11944.
2. Council strikes out section 2.2(a) and substitutes "Cultural and Recreational Uses;"
3. Council strikes out section 2.2(c) and substitutes "Manufacturing Uses;"
4. Council strikes out section 2.2(d) and substitutes "Office Uses;"
5. Council strikes out section 2.2(e) and substitutes "Retail Uses;"
6. Council strikes out section 2.2(f) and substitutes "Service Uses;"
7. Council strikes out section 2.2(g) and substitutes "Utility and Communication Uses;" and
8. Council adds a new section 2.2(h) as follows:
 "(h) Accessory Uses customarily ancillary to the uses permitted in this section."

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BLACKLINE VERSIONS OF DRAFT BY-LAWS

1. 150 WEST 4TH AVENUE
2. 1837-1847 MAIN STREET, 180 EAST 2ND AVENUE AND 157-185 EAST 3RD AVENUE (180 EAST 2ND 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. 14933 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 (803) NO. 13257 FOR 150 WEST 4TH AVENUE

- 5.2 The floor space ratio for all uses combined must not exceed 4.0 except that:
- (a) Office Uses must not exceed 7,900 m²; and
 - (b) ~~Service Uses~~ **Restaurant use** must not exceed 300 m².

CD-1 (684) BY-LAW NO. 11944 FOR 1837-1847 MAIN STREET, 180 EAST 2ND AVENUE AND 157-185 EAST 3RD AVENUE (180 EAST 2ND 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 the By-law or in a development permit, the only uses permitted within CD-1 (684), 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 Artist Studio and Fitness Centre - Class 1~~;
 - (b) Dwelling Uses, including Social Housing;
 - (c) Manufacturing Uses, ~~limited to Bakery Products Manufacturing~~;
 - (d) Office Uses, ~~limited to Financial Institution, General Office and Health Care Office~~;

- (e) ~~Retail Uses, limited to Grocery or Drug Store, Public Bike Share and Retail Store;~~
- (f) ~~Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop — Class B, Restaurant, School — Arts or Self-Improvement, School — Business, School — Vocational or Trade;~~
- (g) **Utility and Communication Uses; and**
- (h) **Accessory** ~~Accessory~~ Uses customarily ancillary to the uses **permitted** ~~listed~~ in this section ~~2.2~~.

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