



## REFERRAL REPORT

Report Date: January 31, 2023  
Contact: Yardley McNeill  
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RTS No.: 15524  
VanRIMS No.: 08-2000-20  
Meeting Date: February 14, 2023

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 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 (80) By-law No. 4665 for 4949-4951 Heather Street to add Interim Uses and add Office Uses, limited to Temporary Sales Office, generally as presented in Appendix A;
- (ii) amend CD-1 (312) By-law No. 7200 for 1529 West Pender Street, 560-588 Cardero Street, 535 Nicola Street, 499 Broughton Street and 1199 West Cordova Street to correct a map referencing error, generally as presented in Appendix B;
- (iii) amend CD-1 (643) By-law No. 11661 for 1335 Howe Street to permit a wider range of commercial uses, generally as presented in Appendix C; and
- (iv) amend CD-1 (845) By-law No. 13614 for 728-796 Main Street to correct a reference for the location of family housing, generally as presented in Appendix D.

## **REPORT SUMMARY**

This report recommends miscellaneous amendments to CD-1 (80), CD-1 (312), CD-1 (643) and CD-1 (845). The amendments would correct inadvertent errors and omissions.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- CD-1 (80) By-law No. 4665 for 4949-4951 Heather Street, enacted on November 28, 1972
- CD-1 (312) By-law No. 7200 for 1529 West Pender Street, 560-588 Cardero Street, 535 Nicola Street, 499 Broughton Street and 1199 West Cordova Street, enacted on October 19, 1993
- CD-1 (643) By-law No. 11661 for 1335 Howe Street, enacted on November 1, 2016
- CD-1 (845) By-law No. 13614 for 728-796 Main Street, enacted on January 31, 2023

## **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 four CD-1 by-laws summarized below. The proposed by-law amendments are included in Appendices A to E.

#### **1. CD-1 (80) By-law No. 4665 for 4949-4951 Heather Street (RCMP)**

CD-1 (80) By-law was enacted on November 28, 1972. The by-law currently permits “A use required by a Public Authority (R.C.M.P. Headquarters) and customarily ancillary uses”.

This amendment would add temporary sales office as a permitted use and a broader range of interim uses. The proposed changes are consistent with other large sites, and allows for temporary use of an underutilized large site while development proceeds.

#### **2. CD-1 (312) By-law No. 7200 for 1529 West Pender Street, 560-588 Cardero Street, 535 Nicola Street, 499 Broughton Street and 1199 West Cordova Street (formerly 300 Cardero Street)**

CD-1 (312) By-law was approved in principle at Public Hearing on December 11, 1991, enacted on October 19, 1993.

The by-law permits the development of multiple residential buildings as well as retail, service, office and marina uses. The development is built and occupied.

Amending By-law No. 11578, enacted July 26, 2016, amended the Schedule A map, but not the map reference in Section 1. This amendment would correct this mistake.

### **3. CD-1 (643) By-law No. 11661 for 1335 Howe Street**

CD-1 (643) By-law was approved in principle at Public Hearing on December 15, 2015 and enacted on November 1, 2016. The by-law permits the development of a 40-storey mixed-use building that includes strata and secured market rental housing units. The development is built and occupied.

The approved by-law does not permit office use in the ground-floor commercial units. This amendment would allow office use, to accommodate a wider range of business types and to support the viability of the ground-floor commercial units. The proposed amendment, generally as presented in Appendix D would make CD-1 (643) By-law more consistent with recently approved rezonings, and does not affect the form of development approved by Council.

### **4. CD-1 (845) By-law No. 13614 for 728-796 Main Street**

CD-1 (845) By-law was approved in principle at Public Hearing on February 9, 2021 and enacted on January 31, 2023. The by-law permits the development of a mixed-use building containing 19 social housing units and 75 strata residential units, with at-grade commercial uses. The development is currently at the development permit phase.

Section 4.1 of the by-law incorrectly refers to the location of market strata family housing on the third storey and above, instead of the fourth storey and above. This proposed amendment, generally as presented in Appendix E, would achieve the intent of the original rezoning.

#### ***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 (80), CD-1 (312), CD-1 (643) and CD-1 (845).

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 (80) BY-LAW NO. 4665  
FOR 4949-4951 HEATHER 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. 4665.
2. Council strikes out section 2 and substitutes the following:
  - “2. The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area and the only uses for which development permits will be issued are:
    - (a) A use required by a Public Authority (R.C.M.P. Headquarters);
    - (b) Office Uses, limited to Temporary Sales Office;
    - (c) Interim Uses, if:
      - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
      - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
      - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD1 (80),
      - (iv) the Director of Planning or Development Permit Board approves the location of the interim use, and
      - (v) any development permit for an interim use has a time limit of five years, except that the Director of Planning or Development Permit Board may renew development permits for interim uses for subsequent terms of up to five years; and
    - (d) Accessory Uses customarily associated with the uses listed above, subject to such conditions as Council may by resolution prescribe.”.

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**PROPOSED AMENDMENT TO CD-1 (312) BY-LAW NO. 7200  
FOR 1529 WEST PENDER STREET, 560-588 CARDERO STREET, 535 NICOLA STREET,  
499 BROUGHTON STREET AND 1199 WEST CORDOVA 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. 7200.
2. In section 1, Council strikes out “Z-398 (a)” and substitutes “Z-699 (b)”.

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**PROPOSED AMENDMENT TO CD-1 (643) BY-LAW NO. 11661  
FOR 1335 HOWE 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. 11661.
2. In section 2.2, Council:
  - (a) renumbers subsections (d) through (f) as subsections (e) through (g), respectively; and
  - (b) adds a new subsection (d) as follows:

“(d) Office Uses;”.

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**PROPOSED AMENDMENT TO CD-1 (845) BY-LAW NO. 13614  
FOR 728-796 MAIN 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. 13614.
2. In section 4.1, Council strikes out “third storey” and substitutes “fourth storey”.

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**TRACKED CHANGES VERSIONS OF DRAFT BY-LAWS**

1. 4949-4951 HEATHER STREET
2. 1529 WEST PENDER STREET, 560-588 CARDERO STREET, 535 NICOLA STREET, 499 BROUGHTON STREET AND 1199 WEST CORDOVA STREET
3. 1335 HOWE STREET
4. 728-796 MAIN 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. 15524 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 TRACKED CHANGES VERSION AND THE DRAFT AMENDING BY-LAWS, THE DRAFT AMENDING BY-LAWS PREVAIL.**

## **CD-1 (80) BY-LAW NO. 4665 FOR 4949-4951 HEATHER STREET**

2. The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area and the only uses for which development permits will be issued are:
  - (a) A use required by a Public Authority (R.C.M.P. Headquarters) ~~and customarily ancillary uses;~~
  - (b) Office Uses, limited to Temporary Sales Office;
  - (c) Interim Uses, if:
    - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
    - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
    - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD1 (80),
    - (iv) the Director of Planning or Development Permit Board approves the location of the interim use, and
    - (v) any development permit for an interim use has a time limit of five years, except that the Director of Planning or Development Permit Board may renew development permits for interim uses for subsequent terms of up to five years; and
  - (d) Accessory Uses customarily associated with the uses listed above,

subject to such conditions as Council may by resolution prescribe.



## **CD-1 (312) BY-LAW NO. 7200 FOR 1529 WEST PENDER STREET, 560-588 CARDERO STREET, 535 NICOLA STREET, 499 BROUGHTON STREET AND 1199 WEST CORDOVA STREET**

1. The “Zoning District Plan” annexed to By-law No. 3575 as Schedule “D” is hereby amended according to the plan marginally numbered **Z-699 (b)** ~~Z-398 (a)~~ and attached to this By-law as Schedule “A”, and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule “A” of this by-law, and Schedule “A” of this by-law is hereby incorporated as an integral part of Schedule “D” of By-law No. 3575.

## **CD-1 (643) BY-LAW NO. 11661 FOR 1335 HOWE STREET**

- 2.2 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 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Cultural and Recreational Uses;
  - (b) Dwelling Uses;
  - (c) Institutional Uses;
  - (d) Office Uses;**
  - (e) Retail Uses;
  - (f) Service Uses; and
  - (g) Accessory Uses customarily ancillary to the uses permitted in this section

## **CD-1 (845) BY-LAW NO. 13614 FOR 728-796 MAIN STREET**

- 4.1 The design and lay-out of at least 35% of the dwelling units located on the ~~third~~ **fourth** storey and above must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms of which:
  - (i) at least 25% of the total dwelling units must be two-bedroom units;
  - (ii) at least 10% of the total dwelling units must be three-bedroom units; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines."

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