



REFERRAL REPORT

Report Date: February 13, 2023
Contact: Chris Robertson
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VanRIMS No.: 08-2000-20
Meeting Date: March 7, 2023

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents

Recommendation to Refer

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the 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

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law to correct errors, section and by-law references, clarify the measurement of building height and building depth in specific district schedules, update use terms, and update wording to align with writing standards, generally as presented in Appendix A;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law generally in accordance with Appendix A.

- B. THAT Council approve the application to amend the Downtown Eastside/Oppenheimer Official Development Plan to update use terms, generally as presented in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Downtown Eastside/Oppenheimer Official Development Plan generally in accordance with Appendix B.

- C. THAT Council approve the application to amend the Sewer and Watercourse By-law to add a new definition for infill single detached house, and update use terms and related definitions, generally as presented in Appendix C;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Sewer and Watercourse By-law generally in accordance with Appendix C.
- D. THAT Council approve the application to amend the Water Works By-law to update the definition for laneway house and update use terms, generally as presented in Appendix D;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Water Works By-law generally in accordance with Appendix D.
- E. THAT Council approve the application to amend the Sign By-law to assign CD-1(684) to the correct schedule, generally as presented in Appendix E;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Sign By-law, generally in accordance with Appendix E.
- F. THAT Council approve the application to amend the Sign Fee By-law to correct a spelling error, generally as presented in Appendix F;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Sign By-law and Sign Fee By-law, generally in accordance with Appendix F.
- G. THAT at the time of enactment of the amendments to the above by-laws, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval amendments to various land use documents to update terms and section references, generally as presented in Appendix G.
- H. THAT recommendations A to G be adopted on the following conditions:
- a. THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - b. THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
 - c. 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.

Purpose and Executive Summary

This report recommends miscellaneous housekeeping amendments to the Zoning and Development By-law and various other by-laws and land use documents. The proposed amendments would achieve the intent of the by-laws and documents and improve administration by:

- correcting spelling, grammatical and wording errors;
- updating section references and use terms to align with the recently updated zoning by-law;
- correcting omissions; and
- aligning with writing standards for the updated zoning by-law.

Council Authority/Previous Decisions

July 2022: Council approved the updated Zoning and Development By-law to reformat it, apply new use terms, and to consolidate and improve the consistency of regulations. The updated By-law came into effect November 14, 2022.

May 2022: Council approved updates to the Mini-Storage Warehouse Guidelines to remove self-storage as a permitted use in industrial areas in close proximity to rapid transit stations.

July 2017: Council approved a new Sign By-law and Sign Fee By-law, which came into effect on January 1, 2018.

June 2008: Council approved amendments to the Zoning and Development By-law to replace the use term “Special Needs Residential Facility” with three new use terms: “Community Care Facility – Class A”, “Community Care Facility – Class B” and “Group Residence”.

City Manager’s Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

Miscellaneous amendments to the Zoning and Development By-law (the By-law) and other by-laws are required to address inadvertent errors or omissions, improve clarity, and update terminology. Miscellaneous amendment reports are for minor non-substantive changes. These reports provide continuous improvement to City By-laws and are typically reported to Council twice a year.

Several of the proposed amendments in this report are related to the recently updated and reformatted Zoning and Development By-law. This was a key deliverable of the Regulation Redesign project, which was a project to improve the regulatory environment and permit processing. The proposed amendments are required to correct errors, section references to the updated by-law, use terms and apply new writing standards.

Discussion

This report proposed various miscellaneous amendments to the following by-laws and land use documents, as described in Appendices A to G and summarized in more detail in Appendix H:

1. Zoning and Development By-law:

To align with the updated By-law, improve clarity and to correct inadvertent errors and omissions, amendments are proposed to:

- correct spelling and grammatical errors in Section 2, Section 5 and Schedule F of the By-law, and the HA-3 District Schedule;
- correct a labelling error on the map of sub-areas in the I-3 District Schedule;
- update references in Section 4 of the By-law and section 4 of the RS-1 District Schedule;
- clarify which buildings the height measurement applies to in the RS-1, RS-3 and RS-3A and RS-5 district schedules;
- correct the height measurement for dormer roofs in the RS-7 District Schedule;
- correct regulations for character house incentives in the RS-5 and RS-7 district schedules;
- correct building depth regulations in the RS-6 and RT-5 and RT-5N district schedules;
- clarify which buildings the building depth regulations apply to in the RT-5 and RT-5N and RT-6 district schedules;
- remove a formatting instruction that was mistakenly included in the RM-10 District Schedule;
- clarify that development on double-fronting sites may be considered for additional density for rental housing in the RR-2A, RR-2B and RR-2C and RR-3A and RR-3B districts schedules;
- revise wording to align with writing standards and updated use terms in the First Shaughnessy District Schedule and Schedule E of the By-law; and
- remove definitions for impermeable and permeable area from the First Shaughnessy District, as these are now defined in Section 2 of the By-law and apply to this district.

2. Downtown Eastside/Oppenheimer Official Development Plan, Sewer and Watercourse By-law, Waterworks By-law, Sign By-law, and Sign Fee By-law:

The following miscellaneous amendments are proposed to various City by-laws to:

- align with the updated use terms in the Zoning and Development By-law, by updating use terms and definitions in the Downtown Eastside/Oppenheimer Official Development Plan, Sewer and Watercourse By-law and Waterworks By-law;
- correct the assigned sign district for CD-1(684) in the Sign By-law; and

- correct a spelling error in Schedule 1 of the Sign Fee By-law.

3. Various land use documents:

The following miscellaneous amendments are proposed to various land use documents to:

- correct section references in the:
 - C-2, C-2B, C-2C and C-2C1 Guidelines for Residential Rental Tenure Buildings,
 - RM-9, RM-9N, RM-9AN and RM-9BN Guidelines,
 - Guidelines for the Administration of Variances in Larger Zero Emission Buildings,
 - Guidelines for the Administration of Variances for Zero Emission Buildings in RS, RT and RA Districts, and
 - Zero Emissions Building Catalyst Policy;
- align with the use terms in the By-law by:
 - updating dwelling use terms in the Strata Title Policies for RS, RT and RM Zones, and
 - replacing “Special Needs Residential Facility” with “Community-Care Facility – Class A”, “Community-Care Facility – Class B” and “Group Residence” in the RS-7 Guidelines, Arbutus C-7 and C-8 Guidelines, Burrard Slopes C-3A Guidelines;
- replace a missing link to a map in the RM-12N Guidelines;
- correct map labels in the Mini-Storage Warehouse Guidelines;
- replace gender-specific wording in the Mural Guidelines;
- update wording on administration of heritage incentives program to reflect current program and practice in the Victory Square Guidelines; and
- clarify that development on double-fronting sites may be considered for additional density for rental housing in the Secured Rental Policy Incentives for New Rental Housing.

Financial Implications

There are no financial implications associated with this report’s recommendations.

Legal Implications

There are no legal implications associated with this report’s recommendations.

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