



REFERRAL REPORT

Report Date: May 30, 2023
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 15788
VanRIMS No.: 08-2000-20
Meeting Date: June 13, 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

- A. THAT Council approves the application to:
- (i) amend CD-1 (759) By-law No. 12870 for 3600 East Hastings Street to permit a wider range of commercial uses, generally as presented in Appendix A;
 - (ii) amend CD-1 (765) By-law No. 12914 for 3680 East Hastings Street to permit a wider range of commercial uses, generally as presented in Appendix B;
 - (iii) amend CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue (3281 Rupert Street) to permit a wider range of commercial uses, generally as presented in Appendix C;
 - (iv) amend CD-1 (189) By-law No. 6117 for 2149-2189 West 42nd Avenue to permit a wider range of commercial uses, generally as presented in Appendix D.

- (v) amend CD-1 (826) By-law No. 13478 for 24 East Broadway and 2520 Ontario Street to increase the permitted building height, generally as presented in Appendix E;
 - (vi) amend False Creek Area Development Plan for Area 10B By-law No. 5478 for 1780 Fir Street to amend floor area exclusions, generally as presented in Appendix F;
 - (vii) amend CD-1 (432) by-law No. 9088 for 950 Quebec Street to amend the site map, generally as presented in Appendix G.
- B. THAT Recommendation A be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) 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.

REPORT SUMMARY

This report recommends miscellaneous amendments to CD-1 (759), CD-1 (765), CD-1 (743), CD-1 (189), CD-1 (826), False Creek Area Development Plan for Area 10B, and CD-1 (432) by-laws. The amendments would amend by-laws to align with current policy, and to correct inadvertent errors and omissions.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (759) By-law No. 12870 for 3600 East Hastings Street, enacted on January 20, 2021
- CD-1 (765) By-law No. 12914 for 3680 East Hastings Street, enacted on March 9, 2021
- CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue (3281 Rupert Street), enacted on April 14, 2020 and amended up to and including April 27, 2021
- CD-1 (826) By-law No. 13478 for 24 East Broadway and 2520 Ontario Street, enacted July 20, 2022
- CD-1 (189) By-law No. 6117 for 2149-2189 West 42nd Avenue, enacted on March 24, 1987 and amended up to and including March 14, 2000
- False Creek Area Development Plan for Area 10B By-law No. 5478 for 1780 Fir Street, enacted on October 6, 1981 and amended up to and including July 24, 2020

- CD-1 (432) By-law No. 9088 for 950 Quebec Street, enacted on July 19, 2005 and amended up to and including June 13, 2006

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, as they are reported separately.

Strategic Analysis

This report presents miscellaneous amendments to six CD-1 by-laws and an area development plan as summarized below. The proposed by-law amendments are included in Appendices A to G.

1. CD-1 (759) By-law No. 12870 for 3600 East Hastings Street

CD-1 (759) By-law was approved in principle at Public Hearing on January 28, 2020 and enacted on January 20, 2021. The by-law permits a 14-storey mixed-use building with commercial uses and 94 secured rental housing units, with 20% of the residential floor area secured as moderate income units.

The approved by-law includes limitations on permitted uses for the 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 (759) By-law more consistent with more recently approved rezonings, and does not affect the form of development approved by Council.

2. CD-1 (765) By-law No. 12914 for 3680 East Hastings Street

CD-1 (765) By-law was approved in principle at Public Hearing on January 28, 2020 and enacted on March 9, 2021. The by-law permits a 14-storey mixed-use building with commercial uses at grade and 118 secured rental housing units, with 20% of the residential floor area being secured as moderate income units.

The approved by-law includes limitations on permitted uses for the 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 (765) By-law more consistent with more recently approved rezonings, and does not affect the form of development approved by Council.

3. CD-1 (743) By-law No. 12675 for 3281-3295 East 22nd Avenue (3281 Rupert Street)

CD-1 (743) By-law was approved in principle at Public Hearing on May 15, 2018, enacted on April 14, 2020 and amended April 27, 2021. The by-law permits the development of a six-storey, mixed-use building with commercial at grade.

The approved by-law includes 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 (743) By-law more consistent with more recently approved rezonings, and does not affect the form of development approved by Council.

4. CD-1 (826) By-law No. 13478 for 24 East Broadway and 2520 Ontario Street

CD-1 (826) By-law was approved in principle at Public Hearing on October 27, 2020 and enacted on July 20, 2022. The by-law permits a 12-storey commercial office building with a total floor area of 11,220.7 sq. m (120,779 sq. ft.) and a building height of 45.1 m (148 ft.).

CD-1 (826) By-law was considered under the *Interim Rezoning Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during the Broadway Planning Process*. The by-law currently limits the building height to 45.1 m to comply with Council-approved protected public views. The application was approved in principle at Public Hearing on October 6, 2020. Subsequently, Council approved the *Broadway Plan* in 2022 with new policy to consider buildings to protrude into the lower Queen Elizabeth view cone. Given this policy change, a modest increase in building height at this location would allow an elevator shaft and overrun to improve the mechanical functionality of the building. The proposed building height for CD-1 (826) By-law aligns with recently approved policy. Floor area, building form, and uses are all unaffected.

5. CD-1 (189) By-law No. 6117 for 2149-2189 West 42nd Avenue

CD-1 (189) By-law was approved in principle at Public Hearing on September 9, 1986, enacted on March 24, 1987 and amended March 14, 2000. The by-law permits the development of a two-storey legion hall and 13-storey residential tower.

The approved by-law includes limitations on permitted uses for the ground floor commercial units. This amendment would bring allowable commercial uses in line with the surrounding RM-3 zoning 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 commercial uses in CD-1 (189) By-law more consistent with the surrounding RM-3 zoned sites and does not affect the form of development approved by Council.

6. False Creek Area Development Plan for Area 10B By-law No. 5478 for 1780 Fir Street

The False Creek Area Development Plan for Area 10B By-law No. 5748 (“Area Development Plan”) for 1780 Fir Street was enacted on October 6, 1981. In July 2020 the Area Development Plan was amended to create a new Development Area for the site at 1780 Fir Street. These amendments allowed for the future development of a six-storey affordable rental residential building with local-serving commercial retail uses on the ground floor. The July 2020 amendment stated that the gross floor area for all uses must not exceed 7,618 sq. m (82,000 sq. ft.), including all above grade interior floor spaces for all uses and all typical floor area exclusions.

Since approval of the July 2020 amendments to the Area Development Plan, staff have received more detailed floor area statistics through a development permit application for the site. This information identifies development challenges posed by the existing by-law conditions of not permitting typical floor area exclusions. This amendment to the Area Development Plan would permit typical floor area exclusions, creating consistency with more recently approved and comparable CD-1 by-laws.

7. CD-1 (432) By-law No. 9088 for 950 Quebec Street

CD-1 (432) By-law was approved in principle at Public Hearing on March 25, 2004, enacted on July 19, 2005 and amended June 13, 2006. The by-law permits the development of a 22-storey residential tower.

The by-law was approved in principle at public hearing with conditions to dedicate a 6.1m (20ft.) wide lane on the easterly limits of the parcel. The final alignment of the lane does not align with the map in the CD-1 (432) by-law. This amendment would correct the map boundary. This amendment does not affect the permitted uses or form of development approved by Council.

Financial Implications

The amendments put forward above would correct inconsistencies and errors with minimal impact on floor area. As such, they do not have an effect on Community Amenity Contributions or Public Art. Any applicable Development Cost Levies would be collected as part of the Development Permit process.

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 (759), CD-1 (765), CD-1 (743), CD-1 (189), CD-1 (826), False Creek Area Development Plan for Area 10B and CD-1 (432) by-laws.

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 (759) BY-LAW NO. 12870
3600 EAST 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. 12870.
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 (759), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Mixed-Use Residential Building;
 - (b) Cultural and Recreational Uses;
 - (c) Institutional Uses;
 - (d) Office Uses;
 - (e) Retail Uses;
 - (f) Service Uses;
 - (g) Utility and Communication Uses; and
 - (h) Accessory Uses customarily ancillary to the uses permitted in this section.”

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PROPOSED AMENDMENT TO CD-1 (765) BY-LAW NO. 12914
3680 EAST 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. 12914.
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 (765), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Mixed-Use Residential Building;
 - (b) Cultural and Recreational Uses;
 - (b) Institutional Uses;
 - (c) Office Uses;
 - (d) Retail Uses;
 - (e) Service Uses;
 - (f) Utility and Communication Uses; and
 - (g) Accessory Uses customarily ancillary to the uses permitted in this section.”

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PROPOSED AMENDMENT TO CD-1 (743) BYL-LAW NO. 12675
3281-3295 EAST 22ND AVENUE (3281 RUPERT 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. 12675.
2. Council strikes out section 2.2 and substitutes the following:
 - “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 this by-law or in a development permit, the only uses permitted within CD-1 (743), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Mixed-Use Residential Building;
 - (b) Cultural and Recreational Uses;
 - (c) Institutional Uses;
 - (d) Office Uses;
 - (e) Retail Uses;
 - (f) Service Uses;
 - (g) Utility and Communication Uses; and
 - (h) Accessory Uses customarily ancillary to the uses permitted in this section.”

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**PROPOSED AMENDMENT TO CD-1 (189) BY-LAW NO. 6117
2149-2189 WEST 42ND AVENUE**

1. This By-law amends the indicated provisions of By-law No. 6117.
2. Council strikes out section 2 and substitutes the following:

“2. Uses

the area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (189), and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) agricultural uses, limited to urban farm-class A;
- (b) a maximum of 51 dwelling units in a multiple dwelling;
- (c) common-use amenity area for residents of the multiple dwelling;
- (d) cultural and recreational uses;
- (e) parking area;
- (f) parking garage;
- (g) institutional uses, limited to child day care facility, church, hospital, public authority use, school – elementary or secondary, and social service centre;
- (h) retail uses, limited to farmers’ market, neighbourhood grocery store, and public bike share;
- (i) utility and communication uses, limited to public utility; and
- (j) accessory uses customarily ancillary to the above uses.”

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PROPOSED AMENDMENT TO CD-1 (826) BY-LAW NO. 13478
24 EAST BROADWAY AND 2520 ONTARIO 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. 13478.
2. Council strikes out section 5 and substitutes the following:
 - “5.1 Building height must not exceed 45.1 m.
 - 5.2 Despite section 5.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted appurtenances must not exceed 47.7 m.”

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**PROPOSED AMENDMENT TO
FALSE CREEK AREA DEVELOPMENT PLAN FOR AREA 10B BY-LAW NO. 5478**

1. This By-law amends the indicated provisions of Schedule A of the False Creek Area Development Plan for Area 10B By-law No. 5478
2. Council strikes out section (4) under the heading "Site F Development" and substitutes the following:

"(4) The floor area for all uses must not exceed 7618.05 m² (82,000 sq. ft.). Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances which in the opinion of the Director of Planning are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
- (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
 - (ii) bicycle storage; and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (d) entries, porches and verandahs if the Director of Planning first approves the design;
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit. Where floor area associated with storage space is excluded, a minimum of 20% of the excluded floor area must be located within the Moderate Income Rental Housing Units;

- (f) all storage area below base surface for non-dwelling uses; and
- (g) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area.

The use of floor area excluded under this section (4) must not include any use other than that which justified the exclusion.”

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**PROPOSED AMENDMENT TO CD-1 (432) BY-LAW NO. 9088
950 QUEBEC 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. 9088.
2. Council strikes out Section 1 and substitutes the following:

“This by-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of By-law No. 3575.”



TRACKED CHANGES VERSIONS OF DRAFT BY-LAWS

1. 3600 EAST HASTINGS STREET
2. 3680 EAST HASTINGS STREET
3. 3281-3295 EAST 22ND AVENUE (3737 RUPERT STREET)
4. 2149-2189 West 42nd Avenue
5. 24 EAST BROADWAY AND 2520 ONTARIO
6. FALSE CREEK AREA DEVELOPMENT PLAN FOR AREA 10B BY-LAW NO. 5478

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. 15788 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 (759) BY-LAW NO. 12870 FOR 3600 East Hastings Street

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 (759), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (i) Dwelling Uses, limited to ~~Mixed-Use Residential Building Dwelling Units in conjunction with any of the uses listed in this By-law;~~
 - (j) Cultural and Recreational Uses; ~~limited to Artist Studio, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or 2 Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;~~
 - (k) Institutional Uses; ~~limited to Child Day Care Facility and Social Service Centre;~~
 - (l) Office Uses;
 - (m) Retail Uses; ~~limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store except for Small-scale Pharmacy, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;~~

- (n) ~~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;~~
- (o) ~~Utility and Communication Uses; limited to Public Utility and Radio Communication Station; and~~
- (p) ~~Accessory Uses customarily ancillary to the uses permitted in this section.”~~

CD-1 (765) BY-LAW NO. 12914 FOR 3680 EAST HASTINGS STREET

2. Council strikes out section 2.2 and substitutes the following:

“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 this by-law or in a development permit, the only uses permitted within CD-1 (765), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- ~~(a) Dwelling Uses, limited to Mixed-Use Residential Building Dwelling Units in conjunction with any of the uses listed in this By-law~~
- ~~(b) Cultural and Recreational Uses; limited to Artist Studio, Arcade, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or 2 Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, and Theatre;~~
- ~~(b) Institutional Uses; limited to Child Day Care Facility and Social Service Centre;~~
- ~~(c) Office Uses;~~
- ~~(d) Retail Uses; limited to Farmers’ Market, Furniture or Appliance Store, Grocery or Drug Store except for Small-scale Pharmacy, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;~~
- ~~(e) 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;~~
- ~~(f) Utility and Communication Uses; limited to Public Utility and Radio Communication Station; and~~
- ~~(g) Accessory Uses customarily ancillary to the uses permitted in this section.”~~

CD-1 (743) BY-LAW NO. 12675 FOR 3281-3295 East 22nd Avenue (3737 RUPERT)

2. Council strikes out section 2.2 and substitutes the following:

“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 this By-law or in a development permit, the only uses permitted within CD-1 (743), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (i) Dwelling Uses, limited to ~~Mixed-Use Residential Building Dwelling Units in conjunction with any of the uses listed in this By-law;~~
- (j) 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;~~
- (k) Institutional Uses; ~~limited to Child Day Care Facility and Social Service Centre;~~
- (l) Office Uses;
- (m) Retail Uses; ~~limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store except for Small-scale Pharmacy, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;~~
- (n) 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;~~
- (o) Utility and Communication Uses; ~~limited to Public Utility and Radio Communication Station;~~ and
- (p) Accessory Uses customarily ancillary to the uses permitted in this section.”

CD-1 (189) BY-LAW NO. 6117 FOR 2149-2189 WEST 42ND AVENUE

1. This by-law amends the indicated provisions of By-law No. 6117.”

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

“2. Uses

the area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (189), and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) agricultural uses, limited to Urban Farm-Class A
- ~~(a)(b)~~ a maximum of 51 dwelling units in a multiple dwelling;
- ~~(b)(c)~~ common-use amenity area for residents of the multiple dwelling;
- ~~(c)(d)~~ cultural and recreational uses, limited to club ~~or lodge~~ ~~(fraternal)~~; community centre or neighbourhood house, library, in combination with community centre, park or playground;
- ~~(d)(e)~~ parking area;
- ~~(e)(f)~~ parking garage;
- (g) institutional uses, limited to child day care facility, church, hospital, public authority use, school – elementary or secondary, social service centre;
- (h) retail uses, limited to farmer’s market, neighbourhood grocery store, public bike share;
- ~~(f)~~ ~~social service centre, limited to administrative functions of a non-profit society; and [8114; 99-11-02]~~
- (i) utility and communication uses, limited to public utility
- (j) accessory uses customarily ancillary to the above uses.

CD-1 (826) BY-LAW NO. 13478 FOR 24 EAST BROADWAY AND 2520 ONTARIO STREET

2. Council strikes out section 5 and substitutes the following:

~~5. Building height, measured from base surface to top of parapet, must not exceed 45.1 m, except that no part of the development shall protrude into the approved view corridors, as set out in the City of Vancouver View Protection Guidelines.~~

~~“5.1 Building height must not exceed 45.1 m.~~

~~5.2 Despite section 5.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, if the Director of Planning permits mechanical appurtenances including elevator overrun and rooftop access structures, the height of the portions of the building with the permitted mechanical appurtenances must not exceed 47.7 m.”~~

FALSE CREEK AREA DEVELOPMENT PLAN FOR AREA 10B BY-LAW NO. 5478

2. Council strikes out section (4) of “Site F Development” and substitutes the following:

“(4) The ~~gross~~ floor area for all uses must not exceed 7618.05 m² (82,000 sq. ft.). ~~Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building. The gross floor area includes all above-grade interior floor spaces for all uses and all typical floor area exclusions such as storage areas, and amenity rooms. Where floor area associated with storage space is excluded, a minimum of 20% of the excluded floor area must be located within the Moderate Income Rental Housing Units.~~

Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances which in the opinion of the Director of Planning are similar to the foregoing, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area; and
 - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
- (c) floors or portions thereof that are used for:
 - (iii) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
 - (iv) bicycle storage; and
 - (v) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (d) entries, porches and verandahs if the Director of Planning first approves the design;
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit. Where floor area associated with storage space is excluded, a minimum of 20% of the excluded floor area must be located

within the Moderate Income Rental Housing Units;

- (f) all storage area below base surface for non-dwelling uses; and
- (g) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area.

The use of floor area excluded under this section (4) must not include any use other than that which justified the exclusion.”

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