



REFERRAL REPORT

Report Date: July 8, 2025
Contact: Nick Danford
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RTS No.: 18059
VanRIMS No.: 08-2000-20
Meeting Date: July 22, 2025

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 (899) By-law No. 14333 for 3352-3384 Vanness Avenue and 3347 Clive Avenue to increase the permitted height, generally as presented in Appendix A;
 - (ii) amend CD-1 (895) By-law No. 14279 for 848 Seymour Street to increase the permitted height, generally as presented in Appendix B; and
 - (iii) amend CD-1 (897) By-law No. 14324 for 1026-1108 West 41st Avenue to remove the maximum permitted above grade floor space ratio, generally as presented in Appendix C.
- 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 (899), CD-1 (895) and CD-1 (897) By-laws. The amendments would amend two by-laws to increase the allowable height and one by-law to correct an error in the calculation of density.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (899) By-law No. 14333 for 3352-3384 Vanness Avenue and 3347 Clive Avenue and enacted on May 7, 2025.
- CD-1 (895) By-law No. 14279 for 848 Seymour Street and enacted on March 11, 2025.
- CD-1 (897) By-law No. 14324 for 1026-1108 West 41st Avenue and enacted on May 6, 2025.

REPORT

Background/Context

From time to time, Council considers minor amendments to provide clear direction for the public and staff in the interpretation of by-laws. Amendments to the height provisions contained in CD-1 (899) and CD-1 (895) By-laws are required due to further refinement of the design additional height is required in order to accommodate sustainability features and mechanical equipment.

An amendment to CD-1 (897) is required in order to correct an inadvertent error in the density calculation. The amendment does not increase the overall density permitted in the provision.

Strategic Analysis

This report presents miscellaneous amendments to three CD-1 by-laws as summarized below. The proposed by-law amendments are included in Appendices A to C.

1. CD-1 (899) By-law No. 14333 for 3352-3384 Vanness Avenue and 3347 Clive Avenue

CD-1 (899) By-law No. 14333 was approved in principle at Public Hearing on January 23, 2024, and enacted on May 7, 2025. The By-law permits the development of a two-tower design, in the form of 30- and 33-storey rental residential buildings.

The By-law stipulates a maximum building height for sub-area A (the 30-storey building) as 87.9 m (288 ft.) and 96.6 m (317 ft.) for portions of the rooftop appurtenances and building height for sub-area B (the 33-storey building) as 96.6 m (317 ft.) and 104.9 m (344 ft.) for portions of the rooftop appurtenances.

Through the detailed design of elements such as elevators, acoustic flooring, and rooftop insulation, the overall building height has increased and therefore, the applicant is requesting an increase to the overall height to accommodate these elements. The proposed height for sub-area A is 94.0 m (308 ft.) and 103.0 m (338 ft.) for portions of the rooftop appurtenances. The proposed height for sub-area B is 103.0 m (338 ft.) and 111.0 m (364 ft.) for portions of the rooftop.

The proposed height increases are relatively minor and do not impact protected views or shadowing on parks or other public open spaces.

2. CD-1 (895) By-law No. 14279 for 848 Seymour Street

CD-1 (895) By-law No. 14279 was approved in principle at Public Hearing on November 14, 2023, and enacted on March 11, 2025. The By-law permits the development of a 30-storey hotel building.

Through the detailed design of elements such as elevators, acoustic flooring, and rooftop insulation, the overall building height has increased and therefore, the applicant is requesting an increase to the overall height. Additionally, since the approval in principle of the By-law, the *Protected View Corridor Guidelines* have been amended. The Protected View (View F – Choklit Park) has been removed, no longer regulating the height of the subject site.

The By-law stipulates a maximum building height of 97.7 m (320 ft.), limited to the underside of the protected view corridor. The applicant has proposed to amend the building height to 98.8 m (324 ft.) in order to accommodate the design elements listed above.

The proposed height increase is relatively minor and does not impact protected views or shadowing on parks.

3. CD-1 (897) By-law No. 14324 for 1026-1108 West 41st Avenue

CD-1 (897) By-law No. 14324 was approved in principle at Public Hearing on June 13, 2024, and enacted on May 6, 2025. The By-law permits the development of a 6-storey Community Care Facility – Class B and stipulates a maximum FSR of 3.36 for all uses combined, except that the floor space ratio of all floors at or above finished grade shall not exceed 3.22.

After approval, a staff error was identified in calculating the floor area on level 2 of the building. To address this issue and simplify the by-law, the applicant is requesting the removal of the

maximum above grade FSR of 3.22 to correct the error and to simplify the by-law. The proposed increase would not have impact on the overall maximum FSR of 3.36 or the building's form of development.

Financial Implications

The amendments do not have an effect on Community Amenity Contributions or Public Art contributions. 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 increase the allowable height and correct an error in the calculation of density. It is recommended that the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend CD-1 (899), CD-1 (895), and CD-1 (897) 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 (899) BY-LAW NO. 14333
3352-3384 VANNESS AVENUE AND 3347 CLIVE 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. 14333.
2. Council strikes out Table 1 in Section 8 and substitutes the following:

“Table 1: Permitted Building Height

Sub-area	Building Height	Building height for portions of the building with permitted common rooftop amenity spaces or mechanical appurtenances
A	94.0 m	103.0 m
B	103.0 m	111.0 m

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**PROPOSED AMENDMENT TO CD-1 (895) BY-LAW NO. 14279
848 SEYMOUR 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. 14279.
2. Council strikes out Section 6 and substitutes the following:

“Building Height

6. Building height must not exceed 98.8 m.”

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PROPOSED AMENDMENT TO CD-1 (897) BY-LAW NO. 14324
1026-1108 WEST 41ST 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. 14324.
2. In section 4.2, Council strikes out “, except that the floor space ratio of all floors at or above finished grade shall not exceed 3.22”.

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TRACKED CHANGES VERSIONS OF DRAFT BY-LAWS

1. 3352-3384 VANNESS AVENUE AND 3347 CLIVE AVENUE
2. 848 SEYMOUR STREET
3. 1026-1108 WEST 41ST AVENUE

CD-1 (899) BY-LAW NO. FOR 3352-3384 VANNESS AVENUE AND 3347 CLIVE AVENUE

1. Council strikes out Table 1 in section 8 and substitutes the following:

Sub-area	Building Height	Building height for portions of the building with permitted common rooftop amenity spaces or mechanical appurtenances
A	87.9 m	96.6 m
B	96.6 m	104.9 m

Sub-area	Building Height	Building height for portions of the building with permitted common rooftop amenity spaces or mechanical appurtenances
A	94.0 m	103.0 m
B	103.0 m	111.0 m

CD-1 (895) BY-LAW NO. 14279 FOR 848 SEYMOUR STREET

2. Council strikes out Section 6 and substitutes the following:

~~6. Building height, measured from base surface, must not exceed 97.7 m, inclusive of all appurtenances, except that no part of the development shall protrude into the Council-approved protected public view corridors, as set out in the City of Vancouver's View Protection Guidelines.~~

"6. Building height must not exceed 98.8 m."

CD-1 (897) BY-LAW NO. 14324 FOR 1026-1108 WEST 41ST AVENUE

- 4.2 The maximum floor space ratio for all uses combined is 3.36, ~~except that the floor space ratio of all floors at or above finished grade shall not exceed 3.22.~~

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