



CITY OF VANCOUVER

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: June 8, 2010
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Meeting Date: June 22, 2010

TO: Vancouver City Council

FROM: Director of Planning

SUBJECT: Miscellaneous Amendments to CD-1 by-laws for 2908-3188 Celtic Avenue and for 1300-1336 Granville Street, the Protection of Trees By-law, and the 2908-3188 Celtic Avenue CD-1 Design Guidelines

RECOMMENDATION

- A. THAT the Director of Planning be instructed to make application to amend CD-1 #448 (By-law No. 9193) for 2908-3188 Celtic Avenue and CD-1 #482 (By-law No. 10029) for 1300-1336 Granville Street, for miscellaneous text amendments generally as presented in Appendix A, and that the application be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-laws, generally in accordance with Appendix A, for consideration at the Public Hearing.

- B. THAT text amendments to the Protection of Trees By-law, generally as presented in Appendix B, be approved;

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary by-law, generally in accordance with Appendix B, for enactment.

- C. THAT, subject to approval of the by-law amendments to CD-1 #448 (By-law No. 9193) at Public Hearing, amendments to the 2908-3188 Celtic Avenue CD-1 Design Guidelines, generally in accordance with Appendix C, also be approved.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

There is no applicable Council Policy.

PURPOSE AND SUMMARY

This report recommends a number of miscellaneous text amendments to CD-1 #448 (By-law No. 9193) for 2908-3188 Celtic Avenue and CD-1 #482 (By-law No. 10029) for 1300-1336 Granville Street, to the Protection of Trees By-law, Sections 4, 6 and 7; and to 2908-3188 Celtic Avenue CD-1 (No. 448) Design Guidelines. The amendments achieve the intent of earlier rezonings and correct inadvertent errors.

DISCUSSION

From time to time, Council has approved packages of miscellaneous text amendments intended to fix typographical or inadvertent errors, and to provide clarity for the public and staff in the interpretation of by-laws and guidelines. Proposed amendments that are substantive in nature are not included in these packages, but are reported separately. The last package of miscellaneous amendments was enacted by Council in January 2010.

The following is an explanation and description of the proposed amendments that require a Public Hearing. The draft by-law wording for each is contained in Appendix A.

CD-1 #448 (By-law No. 9193) for 2908-3188 Celtic Avenue

- CD-1 District #448 is located in the Southlands agricultural district. The CD-1 By-law allows for the keeping of horses and the development of stables, but the floor space and height regulations, as written, do not allow for stables to be easily designed with haylofts for the storage of hay. The proposed amendment would allow for stables to be designed to readily accommodate the storage of hay, a fundamental accessory use to the keeping and care of horses.

CD-1 #482 (By-law No. 10029) for 1300-1336 Granville Street

- Council approved amendments to the Downtown Parking By-law standards on June 11, 2009 with an instruction that this CD-1 By-law be amended as a consequence of approval. The proposed amendments would achieve consistency between the CD-1 By-law parking provisions and the Parking By-law, and it would achieve the intent of the earlier Council decision.

The following is an explanation and description of the proposed amendments that can be approved without a Public Hearing. The draft by-law wording for each is contained in Appendix B.

Protection of Trees By-law (By-law No. 9958) – Section 6 Relocation Trees and Replacement Trees and Section 7

- On December 1, 2009, Council enacted the Protection of Trees By-law to provide for the retention, replacement and maintenance of trees on private property. On January 19, 2010 the by-law was amended to make it consistent with the Zoning and Development By-law and maintain the status of absolute liability offence. Further staff review of this relatively new by-law has identified several sections which could be clarified in regard to the issuance of annual tree permits, the timing of planting replacement trees, and the protection of trees during development related construction.

2908-3188 Celtic Avenue CD-1 (No. 448) Design Guidelines

- On November 29, 2005, Council adopted CD-1 Design Guidelines for 2908-3188 Celtic Avenue. These Guidelines are a companion document to the CD-1 By-law. They provide direction to staff and applicants on standards of design and on compatibility with existing development in the area. Staff recommend additional information be provided in the Guidelines to clarify that hay storage in stables be accommodated within the roof form. The proposed changes to the Guidelines complement the amendments to CD-1 #448 (By-law No. 9193) which are described above.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

This report proposes miscellaneous amendments to achieve the intent of earlier rezonings, and to correct inadvertent errors. To this end, it is recommended that the Director of Planning be instructed to make application to amend CD-1 #448 (By-law No. 9193) for 2908-3188 Celtic Avenue, and CD-1 #482 (By-law No. 10029) for 1300-1336 Granville Street and that these applications be referred to a Public Hearing. Staff also recommend the approval of amendments to the Protection of Trees By-law, and that amendments to the 2908-3188 Celtic Avenue CD-1 Design Guidelines be approved, subject to approval of the text amendments to the CD-1 #448 By-law at Public Hearing.

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**PROPOSED MISCELLANEOUS AMENDMENTS
CD-1 #448 (BY-LAW No. 9193) & CD-1 #482 (BY-LAW No. 10029)**

[All additions are shown in *bold italics*. Deletions are shown in ~~strikeout~~.]

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

CD-1 #448 (By-law No. 9193) for 2908-3188 Celtic Avenue

1. Section 2 Definitions

Insert the definition for “stable with hay storage”, generally as follows:

“Stable with hay storage” means a stable, with undeveloped floor area located above the first storey and used solely for the storage of hay.

2. Section 7 Density

Repeal section 7.3, and substitute:

7.3 The floor space ratio of a stable must not exceed 0.04, except that the floor space ratio of a stable with hay storage must not exceed 0.07.

3. Section 8 Height

Repeal section 8.2, and substitute:

8.2 The height of a stable must not exceed 7.6 m above base surface and one storey, except that the height of a stable with hay storage must not exceed 7.6 m above base surface and 1.75 storeys.

CD-1 #482 (By-law No. 10029) for 1300-1336 Granville Street

4. Section 6 Parking

Amend Section 6 Parking, generally as follows:

6 Parking, loading, and bicycle parking

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle parking, ~~except that for multiple dwelling use, there must be at least one parking space for each 100 m² of gross floor area but there need not be more than 1.25 parking spaces for each dwelling unit.~~

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**PROPOSED AMENDMENTS
PROTECTION OF TREES BY-LAW (BY-LAW No. 9958)**

[All additions are shown in *bold italics*. Deletions are shown in ~~strikeout~~.]

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement.

PROTECTION OF TREES BY-LAW (By-law No. 9958)

1. Amend Section 4.5 "Issuance of one additional tree permit", generally as follows:

Despite section 4.4, the Director of Planning ~~may~~ *must* issue ~~one additional~~ *a* tree permit to remove a tree from a site if:

2. Amend Section 6.6 "Timing for planting of relocation tree or replacement tree", generally as follows:

Repeal subsections (a) and (b) of section 6.6, and substitute:

- (a) in the case of development under the Zoning and Development By-law, before:
 - (i) issuance of the occupancy permit, or
 - (ii) occupancy of a development not requiring an occupancy permit;

Further, renumber subsection (c) of section 6.6 as (b), generally as follows:

~~(c)~~ *(b)* in any other case, within six months after the date of issuance of the tree permit for such relocation tree or replacement tree;

3. Repeal Section 7.6 "Location of protection barrier", and substitute:

Each protection barrier referred to in section 7.5 must, if the tree is on an adjacent property within 2.0 m of any boundary of the site, extend into the site an appropriate distance to be determined by an arborist or as otherwise determined by the Director of Planning, having regard to life safety and property protection.

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**PROPOSED AMENDMENTS
2908-3188 CELTIC AVENUE CD-1 (NO. 448) DESIGN GUIDELINES**

4. Amend section 4.3, paragraph three, generally as follows:

Stables are limited to a maximum height of 7.6 m (25 ft.) and should have a sloped roof form. Because the stable zone does not require flood proofing, the stables will be located at a lower elevation relative to the house. The allowable height will be determined by an interpolative average of base surface elevations located within the stable zone. *Hay storage, if proposed, must be contained within the roof form.*

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