

## SUMMARY AND RECOMMENDATION

**2. Minor Regulatory and Policy Amendments – Zoning and Development By-law, Downtown Eastside Plan, RM-8 and RM-8N Guidelines, and RM-8A and RM-8AN Guidelines**

**Summary:** To make minor policy amendments to the Zoning and Development By-law and related land use documents to update definitions, provide more flexibility for social housing development sites and for roof-top amenity spaces, remove outdated regulations and consolidate regulations.

**Applicant:** General Manager of Planning, Urban Design and Sustainability

**Referral:** This relates to the report entitled “Minor Regulatory and Policy Amendments – Zoning and Development By-law, Downtown Eastside Plan, RM-8 and RM-8N Guidelines, and RM-8A and RM-8AN Guidelines”, (“Report”), referred to Public Hearing at the Council Meeting of March 7, 2023.

**Recommended Approval:** By the General Manager of Planning, Urban Design and Sustainability:

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law, generally as presented in Appendix A of the Report to:
- (a) update the definition for impermeable materials in Section 2;
  - (b) add a new definition for mezzanine in Section 2 and add regulations to Section 10 clarifying the situations in which a mezzanine is not considered an extra storey;
  - (c) remove wording requiring paper copies of plans and drawings in section 4.1.3;
  - (d) update regulations in Section 10 to:
    - (i) exclude roof-top access structures, roof-top amenity structures, zero-emission mechanical equipment and required guards from the 10% of roof area restriction for over-height items in section 10.1, and
    - (ii) add a floor area exclusion for roof-top access structures;
  - (e) change Cannabis Store from an outright use to a conditional use in the FC-1 District, to align the intended approval process for the use and with how the use is regulated in other districts;
  - (f) remove the vertical angle of daylight requirements from the M-1 and M-2 District Schedules;

- (g) for social housing developments in the RM-4 and RM-4N Districts Schedule, add a variance for the site frontage requirements;
- (h) consolidate the regulations on the maximum number of storeys permitted for townhouse developments in the RM-7, RM-7N, and RM-7AN Districts Schedule;
- (i) amend the RM-8, RM-8N, RM-8A and RM-8AN Districts Schedule to:
  - (i) revise the rear building height, front yard, rear yard, and building width regulations for townhouse developments to remove the need for Director of Planning discretion, and
  - (ii) clarify side yard and building depth requirements for townhouse developments on corner sites;

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 of the Report.

- B. THAT, subject to the enactment of the amendments to the Zoning and Development By-law described in Recommendation A(g), the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council amendments to the RM-3A, RM-4, and RM-4N Guidelines for Social Housing, generally as presented in Appendix B of the Report.
- C. THAT, subject to the enactment of the amendments to the Zoning and Development By-law described in Recommendation A(i), the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council repeal of the existing RM-8 and RM-8N Guidelines and the RM-8A and RM-8AN Guidelines that these be replaced with new combined RM-8, RM-8N, RM-8A and RM-8AN Guidelines, generally as presented in Appendix C of the Report.
- D. THAT at the time of enactment of the amendments to the Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval amendments to the Downtown Eastside Plan to reflect previous updates made to the Downtown-Eastside/Oppenheimer Official Development Plan By-law and FC-1 District Schedule to increase the floor space ratio and height for social housing developments, generally as presented in Appendix D of the Report.
- E. THAT recommendations A to D 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.

**[Regulation Redesign – Minor Regulatory and Policy Amendments – Zoning and Development By-law, Downtown Eastside Plan, RM-8 and RM-8N Guidelines, and RM-8A and RM-8AN Guidelines]**