



CITY OF VANCOUVER

POLICY REPORT URBAN STRUCTURE

Date: March 23, 2005
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TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: CD-1 Text Amendment - 5750 Oak Street - Lubavitch Centre

RECOMMENDATION

THAT the Director of Current Planning be instructed to make application to amend CD-1 By-law No. 8055 for 5750 Oak Street (Lot B of Lot A, Block 1008, DL 526, Plan LMP 42868) to increase the floor area permitted for institutional use, generally as outlined 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 CD-1 amending by-law, generally in accordance with Appendix A, for consideration at the Public Hearing.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

- Oakridge Langara Policy Statement adopted July 25, 1995
- The site is zoned CD-1 By-law (# 393) No. 8055, enacted July 29, 1999

PURPOSE AND SUMMARY

A proposed amendment to the CD-1 By-law for Lubavitch Centre would permit the conversion of a portion of the underground storage area to institutional use to be used as a Mikva/Ritual Bathing Area by the existing on-site synagogue. The change of use would not alter the approved form of development or require additional parking. It is recommended that staff be instructed to make application to amend the CD-1 By-law.

DISCUSSION

Background: The Lubavitch site, at the southeast corner of West 41st Avenue and Oak Street, is within a high priority sub-area for rezonings for multiple dwellings under the Oakridge Langara Policy Statement. The Policy Statement also makes provision for retention of existing institutional floor space over and above floor space supported for multiple dwelling rezonings.

In 1999, the site was rezoned to permit a five storey building containing institutional and dwelling uses at an overall floor space ratio (FSR) of 1.98. Within this overall density, institutional use is permitted to a maximum FSR of 0.54 which reflects the density of the original Lubavitch Centre on the site. Currently, the institutional floor area is comprised of a synagogue, a social service centre, a private school and related office and assembly areas.

Use: There is about 307 m² (3,300 sq. ft.) of storage space in the underground level directly below and accessible from the synagogue. Underground storage space is exempted from FSR calculations. The synagogue wishes to install a 157.9 m² (1,700 sq. ft.) Mikva/Ritual Bathing Area including washrooms and waiting area within the underground space. This would count as institutional use.

A Mikvah is a small pool built into the ground or as an essential part of a building. The facility plays a central role in the Jewish faith. Its construction must be in accordance with complex specifications and filled with pure rainwater. A modern Mikvah includes a preparation area with baths and showers.

Institutional use on the site is already built to the currently permitted maximum. To change exempt storage space to institutional use requires an increase in permitted institutional floor space. As this proposed floor space is surplus to the storage needs of the institutional uses, and there is no exterior change to the approved form of development and no additional parking is required, and because the change is very modest in nature, staff support amending the CD-1 By-law to allow for this facility.

CONCLUSION

The proposed conversion of a portion of the exempt underground storage space to institutional use to allow for a Mikva/Ritual Bathing Area is supported by staff. To enable this to occur, it is recommended that the Director of Current Planning be instructed to make application to amend the CD-1 and that the application be referred to a Public Hearing.

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DRAFT AMENDMENT TO CD-1 BY-LAW No. 8055

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

[All additions are shown in *bold italics*, all deletions in ~~strikeout~~.]

3 Floor Space Ratio

3.1 The floor space ratio must not exceed *2.02* ~~1.98~~, with the following composition:

- (a) the floor space ratio for Institutional Uses shall not exceed *0.58* ~~0.54~~; and
- (b) the floor space ratio for Residential Uses shall not exceed 1.44.

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