

SUMMARY AND RECOMMENDATION

1. TEXT AMENDMENT: 100 West 49th Avenue (Langara College)

Summary: To amend the existing CD-1 (Comprehensive Development) District (55) at 100 West 49th Avenue (Langara College). The rezoning would alter the minimum setbacks of both above- and below-grade buildings on the site. Sections 4 and 6 of the Langara College Policy Statement would also be amended to allow for a Student Services and Science Building in place of the anticipated Creative Arts Centre; a Creative Arts Centre in place of the anticipated multi-purpose classrooms; and a path from West 49th Avenue to the proposed Creative Arts Centre.

Applicant: Laurie Schmidt, Brooke Pooni Associates Inc.

Recommended Approval: By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application, by Brooke Pooni Associates Inc., on behalf of Langara College, to amend CD-1 (Comprehensive Development) District (55) By-law No. 4412 for 100 West 49th Avenue [*PID: 008-775-842; Lot 1 (Reference Plan 9821) of Lot A Block 1165 District Lot 526 Plan 12842*] to decrease setback provisions and to amend the Langara College Policy Statement to enable a reorganization of buildings on site, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 100 West 49th Avenue (Langara College)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Brooke Pooni Associates on behalf of Langara College, and stamped "Received City Planning Department, November 24, 2011", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below;
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to form of development conditions previously approved on November 14, 2006 and to the following additional conditions:

Landscape Design

1. Provide a more open and direct physical link between the West 49th Avenue pedestrian entry and the North-South pedestrian spine.

2. Provide a clear and legible wayfinding route for pedestrians to make their way through the campus from the West 49th Avenue pedestrian entry to the Langara Golf Course.
3. Introduce a Creative Arts Building Forecourt at the terminus of the North-South pedestrian spine with a more flexible open space design.

Engineering

4. The drawings are to be updated to reflect the deliverables notes in the 2006 rezoning and in the related servicing agreement. Please consult with Engineering Services to identify the driveway crossing reduction on Ontario Street, the public plaza at West 49th Avenue and Ontario Street, and related traffic calming requirements.
5. Covenant BB327389 (which arose from an earlier rezoning) stipulates that a right-of-way for public park use is to be registered over the west end of the site. Plans need to reflect this covenant.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the rezoning by-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services, and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Amendments to the Site Servicing Agreement (BB327391-93) for 100 West 49th Avenue to allow for the works required in accordance with such agreement to be delivered consistent with the owner's revisions to the programming of buildings on the site and to the phasing of development on the site as outlined in this report, and to capture any further works required as a result of approval of this text amendment application.
2. Provision of a widened sidewalk at the bus stop on the south side of West 49th Avenue at Manitoba Street (to be widened by approximately 1.5 m for 50 m length). This widening is to address an already heavily used bus-stop queuing area, as pedestrians walking along the south side of 49th Avenue must leave the sidewalk to bypass those queued for buses.

Legal Agreements

3. Amendments to references in agreements registered on title to the lands as required in order to update such references as a result of revisions to the programming of buildings on the site and to the phasing of development on the site, which agreements are BB327389, BB327390, BB327394, and BB327395.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the amending by-law, the Langara College Policy Statement be amended generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 100 West 49th Avenue (Langara College)".

[RZ. 755/2011 - 100 West 49th Avenue (Langara College)]