



SPECIAL COUNCIL MEETING MINUTES

DECEMBER 11 AND 13, 2012

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, December 11, 2012, at 7:36 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the zoning, heritage, and sign by-laws. Subsequently, the meeting recessed at 11:34 pm and reconvened in the Council Chamber on Thursday, December 13, 2012, at 6:05 pm. The minutes are consolidated for ease of reference.

PRESENT:

- Mayor Gregor Robertson
- Councillor George Affleck
- Councillor Adriane Carr
- Councillor Heather Deal
- Councillor Kerry Jang
- Councillor Raymond Louie
- Councillor Geoff Meggs
- Councillor Andrea Reimer
- Councillor Tony Tang*

ABSENT:

- Councillor Elizabeth Ball (Sick Leave)
- Councillor Tim Stevenson (Leave of Absence)

CITY CLERK'S OFFICE:

- Janice MacKenzie, City Clerk (December 13)
- Rosemary Hagiwara, Deputy City Clerk (December 11)
- Pat Boomhower, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the zoning, heritage, and sign by-laws.

CARRIED UNANIMOUSLY

**1. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HD/HRA):
1906 West 11th Avenue (Beard House)
October 10, 2012**

An application by Alexandre Ravkov, Architect, Alexandre Ravkov Inc., was considered as follows:

Summary: To add the existing heritage building to the Vancouver Heritage Register and to designate it as a protected heritage property, to approve a Heritage Revitalization Agreement (HRA) and to construct an Infill One-Family Dwelling at the rear of the site. The application proposes a variance to increase permitted density.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Summary of Correspondence

Three letters opposed to the application had been received prior to the close of the speakers list.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns about the proposed building size, FSR, shadowing, lack of privacy and uniformity.

Sheila Peacock
John Wade
Veronica Ross

Menard Caissey provided comments on other matters.

The speakers list closed at 8:02 pm.

Staff Closing Comments

James Boldt, Heritage Planner, Planning and Development Services, highlighted the Technical Zoning and Parking Summary in Appendix C of the Policy Report dated October 10, 2012, and noted the proposed density is in line with previous approvals, the front yard is in compliance and windows will be examined in the final design stages.

Applicant Closing Comments

Alexandre Ravkov, Architect Alexandre Ravkov Inc., commented on front yard set-back and responded to questions.

Council Decision

MOVED by Councillor Deal

- A. THAT Council add to the Vancouver Heritage Register in the 'C' evaluation category the residential building, known as the Beard House, at 1906 West 11th Avenue [PID: 014-183-994; Lot 10, Block 386 District Lot 526 New Westminster, Plan VAP1949 (the "Lands")].
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the *Vancouver Charter*, a by-law to designate the Beard House as a protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law for the City to enter into a Heritage Revitalization Agreement in respect of the Beard House and the Lands to:
 - (i) secure the rehabilitation and long-term preservation of the Beard House; and
 - (ii) vary the Zoning and Development By-law to permit the construction of a new Infill One-Family Dwelling on the Lands as proposed under Development Permit Application DE415688 and as more particularly described in the Policy Report dated October 10, 2012, entitled "1906 West 11th Avenue - Beard House - Heritage Designation and Heritage Revitalization Agreement".
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered and given priority on title to the Lands to the satisfaction of the Director of Legal Services and of the General Manager of Planning and Development Services.
- E. THAT A to D above 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

**2. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
833 Keefer Street (Christenson Residence)
November 15, 2012**

An application by Alexander Smith, Shape Architecture Inc., was considered as follows:

Summary: To designate the existing building as a protected heritage property, to approve a Heritage Revitalization Agreement (HRA), and to construct an Infill Multiple Dwelling at the rear of the site. A number of zoning variances are proposed.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Summary of Correspondence

Two letters in support and two letters opposed to the application had been received prior to the close of the speakers list.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns about the size and potential impact of the proposed infill building, and the RT-3 guidelines.

Debbie Northey
Donna MacIntosh
Leigh Moorhouse

Liz Evans, co-owner of the property, spoke in support of the application, noting benefits to heritage conservation and the Strathcona area.

The speakers list closed at 8:43 pm.

Applicant Closing Comments

Alexander Smith, Shape Architecture Inc., closing comments addressed concerns raised by speakers.

Staff Closing Comments

James Boldt, Heritage Planner, Planning and Development Services, noted the position of the buildings and garden space and, along with Kent Munro, Assistant Director, Current Planning, responded to questions.

Mr. Boldt advised of a correction to Table 1 entitled "RT-3 Zoning District Schedule and Parking Summary" in Appendix D of the Policy Report dated November 15, 2012, that the proposed height of the heritage building to read five metres (rather than 15 metres) and 16.4 feet (rather 6.4 feet).

Council Decision

MOVED by Councillor Deal

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate as a protected heritage property the heritage building at 833 Keefer Street [*PID: 015-575-276; West 24 feet of Lot 34, Block 77, District Lot 181, Plan VAP196 (the "lands")*], which is known as the Christenson Residence.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for the City to enter into a Heritage Revitalization Agreement in respect of the Christenson Residence to:
 - (i) secure its rehabilitation and long-term preservation; and
 - (ii) vary the Zoning and Development By-law in respect of the lands to permit the rehabilitation of the Christenson Residence and the construction of a new Infill Multiple Dwelling on the Lands, as proposed under Development Permit Application DE415544 and as more particularly described in the Policy Report dated November 15, 2012, entitled "833 Keefer Street - Christenson Residence - Heritage Designation and Heritage Revitalization Agreement", with the correction to proposed height of the heritage building in Appendix D Table 1 of the afore-mentioned report to be 5 metres (16.4 ft), as noted by staff on December 11, 2012.
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered and given priority on title to the lands to the satisfaction of the Director of Legal Services and of the General Manager of Planning and Development Services.
- D. THAT A to C above 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

**3. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
837 Keefer Street (McLellan Residence)
November 15, 2012**

An application by Alexander Smith, Shape Architecture Inc., was considered as follows:

Summary: To add the existing heritage building to the Vancouver Heritage Register and to designate it as a protected heritage property, to approve a Heritage Revitalization Agreement (HRA) and to construct an Infill Multiple Dwelling at the rear of the site. A number of zoning variances are proposed.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Staff Opening Comments

James Boldt, Heritage Planner, Planning and Development Services, responded to a question with regard to the distance between the proposed buildings.

Applicant Comments

Alexander Smith, Shape Architecture Inc., was available to answer questions.

Summary of Correspondence

Two letters in support and two letters opposed to the application had been received prior to the close of the speakers list.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns related to the infill building size, the loss of light, views and privacy, livability and traffic.

Debbie Northey
Donna MacIntosh
Leigh Moorhouse
Tim Moss
Daniel Lee

The speakers list closed at 9:31 pm.

Staff Closing Comments

Mr. Boldt responded to questions and also advised of a correction to Table 1 entitled "RT-3 Zoning District Schedule and Parking Summary" in Appendix D of the Policy Report dated November 15, 2012, that the proposed overall floor space ratio should read 1.0 FSR (rather than 2.0).

Council Decision

MOVED by Councillor Deal

- A. THAT Council add to the Vancouver Heritage Register in the 'B' evaluation category the existing building at 837 Keefer Street, [*PID: 008-226-717; Lot 33, Block 77, District Lot 181, Plan VAP196 (the "lands")*], which is known as the McLellan Residence.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate the McLellan Residence as a protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for the City to enter into a Heritage Revitalization Agreement in respect of the McLellan Residence to:
 - (i) secure its rehabilitation and long-term preservation; and
 - (iii) vary the Zoning and Development By-law in respect of the lands to permit the rehabilitation of the McLellan Residence and the construction of a new Infill Multiple Dwelling, as proposed under Development Permit Application DE415780 and as more particularly described in the Policy Report dated November 15, 2012, entitled "837 Keefer Street - McLellan Residence - Heritage Designation and Heritage Revitalization Agreement", with the correction to proposed overall floor space ratio in Appendix D Table 1 of the afore-mentioned report to be 1.0 FSR, as noted by staff on December 11, 2012.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered and given priority on title to the lands to the satisfaction of the Director of Legal Services and of the General Manager of Planning and Development Services.
- E. THAT A to D above be adopted on the following conditions:
 - (iii) 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (iv) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

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At 9:52 pm it was

MOVED by Councillor Louie

THAT, under section 6.8 of the Procedure By-law, Council extend the length of the meeting to complete hearing speakers regarding Item 4.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

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4. REZONING: 2001 West 10th Avenue (2555 Maple Street)

An application by John Bingham, Bingham Hill Architects, was considered as follows:

Summary: To rezone 2001 West 10th Avenue (2555 Maple Street) from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for a 7-storey residential building and a 6-storey residential building, with a childcare facility at grade, all over shared underground parking. The application proposes a total of 125 dwelling units, a maximum floor space ratio of 2.5, a maximum building height of 22.70 metres (74.5 feet) and 183 parking spaces.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Applicant Comments

John Bingham, Bingham Hill Architects, as well as the landscape architect and traffic consultant for the project, were available to answer questions.

Summary of Correspondence

Council received the following correspondence related to this application, prior to the close of the speakers list:

- 50 emails and letters in opposition
- 2 letters related to other issues

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and/or expressed concerns about the building height, traffic flow and safety, parking, Community Amenity Contributions for park facilities, and design.

Veronica Ross
Frank Jameson
Kyle Beauliv
Fiona Davis Brown, Chair, Parent Advisory Committee, Lord Tennyson Elementary School
Maureen Charon
Adele Ritch, Kitsilano-Artbutus Residents Association (KARA)
Eric Rallison
Sean McEwen
Stephen La Rhodes

The speakers list closed at 11:18 pm.

Staff Closing Comments

Grant Miller, Rezoning Planner, Rezoning Centre, summarized speakers' concerns and noted questions from Council which staff will provide responses to, at the reconvened meeting on December 13, 2012, due to time constraints.

Applicant Closing Comments

John Bingham, Bingham Hill Architects, commented on the design and height differential, and noted the building will be behind tall trees.

Council Decision

POSTPONEMENT MOVED by Councillor Jang

THAT, the public hearing for Item 4 having concluded, that discussion and decision for Item 4 be postponed until the meeting re-convenes on Thursday, December 13, 2012.

CARRIED UNANIMOUSLY

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On December 11, 2012, it was

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Carr

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments regarding Items 1, 2 and 3.

CARRIED UNANIMOUSLY

MOVED by Councillor Jang
SECONDED by Councillor Tang

THAT the meeting recess until December 13, 2012, at 6:00 pm.

CARRIED UNANIMOUSLY

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Council recessed at 11:34 pm on December 11, 2012, and reconvened on December 13, 2012, at 6:05 pm with the same members present.

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COMMITTEE OF THE WHOLE

On December 13, 2012, it was

MOVED by Councillor Carr
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair.

CARRIED UNANIMOUSLY

4. REZONING: 2001 West 10th Avenue (2555 Maple Street) (continued)

Staff provided a map of Lord Tennyson Elementary School's catchment area, as well as an aerial photo of the school and surrounding streets. Grant Miller, Rezoning Planner, along with Paul Storer, Transportation Engineer, Vickie Morris, Senior Social Planner, and Brian Jackson, General Manager, Planning and Development Services, responded to questions.

MOVED by Councillor Louie

- A. THAT the application by Bingham Hill Architects, on the behalf of 6098941 Canada Inc. (Pinnacle International), to rezone 2001 West 10th Avenue [PID: 009-165-517, Lot D, Block 345, DL 526, Plan 11084] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a 7-storey residential building and a 6-storey residential building including a childcare facility at grade with a density of 2.5 FSR and a maximum height of 22.70 m (74.5 ft.), generally as presented in Appendix A of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple Street)", 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 Bingham Hill Architects and stamped "Received City Planning Department, June 30, 2010", subject to the following conditions, 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 the following:

Design Development

1. Design development to address the relationship between the public realm and the daycare play area, increasing transparency and spatial interconnectivity between them as seen from the street, while maintaining a safe and secure play environment.

Note to Applicant: Reduce the amount and scale of the solid wall and the cage-like appearance of the metal fencing.

2. Design development to bring further consistency to the material treatment and expression to the building with particular regard to the north elevations.

Note to Applicant: Introduce colour panels to the north elevations, more building articulation and smaller scale elements, with particular regard to the base of the building.

3. Design development to improve the usability of the second floor landscape area over the parking ramp, providing direct pedestrian connections to the outdoor amenity area at grade and with further consideration to the functional programming of the space so as to better animate this area.

Note to Applicant: This space appears to be a dead end and potentially underutilized with access only from one floor.

4. Design development to further pedestrianize the edge conditions adjacent to the lane, providing a continuous sidewalk from Maple Street, to the 20 ft. walkway, west end of the site with pedestrian links into the site, and additional landscaping.

5. Design development to provide an art piece for the site.

Note to Applicant: In consultation with City staff, establish a budget and artist selection process.

6. Confirmation on the drawings that the planting soil is of sufficient depth for the proposed landscaping.

Note to Applicant: In consultation with City staff, provide a minimum 3 ft. base, dimensioned on detail sections.

Landscape

7. Design development to maximize at-grade tree planting opportunities on private property.

Note to Applicant: In addition to the proposed trees shown on the Landscape Plan, there may be space for 2 new trees at the northeast corner of the west building townhouses, 1 new tree at the northwest corner of the east building townhouses, and 2 new trees on the 10th Avenue flanking landscaped edge adjacent to Unit #107.

8. Design development to explore opportunities for providing common urban agriculture plots for residents use within a sunny exposure.

9. Design development to include edible landscaping and/or garden plots, on-site composting, tool storage, hose bibs and potting benches which support urban agricultural activity, and to make some garden plots in the proposed common outdoor amenity patio (lane edge) universally accessible as per the "Urban Agriculture Guidelines for the Private Realm".

Note to Applicant: Consider fruit trees in the common amenity outdoor space. Consideration should be given to a rainwater collection system to assist with irrigation.

10. Design development to provide space to accommodate a continuous paved pedestrian path linking Maple Street to the west property line and connecting corridor of the site. Refer to Design Development conditions 4.

Note to Applicant: This will mean shifting the proposed planters and private patios from this area. Pathway design and materials to match developments at the north side of lane at 2080 West Broadway (DE412784).

11. Provision of a separate landscape lighting plan to illuminate the common areas for security and safety purposes.

Note to Applicant: Lighting details should be included on the Landscape Plan.

12. Provision of adequate planting medium depth within planters on slab condition to meet the BCSLA latest standard.

13. Proposed plantings to be consistent with the City of Vancouver Waterwise Planting Guidelines.

Sustainability

14. Registration for LEED® certification and identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least 3 optimize energy performance points, 1 water efficiency point and 1 stormwater point to the satisfaction of the Director of Planning.

Engineering

15. Provision of an improved plan showing the cross sections of the main ramp and the two loading bays showing vertical clearance and the slope of the ramps.

Note to Applicant: 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces.

Note to applicant: Ramps which have a 15% slope and are exposed to the weather must be heated.

16. Provision of design elevations on both sides of the ramp at all break points and within the parking area to calculate slope and cross fall.
17. Modify the loading spaces in the East Building to work independently, as tandem spaces are not acceptable.

Note to applicant: The Class A and Class B loading spaces will need to be side by side.

18. Provide a double throat for the Class B loading space in the West Building and increase the size of the throats for both Class B spaces as per the City of Vancouver Parking and Loading Design Supplement.

Note to applicant: The Class B spaces will require a double throat to maneuver in/out of the dead end laneway.

19. Number all parking and loading spaces.
20. Modify the width of the disability access aisle between parking spaces 72 and 73 on P2 to 1.5 m.
21. Modify the entrance and door swing to the two bike rooms along the drive aisle at section line B on P1 to create a refuge for cyclists going in and out of the bike rooms.
22. Provision of 6 Class B bicycle parking spaces and storage space for three bicycle trailers for daycare parents and staff.
23. Delete the proposed privacy hedge from within the 20 foot access corridor and its truncation.
24. Delete portions of trellis structure shown encroaching onto public property at the corner of 10th Avenue and Maple Street.
25. Provide details of garbage storage areas. (Bins or compactors and recycling space should be clearly shown for each tower or access from each tower to a centralized location for garbage storage is required). Clarification of garbage pick-up operations is also required.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Social Development and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for:
 - a. Provision of a 20 ft. wide access corridor at the westerly edge of the site and a 10' x 10' truncation (corner cut) where it meets the lane

north of 10th Avenue, for public and transit access facility use. Arrangements are to include a public access agreement, a SRW for public utilities (Transit) and an option to purchase for future lane use. Delete all proposed structures above and below grade within the 20' access corridor and 10' x 10' truncation area;

- b. Decommissioning of the existing electrical duct that crosses the lane and discharge of the related indemnity agreement #363334M prior to occupancy of the building;
- c. Release of Easement & Indemnity Agreement 351752M (commercial crossings), prior to occupancy of the building;
- d. Undergrounding of all new utility services from the closest existing suitable service point. All services, and in particular electrical transformers to accommodate a primary service, must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged;
- e. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading;
- f. Execution of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided. No development permit for the site will be issued until the security for the following services are provided.
 - i. Upgrading of the pedestrian actuated signal at Maple Street and Broadway to a semi-actuated signal at the owner's expense to a maximum of \$100,000;
 - ii. Provision of a pedestrian/bicycle actuated signal at Maple Street and 12th Avenue at 50% of the owners cost to a maximum of \$100,000;

- iii. Provision of traffic calming on Maple Street from Broadway to 8th Avenue if required within 5 years of issuance of the last occupancy permit for the building, to a maximum of \$50,000;
- iv. Provision of benches and a water fountain on the development site along the 10th Avenue frontage as a public amenity for the Bikeway. A right-of-way for public access and maintenance agreement will be required;
- v. Provision of improvements to the public sidewalk and portion of roadway and curbing immediately west of the site where it crosses the existing rail line on both sides of 10th Avenue to improve pedestrian connections to the west;
- vi. Provision of improved curb ramps at the northwest corner of 10th Avenue and Maple street;
- vii. Provision of street trees adjacent the site where space permits.

Social Development

2. The design, construction, fitting, furnishing, equipping, and supplying by the owner, at its cost, of a licensable childcare facility of approximately 4,300 square feet (gross) of at-grade indoor space with adjacent outdoor space of approximately 5,000 square feet, and seven dedicated parking stalls as per the City of Vancouver Childcare Design Guidelines to be offset by payment from the City to come from the Arbutus DCL, to the satisfaction of the Managing Director of Social Development, Director of Facility Design & Management, and Community Care Facilities Licensing.

Note to Applicant: design development will be required through the Development Permitting process to demonstrate that the requirements of the City's Childcare Design Guidelines for sunlight on the outdoor play areas, parking, parent drop-off, and storage can be met.

Soils

3. Submit a site profile to the Environmental Protection Branch (EPB).
4. As required by the Manager of Environmental Protection and the Director of Legal Services at their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.

Public Art

5. Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of Cultural Services for the provision of public art

in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to Applicant: To discuss your public art application and fulfillment options please call Bryan Newson, Public Art Program Manager, at 604.871.6002.

Community Amenity Contribution

6. The agreed Community Amenity Contribution of \$4,600,000 is to be paid to the City and such payment is to be made prior to enactment of the CD-1 by-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services to be allocated as follows:
 - a. \$3.5 million to the Affordable Housing Reserve;
 - b. \$1.1 million to the operation and maintenance of the proposed childcare facility.

Note: 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple Street)".
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other 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;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (ii) 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.

carried

AMENDMENT MOVED by Councillor Carr

THAT the motion be amended in A by:

- deleting the phrase "7 storey residential building and a" and inserting "two" before "6 storey" in the first paragraph, to read "to permit the development of two 6 storey residential buildings including ...";
- and, under CONDITIONS OF BY-LAW ENACTMENT Community Amenity Contribution section 6
 - a. deleting "\$3.5 million" and inserting "\$1.8 million", and adding
 - c. "\$400,000 park and open space".

LOST

(Councillors Deal, Jang, Louie, Meggs, Reimer, Tang, and Mayor Robertson opposed)

AMENDMENT MOVED by Councillor Affleck

THAT the motion be amended in A under the CONDITIONS OF BY-LAW ENACTMENT Community Amenity Contribution section 6 by:

- deleting "\$3.5 million" and inserting "\$3 million" to the Affordable Housing Reserve in 6a, and
- adding "\$500,000 for a local amenity to be determined at a future date" as 6c.

LOST

(Councillors Carr, Deal, Jang, Louie, Meggs, Reimer, Tang, and Mayor Robertson opposed)

The amendments having lost, the motion was put and CARRIED UNANIMOUSLY.

5. TEXT AMENDMENT: 851-951 Boundary Road (Taylor Manor)

An application by Mitch Sakumoto, Merrick Architecture - Borowski Fligg Sakumoto Limited, was considered as follows:

Summary: To amend the existing CD-1 (Comprehensive Development) District (300), By-law No. 7158 for 851 and 951 Boundary Road, to permit the renovation of the existing Taylor Manor building (a Heritage 'B' building on the Vancouver Heritage Registry) and the construction of a 4-storey addition on its west side. The renovated and expanded building is to accommodate 56 supportive housing units. The proposal includes a floor space ratio of 0.8 and 40 parking spaces.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Applicant Comments

Mitch Sakumoto, Merrick Architecture - Borowski Fligg Sakumoto Ltd., and representatives from the Kettle Friendship Society were available to answer to questions.

Summary of Correspondence

Two letters opposed to the application had been received prior to the close of the speakers list.

Speakers

The Mayor called for speakers for and against the application.

Trevor Borland spoke in opposition to the application and expressed concerns about building size, number of units, tree removal, and property values near the site.

The speakers list closed at 7:16 pm.

Applicant Closing Comments

Janet Smith, Director - Housing, Kettle Friendship Society, and Mr. Sakumoto, responded to questions.

Staff Closing Comments

Abi Bond, Assistant Director, Housing Policy, and Ian Cooper, Senior Rezoning Planner, responded to questions.

Council Decision

MOVED by Councillor Jang

- A. THAT the application by Merrick Architecture - Borowski Fligg Sakumoto Limited on behalf of the City of Vancouver, for a Text Amendment to By-law CD-1 (300) for the City-owned sites at 851-951 Boundary Road [PID: 024-039-411 and 024-039-420, Lots A and B Section 27 Town of Hastings Suburban Lands New Westminster District Plan LMP36733] to increase the floor space ratio from 0.6 to 0.8 and the permissible height from 2 ½ storeys to 4 storeys to permit an addition to, and renovation of, the building ("Taylor Manor") to facilitate its use for housing with supports, generally as presented in Appendix A of the Policy Report dated October 23, 2012, entitled "CD-1 Text Amendment - 851-951 Boundary Road (Taylor Manor)", 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 plans prepared by Merrick Architecture - Borowski Fligg Sakumoto Limited, received July 27, 2012 and landscape plans prepared by Durante Kreuk Ltd, received September 12, 2012, and subject to the following conditions, 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 the following:

Design Development

1. Improvements to the amenity of the interior courtyard, including:
 - a) Relocation of the addition by 1.04 m (3.4 ft.) to the west, to increase the courtyard space for residents;
 - b) Design development to increase the amount of natural light in the courtyard;
 - c) Design development to improve the animation and colourfulness of the courtyard;
 - d) Exploration of the feasibility of providing a minimum width of 8.5 m (28 ft.) for the courtyard at the ground level.

Notes to Applicant:

- Intent a) is to improve the livability of units which face into the courtyard, and to improve the amenity of this private open space at the ground level by increasing the narrow dimension between the new and existing buildings.
- Intent b) is to augment condition a) through refinements to the building finish and detailing. Consider removal of the east-

facing sunshades which shadow the courtyard walls, especially if their contribution to reducing building energy costs is minor. Increase the extent of light coloured finishes on all new walls, and consider how to improve the lightness of the existing building walls that face into the courtyard. Where feasible, reduce the height of the stair top extensions and the height of new parapet walls that cause shadowing in the courtyard.

Intent c) is to avoid an institutional appearance. This can be accomplished by the addition of colourful elements, the use of brighter hues, and the use of more stimulating visual or tactile elements. Consider an alternative finish instead of exposed concrete walls around the courtyard.

Intent d) is to provide a more usable dimension for the outdoor living area which is to be used as a private gathering space by residents. This can be accomplished without a loss of living space by relocating some floor area that projects into the courtyard to other unused areas of the building at the same level.

2. Provision of a generous outdoor space not at the basement level, with good solar access, suitable for urban agriculture, gardening, and other passive and active recreational activities for residents on the site.

Note to Applicant: While the grounds will generally be visually open to preserve the park-like character of the site, consideration should be given to setting aside some semi-private outdoor areas for resident access only. This can be accomplished in the large front yard that is being maintained by siting the new building to the west of the heritage Mansion. Consider removing some of the lower vegetation to the southeast of the mansion to help create this space.

3. Notation on the elevation drawings of all finishes for colour, material and dimensions.

Note to Applicant: This can be accomplished by a more complete finish legend. Include guard rails, soffits, bricks, and window trim, where relevant, note texture or other aspects as well.

4. Provision of enlarged drawings for significant exterior features.

Note to Applicant: Include plans and elevations at $\frac{1}{4}'' = 1'-0''$ or better, and detailed drawings at $\frac{1}{2}'' = 1'-0''$ scale or better.

Crime Prevention Through Environmental Design (CPTED)

5. Provision of an analysis of the most likely risks around the site, such as theft, vandalism, or other mischief; a strategy to mitigate these risks, and notation on the plans and elevations of the specific building features proposed in the strategy.

Note to Applicant: The CPTED strategy should reflect the experience and advice of the existing building operators on the site, and the proposed operators of the new program. Brick or concrete walls accessible from grade should include anti-graffiti coating to reduce future maintenance costs. Security lamps on timers and photocells that provide non-glare lighting to the grounds should be noted on the landscape and architectural drawings.

Landscape

6. Provision of an improved landscape treatment for the west property edge incorporating:

- a) substantial greenery in the form of large caliper trees to create a buffer to separate the proposed building addition and the existing Park to the satisfaction of Park Board and in consultation with the General Manager of Planning and Development Services;

Note to Applicant: : Recommend the planting of deciduous tree species to allow the west building façade to receive solar gains during the winter months when the leaves have fallen and shading during the summer when the trees are in full leaf.

- b) A pedestrian and wheel-chair accessible pathway with connections around the perimeter of the building to the front yard, as an active outdoor facility for the residents and their visitors;

Note to Applicant: Consider a permeable rock dust surface.

- c) Low shrubbery in the form of hedging along the outside edge of the pedestrian walk, adjacent to the Park;

7. Provision of at least 1.6 replacement trees to be provided for every tree removed.

Note to Applicant: Intent is to ensure that healthy trees removed to make room for the new addition, are replaced by a substantial amount of new urban forest. Coordination with Park Board will be required to determine locations and species of trees;

8. Design development of the front yard landscaping to:

- a) incorporate a semi-private flexible outdoor gathering space located adjacent to the southeast main building entry for the passive and semi-active use of the residents and their visitors, with pedestrian connections to the south, west and east side of the site;

Note to Applicant: Consider siting the patio space against the east building foundation (close to the existing Catalpa) with a prospect

view towards the direction of the entry drive and the Park with partial enclosure offered by the building edge and existing trees at the south yard. Provide benches with backs. Provide a large-scale illustration detail at ¼"=1'-0" scale to show the patio in relation to the building entry.

- b) enhance the visual amenity of the front elevation of the heritage building entry by replacing the existing (overgrown) foundation shrub planting with new low maintenance shrubbery;
 - c) provide a meandering stroll path with casual benches within the existing front yard lawn for the benefit of the residents and their visitors. This walk may be a part of a longer perimeter (circuit) pedestrian path.
- 9. Provision of in-ground planting condition for new trees in the proposed courtyard.
 - 10. Consideration to reallocating resources from the extensive green roof proposed over the new addition to the landscape improvements at grade, where they will be better accessed by residents.
 - 11. Provision of large- scale details at ½"=1'-0" scale to illustrate landscape structures such as benches, planters, fences and over-height fences.
 - 12. Provision of notation on the drawings to read: "Proposed tree planting in the Park to the satisfaction of the Vancouver Board of Parks".

Note to Applicant: Contact Bill Stephen, City Arborist, to confirm tree spacing and species and planting details (tel: 604.257.8580).

Sustainability

- 13. Registration for LEED® certification; identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving 63 points (LEED® Gold), including at least 6 optimize energy performance points, 1 water efficiency point and 1 stormwater point; and provision of a written strategy, to the satisfaction of the General Manager of Planning and Development Services.

Note to Applicant: The new addition offers a flat rooftop with good solar access. Provide an evaluation of the feasibility and energy cost savings provided by solar panels for domestic hot water heating, as this represents a substantial portion of the energy use in this residential building. The extensive open space east of the mansion offers several opportunities for stormwater control measures. New surface parking stalls should have permeable surfaces or be connected to a stormwater control system on the site.

14. Provide a memorandum summarizing for Taylor Manor opportunities for reducing energy consumption and greenhouse gas emissions as well as a summary of the proposed approach to building heating and cooling and rationale for the preferred approach over other (or additional) mechanical design and building upgrade opportunities to lower energy consumption and carbon emissions, all to the satisfaction of the General Manager of Engineering Services.
15. Provide for any further studies and/or investigations required to investigate opportunities for lowering energy consumption and greenhouse gas emissions, and implement, where feasible, identified opportunities for improving building energy efficiency and GHG emissions to the satisfaction of the General Manager of Engineering Services.
16. Arrangements to the satisfaction of the Director of Real Estate and Facilities Management that the mechanical system at Taylor Manor is to be selected based on the objective of minimising greenhouse gas emissions subject to the following conditions:
 - a) the system is technically feasible to install and practical when considering other factors such as noise and heritage retention;
 - b) it has a positive net present value (NPV) when compared to alternative potential systems, and
 - c) it is designed to the satisfaction of Real Estate and Facilities Management.

Engineering

17. Clarification is required for the intended use of the driveway access from Adanac Street over Lot A, in favour of the owners of Lot B; and if this access is still required.
18. Provision of an improved plan showing all surface and underground parking spaces and the location of the Class B loading space (3 m x 8.5 m) on the plans.

Notes to Applicant:

- Consider providing 90 degree parking spaces rather than the proposed 5 parallel parking spaces. This would result in 11 spaces which would meet the requirement for 40 overall spaces.
- Consider providing 45 degree angle parking spaces rather than the proposed 5 parallel parking spaces, 3 additional spaces or 8 in total can be achieved.
- Separate water services for each legal lot will be required. No water shall be sold or conveyed beyond the property served without written permission from the Collector or Engineer".

Heritage

19. Provide large scale detail drawings of the proposed connection of new building to heritage building clearly indicating materials and construction details.
20. Revise design of new windows in heritage building to be more consistent with the existing windows.

Note to Applicant: Replacement windows in the heritage building should have a configuration, proportion and detailing that is more in keeping with the existing windows particularly on the main facade (east elevation) and the sun room wings (north and south elevations).

21. The Heritage Conservation Plan prepared by Donald Luxton and Associates dated June 14, 2011 is to be updated as required.
22. Notes from the heritage conservation plan are to be added to the elevation drawings clearly indicating the proposed conservation approach for all materials on the heritage building.

Note to Applicant: Drawings should clearly indicate which existing exterior and interior elements are to be retained, restored, altered or removed and where new elements are proposed they should be fully described.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the Text Amendment to By-law CD-1(300) the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

1. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the services are provided. No development permit for the site will be issued until the security for the services are provided:
 - a) Provision of countdown timers and audible signals at the intersection of Boundary Road and Adanac Street to enhance

- pedestrian safety and provide accessibility for visually impaired persons.
- b) Provision of 6 Class B bicycle spaces for visitors.
 - c) Provision of a bus shelter and concrete pad to be located behind the sidewalk at the eastbound bus stop on Adanac Street.
 - d) Provision of a relocated southbound Boundary Road bus stop and shelter to "far side" Adanac Street subject to consultation with Taylor Manor and Adanac Lodge staff to ensure sidewalk grades are acceptable for patrons or improvements to the existing bus stop through provision of a concrete landing between the curb and existing sidewalk for the length of the bus stop.
2. Provision of all utility services to be underground for any future servicing upgrade. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformer are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
 3. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering.
 4. Provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any legal agreements required by this Strategy on terms and conditions acceptable to the City.
 5. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex.
 6. Provision of a Sustainable Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

7. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for modification of agreements and reference plan(s) defining the boundaries of the reciprocal access easement areas, to be registered on the titles of Lots A & B.

Note to applicant: See Land Survey Branch plans marginally numbered LD3707 and LD3708 which were prepared for this purpose in 2000.

Note: 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to enactment of the Text Amendment to By-law CD-1 (300), the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law to include this CD-1 in Schedule A, generally as set out in Appendix C of the Policy Report dated October 23, 2012, entitled "CD-1 Text Amendment - 851-951 Boundary Road (Taylor Manor)".
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other 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;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (ii) 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.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

6. REZONING: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)

An application by Dane Jansen, DYS Architecture, was considered as follows:

Summary: To amend the existing CD-1 (Comprehensive Development) District (126), By-law No. 5091, for 4500 Oak Street (Children's and Women's Health Centre of British Columbia). Should Council approve in principle the proposed by-law amendments, consequential updates will be undertaken to the Health Centre's Master Plan and that updated Master Plan, once approved by Council, will provide guidance for development on the site for the next 30 years. The zoning amendment would allow for construction of a new Acute Care building and it would allow a broader range of retail uses. Additional changes include renovation of the existing Children's and Women's Hospital building to accommodate the Sunny Hill Health Centre for Children. All other buildings are to remain as is until future phases of the Master Plan are implemented.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the public hearing agenda.

Staff Opening Comments

Yardley McNeill, Rezoning Planner, Paul Storer, Engineer, Neighbourhood Parking and Transportation, and Sailen Black, Development Planner, presented an overview of the application and addressed concerns raised during the consultation process with regard to design, traffic flow and pedestrian safety.

Applicant Comments

Alan Grossert, Executive Director, Facilities Operations and Environmental Sustainability, Provincial Health Services Authority, presented the application and noted improvements to help the complex meet current and future needs and the steps being taken to improve traffic.

Summary of Correspondence

Council received the following correspondence related to this application, prior to the close of the speakers list:

- 1 letter in support
- 9 letters, 1 petition, photographs, and 1 re-submitted petition in opposition.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Dr. Jan Christilaw, President, BC Women's Hospital
Susan Greig
Tracy Moir, Oakridge Langara Area Residents (OLAR)
Larry Gold, President, BC Children's Hospital and Sunny Hill Health Centre for Children
Owen Barrett

The following spoke in opposition to the application or expressed concerns about building height and noise, traffic issues, closure of the Heather Street entrance, a proposed new entrance on Willow Street and P3 project.

Paul James
Peter Hammer
Frances Cheng
Hugh Fraser
Terry Berezowski

Omar Bhinji provided comments with regard to promoting active transportation in the area.

The speakers list closed at 9:48 pm.

Applicant Closing Comments

Alan Grossert, Facilities Planning, Provincial Health Services Authority, responded to questions regarding the design process and community engagement.

Staff Closing Comments

Yardley McNeil, Rezoning Planner, Jerry Dobrovolny, Director of Transportation, and Paul Storer, Neighbourhood and Transportation Engineer, responded to questions.

* * * * *

At 10:10 pm it was

MOVED by Councillor Louie

THAT, under section 6.8 of the Procedure By-law, Council extend the length of the meeting to complete the Public Hearing agenda.

*CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)*

At 10:11 pm it was

MOVED by Councillor Louie

THAT Council recess for 10 minutes to review additional public comments received, pursuant to section 18.14(d) of the Procedure By-law.

*CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)*

* * * * *

Council recessed at 10:11 pm and reconvened 10:23 pm with the same members present.

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Council Decision

MOVED by Councillor Louie

- A. THAT the application, by DYS Architecture Inc. on behalf of Children's and Women's Health Centre of British Columbia Branch, to amend the use, height and density provisions of CD-1 (Comprehensive Development) District (126) (By-law No. 5091) for 4500 Oak Street [PID 009-471-278; Block 1009, except those portions in Plan 12393, 12719 and Reference Plan 14318, District Lot 526, Group 1, New Westminster District Plan 10359], to increase the floor space ratio from 0.85 to 1.05, among other things, to permit the development of a new Acute Care building and an expanded heat plant, generally as presented in Appendix A of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by dys Architecture Inc. and stamped "Received Planning Department March 7, 2012 and amended on May 9, 2012", provided that the General Manager of Planning and Development Services or the Development Permit Board, as the case may be, 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 final 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 or Development Permit Board, who shall consider the following conditions:

Urban Design

1. Provision of substantial tree planting to the northeast of the Acute Care building to replace removed trees at a ratio of 1.6:1.0.

Note to Applicant: Intent is to replace the trees lost during construction; to create a green buffer with prominent vertical height between the new, taller Acute Care building and the nearby residential neighbourhood; to add to the urban forest in an open location which offers the best chance for substantial growth of the trees; and to lay down the structural planting of future park space in this location. If space does not permit location on the site, trees may also be located nearby in coordination with Engineering and Parks staff. See also the related Master Plan condition.

2. Design development to the Acute Care building to limit shadowing to extend no further than a 42 m setback line from 28th Avenue, especially to the northeast.

Note to Applicant: Intent is to limit shadowing onto the open space beside 28th Avenue to be no greater than as indicated in the rezoning application between 10 am and 2 pm during the equinoxes, especially in relation to future park space, while still allowing a range of forms to be explored in other areas of the site.

3. Design development to the Acute Care building to limit view impacts to residential properties to be comparable to the effect indicated in the rezoning application.

Note to Applicant: Intent is to allow a wide range of forms while limiting the impact of this specific effect for residential neighbours. The General Manager of Planning and Development Services may consider built forms that increase portions of the view effect so long as these are balanced by reductions in other areas.

4. Identify and locate specific noise abatement measures to be constructed as a part of the development, including where appropriate the use of sound absorbing surfaces.

Note to Applicant: Intent is to reduce the general noise from required mechanical equipment and other sources, for the benefit of patients, staff and neighbours. Abatement should address noise sources such as high-pitched motors that are significant for perceived impact, as well as meeting the minimum requirements of the Noise Control By-law.

5. Provision of a permeable surface for any new or rebuilt surface parking stalls.

Note to Applicant: Intent is to reduce the environmental effect of these required hard surfaces. Drainage to a stormwater retention system may be considered as an alternative. Where possible, a light-coloured surface should be evaluated to reduce the urban heat-island effect.

6. Provision of a design rationale showing how the proposed design responds to the updated Master Plan and the approved Design Standards, with reference to each relevant section and specific built features.

Note to Applicant: Where the application does not meet the goals or principles of the Plan or Standards, further design development may be required.

7. Provision of an open space for respite and repose, dedicated to patient and family use, directly accessed from the Acute Care building.

Note to Applicant: Noting future plans for expansion, the location may be an interim condition.

8. Notation on the elevation drawings of finish, colour, and materials.

Note to Applicant: Include, where relevant, coursing, texture and spacing of materials. Attach colour samples to the drawings and note colours on a legend.

9. Provision of enlarged drawings at $\frac{1}{2}'' = 1'-0''$ scale or better for exterior building and landscape features.

Note to Applicant: Include building trim, soffits, windows and steps.

Landscape

10. Provision of a Rainwater Management Plan for the Acute Care building and heat plant expansion that utilizes sustainable strategies such as retention, treatment and utilization of rainwater.

Note to applicant: Landscape strategies could include green roofs to reduce stormwater runoff, rooftop rainwater harvesting, high efficiency irrigation for planting on slab and the use of drought tolerant or native plants.

11. Provision of a detailed Landscape Plan for the Acute Care building and heat plant expansion.

Note to Applicant: Provision of landscape design and materials that are equal to or better than the existing landscape, using quality materials for site furnishings, shade structures, lighting and paving that complement the architecture. The Landscape Plan should include a Plant List of all proposed plant material including names, sizes, and quantities. The Plant List should be keyed to the Landscape Plan. The Landscape Plan should also include all surface treatments, site furniture, lighting, hose bibs, retaining walls, and public realm details (including street trees, lamp posts, fire hydrants, sidewalks and curbs). Provide plans, sections, elevations and detailed drawings at $\frac{1}{4}'' = 1'-0''$ or

better showing maps, signs, and other built elements necessary to provide wayfinding around the building.

12. Provision of large-scale sections from the Acute Care building and heat plant expansion to 28th Avenue, illustrating the landscape edge of the site.
13. Provision of a Tree Retention and Removal Plan for the northeast corner of the site, relating to the construction of Acute Care building and the heat plant expansion.
14. Provision of a separate lighting plan for the Acute Care building and the heat plant expansion.

Crime Prevention through Environmental Design (CPTED)

15. Provision of a design that responds to CPTED principles for the Acute Care building and heat plant expansion, having particular regard for theft, mischief and vandalism, such as graffiti.

Note to Applicant: Provide a strategy that identifies the particular risks that may arise for the proposed development, and proposes specific features to mitigate them. Show on the plans and elevations where these features are located.

Sustainability

16. Identification on the plans and elevations of the built elements for the Acute Care building and heat plant expansion contributing to the building's sustainability performance in achieving at least 63 points (Gold) in the LEED® Healthcare rating system for new construction, including at least six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® Gold Healthcare checklist confirming the above points, and a detailed written description of how the above-noted points will be achieved with reference to the requirements of each credit and the specific building features of the development. Both the checklist and description should be incorporated into the drawing set. Visible evidence of sustainable design, especially those related to rain and storm water, solar energy, and passive design features such as sun shades, should be shown in particular. Registration of the project with the CaGBC (or USGBC if applying for LEED® 2009 for Healthcare) and application for certification are required. Design must include full cut-off light fixtures.

Engineering

17. Provision of a development specific Rainwater Management Plan consistent with the sites overall Plan that utilizes sustainable strategies

to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

18. Provision of a development specific Solid Waste Diversion Strategy consistent with site's overall Strategy that addresses waste diversion in all solid waste generating activities within the Acute Care building.

CONDITIONS OF BY-LAW ENACTMENT

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City and 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, the Managing Director of Cultural Services and the Approving Officer, as necessary, make arrangements for the following:

Master Plan and Design Standards

1. Update the Master Plan and the Design Standards, to the satisfaction of the General Manager of Planning and Development Services, in accordance with the following:
 - 1.1. Provision of a strategy to guide the design of areas of respite and repose throughout the campus master plan.

Note to Applicant: Intent is to create spaces that are distinct from active use areas, the Wellness Walkway, open spaces such as playground, or pedestrian circulation.
 - 1.2. Provision in the Master Plan of sufficient underground passenger vehicle parking spaces, in combination with traffic demand measures, to allow removal of the northeast surface parking lot and to replace it with green open space in Phase 5 (development of the new Women's Health Centre), projected for 2027.

Note to Applicant: The northeast triangle is both an open space opportunity and a transitional area to the adjacent single-family neighbourhood that can provide a quiet open space with large dimensions located away from the noise of arterial traffic for patients, staff and visitors.
 - 1.3. Update the Master Plan including maps and phases to reflect the proposed scope of each application and the site conditions current at the time.

Note to Applicant: For example, a rationale for Ronald McDonald House and the daycare facilities is not required as they were approved under previous rezoning, although the proposed expansion of the heat plant should be incorporated into the

update. Material currently appearing in both the CD-1 By-law and Master Plan may be streamlined.

- 1.4. Design development to the massing of the future Women's Health Centre building in Phase 5 of the Master Plan, to substantially reduce view impacts to nearby residential properties.

Note to Applicant: Intent is to allow a range of forms while reducing this specific effect for residential neighbours, especially those located on 32nd Avenue. This may be accomplished with a stepped form similar to the Acute Care building shown at application.

- 1.5. Provision of an open space plan including site and building entry points, along with safe pathways for pedestrians and cyclists, integrated with the range of open spaces.

Note to Applicant: While the current open space plan addresses vehicle access, especially vehicles carrying patients, the Master Plan should also reflect the flow of staff and visitors, and reflect other uses and modes of travel into and through the site. Pedestrian and cyclist routes should show features needed to provide a safe crossing point over vehicle routes such as the ring road. Given the site size and complexity, a plan at 1:750 scale or better should be provided. Map should integrate information from various aspects of the master plan such as open space character areas, respite areas, commercial uses, routes from bikeways to major bicycle parking areas, and pedestrian routes between the Acute Care building and the Wellness Walkway. Consider the inclusion of interpretive information for natural and historical features, such as the J. Matheson Building.

- 1.6. Design of new surface parking stalls to include a permeable surface.

Note to Applicant: Intent is to reduce the environmental effect of these required hard surfaces throughout the Master Plan. Drainage to a stormwater retention system may be considered as an alternative.

- 1.7. Updating of the Design Standards to clarify the landscaping and building design to the satisfaction of the General Manager of Planning and Development Services.

Note to Applicant: The Design Standards should be updated to maintain the goals and standards established at application, while reflecting the evolving design of the Acute Care building and the heat plant expansion as new information becomes available. The Design Standards should be complementary to and

coordinated with the expected Neighbourhood Energy Centre Guidelines, especially in terms of establishing the urban design and landscape features needed to integrate new energy facilities into the site.

- 1.8. Consideration to improve sightlines from the main Oak Street entry point to the main entry area by adjusting the massing of the new building shown in Phase 7 projected for 2030.

Note to Applicant: Consider the comments of the Urban Design Panel in this regard.

- 1.9. Consideration to increase the underground parking associated with the Women's Health Centre to accommodate better open spaces on grade.

- 1.10. Consideration to provide large sculptural elements as play equipment on the site and to add art elements along the Wellness Walkway to the master plan.

- 1.11. Provision of a design for maps, signs, and other built elements necessary to provide wayfinding to the Acute Care building and other significant destinations on the campus for all site visitors including pedestrians and cyclists.

Note to Applicant: Intent is to direct the range of users identified in the Master Plan. Provide plans, sections, elevations and detailed drawings at ¼" = 1'-0" or better. Design should include lighting.

- 1.12. Provision for the completion of the Wellness Walkway around the site.

Note to Applicant: Intent is to complete the walkway around the site in Phase 2, incorporating the sections to be provided next to the daycare and Ronald McDonald House.

- 1.13. Provision of a diversity of landscape types and experiences to benefit Health Centre users, employees and the adjacent community. The landscape should contain both active and passive uses such as children's play areas, urban agriculture plots, recreational walkways and quiet areas of respite.

- 1.14. Provision of friendly street edges and appropriate transitions between the Health Centre grounds and the adjacent residential neighbourhoods.

Note to applicant: This can be achieved by retaining and enhancing the park-like transition zone that currently acts as a

green buffer at the site edges. Mature trees and shrubs should be retained wherever possible.

- 1.15. Provision of landscape design and materials that are equal to or better than the existing landscape, using materials for site furnishings, shade structures, lighting and paving that complement the architectural quality.
- 1.16. Provision of clear wayfinding through the use of memorable landmarks, highly visible entrances and distinct connections to the greenway, public transportation and pedestrian walkways.

Note to applicant: A highly visible, single access point to Children's and Women's Health Centre should be provided for people needing fast access to the hospital. Design should be consistent with the Master Plan and consider lighting design as well.

- 1.17. Reduction of the area of surface parking on the site.

Note to Applicant: Opportunities to reduce the extent of paving and convert surface parking area to green space must be explored and implemented during all phases of the Master Plan, rather than being left to Phase 7 in 2032.

Site Works

2. Obtain approval in principle of a development application by the General Manager of Planning and Development Services to undertake site works on locations outside of the area designated in the Master Plan for the Acute Care building, in accordance with the following:

- 2.1. Provision of an enhanced green buffer zone between the site of the proposed Acute Care building and the adjacent residential neighbourhood.

Note to applicant: This can be achieved in the northeast corner of the site by providing additional opportunities to plant trees and shrubs along 28th Avenue and throughout the adjacent surface parking area. Some parking spots may need to be converted to planting spaces in order to find locations to plant trees. The specific type of trees should be chosen for their mature size and potential height.

- 2.2. Provision of clear, safe and welcoming pedestrian access walkways from Oak, Willow and Heather streets and from 28th Avenue to the entrances of new Acute Care building.

Note to applicant: This should be illustrated in the development permit drawings on the overall site plan, and should include

details of location, lighting, signage and appropriate landscape landmarks. Pedestrian entrances to the site should be highly visible and clearly connected to the adjacent greenway and to public transportation.

- 2.3. Provision of opportunities for urban agriculture at grade.

Note to applicant: This could take the form of edible landscaping or areas for planters or plots suitable for urban agriculture activity. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should maximize sunlight, integrate into the overall design and provide universal access.

- 2.4. Redesign of the surface parking in the northeast corner of the site which should be pulled back from the 28th Avenue street edge. Some of the hard surface should be converted to tree planting spaces.
- 2.5. Compliance with the Sustainable Large-Site Rezoning Policy including the objectives of Sustainable Site Design, Access to Nature, Sustainable Food Systems, Green Mobility, Rainwater Management, Zero Waste Planning and Low-Carbon Energy Supply.
- 2.6. Provision of the Wellness Walkway on the public sidewalk adjacent to the full length of 28th Avenue from Oak Street to Heather Street, along Heather Street, adjacent to the Oak Street frontage of the site and along the southern edge of the internal ring road. Dimensions, location and details of the Wellness Walkway to the satisfaction of the General Manager of Engineering and the General Manager of Planning and Development Services.

Note: See Appendix F for a description of the Wellness Walkway.

Engineering

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

3. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- 3.1. Closure of the vehicle access onto Heather Street including removal of the vehicle entry, reconstruction of the sidewalk, curbs and boulevards to Wellness Walkway standards.
- 3.2. Provision of a cul-de-sac on 32nd Avenue at Willow Street, including any property dedications required to secure the cul-de-sac and associated sidewalk space on the north side of 32nd Avenue.

Note to Applicant: Arrangements to secure portions of the rezoning site may be required to provide the cul-de-sac. Approval from the Ministry of Health pursuant to the Hospital Act may be required if dedication of a portion of the site is required. A subdivision application is also required.

- 3.3. Provision of a full traffic signal and all associated street improvements at the intersection of 33rd Avenue and Willow Street.

Note to Applicant: Street improvements include, but not limited to, the removal of corner bulges and provision of left-turn bays on 33rd Avenue.

- 3.4. Arrangements to provide traffic calming measures, for the neighbourhood south of 32nd Avenue between Oak Street and Willow Street as well as the neighbourhood directly south of 33rd Avenue east of Willow Street, should they, in the opinion of the General Manager of Engineering Services, prove to be necessary.
- 3.5. Provision of a sidewalk on the west side of Willow Street from 33rd Avenue into the site including standard boulevard and landscaping treatment.
- 3.6. Provision of a left-turn arrow at the intersection of Cambie Street and 33rd Avenue for northbound-to-westbound vehicle movements.
- 3.7. Provision of street improvements to the westbound travel lane at the intersection of 33rd Avenue and Oak Street to allow vehicles to pass left-turning vehicles.

Note to Applicant: Street improvements include, but are not limited to, construction of curb and gutter on the north side of 33rd Avenue, for up to 100 m east of Oak Street, and potential tapering of the curb and gutter immediately west of Oak Street.

- 3.8. Provision of a "Wellness Walkway" with associated lighting, wayfinding signage, etc. to the satisfaction of the General Manager of Planning and Development Services and the General Manager of Engineering Services, along the full frontage

adjacent to 28th Avenue, along Heather Street from 28th Avenue south to the Wellness Walkway constructed as part of the Family Stay and Respite Centre (Ronald McDonald House), the full frontage adjacent to Oak Street, and completion of the southern eastwest connection through the site connecting Oak Street, around the Canadian Blood Services, to the Wellness Walkway constructed as part of the Community Care Facility (Ronald McDonald House). For portions of the Wellness Walkway located within the site, provision of a Statutory Right-of-Way agreement to secure public access.

- 3.9. Provision of separated bicycle facilities on 28th Avenue between Oak Street and the Health Centre entry including any adjustments required to the intersection and existing traffic signal at 28th Avenue and Oak Street.

Note to Applicant: Should a benefiting adjacent development proceed concurrently with this project the applicant's share may be reduced to reflect contributions from those benefiting developments.

- 3.10. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water infrastructure upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water infrastructure upgrading that may be required.
- 3.11. Provision of adequate sewer service to meet the flow demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including projected flow demands, on-site sewer drainage and proposed discharge locations as determined by the applicant's mechanical consultant to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks

(including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

5. Provision of a Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

Note to Applicant: The Plan should demonstrate the volume of the post development runoff not exceeding the former use of the site and that it is treated for 80% TSS removal before discharging into the City's stormwater infrastructure. The Plan should speak in general terms for the entire site and how each development phase will contribute to the overall objective.

6. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid-waste generating activities within the complex.

Note to Applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services. The Strategy should speak in general terms for the entire site and how each development phase will contribute to the overall objective, and prior to Development Permit issuance the completion of any agreements that may be required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

7. Provision of an updated Traffic Demand Management plan outlining specific actions, goals, monitoring and a proposed reporting schedule all to the satisfaction of the General Manager of Engineering Services.

Note: The plan should include a comprehensive review of potential mechanisms for reducing vehicular travel to the site, including measures to increase cycling, walking, transit use, and carpooling.

Heritage

8. Provision of a letter, to the satisfaction of the General Manager of Planning and Development Services, stating the owner's support to add the Jean Matheson Pavilion and the Steam Plant to the Vancouver Heritage Register.

Note to Applicant: addition to the Vancouver Heritage register does not preclude future demolition, but gives heritage recognition to these buildings, which is consistent with Council policy which states that resources listed in the 'A' or 'B' category on the Recent Landmarks Inventory should be added to the Register where possible. The City does not expect the owner to agree to the heritage designation (protection) of these buildings at this point in time. (Staff support the addition of the Shaughnessy Hospital and the Acute Care wing to the Register as well but this is not required as it is anticipated that these buildings could be demolished as part of a future phase.)

Low-Carbon Heat Plant

9. Enter into an agreement on terms acceptable to the General Manager of Engineering Services and the Director of Legal Services to convert to a low-carbon heat source to serve the Children's and Women's Health Centre campus on a timeline acceptable to the General Manager of Engineering Services and secured by a written commitment from PHSA, backed by the Province of British Columbia. The heat source must have installed capacity to reduce greenhouse gas emissions by a minimum of 65% below a business-as-usual approach to heating at the Children's and Women's Health Centre and Vancouver General Hospital campuses. Development of an on-site, low-carbon heat plant must adhere to the policy framework outlined in the Neighbourhood Energy Centre Guidelines and, as part of the necessary municipal approvals, it must include a public consultation process acceptable to the General Manager of Engineering Services and to the General Manager of Planning and Development Services, for the low-carbon heat source.

Soils

10. That the property owner shall, as required by the Manager of Environmental protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
11. Enter into a remediation agreement for the remediation of the Site (or such lesser portion of the Site, as defined by metes and bounds, on which the Acute Care Centre will be located if so approved by the Ministry of Environment in defining the site and authorizing the City to proceed with the rezoning, subdivision and development permit applications) and any contaminants which have migrated from the Site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of the Acute Care Centre constructed pursuant to this rezoning, until a Certificate of Compliance(s) or such other instrument, determination or approval satisfactory to the City has been issued by the Ministry of Environment which confirms that the Site or the portion of the Site on which the

Acute Care Centre will be located, as applicable, and any contamination that has migrated from the Site has been remediated, managed or otherwise dealt with to levels or standards acceptable to the Ministry of Environment and for any contamination that has migrated from the Site onto the City roads, to the standards acceptable to the City.

Public Art

12. Execute an agreement satisfactory to the Director of Legal Services and to the Managing Director of Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide a preliminary public art plan to the satisfaction of the Public Art Program Manager.

Note to Applicant: To discuss your application please call Bryan Newson, Program Manager, at 604.871.6002.

Note: 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 rezoning site as is 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 rezoning by-law, the new Master Plan be approved subject to it being updated as set out in Appendix B of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)" and that this Master Plan replace the Master Plan Council adopted in 1999;

FURTHER THAT the General Manager of Planning and Development Services be instructed to bring forward the updated Master Plan at the time of enactment of the rezoning by-law.

- C. THAT, subject to enactment of the rezoning by-law, the Design Standards, generally as presented in Appendix E of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)", be approved subject to being updated as set out in Appendix B of the afore-mentioned Policy Report;

FURTHER THAT the General Manager of Planning and Development Services be instructed to bring forward the updated Design Standards at the time of enactment of the rezoning by-law.

- D. THAT, subject to enactment of the rezoning by-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law and to provide parking regulations, as generally as set out in Appendix C of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)".

- E. THAT A to D above are 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 hearings 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.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments regarding Items 4, 5 and 6.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

ADJOURNMENT

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

The Special Council
recessed at 11:34 pm on December 11, 2012, and
adjourned at 10:43 pm on December 13, 2012.

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