

SUMMARY AND RECOMMENDATION

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

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.

Applicant: Dane Jansen, DYS Architecture

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

- A. THAT the application, by 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 same 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 Recommendations A to D 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.

[RZ. 759/2012 - 4500 Oak Street
(Children's and Women's Health Centre of British Columbia)]