

SUMMARY AND RECOMMENDATION

3. TEXT AMENDMENT: 1890 Skeena Street (Akali Singh Sikh Temple)

Summary: To amend CD-1 (Comprehensive Development) District (125) By-law No. 5060 for 1890 Skeena Street to increase the permitted floor space ratio (FSR) from 0.30 to 0.36. The proposal is to add to the temple site a one-storey 864 m² (9,301 sq. ft.) building to accommodate programs customarily ancillary to a religious institution.

Applicant: KC Mooney Architect, on behalf of Akali Singh Society

Referral: This item was referred to Public Hearing at the Regular Council Meeting of July 22, 2014.

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 KC Mooney Architect on behalf of Akali Singh Sikh Society, to amend CD-1 (Comprehensive Development) District (125) By-law No. 5060 for 1890 Skeena Street [*PID 007-672-021, Lot 2, Blocks 106 and 108, Section 28, Town of Hastings Suburban Lands, Plan 16809*], to increase the permitted floor space ratio (FSR) for from 0.30 to 0.36 to allow for a one-storey 864 m² (9,301 sq. ft.) building to house a range of temple programs customarily ancillary to a religious institution, generally as presented in Appendix A of the Policy Report dated June 5, 2014, and entitled "CD-1 Text Amendment: 1890 Skeena Street (Akali Singh Sikh Temple)", 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 KC Mooney Architect, on behalf of Akali Singh Sikh Society, and stamped "Received Planning and Development Services, October 25, 2013", provided that the General Manger 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:

Urban Design

1. Provision of a 3.0 m (10 ft.) setback from the east property line, adjacent to the Trans-Canada Highway right-of-way.

Engineering

2. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. The following items are required to meet provisions of the Parking By-law

and the Parking and Loading Design Supplement:

- (i) Provision of a traffic and parking management plan that addresses any negative impacts on the neighbourhood.
- (ii) Clarify existing approved parking and landscape plan, and identify any proposed changes to the plans.

Note to Applicant: The two plans are not consistent.

- (iii) Provision of current disability parking requirements for the site, and provision of a disability space(s) in close proximity to the new building.
- (iv) Provision of 18 class B bicycle spaces with appropriate weather protection, located to the satisfaction of the General Manager of Engineering Services

Sustainability

- 3. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point, and one storm water point, or an equivalent achievement in an alternative rating system that meets the objectives of the Green Buildings Policy for Rezoning.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project is also required under the policy.

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 Cultural Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 1. Provision of a Services Agreement to detail the on-site 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.

- a. 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 applicants' mechanical consultant 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. The developer is responsible for 100% of any water system upgrading that may be required.
2. Provision of all new 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. 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 underground services.

Soils

3. If applicable:
 - a. Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - b. As required by the Manager of Environmental Planning 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; and
 - c. If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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 Recommendation A 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; 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 bylaw 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. 793/2013 - 1890 Skeena Street (Akali Singh Sikh Temple)]