

SUMMARY AND RECOMMENDATION

1. REZONING: 920 East Hastings St (Ray-Cam Co-operative Community Centre)

Summary: To rezone the Ray-Cam Co-operative Community Centre site, comprising 920 East Hastings Street and the northern portion of 400 Campbell Avenue, to allow subdivision of the community centre site from the Stamps Place social housing site. After rezoning and subdivision, BC Housing will own the community centre site and the New Chelsea Housing Society will own the social housing site. No changes to the existing land uses or buildings on these sites are proposed as part of the application.

Applicant: Binnie Associates, on behalf of the Provincial Rental Housing Corporation ("BC Housing") and the New Chelsea Society

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 20, 2016.

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

- A. THAT the application by Binnie Associates, on behalf of the Provincial Rental Housing Corporation ("BC Housing") and the New Chelsea Society, to rezone the Ray-Cam Co-operative Community Centre site at 920 East Hastings Street [*Lots 1 to 6, Block 65, District Lot 181, Plan 196; PIDs: 015-579-042, 015-579-077, 015-579-085, 015-579-093, 015-579-107 and 015-579-123, respectively*] from M-1 (Industrial) District and the northern portion of 400 Campbell Avenue [*PID: 008-962-057; Lot 3, Block 120, District Lots 181 and 2037, Plan 12081*] from CD-1 (Comprehensive Development) District (33) By-law No. 4143, both to a new CD-1 (Comprehensive Development) District, to provide zoning regulation for the existing uses and development on the Ray-Cam Co-operative Community Centre site, enabling subdivision of that site from the Stamps Place Housing development site, generally as presented in Appendix A of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)", be approved subject to the following conditions:

CONDITIONS OF BY-LAW ENACTMENT

- (a) That prior to enactment of the new CD-1 By-law for 920 East Hastings Street (Ray-Cam Co-operative Community Centre), the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, 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. Subdivision, conveyance and consolidation as follows (and generally as shown in Diagram 1):
 - (i) Subdivision of Lot 3, Block 120, DL. 181 and 2037, Plan 12081 to create the southerly proposed Lot 2 containing the Stamps Place Housing development and a remaining northerly lot containing the easterly portion of the Ray-Cam Co-operative Community Centre site.
 - (ii) Conveyance of the remaining northerly lot from the New Chelsea Society to the Provincial Rental Housing Corporation ("BC Housing").
 - (iii) Consolidation of Lots 1 to 6, Block 65, DL 181, Plan 196; and the remaining northerly lot to create the proposed Lot 1.
2. Provision of:
 - (i) an SRW for lane purposes and an Option to Purchase over the lane proposed to straddle the new common property line, 3.048 meters on each side;
 - (ii) a support agreement over the new Lot 1, and the release of the existing support agreement registered as 342010M.
 - (iii) the discharge of crossing agreement 97551M (the crossing no longer exists).

Soils

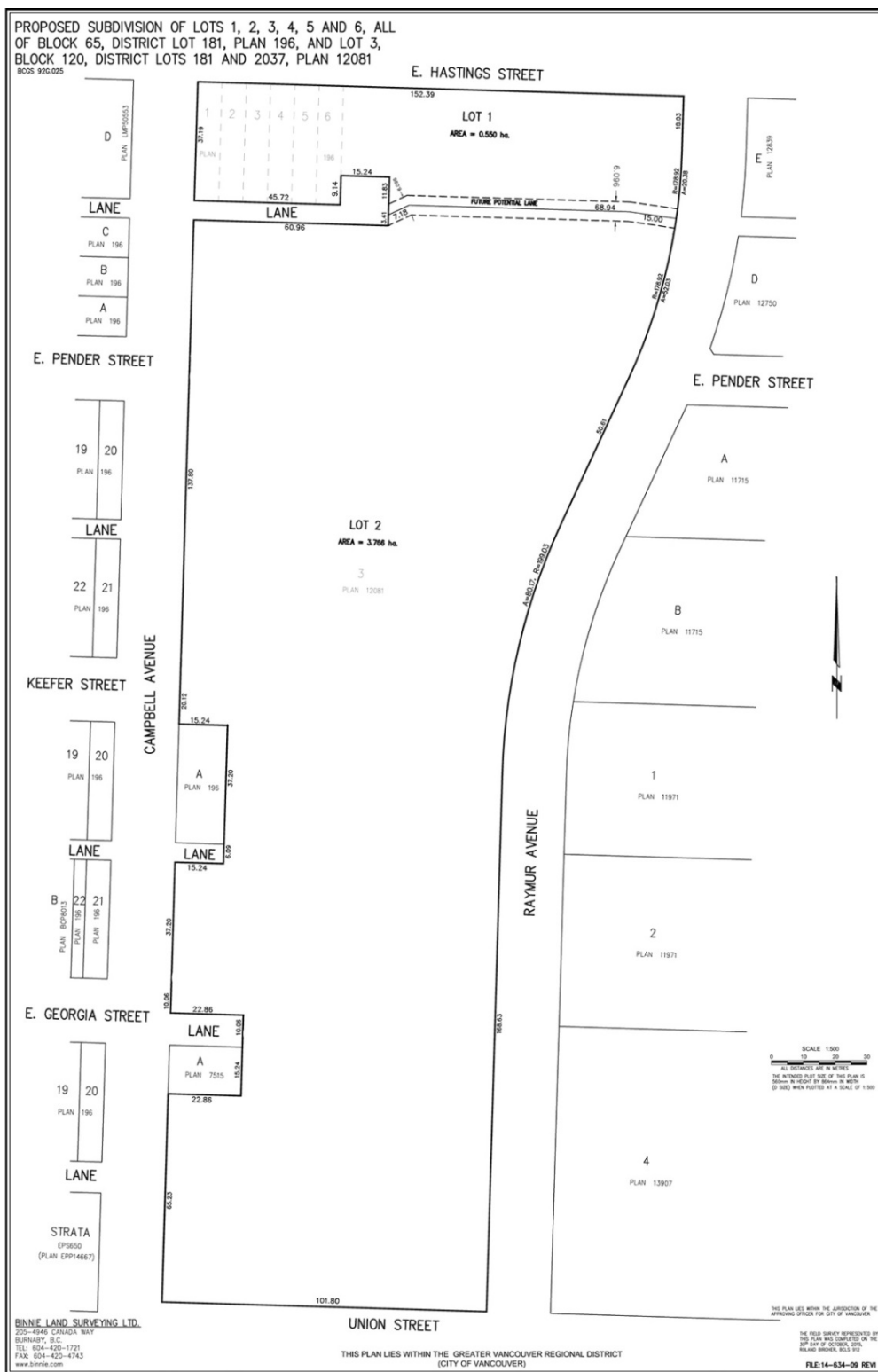
3. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) 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 Protection, 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 registerable charges pursuant to 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 and at no cost to the City.

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.

Diagram 1



- B. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)", be approved;
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)".
- D. THAT, subject to the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward a consequential plan amendment to CD-1 District (33) By-law No. 4143 to remove the northern portion that is to be consolidated with the Ray-Cam Co-operative Community Centre site, generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)".
- E. THAT Recommendation A to D 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.

[920 East Hastings Street - Ray-Cam Co-operative Community Centre]