



**POLICY REPORT  
DEVELOPMENT AND BUILDING**

Report Date: July 10, 2018  
Contact: Susan Haid  
Contact No.: 604.871.6431  
RTS No.: 12587  
VanRIMS No.: 08-2000-20  
Meeting Date: July 24, 2018

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: Amendments to the Arbutus Corridor Official Development Plan and  
Regional Context Statement Official Development Plan

***RECOMMENDATION***

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to:
- (i) amend the Arbutus Corridor Official Development Plan to remove lands which are not required for transportation or greenway purposes, generally in accordance with Appendix A; and
  - (ii) subject to approval of Recommendation A. (i), to bring forward a by-law to amend the Regional Context Statement Official Development Plan By-law generally in accordance with Appendix B.

FURTHER THAT the application, together with draft by-law amendments, be referred to a Public Hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws for consideration at the Public Hearing, generally as set out in Appendices A and B.

***REPORT SUMMARY***

This report proposes amendments to the Arbutus Corridor Official Development Plan ("AC ODP") By-Law No. 8249, attached as Appendix A, to remove Map 1 and Map 2 and to amend Map 3. Remaining maps will then be renumbered 1 through 23. In addition, a minor housekeeping amendment removes the words "proposed to be" at the bottom of maps 2 through 23; the revised map in Appendix A reflects this housekeeping

amendment. The purpose of the AC ODP amendments is to remove lands no longer required for transportation or greenway purposes, in alignment with the Arbutus Greenway Design Vision. These lands will retain their existing zoning. Any potential rezoning would be part of a public process and subject to Council consideration.

Subject to approval of the AC ODP amendments noted above, this report proposes amendments to the Regional Context Statement Official Development Plan (“RCS ODP”) By-Law No. 10789, attached as Appendix B, to change the land use designation of these lands from Conservation and Recreation, to General Urban and Mixed Employment, in accordance with their existing zoning. Specifically, these amendments apply to the lands located south of West 1st Avenue and north of West 5th Avenue, on the east side of Fir Street.

The purpose of these proposed ODP amendments is to remove lands not required for transportation or greenway purposes as recommended in the Arbutus Greenway Design Vision presented to Council on July 11, 2018. This is a required step in order to meet conditions set out in the Arbutus Railway Line Purchase and Sale Agreement between the City of Vancouver and Canadian Pacific Railway Company (“CPR”).

## ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

- Arbutus Greenway Design Vision and Implementation Strategy (2018) Arbutus Railway Line Purchase Agreement (2016)
- Arbutus Corridor Official Development Plan (2000)
- Regional Context Statement Official Development Plan (2013)
- Zoning and Development By-law (1956, last amended 2018)
- False Creek Official Development Plan (1974)
- Greenways Plan (1995)
- Transportation 2040 (2012)

## ***REPORT***

### ***Background***

The **Arbutus Corridor Official Development Plan** (“AC ODP”) is a Council-approved by-law that designates all of the land within the Arbutus Corridor for use only as a public thoroughfare for the purpose of transportation (including rail, transit and cyclist paths) and greenways (including pedestrian paths, urban walks, environmental demonstration trails, heritage walks and nature trails, and cyclist paths). The Arbutus Corridor ODP was adopted by Council in July 2000.

The **Regional Context Statement Official Development Plan** (“RCS ODP”) is a Council-approved plan and by-law that outlines Vancouver’s high level, regional land use commitments to Metro Vancouver. The RCS ODP is a policy tool that designates lands under one of four categories: Industrial, Mixed Employment, General Urban or Conservation and Recreation. The RCS ODP then requires land use planning tools,

such as the Zoning and Development By-law, to be consistent with the designations in the RCS ODP. Lands that are designated as Industrial or Mixed Employment in the RCS ODP are generally zoned as Industrial or Light Industrial. Residential uses are generally only permitted on lands that are designated as General Urban in the RCS ODP.

### ***Strategic Analysis***

On March 4, 2016, the City reached an agreement to purchase the Arbutus railway line from CPR. As outlined in the Purchase Agreement the City was required to commence a planning process to design portions of the corridor for light-rail use and walking and cycling use. Since then, the City has implemented temporary greenway transportation facilities and initiated a planning and design process for the permanent design of the Arbutus Greenway.

Prior to the Purchase Agreement, the City had identified lands located south of West 1st Avenue and north of West 5th Avenue on the east side of Fir Street not required for light rail, walking, or cycling use, due to engineering and safety constraints. These lands are identified as the “Option Lands” within Article 11 of the Purchase Agreement (see Figure 1 below). Transportation facilities will instead be provided to the extent possible in adjacent street right-of-ways. Details of these connections will be further developed as part of the update to the citywide streetcar network plan, now underway.

**Figure 1 – Option Lands**



Article 11 provides the following details:

In light of engineering and safety constraints, the City acknowledges that it intends to design areas for a light rail line and walking or cycling use without using any part of the Lands set out in Schedule "F" (the "**Option Lands**"). If the Regulatory Authority approves enactment of a bylaw to amend the Arbutus Corridor Official Development Plan and approves subdivision and rezoning, as applicable, in respect of the Option Lands, CPR will have the right to re-purchase the Option Lands from the City for \$1.00 on the terms of the option attached as Schedule "G" (the "**CPR Option**") which the City shall grant to CPR on Closing.

In accordance with Article 11 of the Purchase Agreement, this report recommends removal of the Option Lands from the Arbutus Corridor ODP. These lands will retain their existing zoning entitlements, currently zoned FCCDD, C-2B and IC-1. Note: Street right-of-way widening along Fir Street and West 2nd Avenue may be required to accommodate multimodal transportation requirements for the street, and streetcar trackway alignment. Street right-of-way requirements will be determined through detailed site level review as part of any future redevelopment requirements. Any potential rezoning would be part of a future planning process with public engagement and consideration of surrounding context and technical analysis.

In addition, this report recommends removal of lands north of West 1st Avenue, including land owned by "The Crown in Right of Canada, represented by the Minister of Indian Affairs and Northern Development" (in trust for Squamish Nation), from the AC ODP. The federal government has jurisdiction over this land, and accordingly, removal of these lands from the AC ODP is recommended as a housekeeping item.

**Figure 2 – Map showing zoning designation of Option Lands**



Given the current designation of the “Option Lands” in the City’s Regional Context Statement ODP as Conservation and Recreation use, a development permit cannot be issued because development is incongruent with the RCS ODP’s provisions. An amendment is proposed to the City’s RCS ODP to change the land use designation of the Option Lands from Conservation and Recreation, to General Urban (for the lands zoned C-2B and FCCDD), and from Conservation and Recreation to Mixed Employment (for the lands zoned IC-1), in alignment with existing zoning entitlements. Approximately 0.41 hectares would be designated General Urban and approximately 0.21 hectares would be designated Mixed Employment. The aggregate land area of the Option Lands is approximately 0.62 hectares.

It is noted that the proposed amendment to the RCS ODP will not exceed the flexibility provisions set out in Section 6.2.7 of Metro Vancouver’s Regional Growth Strategy and embedded in the RCS ODP. Discussions about this adjustment have been initiated with Metro Vancouver and, as required, Metro Vancouver will be formally advised about this amendment, subsequent to and dependent upon approval of the recommendations outlined in this report by Council.

Official Development Plans are adopted by Council through by-law and can only be amended by by-law after a public hearing.

### ***Public Consultation***

Since September 2016, the Arbutus Greenway project team has conducted five rounds of public engagement. Throughout the engagement process there has been clear communication that the Option Lands would not form part of the Arbutus Greenway. The Purchase Agreement was also made available on the project website and at consultation events. At the last round of open houses in May 2018, specific reference was made to the removal of the Option Lands from the AC ODP, with retention of their existing zoning, until further planning work commences.

### ***Financial Implications***

Should Council approve the proposed amendment to remove the Option Lands from the Arbutus Corridor ODP, in accordance with Article 11 of the Purchase Agreement, CPR will have the right to re-purchase the Option Lands from the City for \$1.00.

### ***Next steps***

The proposed amendments outlined in this report are one step in a series required under the Purchase Agreement with CPR. As part of the next steps, City staff will undertake a process to explore future land use and density options for the triangular shaped parcel of land within False Creek South on the east side of Fir Street, north of West 2nd Avenue. Staff expect to bring forward a proposed amendment to the False Creek Official Development Plan setting out development potential for this parcel, for consideration by Council in 2019.

## ***CONCLUSION***

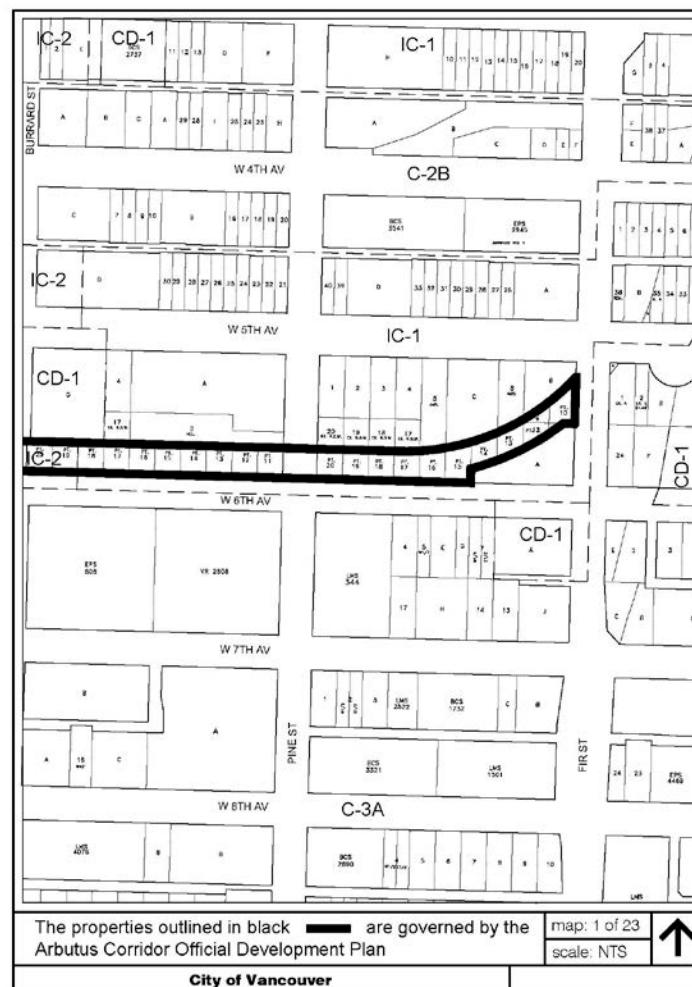
Continuing with the actions being taken to deliver the Arbutus Greenway and to meet requirements under the Purchase Agreement, this report recommends amendments to the City's Arbutus Corridor Official Development Plan and the Regional Context Statement Official Development Plan. If approved, this action will enable the subject sites to develop in line with their existing zoning entitlements (FCCDD, IC-2 and C2-B). Any potential rezoning would be part of a future public process.

\* \* \* \* \*

# **DRAFT BY-LAW TO AMEND THE ARBUTUS CORRIDOR OFFICIAL DEVELOPMENT PLAN BY-LAW NO. 8249**

Note: An amending by-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of the Arbutus Corridor Official Development Plan By-law No. 8249.
2. In section 1.1, Council strikes out the words "Maps 1 to 25" and substitutes "Maps 1 to 23".
3. In the maps attached to the plan, Council:
  - (a) strikes out Map 1 of 25;
  - (b) strikes out Map 2 of 25;
  - (c) strikes out Map 3 of 25 and replaces it with the following:



- (d) renumbers the remaining maps accordingly, as Maps 2 of 23 through 23 of 23; and
- (e) strikes out the words “proposed to be” at the bottom of each of Maps 2 through 23.

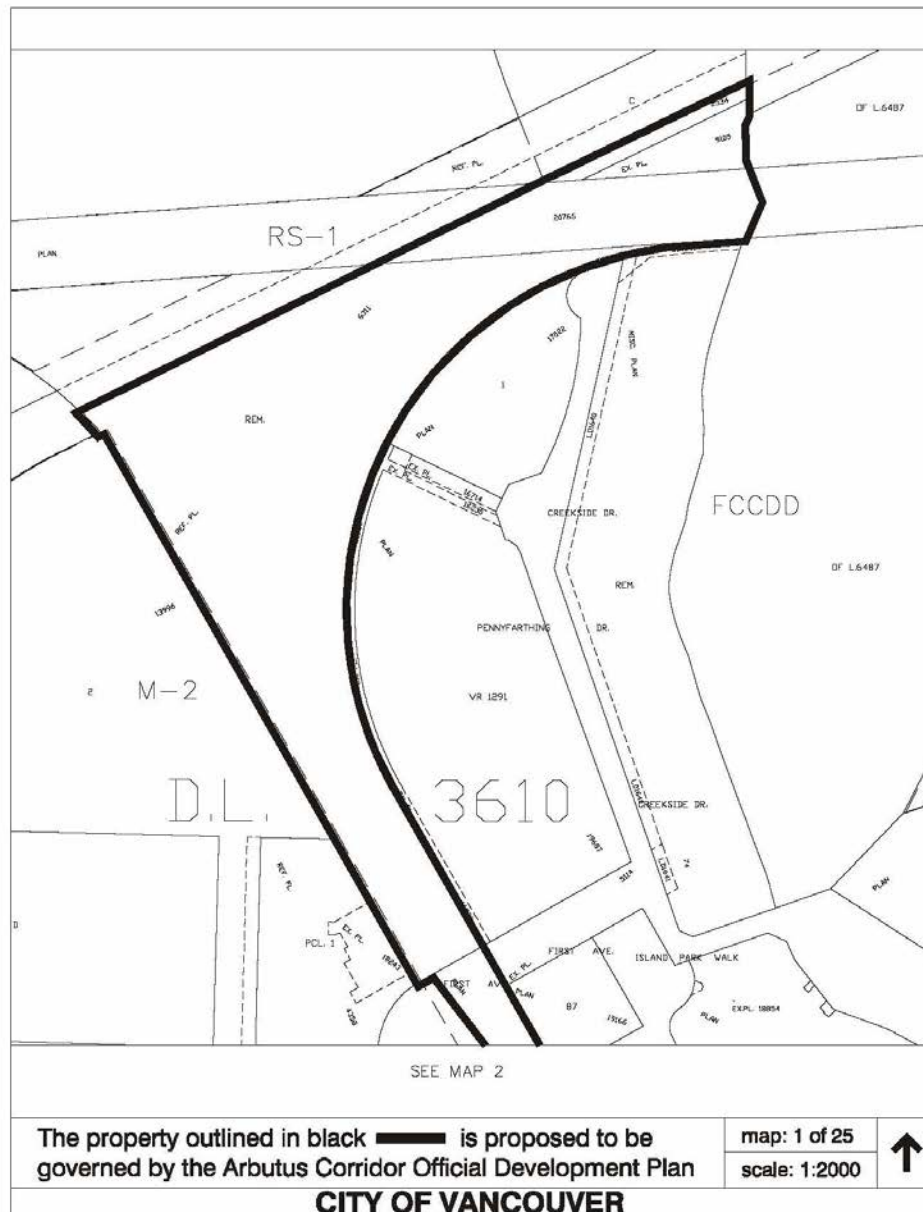
\* \* \* \* \*





Map 1 – proposed to be removed from the Arbutus Corridor  
Official Development Plan, subject to approval of Council

**Arbutus Corridor**



Map 2 – proposed to be removed from the Arbutus Corridor  
Official Development Plan, subject to approval of Council

**Arbutus Corridor**



Map 3 – proposed to be removed from the Arbutus Corridor Official Development Plan and replaced with the map shown in Appendix A, subject to approval of Council

**Arbutus Corridor**

