

SUMMARY AND RECOMMENDATION

1. CD-1 Text Amendment: Vancouver Community College (1111 East 7th Avenue, 1155 East Broadway and 2350 Glen Drive)

Summary: To amend CD-1 (141) By-law No. 5407 to accommodate programming needs for the Vancouver Community College (King Edward Campus) by permitting minor adjustments to building setback dimensions, location criteria for ground floor uses and floor area exclusions for mechanical and heating equipment spaces.

Applicant: Vancouver Community College

Referral: This relates to the report entitled “CD-1 Text Amendment: Vancouver Community College (1111 East 7th Avenue, 1155 East Broadway and 2350 Glen Drive)”, dated July 11, 2023 (“Report”), referred to Public Hearing at the Council Meeting of July 25, 2023.

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 Vancouver Community College, the registered owner of the lands located at:

- 1111 East 7th Avenue [*PID 015-675-157; Block 95 District Lot 264A Plans 185 and 1771*]
- 1155 East Broadway and 2350 Glen Drive [*PID 007-187-611; Block 179 District Lot 264A Plan 18415*]

to amend CD-1 (141) By-law No. 5407 to accommodate the Vancouver Community College (King Edward Campus) programming needs by permitting minor adjustments to building setback dimensions, location criteria for ground floor uses and floor area exclusions for mechanical and heating equipment spaces, generally as presented in the Report be approved in principle;

FURTHER THAT that the draft amending by-law, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle.

B. THAT Council approves an amendment to Day Care condition (vi) in Appendix B of the Report, “Proposed Conditions of Approval” in the rezoning report titled “CD-1 Text Amendment Vancouver Community College (King Edward Campus) 1155 East Broadway” approved on February 15, 2005, by replacing the condition with the following:

“Provide a community amenity contribution of \$595,000, plus interest thereon at the Prime Rate calculated and compounded annually from the date of enactment of the 2005 rezoning of 1155 East Broadway, and payable prior to issuance of

any building permit for Phase 1 (as defined in the 2005 rezoning report), to be allocated toward new or upgraded childcare spaces in the City.”

and instructs the Director of Legal Services to make the appropriate amendments to or replacements of legal agreements to give effect to this amendment.

- C. THAT Recommendation A to B 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 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.

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