



# **City of Vancouver** *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060

[planning@city.vancouver.bc.ca](mailto:planning@city.vancouver.bc.ca)

## **CD-1 (188)**

*2490 West 37th Avenue*

*(St. Mary's Church)*

***By-law No. 6074***

*(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)*

***Effective November 25, 1986***

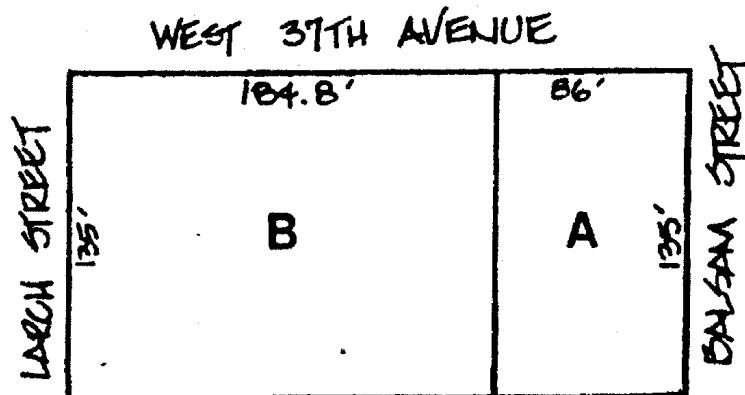
*(Amended up to and including By-law No. 8167, dated March 14, 2000)*

BY-LAW No. 6074

A By-law to amend By-law No. 3575, being  
the Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled, enacts as follows:

- 1 The "Zoning District Plan" annexed by By-law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-293b and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning and District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.
- 2 The area shown included within the heavy black outline on schedule "A" is rezoned to CD-1, and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:
  - (a) In the area denoted as "A" on the following diagram:
    - (i) an apartment building containing a maximum of 18 dwelling units, all of which shall be designed for senior citizens and eligible for funding under Section 56.1 of the National Housing Act; and
    - (ii) off-street parking to serve the uses in areas "A" and "B".
  - (b) In the area denoted as "B" on the following diagram. church and church-related uses and child day care facility. [8167; 00 03 14]



**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 6074 or provides an explanatory note.

3 This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 24th day of November 1986.

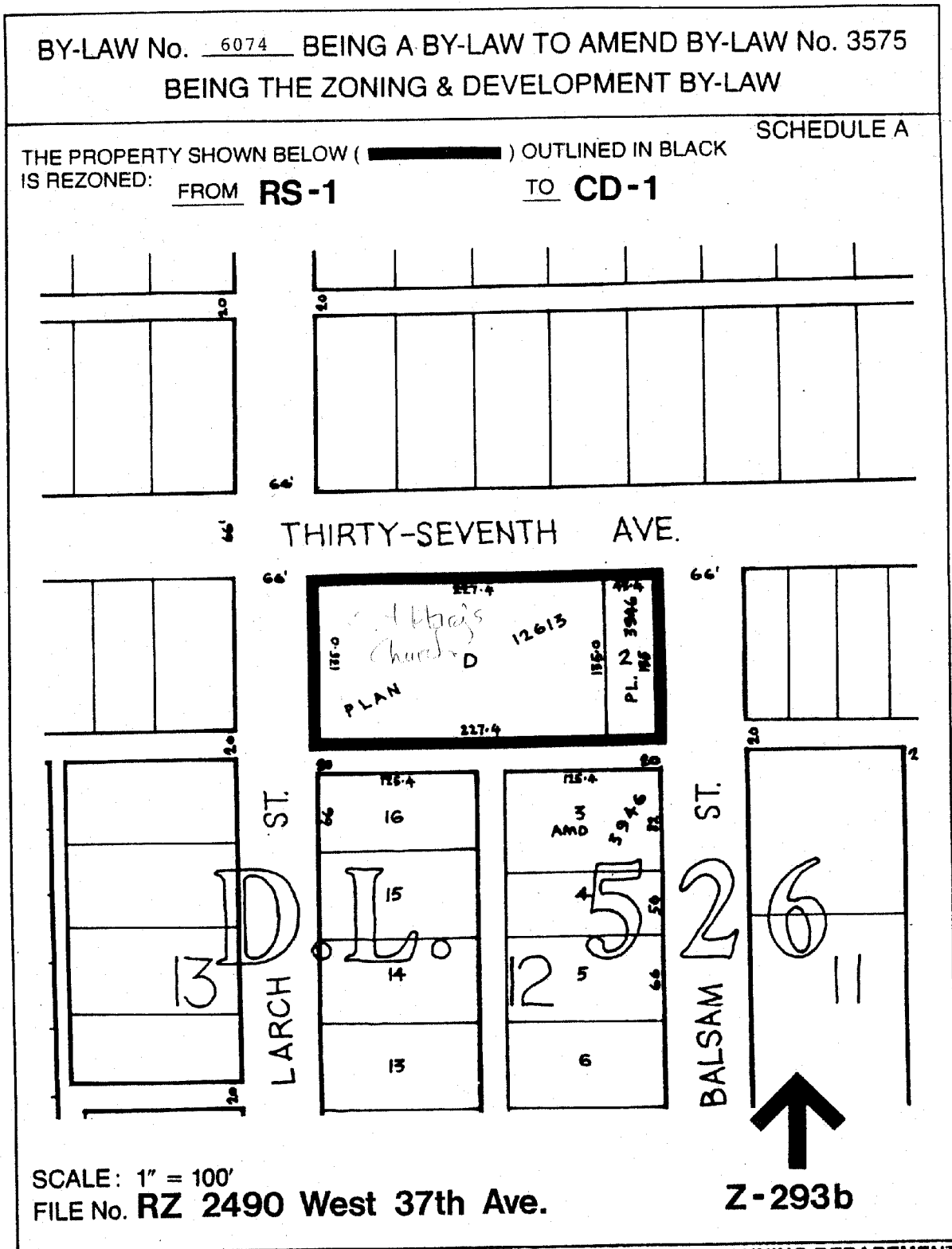
(Signed) Michael Harcourt  
Mayor

(Signed) R. Henry  
City Clerk

“I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 25th day of November, 1986, and numbered 6074.

CITY CLERK”

By-law No. 6074 being a By-law to amend By-law No. 3575 being the Zoning and Development By-law



CITY OF VANCOUVER  
MEMORANDUM

*CD-1188*  
*Now Filed in Mainland*  
*Envelope*

From: CITY CLERK

Date: 1982 JUNE 03

To: **DIRECTOR OF PLANNING**  
BF

<b>RECEIVED</b>	
CITY PLANNING DEPT.	
JUN 7 1982	
RECEIVED BY	<i>D3403</i>
REFERRED TO	<i>RJS/DH-D</i>
ANSWER REQ.	.....
FILE NO.	.....

Refer File: 5001

Subject: MONTHLY STATUS REPORT ON DEVELOPMENT CONTROL

I wish to inform you that Vancouver City Council, at its meeting on Tuesday, June 1, 1982 approved the recommendations of the Standing Committee on Planning and Development as contained in the attached clause of its report dated May 20, 1982.

*M Kinsella*

DEPUTY CITY CLERK  
*mc*

MLCross:sj  
Att.

Also sent to:

Mr. A.W. Nursey, Chairman  
St. Mary's 75th Anniversary Project  
c/o St. Mary's Church  
2490 West 37th Avenue  
Vancouver, BC  
V6M 1P5

Mr. W. Rhone, Architect  
3165-1020 Mainland  
Vancouver, BC  
V6B 2T5

EXTRACT FROM REPORT TO COUNCIL  
STANDING COMMITTEE OF COUNCIL  
ON PLANNING AND DEVELOPMENT  
MAY 20, 1982

1. Monthly Status Report on Development Control

The Committee considered a report of the City Manager dated May 13, 1982 (on file in the City Clerk's Office) in which the Director of Planning provides statistics on Development Permit Applications, Board of Variance Appeals, Rezoning, Subdivision and Strata Title Applications for the month of April, 1982.

Mr. A. Floyd, Development Permit Group, reported on major development permit applications received:

Robson & Homer - retail/office/residential building

Broadway & Birch - commercial building with retail/offices

Mr. R. Scobie, Zoning and Subdivision Group, reported on the recent and the upcoming Public Hearings. He advised that a revised proposal has been received for a senior citizens housing development on 52nd Avenue between Prince Albert and Windsor Streets. The Urban Design Panel have reviewed the design and are not supportive of the proposal.

Mr. Scobie noted that with respect to the proposed development at 41st and Granville, discussions have been held with the applicant to outline the Committee's concerns re height. A revised proposal will be submitted reducing the height and f.s.r.

An application has been received for an eight or nine storey mid-rise building in the central portion of a senior citizens housing development at Euclid and Horley. A building containing six units would be demolished in order to construct 89 units in its place. When the issue was before Council prior to an application being submitted, Council instructed the Chairman of the Planning and Development Committee to hold a public meeting in the area. The proposed development met opposition in the area and this was reported to Council. Council resolved that the application should proceed direct to Public Hearing. Mr. Scobie noted that a report will go to Council one week in advance of the Public Hearing.

Mr. Scobie advised that a report is being prepared with respect to strata title applications. The applications of a minor nature are routinely supported by staff and by Council. The report will discuss the possibility that Council delegate the Director of Planning to deal with routine applications.

The Committee requested that the report be submitted to Council through the Planning and Development Committee.

The Committee considered a letter dated March 31, 1982 from Mr. A. W. Nursey, representing St. Mary's Church (on file in the City Clerk's Office) requesting that the Committee examine its proposal for the development of senior citizens housing on two sites adjacent to the church, prior to any formal rezoning applications being submitted. Mr. Nursey indicated that development of site 1 directly joining the church (on 37th Avenue at Balsam) may be possible but development of site 2 (across the lane, behind the church at Larch Street) may meet opposition.

Present for the discussion were Mr. Nursey, Mr. W. Rhone, architect for the church, and Mrs. Harford an area resident.

Mr. Scobie advised that the church and the two sites are presently zoned RS-1. The easterly portion of site 1 is presently developed with a residence which is proposed to be relocated to a site in the block to the west of the church. The westerly portion of site 1 is presently used for surface parking.

Mr. Scobie advised that the church proposes to develop site 1 with 12-one bedroom and 9 bachelor units with underground parking on the whole of the site for both the church and the housing units. Site 2 will be developed with 8-one bedroom and 2 bachelor units.

The Director of Planning feels the site 1 development may be appropriate as it is a contiguous site and Church related. There are concerns about site 2 as it is not contiguous.

Mr. F. Bowers, City Manager, advised that Kerrisdale residents strongly opposed any further rezonings to higher density in their RS-1 area. Council on October 7, 1980, passed the following motion:

"THAT the Director of Planning be instructed to advise applicants or potential applicants wishing to alter the residential zoning in Kerrisdale that Council would not be prepared to approve any rezoning applications from single family residential to apartment, townhouse or other higher density residential use."

The Director of Planning feels there may be some sympathy towards development of site 1 as it is Church related.

Some members of the Committee indicated that the church proposal for development of site 1 only should be discussed at a public information meeting in the area for the surrounding residents' reactions. Mr. Nursey offered the Church Hall for the meeting.

The Committee

RECOMMENDED

- A. THAT the Monthly Status Report on Development Control for the Month of April, 1982, be received.
- B. THAT the Director of Planning arrange a Public Information Meeting to discuss the preliminary rezoning enquiry for St. Mary's Church and report back on the results of the meeting.

CITY PLANNING  
DEPARTMENT

DATE 1982 07 06

TO: City Manager (Planning & Development Committee of Council)

SUBJECT: St. Mary's Church Seniors' Housing Proposal, 37th & Larch -  
Public Information Meeting

CLASSIFICATION: CONSIDERATION

The Director of Planning reports as follows:

"PURPOSE

The purpose of this report is to summarize the results of a Public Information Meeting held to discuss a rezoning enquiry for senior citizens' housing from the St. Mary's Church 75th Anniversary Project Committee relative to the site adjacent to the Church on the southwest corner of 37th Avenue and Balsam Street in Kerrisdale (see Appendix 'A' Map).

BACKGROUND

At its meeting on May 20, 1982, the Standing Committee of Council on Planning and Development discussed a rezoning enquiry from the St. Mary's Church 75th Anniversary Project Committee. This enquiry comprised proposals to develop non-market senior citizens' housing on two sites adjacent to the Church: one on the east side of Larch Street across the lane to the south of the Church; the second to the east of the Church presently developed with the residence of the Assistant Rector and the surface parking area serving the Church. The Church and both sites proposed for seniors' housing are presently zoned RS-1 One-Family Dwelling District.

Following consideration, the Committee believed that there was merit in further considering seniors' housing on the site to the east of the Church and recommended:

That the Director of Planning arrange a Public Information Meeting to discuss the preliminary rezoning enquiry for St. Mary's Church and report back on the results of the meeting.

Council approved the foregoing recommendation at its meeting on June 1, 1982 and the requested Public Information Meeting was held on Thursday, June 24, 1982 at 7:30 P.M. in St. Mary's Church Hall.

DEVELOPMENT PROPOSAL

In preparing for the Public Information Meeting, the project architect, Mr. Bill Rhone, of Rhone Morton Architects, had prepared a conceptual site plan, elevation and sectional drawings showing greater detail than the preliminary drawings initially before the Planning and Development Committee of Council.

The proposed development would provide 21 dwelling units for senior citizens, utilizing funding available from senior governments. These units would be contained within a three-storey apartment building located immediately east of St. Mary's Church Hall, on a site having a frontage of 26 m (86 ft.) along West 37th Avenue and a depth of 41 m (135 ft.) along Balsam Street for a total site area of 1 079 m<sup>2</sup> (11,610 sq. ft.). Development would be at a floor space ratio of approximately 1.4. Twelve off-street parking spaces presently available to serve the Church would be displaced by the proposed apartment building. The By-law would require a minimum of four off-street parking spaces for the seniors' housing, while 24 off-street, underground parking spaces were envisaged in total to serve both the housing and the Church needs. The height of the proposed apartment building would be the same as, or nominally higher than, the existing residence of the Assistant Rector, which would be displaced. The proposed apartment building would have a pitched roof and other architectural features reflecting its residential character and reinforcing the design qualities of both the Church and surrounding single-family neighbourhood.

MEETING FORMAT

The Meeting, which was attended by about 120 persons, including Alderman Ford as an observer, was convened at 7:30 P.M. by the Chairman, Mr. D.N. McDonald, Associate Director - Zoning Division. Mr. R. Scobie, Zoning Division, outlined events that had led to the Public Information Meeting and reviewed the formal rezoning procedure,



noting that the proposal by St. Mary's Church was of a preliminary nature, no formal rezoning application having been submitted. Council's policy of October, 1980 regarding rezoning of single-family lands in Kerrisdale was also explained. That policy read:

That the Director of Planning be instructed to advise applicants or potential applicants wishing to alter the residential zoning in Kerrisdale that Council would not be prepared to approve any rezoning applications from single-family residential to apartment, townhouse or other higher-density residential use.

Reverend J.E. Bethel, the Rector of St. Mary's Church, introduced the specific seniors' housing proposal by reading a statement of intent which had been distributed to those in attendance (see Appendix 'B'). Mr. A.W. Nursey, Chairman of the 75th Anniversary Project Committee, elaborated further on the proposal, advising that it was preliminary in that neither government funding nor approval of the Church congregation had yet been secured. Mr. Nursey also noted that St. Mary's Church had previous experience with seniors' housing through its involvement in the development of South Vancouver Manor in Marpole.

Mr. Bill Rhone, Rhone Morton Architects, then explained the proposed project in some detail, with the aid of drawings. The meeting was then opened for questions and comments.

#### COMMUNITY COMMENT

Several speakers indicated their support for the initiative by St. Mary's Church to develop non-market housing for seniors, using Church land. Indeed, the majority of those in attendance at the Meeting were supportive of the concept, it being noted that many were members of the Congregation. A show of hands indicated that of those present, approximately 35-40 persons were residents living within two blocks of the site, a number of whom were clearly apprehensive and indeed opposed to the proposal, principally in terms of the precedent it might set for further zoning initiatives which would inevitably include market apartment development. Many of the questions and concerns were thus raised by those residents in closest proximity to the site.

Many of the questions related to details of design (i.e., the size of the dwelling units, occupancy restrictions, funding and general operation). Insofar as senior government funding would be required for the project to proceed, the project would largely be regulated through standard funding agreements applicable to all such developments. These agreements provide adequate safeguards precluding future conversion of the dwelling units to a use other than non-market senior citizens' residential accommodation.

Through a further series of questions and comments, it has been concluded that perceived negative impacts focused on the following three issues, listed in order of significance:

##### 1. Precedent

Various speakers alluded to the 1975 application by Mr. M. Zlotnik seeking rezoning of the RS-1 block frontage immediately to the east of Balsam Street on the south side of West 37th Avenue, this application having been unanimously refused by Council following significant community opposition. When apprised of Council's October, 1980 policy against rezoning of RS-1 lands in Kerrisdale, several speakers expressed concern that Council would now entertain a rezoning to permit apartment development on lands presently zoned RS-1 One-Family Dwelling District. Should Council approve a rezoning of this site to permit senior citizens' housing, staff were questioned as to how Council could refuse future applications for apartment zoning on other land presently zoned RS-1 in Kerrisdale.

Staff responded by noting that characteristics of the site and the proposed use differentiated this rezoning initiative from those which led to Council's policy of October, 1980. Furthermore, the proposed development could be accommodated through a rezoning of the site to a 'tailor-made' CD-1 Comprehensive Development District rather than through extension of adjacent RM-3 zoning. This would further distinguish the site from other RS-1 zoned lands on the periphery of the apartment area. Staff did not perceive that Council's policy of October, 1980 would be undermined or otherwise weakened were the contemplated rezoning to be handled in this manner.

2. Off-Street Parking

Speakers noted the inadequacy of off-street parking presently available to serve the Church and its related facilities. With 24 underground, off-street parking spaces proposed, four of which would satisfy the normal By-law requirements for the senior citizen dwelling units, the proposed development provides a net increase of eight off-street parking spaces to serve the Church.

Staff responded by noting that, despite the net increase in off-street parking proposed, off-street parking is an issue which would require further analysis should a formal rezoning application for the proposed seniors' housing be submitted.

3. Increased Taxes

Concern was expressed that the proposed development would necessitate provision of new sewers and that local residents would have to contribute through increased taxes.

Staff responded by noting that the need for improved services would require review during consideration of a formal rezoning application; however, such improvements have not traditionally been undertaken on a local-improvement basis.

Finally, it should be noted that staff were questioned as to their position in regard to the suitability of the proposal. The Chairman declined to offer a Departmental position since one had not been formulated and public responses were not yet known, however he ventured a personal opinion of tentative support for the proposal. This led to the observations by two persons present, and a request to have minuted, the impression that the Planning Department harboured a 'colossal bias' in support of the senior citizens' housing proposal.

ASSESSMENT

In determining whether to advise St. Mary's Church to proceed with their proposal with submission of a formal rezoning application, it would appear that the community's concern with the issue of 'precedent' is paramount. One criterion appropriate to the evaluation of a proposed rezoning is the unique location of the site and character of the proposal in question. The subject site has been owned by the Church for many years, is presently developed with church-related uses, and is separated from adjacent lands by streets and a lane.

Issues related to the proposed form of development and intensity of use (i.e., traffic generation, parking congestion, relationship to surrounding development) would require further analysis upon submission of a formal rezoning application and a specific scheme of development.

On the basis of preliminary analysis, the proposed rezoning for senior citizens' housing, in accordance with the preliminary development concept submitted, would appear to be worthy of further consideration. Should Council agree, it would be appropriate to advise the St. Mary's Church 75th Anniversary Project Committee to submit a formal rezoning application and normal supporting documentation."

The City Manager submits the foregoing report of the Director of Planning for the consideration of the Committee.

City Manager to complete:

Approved \_\_\_\_\_

Officials to be present \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Report Reference \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Report Dated 1982 07 06

for Department Head David B. McDonald

Author's Initials FAS/kw

Concurrence of other involved Departments: \_\_\_\_\_

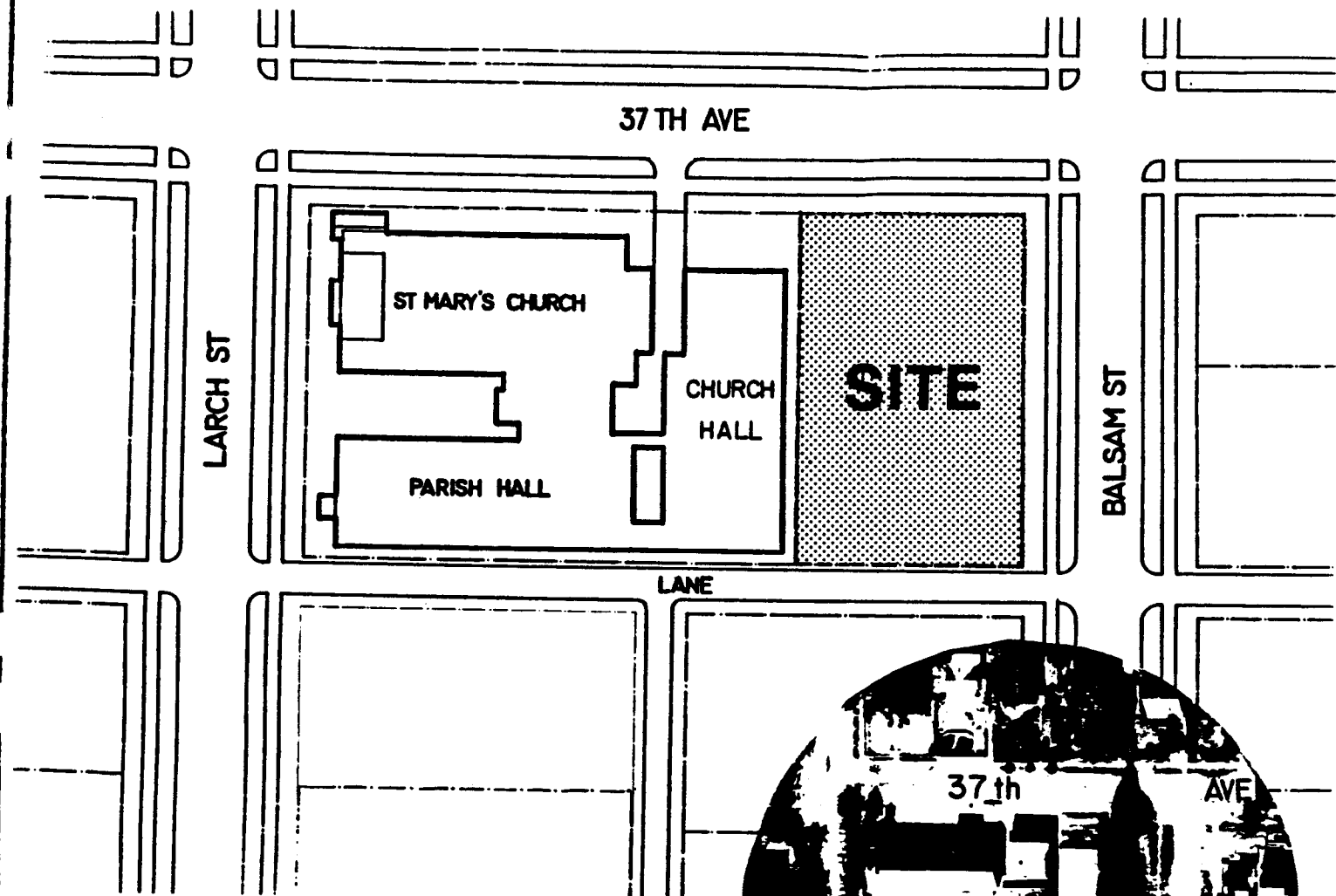
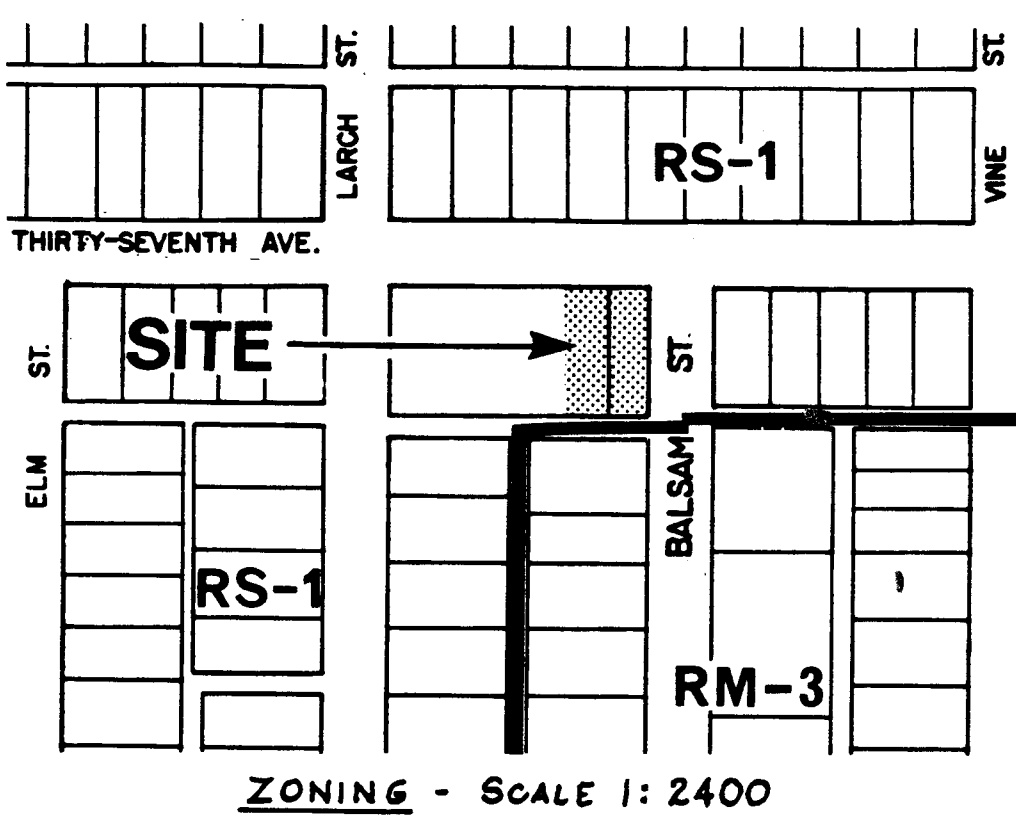
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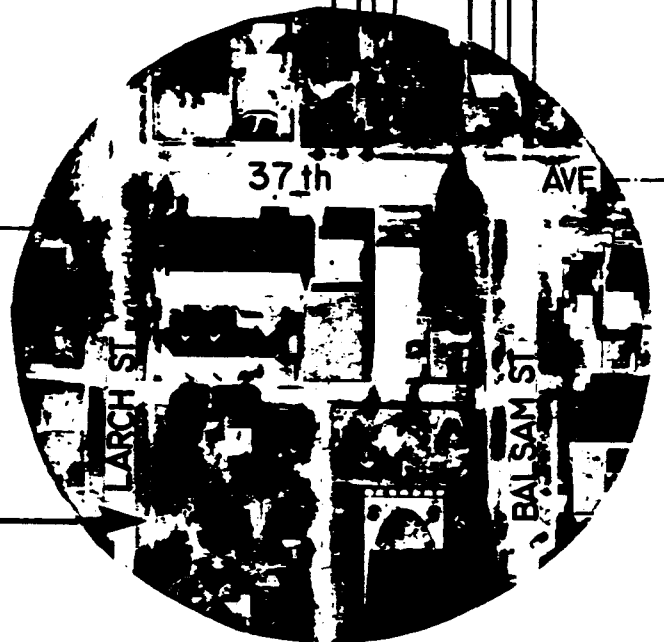
Officials recommended to be present \_\_\_\_\_

\_\_\_\_\_



SITE ENLARGEMENT  
SCALE 1:750

AERIAL PHOTOGRAPH  
SCALE 1:2000



REZONING ENQUIRY  
St. Mary's Church  
37th Ave. & Larch St.

date 82 05 18

drawn *RHW*

revision 82 07 06

scales - as noted



no.



STATEMENT - in connection with St. Mary's Anniversary Project (1986). At the Annual Congregational Vestry Meeting held early in February 1981, I suggested that as a 75th Anniversary Project the parish sponsor a Facility for Seniors. Alf Nursey was named as Chairman, and a small committee was struck off. At the 1982 Vestry Meeting progress was reported and the Committee was instructed to proceed with plans, enquiring into needs and feasibility, as far as our property at Balsam and 37th was concerned.

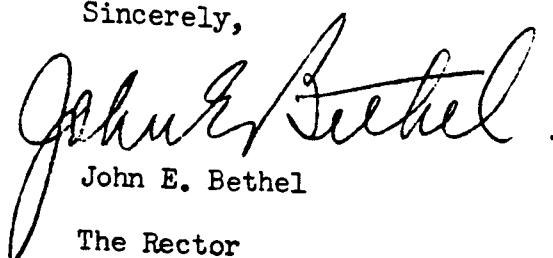
We are conscious of the housing needs of long time Kerrisdale residents who sold their homes before the great increase in real estate prices, and moved into apartments. Now they are faced with a static income and increasingly high rents. Many are having to move from this area to more moderately priced accomodation.

The Committee felt that it would be possible to erect a 3 floor 21 suite apartment building with underground parking on the two lots at the south-west corner of Balsam and 37th. Bill Rhone, an Architect belonging to the parish, has drawn up plans for a building that is no higher than the present house, of such exterior design as to complement the Church..using traditional forms - sloping roofs, dormers, gables - wood window trim, Cedar shingles - stucco and timbers.

Our hope is that by 1986 we shall have secured Re-Zoning approval to allow for the building of this Elderly Housing, that the Provincial or Federal Governments will agree to financing it (The Parish's share will be the property), and that the Congregation will give our Committee the go-ahead once these other matters are settled.

St. Mary's was incorporated as a Parish in 1911. Our first church was a tent. In 1913 the present wooden structure was commenced. In succeeding years the south and north walls were pushed out, and the east and west walls were extended. What grew like topsy has become known far and wide as a delightful church building. We would not want to erect anything that would detract from our beloved church, and would hope that providing for our elder citizens a place they can afford, in the community they did so much to build up, would be a worthy project to celebrate 75 years of work - worship - fellowship and community service which has been St. Mary's proud privilege and record on this site.

Sincerely,



John E. Bethel

The Rector

CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: 28th July 1982

To: CITY MANAGER  
DIRECTOR OF PLANNING  
CITY ENGINEER

Refer File: 5308

Subject: ST. MARY'S CHURCH SENIORS' HOUSING PROPOSAL -  
37TH AND BALSAM: PUBLIC INFORMATION MEETING

Please be advised that City Council at its meeting on Tuesday, July 27, 1982, approved the recommendation of the Planning and Development Committee as contained in the attached clause of its report dated July 15, 1982, with regard to the above matter.



CITY CLERK

MLCross:mfm  
Att.

Also sent to:

Rev. John Bethel, Rector, St. Mary's Church  
2490 West 37th Avenue, Vancouver, B.C. V6M 1P5

Mrs. Betty Sawyer, 2338 West 37th Avenue  
Vancouver, B.C. V6M 1P3

Mrs. Monica McGavin, 2403 West 37th Avenue  
Vancouver, B.C. V6M 1P4



Report to Council  
Standing Committee of Council  
on Planning and Development  
July 15, 1982

2. St. Mary's Church Seniors' Housing Proposal -  
37th and Balsam: Public Information Meeting

The Committee considered a Manager's Report dated July 6, 1982 (on file) wherein the Director of Planning reported on a public information meeting held to discuss a rezoning enquiry from St. Mary's Church 75th Anniversary Project Committee to construct senior citizens' housing on a site adjacent to the church on the southwest corner of 37th Avenue and Balsam Street.

The meeting was held on June 24, 1982 and attended by approximately 120 persons. Alderman Ford attended as an observer.

The report noted that through a series of questions and comments, it had been perceived negative impacts focused on three major issues: precedent, off-street parking, and increased taxes.

In his assessment of the meeting, the Director of Planning reported:

"In determining whether to advise St. Mary's Church to proceed with their proposal with submission of a formal rezoning application, it would appear that the community's concern with the issue of 'precedent' is paramount. One criterion appropriate to the evaluation of a proposed rezoning is the unique location of the site and character of the proposal in question. The subject site has been owned by the Church for many years, is presently developed with church-related uses, and is separated from adjacent lands by streets and a lane.

Issues related to the proposed form of development and intensity of use (i.e., traffic generation, parking congestion, relationship to surrounding development) would require further analysis upon submission of a formal rezoning application and a specific scheme of development.

On the basis of preliminary analysis, the proposed rezoning for senior citizens' housing, in accordance with the preliminary development concept submitted, would appear to be worthy of further consideration. Should Council agree, it would be appropriate to advise the St. Mary's Church 75th Anniversary Project Committee to submit a formal rezoning application and normal supporting documentation."

The City Manager submitted the Director of Planning's report for the Committee's consideration.

Church representatives and residents opposed to the project, were present for the Committee's discussion.

Mr. R. Scobie, Zoning Division, reviewed the conclusions reached by the Director of Planning and noted one of the critical arguments against the proposal related to the issue of precedence created by spot zoning in a single-family area.

Mrs. Betty Sawyer, 2338 West 37th Avenue, advised the Committee that residents in the area were not opposed to seniors' housing per se but felt it would be inappropriate for the 37th and Balsam site. It would add to congestion at a busy intersection and increase the already heavy church-oriented traffic activity in the adjacent streets and lanes. Residents were particularly concerned that the proposal constituted a deviation from the policy established by Council in October 1980, namely:

"That the Director of Planning be instructed to advise applicants or potential applicants wishing to alter the residential zoning in Kerrisdale that Council would not be prepared to approve any rezoning applications from single-family residential to apartment, townhouse or other higher-density residential use."

Clause No. 2 Continued

Mrs. Monica McGavin, 2403 West 37th Avenue, referred to a petition (on file) containing 88 signatures, opposing the proposed rezoning. She advised residents who formed the Kerrisdale Homeowners' Association to defeat a previous apartment proposal two to three years ago, were not forewarned of the St. Mary's Church proposal and therefore were not given sufficient time to mount a defence. She also referred to the possibility of increased traffic in the area and the devaluation of property values.

Mr. Walter O'Bertos, 5337 Larch Street, suggested the seniors' housing be built on existing vacant lots in the Kerrisdale area where apartment use would be appropriate. He cited a vacant parcel at 42nd and Yew as an example.

The Rev. John Bethel, Rector of St. Mary's, advised there was a desperate need for housing for former Kerrisdale residents who, having sold their homes some years ago before price escalation, were now being forced out of Kerrisdale, an area they knew and loved, by high apartment rents. The church felt the project could be accommodated on the 37th and Balsam site and it would be contributing the cost of the land, which it already owned, with financing for the project hopefully contributed by senior levels of government.

In response to the Committee's questions as to whether the church would be prepared to build on another site, Mr. Alf Nursey advised several other sites had been investigated over the past 2½ years without success. In one instance, a formal bid for \$560,000 had been made but was rejected.

During discussion, some members of the Committee felt, in view of the neighbourhood opposition and Council's established policy, the church should not be encouraged to proceed with the project, thus incurring needless expense. Conversely, it was argued the church should be permitted to make its own judgment of the degree of neighbourhood support or opposition in determining whether to proceed or not.

RECOMMENDED

THAT the St. Mary's Church 75th Anniversary Project Committee be advised Council would be prepared to consider a suitable application for rezoning.

COUNCIL  
27 JULY 1982

APPROVED.

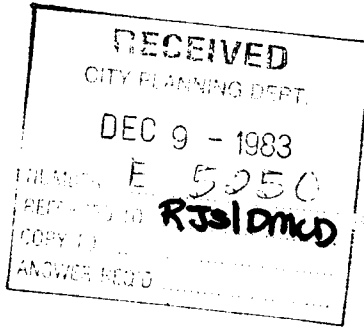
(Aldermen Brown and Puil opposed.)

CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: 7th December 1983

To: CITY MANAGER  
DIRECTOR OF PLANNING  
CITY ENGINEER  
URBAN DESIGN PANEL  
CLERK, PUBLIC HEARING



Refer File: 5308

Subject: PROPOSED REZONING: ST. MARY'S CHURCH SENIORS' HOUSING PROPOSAL  
SOUTHWEST CORNER OF WEST 37TH AVENUE AND BALSAM STREET

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Please be advised that City Council at its meeting on Tuesday, December 6, 1983, approved the recommendation of the City Manager as contained in his attached report dated November 28, 1983, with regard to the above matter.

*[Handwritten Signature]*  
CITY CLERK  
*[Handwritten Initials]*

GLEvine:mfm  
Att.

Also sent to:

Mr. Bill Rhone, Architect, #165 - 1020 Mainland Street V6B 2T5 (688-2526)

cc: Rev. John Bethel, St. Mary's Church, 2490 West 37th Avenue V6M 1P5 (261-422)



MANAGER'S REPORT

**B**

DATE 28 November 1983

TO: VANCOUVER CITY COUNCIL

SUBJECT: Proposed Rezoning: St. Mary's Church Seniors' Housing Proposal  
Southwest Corner of West 37th Avenue and Balsam Street - Summary Report

CLASSIFICATION: RECOMMENDATION

The Director of Planning, in summary, reports as follows:

"DESCRIPTION AND ASSESSMENT

The attached report provides an analysis and recommendation to Council for a seniors' housing project on the southwest corner of 37th and Balsam, adjacent to St. Mary's Church.

A scheme has been submitted comprising 21 seniors' apartments in a three-storey building. This building maintains a pitched roof and other architectural features indicating residential character and the character of the larger houses across 37th Avenue. The proposed floor space ratio (FSR) is 1.18 and the residential density is 194 units per ha (78.6 units per ac.). At the highest point, the scheme would maintain a height of 11.887 m (39.0 ft.). Twenty underground parking spaces with lane access are proposed with four apportioned to the housing and 16 for the Church.

The key issues in considering a non-market seniors' development in this established Kerrisdale neighbourhood are the appropriateness of seniors' housing at the density proposed, the form of development, and the potential for relieving the existing parking problem.

The size, shape, and relative separation of the site from adjacent land uses by streets and a lane make it suitable for the use intended. Seniors' housing is seen as a low-key, unobtrusive residential use generating less activity than the typical apartment block. The modest height of the seniors' development and the low level of activity the use would generate complement the Church and offer a good transition from the apartment to single-family area.

The design concept provides a building form which completes the streetscape character of the block. Various architectural features are used replicating the character of the established single-family neighbourhood.

Parking for the Church and its related uses is currently inadequate with 12 surface spaces provided in lieu of the 73 spaces required in accordance with Section 12 of the Zoning and Development By-law (55 spaces if the Church assembly and gym areas are not used concurrently). The provision of 20 spaces yields a net increase of only four spaces overall.

Although the provision of 20 spaces is supported by the Engineer, the Director of Planning feels more spaces should be provided to remedy the parking deficiency as far as it is economically and physically possible. It is recommended that every attempt be made to provide two levels of underground parking with a minimum of 35 spaces. The exact number of spaces may be deferred to debate at Public Hearing if Council chooses.

RECOMMENDATION

The Director of Planning recommends that the following be received and referred directly to Public Hearing.

That this application to rezone lands on the southwest corner of 37th and Balsam (Lot 2 and the easterly 12.98 m (42.6 ft.) of Lot 'D', Block 12, D.L. 526, Plan 3946 and 12613) from RS-1 One-Family District to CD-1 Comprehensive Development District be amended by the applicant to include all of Lot 2 and Lot 'D' and that this be approved, with the CD-1 By-law restricting the use and development of the site as follows:

2

.... /2

- (a) A maximum of 1 658.31 m<sup>2</sup> (17,850 sq. ft.) of church assembly, parish hall, gymnasium, and other church-related uses;
- (b) A maximum of 21 apartments, all of which shall be non-profit seniors' housing;
- (c) A maximum floor space ratio of 0.86 (over the whole site);
- (d) A maximum height of 11.887 m (39.00 ft.) for the apartment building;
- (e) A maximum height for the church, parish hall and gymnasium, being equal to the height of the existing church (measured to the peak of the roof but excluding the spire) which shall be confirmed by survey; and
- (f) A minimum of two levels of underground parking yielding 35 off-street parking spaces, four of which shall be designated for use by seniors' housing residents with the precise total number of spaces confirmed at the development permit stage prior to enactment of the CD-1 By-law."

The City Manager RECOMMENDS the foregoing recommendation of the Director of Planning be approved.

**APPROVED. Council, December 6, 1983.**

TO: City Manager (for Council)  
 SUBJECT: Proposed Rezoning - St. Mary's Church Seniors' Housing Proposal:  
 Southwest Corner of West 37th Avenue and Balsam Street

CLASSIFICATION: RECOMMENDATION

The Director of Planning reports as follows:

"PURPOSE

This report is an assessment of a rezoning application submitted by Reverend John Bethel on behalf of St. Mary's Church, with supporting documentation and graphics prepared by Rhone Morton Architects, seeking a rezoning of lands on the southwest corner of 37th Avenue and Balsam Street (Lot 2 and the easterly 12.98 m (42.6 ft.) of Lot 'D', Block 12, D.L. 526, Plan 3946 and 12613) as follows:

- Present Zoning: RS-1 One-Family Dwelling District
- Requested Zoning: CD-1 Comprehensive Development District
- Stated Purpose: Constructing 21 units of non-market seniors' housing on a 86 ft.-by-135 ft. site adjacent to the church.

In general, the development concept comprises 21 seniors' apartments in a three-storey building. Twenty underground parking spaces are proposed with access from the lane for both the seniors' housing and existing church uses.

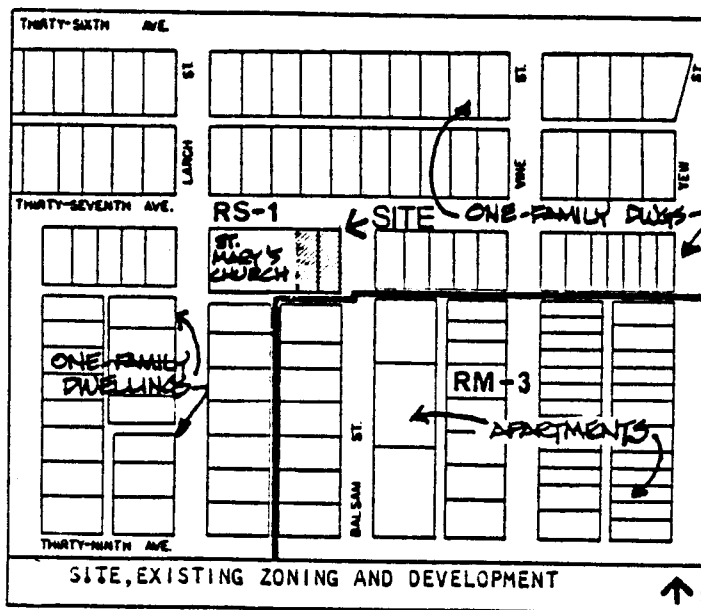
The Director of Planning supports the general form of development, but recommends more parking to preclude a further aggravation of the present on-street parking problem on 37th Avenue and Balsam and Larch Streets during high-use periods of the Church facilities. The Director of Planning also recommends that the south side of the 2400-block West 37th Avenue be rezoned to CD-1 to accommodate both the church facilities and new seniors' housing. In deriving this recommendation, regard was given to the following:

- general principles regarding the intensification of church-related uses on this block and the precedent which may be created for other rezoning initiatives in the single-family area of Kerrisdale;
- site suitability for seniors' housing;
- siting and design compatibility of the proposed form of development; and
- inadequacy of off-street parking.

SITE, EXISTING ZONING, AND DEVELOPMENT

The site comprises an existing legal parcel and a portion of another totalling 1 078.6 m<sup>2</sup> (11,610 sq. ft.) of RS-1 zoned land. Diagram 1 illustrates the site, existing zoning, and surrounding development.

Diagram 1



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The site is presently developed with a dwelling, which is intended to be relocated one block to the west as a residence for the Associate Priest of St. Mary's Church, and 12 surface parking spaces which serve the gym and church.

The church development on the remainder of this block north of the lane and immediately west of the seniors' housing site consists of the Church, Parish Hall and Gymnasium. Substantial mature vegetation exists on the 37th Avenue frontage, including a large, prominent sequoia tree.

Surrounding land uses include single-family dwellings to the north and along 37th Avenue and Larch Street. A mixture of high- and low-rise apartments exists immediately to the south across the lane and to the southeast of the site.

Older, large dwellings on the north of 37th Avenue are of 1930's Vancouver character and are generally behind tall hedges. A 13-storey apartment building to the south is separated from the housing site by a sizeable, well-landscaped private park space. Other apartments in the area vary in size and height with normal landscaped setbacks.

**BACKGROUND**

The initiative of St. Mary's Church to develop senior citizens' housing on adjacent lands dates back to October, 1981 when informal contact was first made with the Planning Department. Since that time, a rather extensive background has evolved, which is contained in Appendix 'A'.

In summary, as a result of the initial rezoning inquiry, a Public Information meeting was held in the community. Several neighbouring residents opposed this initiative at that meeting and subsequently appeared before the Planning and Development Committee to express similar views.

The Committee also expressed some apprehension about the proposal but concluded by recommending:

That the St. Mary's Church 75th Anniversary Project Committee be advised Council would be prepared to consider a suitable application for rezoning.

Council endorsed that recommendation on June 1, 1982 and the Church finally submitted a formal rezoning application on September 6, 1983.

**PROPOSED DEVELOPMENT**

The proposed scheme of development, as illustrated in drawings stamped [redacted] City Planning Department, [redacted] presented for the entire church site in the schematic site plan (Diagram 2) and elevations (Diagram 3) below:

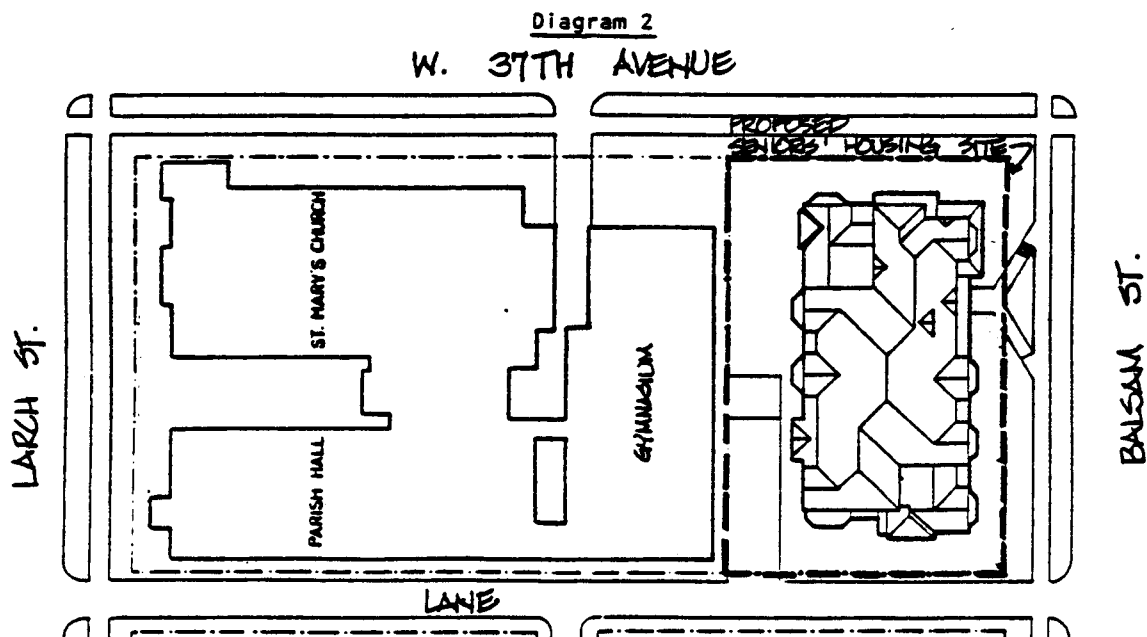
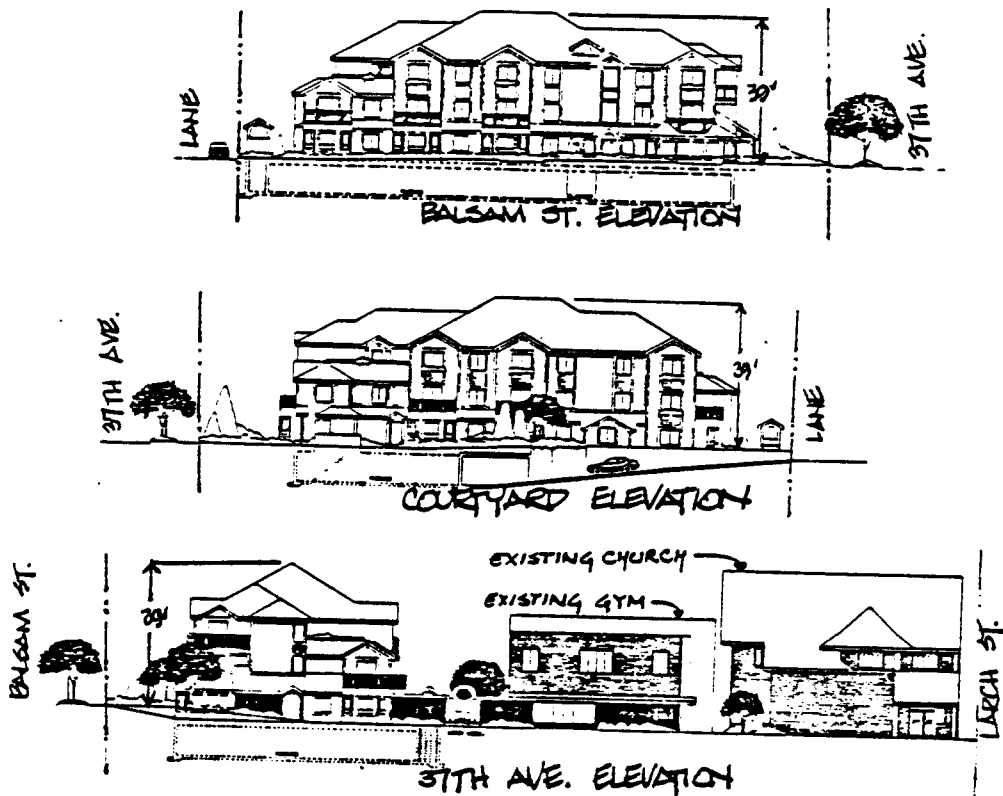


Diagram 3



The development consists of 21 non-market seniors' apartments in a three-storey building. This building maintains a pitched roof and other architectural features indicating its residential character and reflecting the character of the larger, circa 1930 homes across 37th Avenue. The proposed floor space ratio (FSR) is 1.18 and the residential density is 194 units per ha (78.6 units per ac.). At the highest point, the scheme would maintain a height of 11.887 m (39.0 ft.). Twenty underground parking spaces with lane access are proposed with four apportioned to the housing and 16 for the Church.

The drawings indicate an outdoor open space area, with seating, connecting the existing lounge in the Church Gymnasium with the housing. There are outdoor deck spaces provided at the second and third levels. An indoor lounge facility is also provided on the main level of the seniors' building.

The concept completes this block with church-related uses while maintaining a compatible streetscape character through appropriate architectural treatment.

Table 1 gives statistics of the existing church uses and proposed seniors' housing development.

Table 1

DEVELOPMENT STATISTICS ON EXISTING CHURCH AND PROPOSED SENIORS' HOUSING DEVELOPMENT

	EXISTING DEVELOPMENT (ON CHURCH ASSEMBLY SITE ONLY)	PROPOSED DEVELOPMENT (ON ENTIRE SITE)
SITE AREA	2 317.7 m <sup>2</sup> (24,948 sq. ft.)	3 396.4 m <sup>2</sup> (36,559 sq. ft.)
USES	parish hall 248.98 m <sup>2</sup> (2,680 sq. ft.) gymnasium 327.76 m <sup>2</sup> (3,528 sq. ft.) church assembly 837.71 m <sup>2</sup> (9,017 sq. ft.) other 243.87 m <sup>2</sup> (2,625 sq. ft.) total church 1 658.32 m <sup>2</sup> (17,850 sq. ft.)  Total 1 658.32 m <sup>2</sup> (17,850 sq. ft.)	total church 1 658.32 m <sup>2</sup> (17,850 sq. ft.) seniors 21 units 1 268.41 m <sup>2</sup> (13,653.08 sq. ft.) Total 2 926.73 m <sup>2</sup> (31,503.08 sq. ft.)
FLOOR SPACE RATIO	0.72	0.86 (1.18)**
RESIDENTIAL DENSITY	Not Applicable	194 units/ha (78.6 units/ac.)**
HEIGHT	unavailable	11.887 m (39.0 ft.) above the finished grade
SETBACKS	Church: 37th Avenue - 0.61 m (2 ft.) Easterly Property Line - 0.914 m (3 ft.) Larch St. - 1.83 m (6ft.) Lane - 4.27 m (14 ft.) (to centre line)	Seniors' housing: 37th Avenue - 3.35 m (11 ft.) Balsam St. - 2.9 m (9.5 ft.) Gymnasium - 9.62 m (25 ft.) Lane - 3.66 m (12 ft.) (to centre line)  Church: 37th Avenue - 0.61 m (2 ft.) Easterly Property Line - 0.914 m (3 ft.) Larch St. - 1.83 m (6 ft.) Lane - 4.27 m (14 ft.) (to centre line)
OFF-STREET PARKING	12 surface spaces *Church assembly - 55 spaces gymnasium - 18 spaces total - 73 spaces	20 underground spaces *seniors' housing - 4 spaces church & gym. -73 spaces total -77 spaces

\* SECTION 12 OF ZONING AND DEVELOPMENT BY-LAW REQUIREMENT MAY BE RELAXED IF ONLY ONE ASSEMBLY AREA IS USED AT ONE TIME TO ACCOMMODATE ONLY THE REQUIREMENT FOR THE LARGEST ASSEMBLY AREA, i.e., 55 SPACES.

\*\* BASED ON SITE AREA FOR SENIORS' HOUSING ONLY - 1 078.6 m<sup>2</sup> (11,610 sq. ft.).

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## COMMENTS FROM REVIEWING AGENCIES

### Urban Design Panel

At its meeting of October 12, 1983, the Urban Design Panel supported this project. The minutes are contained in Appendix 'B'.

### City Engineer

In a memorandum dated October 27, 1983, the City Engineer commented as follows:

The number of parking spaces now being provided on the existing site does not meet the current By-law requirement for the major use on the site, namely the Church assembly area. The number of spaces provided are insufficient for the demand being generated by the church functions.

As there are no changes being made to the Church property, addition to the site of the Senior Citizens' housing complex will not adversely impact the parking in the area providing a minimum of eight parking spaces over the existing number of parking spaces on the site is provided.

A review of the area indicated that we do not now have any Resident Parking Only Zones nor do we have any recorded requests or complaints relative to on-street parking generated by the church.

## ANALYSIS AND ASSESSMENT

### General Principles

The south side of West 37th Avenue between Larch and Balsam Streets has been owned and developed with the St. Mary's Church, Parish Hall, Gymnasium and associated Rectory for many years. The site is separated from the single-family area by streets and lanes and the Church use of this block face presents some unique aspects along the interface between the adjacent RM-3 apartment development and the surrounding RS-1 single-family development.

A rezoning of the entire Church site to CD-1 Comprehensive Development District would ensure this uniqueness and also determine the limit of Church-affiliated uses at this location.

The question of precedent and the development potential and feasibility of similar redevelopment initiatives occurring on other Church sites in the area led to site inspections of four Church sites on the edge or close to the Kerrisdale apartment district. These included:

- Ryerson United on the northwest corner of 45th and Yew;
- Fourth Church of Christ the Scientist on the northeast corner of 43rd and East Boulevard;
- Kerrisdale Presbyterian near 41st and Trafalgar; and
- St. John the Apostle on the northwest and northeast corners of 39th and Trafalgar.

Of these sites, Kerrisdale Presbyterian and St. John the Apostle appear to have sizeable surface parking areas which could possibly become housing sites with new parking located underground. Specific initiatives for these sites would be evaluated on their own merits.

The principal issues in considering a non-market seniors' development in this established Kerrisdale neighbourhood are the appropriateness of seniors' housing at the density proposed, the form of development, and the prospect for mitigating the existing perceived parking problem.

### Uses and Density

Seniors' housing is a low-key, unobtrusive residential use generating less activity than the typical apartment block. Unit sizes and household sizes are small. Car ownership is expected to be low, therefore traffic generated will be quite modest, much in keeping with the single-family area.

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The size, shape and relative isolation of the site from adjacent land uses, coupled with the retention of significant existing landscaping make it eminently suitable for the use intended.

The proposed floor space ratio (FSR) of 1.18 and residential density of 194 units per ha (78.6 units per ac.) are in accord with other recently approved seniors' housing projects. The figures are, however, substantially higher than comparable standards in the adjoining RS-1 single-family area, and more closely approximates the FSR and residential density standards of the RM-3 apartment area. For example, the RS-1 area maintains an FSR of up to 0.60 with a unit density of about 14.8 units per ha (6 units per ac.), while the RM-3 apartment area maintains an average FSR of 1.45 and unit density of 197.7 units per ha (80 units per ac.). Nonetheless, the modest height of the seniors' development, the size and form of the building, and the low level of activity the use would generate complement the Church and offer a good transition from the apartment district to the single-family district.

#### Form of Development

Principal siting and massing considerations relate to the street and lane boundaries on three of the four sides of the site and the existence of mature vegetation along the northerly portion of the site, specifically a mature sequoia tree near the centre of the 37th Avenue frontage.

The architect has indicated his intent to retain the large sequoia tree and other existing vegetation in preparing development permit drawings. (The location and size of the tree are not illustrated in Diagrams 2 and 3.)

The design concept provides a building form which completes the streetscape character of this block. Various architectural features are used thereby replicating the character of the established single-family neighbourhood. The exterior design effectively complements the existing streetscape.

The outdoor seating and landscaped area at the westerly portion of the housing site provides a good connection with the existing lounge in the gymnasium building. There is, however, potential for this area to be better utilized by residents through a better seating and landscaping arrangement. This should be looked at more closely in preparing development permit drawings. Outdoor deck spaces and the indoor lounge facility provide useable meeting space essential to a good seniors' housing project.

The siting and design of this form of development are seen to be quite compatible with the neighbourhood.

#### Adequacy of Off-Street Parking

The community identified off-street parking as a major issue in the area. Parking for the Church and its related uses is currently inadequate, with 12 surface spaces now provided in lieu of the 73 spaces required in accordance with Section 12 of the Zoning and Development By-law (55 spaces if the church assembly area and gymnasium space are not used at the same time). The requirement for seniors' housing, one space for every six units, yields a parking requirement of four spaces, the combined minimum total requirement being 59 spaces. Twenty underground parking spaces are proposed. The loss of the 12 surface parking spaces would then yield a net increase of only four spaces overall.

Although the City Engineer supports the provision of 20 parking spaces, the Director of Planning feels that more parking should be provided on site. The deficient parking situation should not be allowed to continue and an attempt should be made to remedy this situation as far as it is physically and economically possible. Three levels of underground parking could perhaps provide the full measure of parking, however it is believed that the cost and technical problems would render the project less feasible.

It is nonetheless recommended that every attempt be made to provide two levels of underground parking, providing an estimated 35 spaces. Council may choose to defer the number of spaces to debate at Public Hearing and if this is the case alter recommendation 1(f) below:

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CONCLUSION

The foregoing analysis and assessment indicates general support for a 21-unit seniors' housing project at this location as presented, provided that the rezoning to CD-1 applies to the whole site, that there is retention of the existing sequoia tree along 37th Avenue, and that an additional level of underground parking with approximately 35 parking spaces is provided to serve the Church and housing component.

The City Engineer generally concurs with the report, but notes that the 20 spaces do represent a small improvement over the existing situation. Although there are no physical additions being contemplated for the church to increase the non-conforming parking situation, the City Engineer recognizes that an additional level of parking would be beneficial to the surrounding neighbourhood.

RECOMMENDATION

The Director of Planning recommends that the following be received and referred directly to Public Hearing.

That this application to rezone lands on the southwest corner of 37th and Balsam (Lot 2 and the easterly 12.98 m (42.6 ft.) of Lot 'D', Block 12, D.L. 526, Plan 3946 and 12613) from RS-1 One-Family District to CD-1 Comprehensive Development District be amended by the applicant to include all of Lot 2 and Lot 'D' and that this be approved, with the CD-1 By-law restricting the use and development of the site as follows:

- (a) A maximum of 1 658.31 m<sup>2</sup> (17,850 sq. ft.) of church assembly, parish hall, gymnasium, and other church-related uses;
- (b) A maximum of 21 apartments, all of which shall be non-profit seniors' housing;
- (c) A maximum floor space ratio of 0.86 (over the whole site);
- (d) A maximum height of 11.887 m (39.00 ft.) for the apartment building;
- (e) A maximum height for the church, parish hall and gymnasium, being equal to the height of the existing church (measured to the peak of the roof but excluding the spire) which shall be confirmed by survey; and
- (f) A minimum of two levels of underground parking yielding 35 off-street parking spaces, four of which shall be designated for use by seniors' housing residents with the precise total number of spaces confirmed at the development permit stage prior to enactment of the CD-1 By-law."

## BACKGROUND OF ST. MARY'S CHURCH REZONING INITIATIVES

- March 18, 1982 - The Planning Department responded to a formal inquiry dated March 17, 1982 from the Church as to possible rezoning of a site to the east, occupied by the Assistant Priest's residence, and a second site across the lane to the south, both proposed for senior citizens' housing developments, indicating issues which would require careful consideration and suggesting that the southerly site raised issues which would throw into serious question the appropriateness of rezoning and development for the intended use.
- May 20, 1982 - Staff advised the Planning and Development Committee of the rezoning inquiry from St. Mary's Church. During discussion, the Committee was advised of Council's resolution of October 7, 1980 which followed two other independent rezoning inquiries proposing apartment or townhouse development on lands presently zoned RS-1 One-Family Dwelling District and adjoining the RM-3 apartment zone in Kerrisdale. The October 7, 1980 resolution reads as follows:
- 'THAT the Director of Planning be instructed to advise applicants or potential applicants wishing to alter the residential zoning in Kerrisdale that Council would not be prepared to approve any rezoning applications from single-family residential to apartment, townhouse or other higher density residential use.'
- While not unanimous, the Committee, on May 20, recommended:
- 'THAT the Director of Planning arrange a Public Information Meeting to discuss the preliminary rezoning inquiry for St. Mary's Church and report back on the results of the meeting.'
- This recommendation from the Committee was approved by Council at its meeting on June 1, 1982.
- June 24, 1982 - Following courtesy notification by letter to registered property owners living within two blocks of the site, a Public Information Meeting was held in St. Mary's Church Auditorium. Three days prior to this meeting, a petition containing approximately 90 signatures from area residents was received and circulated to members of Council for information.
- Approximately 120 persons, including Alerman Ford, attended the Public Information Meeting. Of those in attendance, approximately 35-40 persons were residents living within two blocks of the site. The results of the Information Meeting were summarized in a report to the Planning and Development Committee of Council.
- The community summarized three major issues including:
- precedent;
  - off-street parking; and
  - increased taxes.
- July 15, 1982 - The Planning and Development Committee considered the report on the Public Information Meeting. Several area residents opposed to the possible rezoning appeared as delegations before the Committee.
- A copy of the Manager's report dated July 6, 1982, and the Minutes of the Planning and Development Committee Meeting are on file at the City Clerk's Office. The Minutes record the following conclusion:
- 'During discussion, some members of the Committee felt, in view of the neighbourhood opposition and

Council's established policy (of October 7, 1980), the Church should not be encouraged to proceed with the project, thus incurring needless expense. Conversely, it was argued the Church should be permitted to make its own judgement of the degree of neighbourhood support or opposition in determining whether to proceed or not.

RECOMMENDED

THAT the St. Mary's Church 75th Anniversary Project Committee be advised Council would be prepared to consider a suitable application for rezoning.'

Council approved the foregoing recommendation of the Planning and Development Committee at its meeting on July 27, 1982.

February 11, 1983 - The project architect advised that he had been authorized by St. Mary's Church to proceed immediately with the required drawings and documentation in support of a formal rezoning application. It was indicated that the application would most likely be made in the middle of March and advice was sought as to anticipated timing for processing of such an application. Staff responded, noting that various issues which emerged as a consequence of the earlier discussions with the local community would have to be assessed in detail as part of our formal review. Given the time which had lapsed since the last formal dialogue with the community, the Church was advised to liaise with the neighbours, possibly through a public meeting.

September 6, 1983 - The formal rezoning application was submitted by St. Mary's Church. Accompanying the CD-1 application were the customary drawings illustrating the proposed form of development and a summary, by the project architect, of a public meeting sponsored by the Church on June 28, 1983 (attached as Appendix 'A-1').

RHONE  
MORTON  
ARCHITECTS

REPORT OF PUBLIC ORIENTATION MEETING  
HELD 28 JUNE 1983 AT ST. MARY'S CHURCH HALL

- I. The meeting was well publicized, a newsletter together with reduced scale drawings of the elevations of the project being printed and distributed throughout the neighbourhood. The distribution was based on a two block radius around the project and over 250 copies of the project description and the plans were delivered by the young people of the parish. Prior to this time numerous references to the project were made in the church and in the church bulletins.
- II. The meeting commenced at 7:30 p.m. on June 28th. Approximately 48 people attended the meeting, of which it appeared that approximately 20 were directly associated with the church, the balance being from the surrounding neighbourhood.
- III. The meeting was chaired by Mr. Alf Nursey, Chairman of the St. Mary's 75th Anniversary Project Committee. Mr. Nursey gave a brief description of the procedures to be followed including the preparation of plans, contact with the City Planning Department over the previous year, requirement for public information meetings, and the rezoning procedure and why it was necessary. Mr. Nursey then introduced Reverend John Bethel who gave the history of the details of the project and its needs in the community. William Rhone was then introduced as the architect who gave a brief description of the accommodation to be provided, the parking to be included, and the residential scale and "low key" design parameters being followed so as to "fit" the project into the visual fabric of the neighbourhood.
- IV. The meeting was then opened to questions from the floor. It appeared that a group of 6 - 7 people tended to dominate the balance of the meeting by voicing their strong opposition to the project. The remainder of attendees supported the project.
- V. Record of Attendance. A book was circulated amongst the audience with the request that all persons within the two block radius of the project sign their name and address. (It was pointed out that those people attending the meeting who were parishioners and who were not residents within the two block radius would be ineligible to sign the book.) The book unfortunately disappeared and was not returned to the Chairman. At the end of the meeting inquiries were made as to the book's whereabouts, an extensive search was made of the Church hall and the surrounding premises, but the book was not found.

Urban Design Panel

4

12 October 1983

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4. Rezoning  
37th and Balsam  
Zoning: from RS-1 to CD-1  
Architects: Rhone & Morton  
Delegation: None
- 

The Panel believes that the "big house" concept, which relates to the form of the main church of St. Mary's, is appropriate here. THE PANEL SUPPORTS THE REZONING of this site on that basis, with the following comments:

Materials and Details

The success of this project in the development permit stage will depend on the careful detailing of various elements of the building, and the use of materials that match the church. They suggest that wood shingles would be an appropriate finish for the project accentuated by attractive wood molding.

The Panel would like to review this project again at the development permit stage.

2. South Side of the 2400 Block West 37th Avenue

Council considered an application by the Rev. John Bethell, on behalf of St. Mary's Church as follows:

**LOCATION:** SOUTH SIDE OF THE 2400-BLOCK WEST 37TH AVENUE - BETWEEN LARCH AND BALSAM STREETS (Lot 2 and Lot 'D', Block 12, D.L. 526, Plans 3946 and 12613)

**Present Zoning:** RS-1 One-Family Dwelling District  
**Requested Zoning:** CD-1 Comprehensive Development District

- (i) The Draft CD-1 By-law, if approved, would restrict the use and development of the site as follows:  
On the easterly portion of the site:
  - a maximum of 21 apartments, all of which shall be eligible for funding under Section 56.1 of the National Housing Act and designed for senior citizens; and
  - off-street parking provisions to serve uses of both the easterly and westerly portions of the sites; and
 On the westerly portion of the site:
  - church and church-related uses;
- (ii) Amend Sign By-law, No. 4810 to establish sign regulations for the newly created CD-1 District;
- (iii) Any consequential amendments.

The Director of Planning recommended approval subject to the following conditions proposed for adoption by resolution of Council:

- (a) That the detailed scheme of the proposed senior citizen residential development, in a development permit application, be first approved by the Development Permit Board, after receiving advice from the Urban Design Panel, having particular regard to the following:
  - the architectural and functional relationship between the proposed senior citizen residential development and the existing church development and facilities;
  - the provision of suitable legal instruments to ensure continuous availability of at least 31 off-street parking spaces for use by the church, exclusive of at least 4 off-street parking spaces to serve the proposed senior citizen residential development;
  - the retention of significant, substantial landscaping presently existing on the easterly portion of the site.
- (b) That the approved form of development be generally as illustrated in drawings prepared by Rhone Morton Architects stamped 'Received, City Planning Department, September 6, 1983', subject to increased off-street parking, in accordance with (a) above, and the following:
  - the church and related facilities, save for present parking, shall be that existing as of February 9, 1984;
  - the senior citizen residential development shall contain a maximum of 21 apartment units, a maximum building height of 11.887 m (39.00 ft.) and a maximum gross floor area of 1 268.4 m<sup>2</sup> (13,653.08 sq. ft.).
- (c) That this site be brought to the attention of the Planning and Development Committee of Council if the proposed senior citizen residential and off-street parking development has not been started within one (1) year from the date of enactment of the proposed by-law.

Cont'd.....

South Side of the 2400 Block West 37th Avenue (Cont'd)

Mr. R. Scobie, Zoning Division, reviewed the application and briefly summarized the background history as detailed in the Agenda material in the appendix to the Manager's Report dated November 28, 1983. He noted the Urban Design Panel supported the proposal.

Council's attention was also drawn to an amendment to condition (a) proposed by the Director of Planning as set out above which will now read as follows:

(a) That the detailed scheme of the proposed senior citizen residential development, in a development permit application, be first approved by the Development Permit Board, after receiving advice from the Urban Design Panel, having particular regard to the following:

- the architectural and functional relationship between the proposed senior citizen residential development and the existing church development and facilities;
- the provision of suitable legal instruments to ensure continuous availability of approximately 31 off-street parking spaces for use by the church (with the precise number to be determined at the development permit stage) exclusive of at least 4 off-street parking spaces to serve the proposed senior citizen residential development;
- the retention of significant, substantial landscaping presently existing on the easterly portion of the site.

\*underlining denotes amendment

The Mayor called for speakers for or against the application and the following delegations addressed Council:

- Rev. John Bethell, Minister of St. Mary's Church, stated the seniors project had been selected as the Church's 75th anniversary project in recognition of the pioneers of Kerrisdale and Point Grey who were having to move from familiar surroundings in the face of escalating rents. As a service to the community and provision for the needs of senior residents, it was decided to build a 21 suite three-storey apartment complex on the land adjacent to the church. The church was donating the land to the project.

- Mr. John Molson, Chairman of the 75th Anniversary Committee, advised the project would be operated as a non-profit society. Early indications were that the necessary funding would be forthcoming from Provincial and Federal sources.

In response to questions from a Council member respecting the difficulty in obtaining government funding under Section 56.1 of the National Housing Act, Mr. Molson said officials of the church had approached the senior levels of government and had been led to believe funding would be available within a reasonable time.

- Mr. William Rhone, Architect, stated it was understood neither C.M.H.C. nor Provincial authorities would entertain financing commitments until the rezoning was in place.

Cont'd.....

South Side of 2400 Block West 37th Avenue (Cont'd)

The following speakers were in favour of the project:

- Mr. E. Williams, 2973 West 28th Avenue
- Mr. John and Heather Leighton, 2626 West 36th Avenue
- Ms. Patricia Wadsworth, 2451 West 36th Avenue
- Mr. G. Chapman, 2475 West 37th Avenue
- Ms. R. Hugh, 2326 West 36th Avenue - also read a letter from Marion O'Neill in support.

Speakers listed below opposed the rezoning on the ground it would create a precedent by introducing apartments into a single family area and more applications would follow; would contravene a 1980 decision of Council to maintain single family zoning in Kerrisdale; would compound parking problems and traffic congestion in the area.

Those opposed were:

- Mrs. Monica McGavin, 2403 West 37th Avenue
- Mrs. Terry Clark, 2237 West 37th Avenue
- Martin Zlotnik, 5312 Balsam
- Betty Sawyer, 2338 West 37th Avenue
- Mr. Shirley, 2402 West 35th Avenue

MOVED by Ald. Eriksen,  
THAT the application be approved subject to the conditions proposed by the Director of Planning.

- carried

(Aldermen Brown and Puil opposed)

MOVED by Ald. Puil (in amendment),  
THAT the following be added to the above motion:

\* FURTHER THAT enactment of the by-law be subject to St. Mary's Church receiving a funding commitment from C.M.H.C.

- CARRIED UNANIMOUSLY

The motion as amended and reading as follows was put and CARRIED with Aldermen Brown and Puil opposed:

THAT the application be approved subject to the conditions proposed by the Director of Planning;

FURTHER THAT enactment of the by-law be subject to St. Mary's Church receiving a funding commitment from C.M.H.C.



CITY OF VANCOUVER  
MEMORANDUM

(St. Mary's Church)

From: CITY CLERK

Date: 19 February 86

To: CITY MANAGER  
DIRECTOR OF PLANNING  
DIRECTOR OF LEGAL SERVICES

Refer File: 5302

<b>RECEIVED</b>	
CITY PLANNING DEPT.	
FEB 21 1986	
NUMBER	H. 0956
REFERRED TO	R. S. D. W. D.
COPY TO	
ANSWER REQ'D	

Subject: Outstanding Rezoning Applications

I wish to advise you that Vancouver City Council, at its meeting on Tuesday, February 18, 1986, approved the recommendation of the Planning and Development Committee contained in the attached clause of its report, dated January 30, 1986, with regard to the above matter.

CITY CLERK JW

MCross/lc  
Att.

2. Outstanding Rezoning Applications

The Committee considered an Information Report of the City Manager, dated January 22, 1986 (on file in the City Clerk's office) in which the Director of Planning, as instructed by Council on February 26, 1985 reviews the status of rezoning applications approved at public hearing more than one year ago, that are still awaiting enactments as a result of conditions of approval not having been met .

In February 1985, Council reviewed the status of nine outstanding applications and of these, resolved to rescind the approval of one. (In order to rescind the motion of approval made at the public hearing, a simple majority of those members of Council present at the public hearing was required.) Staff will, in September 1986, report again to Council so as not to conflict with the coming civic election.

Mr. D. Thomsett, Rezoning and Subdivision Group, advised that a number of older rezoning applications have been either enacted or withdrawn during the last year, resulting in only three applications, approved in principle, remaining outstanding for longer than one year. The three applicants were contacted by staff and all have provided written or verbal responses as follows:

(a) 2600-Block Grandview Highway (Italian Cultural Centre)

Proposed Rezoning: RS-1 and CD-1 to CD-1 for purposes of a seniors' housing project and an expansion of the Italian Cultural Centre.

Staff concluded that Council need take no action as the applicant is actively working toward meeting the last remaining conditions of approval.

(b) 2490 West 37th Avenue (St. Mary's Church)

Proposed Rezoning: RS-1 to CD-1 for purposes of constructing 21 units of non-market seniors' housing adjacent to the church.

Staff concluded that Council need take no action as the Church is actively seeking development funds in order to meet Council's conditions of approval.

(c) 614 - 674 West 12th Avenue (Bing Thom Architects)

Proposed Rezoning: RT-2 to CD-1 for purposes of two 12-storey highrise apartment buildings linked by two-storey townhouses to a maximum of 136 dwelling units.

Staff concluded that Council need take no action as the owners of the property have declared their intent to proceed toward meeting the conditions of rezoning later this year. Staff will report on the progress of this project when reporting again on outstanding rezonings in September.

The Committee

RECOMMENDED

THAT the Manager's Report, dated January 22, 1986, entitled "Outstanding Rezoning Applications", be received for information.

PLANNING DEPARTMENT

DATE: 1986 10 01

TO: City Manager (for Standing Committee on Planning and  
Development)  
SUBJECT: Outstanding Rezoning Applications  
CLASSIFICATION: INFORMATION

---

The Director of Planning reports as follows:

**PURPOSE**

This report reviews the status of rezoning applications approved at Public Hearings more than one year ago that are still awaiting enactment as a result of conditions of approval not having been met. The report also addresses the concern that it may not be possible for Council to enact rezonings following the November Civic Election.

**BACKGROUND**

On February 26, 1985, Council resolved:

" That the Director of Planning, on an annual basis in September of each year, be instructed to report on the status of approved rezoning applications that are outstanding for more than one year with respect to conditions of approval, with recommendations on whether to maintain or rescind the approval given."

It should be noted that in order to rescind a motion of approval made at a Public Hearing, a simple majority of those members of Council present at the Public Hearing is required.

Enactment of an amending by-law for rezoning requires a quorum of six members of Council who were present at the Public Hearing. After the November Civic Election, a maximum of eight of the current Council will remain, therefore, depending upon the outcome of the Election and the individual members of Council who were present at particular Public Hearings, some of the enactments may be in jeopardy. Should enactment not occur this year, and a quorum of the current Council not be available in 1987 or later, then the proposed rezoning would have to proceed to a new Public Hearing.

**OUTSTANDING APPLICATIONS**

Of the three older rezoning applications reported in our January 22, 1986 report, the 2600-Block Grandview Highway (Italian Cultural Centre) has now been enacted by Council. The following applications have now been outstanding for longer than one year. All applicants have been contacted by Staff, advised of the potential problem with Council quorum and have provided written or verbal responses as follows:

1. 2490 West 37th Avenue (St. Mary's Church)

Applicant: John E. Bethel, Rector  
Proposed Rezoning: RS-1 to CD-1 for purposes of constructing 21 units of non-market seniors' housing adjacent to the Church.  
Public Hearing Date: February 9, 1984.  
Present: Mayor Harcourt, Aldermen Brown, Davies, Ericksen, Ford, Puil, Rankin, Yee and York (a maximum of seven members of Council may be present after November 1986 Election).

The application was approved subject to a detailed scheme of development in a development permit application, a legal agreement concerning parking availability and the receipt of funding commitment from CMHC.

Through 1984-1985 the Church actively sought CMHC funding but was not successful. In July, 1986 the applicant advised that the the Church had just submitted a proposal to CMHC through the B.C. Housing Management Company and that they hope to advance to Stage II by September with final approval CMHC by December 31. As a result of a recent warning by staff of the possible problem with enactment, the Church has decided to proceed immediately with the work needed in order to allow the by-law to be enacted by the existing Council.

Staff conclude that Council need take no action as the Church is actively working towards meeting the rezoning conditions at this time. Furthermore, the proposed CD-1 zoning remains relevant.

2. 614-674 West 12th Avenue

Applicant: Bing Thom, Architect.  
Proposed Rezoning: RT-2 to CD-1 for purposes of constructing two 12-storey highrise apartment buildings linked by two-storey town-houses to a maximum of 136 dwelling units.  
Public Hearing Date: June 28, 1984  
Present: Mayor Harcourt, Aldermen Brown, Davies, Eriksen, Ford, Puil, Kennedy\*, Rankin, Yee and Yorke (maximum seven after election).

\* No longer on Council.

The application was approved subject to a detailed scheme of development in a development permit application. No work has been done towards meeting this condition.

In January the owner of the property advised that he had held back on developing the site because of the "economic climate in 1984 and 1985". He said he intended to "restart development" in 1986, with construction to start in 1987 and probable completion in 1988.

The owner now advises that he is negotiating with a potential purchaser who may be interested in developing the site along the lines of that preliminarily approved under a CD-1 zoning. He therefore requests that Council not rescind preliminary approval of the application.

Staff conclude that Council need take no action, as potential purchasers of the property may be interested in developing within the constraints of the proposed CD-1 zoning which remain relevant at this time. There could, however, be problems if the property changes hands and the new owner wishes to make changes to the proposal that may not be possible within the constraints of the preliminarily-approved form of development.

3. 1249 Boundary Road - Armenian Cultural Centre

Applicant: Raymond Ching, Architect  
Proposed Rezoning: RS-1 to CD-1 for purposes of constructing a cultural and recreational centre.  
Public Hearing Date: February 14, 1985.  
Present: Aldermen Bellamy, Brown, Campbell, Davies, Eriksen, Ford, Rankin, Yee and Yorke (maximum seven after election).

The application was approved subject to a detailed scheme of development in a development permit application, consolidation of the site and a legal agreement regarding underground servicing. No work has been done towards meeting these conditions.

# 188

2490 W. 37th.

St Mary's ~~School~~  
Church

S. Side 2400 Blk. W. 37th Avenue

BY-LAW NO. 6074

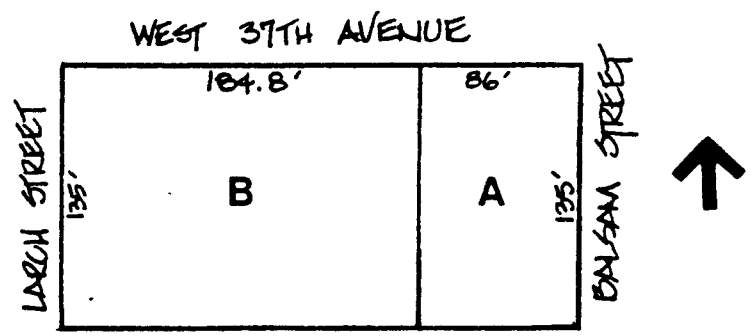
A By-law to amend the Zoning  
and Development By-law,  
being By-law No. 3575

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting  
assembled, enacts as follows:

1. The "Zoning District Plan" annexed by By-law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-293b and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning and District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.

2. The area shown included within the heavy black outline on Schedule "A" is rezoned to CD-1, and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) In the area denoted as "A" on the following diagram:
  - (i) an apartment building containing a maximum of 18 dwelling units, all of which shall be designed for senior citizens and eligible for funding under Section 56.1 of the National Housing Act; and
  - (ii) off-street parking to serve the uses in areas "A" and "B".
- (b) In the area denoted as "B" on the following diagram, church and church-related uses.



3. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 24th day of November , 1986.

(Signed) Michael Harcourt  
Mayor

(Signed) R. Henry  
City Clerk

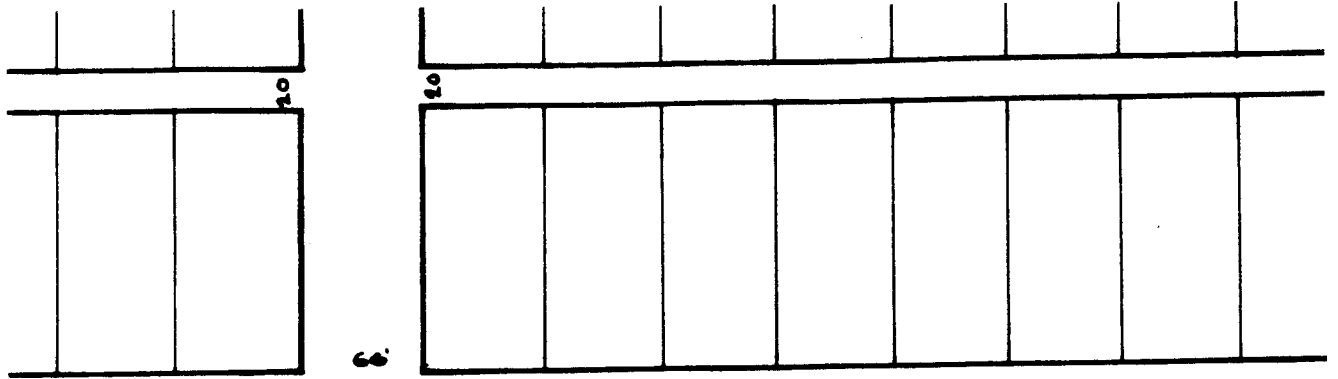
"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 25th day of November, 1986, and numbered 6074.

CITY CLERK"

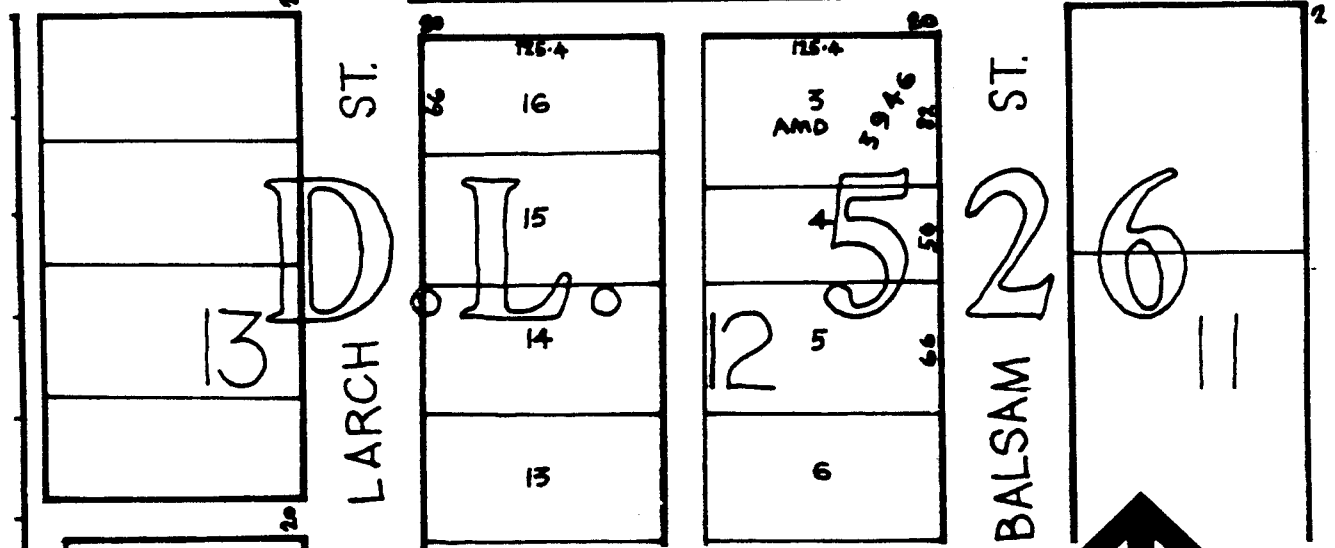
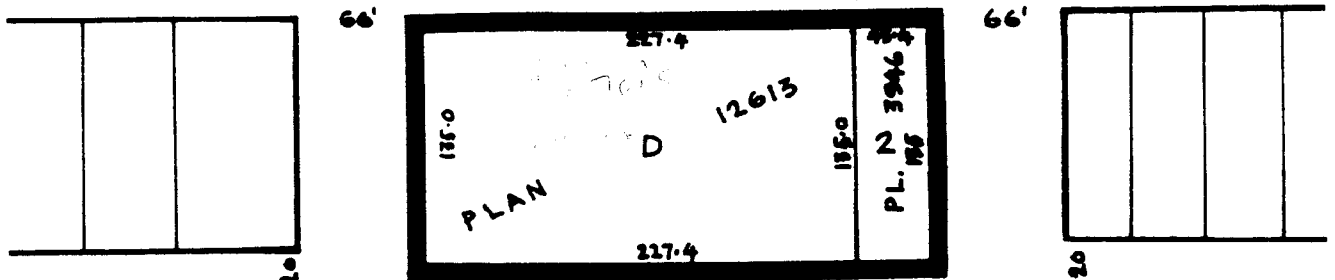
103

BY-LAW No. 6074 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW

THE PROPERTY SHOWN BELOW (                      ) OUTLINED IN BLACK SCHEDULE A  
IS REZONED: FROM **RS-1** TO **CD-1**



3 THIRTY-SEVENTH AVE.




SCALE: 1" = 100'  
FILE No. **RZ 2490 West 37th Ave.**

**Z-293b**

CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: November 26, 1986

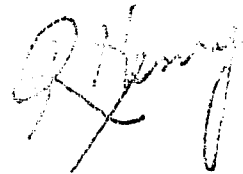
To:  Director of Planning  
Nancy Rogers, By-law Clerk, City Clerk's Office

Refer File:

NOV 27 1986
H 6108
RJSIDmco
NUM
REF
CC
ANS

Subject: Motions relating to Certain By-laws approved by Council  
- November 25, 1986

I wish to advise you of the attached extracts from the minutes  
of the Vancouver City Council meeting held on November 25, 1986.



CITY CLERK

Att.  
:ss



D. Proposed Conditions of Development for  
South Side of the 2400 Block West 37th Avenue  
(St. Mary's Church)

MOVED by Ald. Eriksen,  
SECONDED by Ald. Yorke,

THAT the approved form of development be generally as illustrated in the drawings prepared by Rhone Morton, Architects stamped "Received, City Planning Department, September 6 1983", subject to the provision of a legal agreement to ensure continuous availability of 30 off-street parking spaces for use by the church exclusive of three off-street parking spaces to serve the proposed senior citizen residential development and that:

- the church and related facilities, save for present parking, shall be that existing as of February 9, 1984;
- the senior citizen residential development shall contain a maximum of 18 apartment units, a maximum building height of 11.887 m (39.00 ft.) and a maximum gross floor area of 1.268.4 m (13,653.08 sq. ft.);

FURTHER THAT this site be brought to the attention of the Planning and Development Committee of Council if the proposed senior citizen residential and off-street parking development has not been started within one (1) year from the date of enactment of the proposed by-law.

- CARRIED UNANIMOUSLY

CITY OF VANCOUVER  
MEMORANDUM

From: CITY CLERK

Date: 26th November 1986

To: CITY MANAGER  
DIRECTOR OF PLANNING  
DIRECTOR OF LEGAL SERVICES

Refer File: 5308

NOV 27 1986  
H 6101  
RJS/dmcd

Subject: ENACTMENT OF CD-1 BY-LAW  
2490 WEST 37TH AVENUE (ST. MARY'S CHURCH)

Please be advised that City Council, at its meeting on Tuesday, November 25, 1986, approved the recommendation of the City Manager, as contained in his attached report dated November 21, 1986, with regard to the above matter.

*[Signature]*  
CITY CLERK  
*me*

GJohnson:mfm  
Att.

Also sent to:

Messrs. William Rhone Architects, 165 - 1020 Mainland Street V6B 2T4  
B.C. Housing Management Commission, 4330 Kingsway, Burnaby V5H 2A5

3. Enactment of CD-1 By-law -  
2490 West 37th Avenue (St. Mary's Church)

The Director of Planning reports as follows:

This report recommends that a prior-to condition of rezoning of the south side of the 2400-block West 37th Avenue (at Balsam Street) be amended to become a condition of development permit issuance.

**BACKGROUND**

At a Public Hearing held on February 9th, 1984, City Council approved the rezoning of the south side of 2400-block West 37th Avenue from RS-1 to CD-1 for a non-market senior citizens' residential development. The rezoning was subject to several prior-to conditions. These included the submission of a detailed scheme of development, to be first approved by the Director of Planning, as well as the provision of legal agreement to ensure availability of underground parking for use by the adjacent church. Furthermore, enactment of the by-law was subject to St. Mary's Church receiving a funding commitment from CMHC.

**CURRENT SITUATION**

The development permit application has been approved, subject to prior-to conditions, including the above-noted legal agreement. As a result of slightly changed unit dimension standards, the total number of units has been reduced to 18 from the previously approved 21, while the floor space ratio and other dimensions remain the same. A draft by-law proposed for enactment on November 25, 1986, has been amended to reflect the reduced number of units.

The final funding commitment from CMHC remains outstanding. However, the applicant advises in a letter dated November 14, 1986 (attached as Appendix "A"), that St. Mary's has just completed their final submission for the second stage of the approval process. He expects that funding for the project will be approved in late November or early December.

Non-market seniors' housing projects are now funded through the B.C. Housing Management Corporation (BCHMC). BCHMC officials have advised staff that while enactment of the rezoning is not absolutely essential to obtaining funding, they would hesitate to fund the project without the zoning in the event that the zoning may ultimately fail. Should this occur, the funding for the approved units would be lost until the next calendar year. The St. Mary's project is currently being reviewed by BCHMC.

**CONCLUSION**

Staff conclude that St. Mary's Church has made every effort to achieve a funding commitment since the 1984 Public Hearing. As a result of the slowness of the funding of non-market seniors' residential projects, it has only been recently that the St. Mary's project has been able to proceed. Due to the fact that the other conditions have been met and funding is at least partly dependent upon enactment of the zoning, staff recommend that Council enact the amending by-law. Should Council decide to wait for funding approval, the new Council would not be able to enact the amending by-law due to a lack of quorum of members present at the 1984 Public Hearing and eligible to vote on the matter.

Clause No. 3 Continued

**RECOMMENDATION**

The Director of Planning therefore recommends:

THAT the condition requiring St. Mary's Church to receive a funding commitment from CMHC prior to the enactment of the by-law be amended to read "That issuance of a development permit be subject to St. Mary's Church first receiving a funding commitment from BCHMC."

The City Manager RECOMMENDS that the recommendation of the Director of Planning be approved.

APPROVED. COUNCIL, November 25, 1986.

Appendix A

165-1020 Mainland Street  
Vancouver, B.C.  
Canada V6B 2T4  
(604) 688-2526

William Rhone Architects

November 14, 1986

Project No. 8704

Mr. Ray Spaxman  
Director of Planning  
City Planning Department  
City of Vancouver  
453 West 12th Avenue  
Vancouver, B. C.  
V5Y 1V4

Dear Sir:

Re: St. Mary's Kerrisdale Seniors' Housing Project - Funding

Funding of all social housing projects is now under the control of the British Columbia Housing Management Corporation (BCHMC), who call for proposals from sponsor groups and allocate funds for projects.

St. Mary's has just completed the second stage of a two stage proposal call making a final submission October 31st. That submission included preliminary plans, specifications, a fixed price (bonded) based on general contractor tenders, detailed operating projections, and other financial data. A grant was given to Phase II participants to defray the cost of soil tests, surveys, and fees.

Funding for this project will be approved in late November or the first week of December. Funding will be approved on the understanding that the land is appropriately zoned and that the project is approved at a preliminary level (Development Permit) by the civic authorities.

As we see it, approval by Council of the re-zoning is essential to obtaining the funding from BCHMC without which the project will not proceed.

We have high hopes for this project being accepted by BCHMC due to its relatively small size, location, and sponsorship.

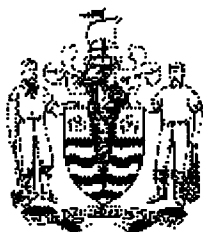
Yours very truly,

WILLIAM RHONE ARCHITECTS

  
William R. Rhone

WRR/sb-c

cc. David Thomsett  
Zoning Planning Office



**CITY OF VANCOUVER**

**SPECIAL COUNCIL MEETING MINUTES**

**FEBRUARY 22, 2000**

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 22, 2000 at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider a Heritage Designation and Revitalization Agreement and proposed amendments to the Heritage, Sub-Division, Zoning and Development and Sign By-laws and False Creek North Official Development Plan.

**PRESENT:** Councillor Jennifer Clarke, Deputy Mayor

Councillor Fred Bass  
Councillor Lynne Kennedy  
Councillor Daniel Lee  
Councillor Don Lee  
Councillor Tim Louis  
Councillor McCormick  
\*Councillor George Puil

**ABSENT:** Mayor Philip Owen

Councillor Gordon Price (sick leave)  
Councillor Sam Sullivan (sick leave)

**CITY CLERK'S**

**OFFICE:** Denise Salmon, Meeting Coordinator

\*Denotes presence for portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Cllr. Louis,  
SECONDED by Cllr. McCormick,

- CARRIED UNANIMOUSLY

**2. Text Amendment:**

**2490 West 37th Avenue (St. Mary's Church) File 1401-17**

An application by Joe Wood, on behalf of St. Mary's Kerrisdale Church, was considered as follows:

Summary: The proposed text amendment to CD-1 By-law for 2490 West 37th Avenue (St. Mary's Church) would permit child day care facility as permitted use.

The Director of Current Planning recommended approval.

**Staff Comments**

Rob Whitlock, Planner, provided a brief overview of the application.

**Applicant Comments**

Joe Wood, the applicant on behalf of St. Mary's Church, advised he had no comments to add and was available to answer questions.

**Summary of Correspondence**

Council was advised the following correspondence was received since the date the application was referred to Public Hearing:

one letter in opposition.

**Speakers**

Deputy Mayor Clarke called for speakers for and against the application and none were present.

MOVED by Cllr. Don Lee,

THAT the application by Joe Wood, on behalf of St Mary's Kerrisdale Church, to amend the CD-1 By-law for 2490 West. 37th Avenue (St. Mary's Church) to permit child day care facility as permitted use, be approved.

- CARRIED UNANIMOUSLY

~~**3. Text Amendment: 1125 Pacific Boulevard File 1401-17**~~

~~An application by the Director of Current Planning, was considered as follows:~~

~~Summary: The proposed text amendments to the CD-1 By-law for 1125 Pacific Boulevard and the False Creek North Official Development Plan would allow a change of non-market housing units from non-family to family units.~~

~~The Director of Current Planning recommended approval, subject to conditions set out in the agenda of the Public Hearing.~~



**CITY OF VANCOUVER**

**REGULAR COUNCIL MEETING MINUTES**

**MARCH 14, 2000**

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, March 14, 2000, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Mayor Philip Owen

Councillor Fred Bass  
Councillor Jennifer Clarke  
Councillor Daniel Lee  
Councillor Don Lee  
Councillor Tim Louis  
Councillor Sandy McCormick  
Councillor Gordon Price  
Councillor George Puil  
\*Councillor Sam Sullivan

**ABSENT:** Councillor Lynne Kennedy (Leave of Absence)

**CITY MANAGER'S  
OFFICE:** Judy Rogers, City Manager

**CITY CLERK'S  
OFFICE:**

Ulli S. Watkiss, City Clerk

Gail Johnson, Meeting Coordinator

\* Denotes presence during part of the meeting.

**PRAYER**

The proceedings in the Council Chamber were opened with a prayer read by the City Clerk.



B. THAT, at the Public Hearing, staff provide responses to questions raised by Council members, including:

- why is the proposed school needed in the community and why in this location?
- why can the City impose an upper limit of Grade 9, yet not require that the existing Day Care Centre remain at the site?
- can the full 25 spaces for day care be re-arranged for another site in the area?
- who certifies the operation of a school?
- confirmation that the Beaconsfield Park playing field will be available for use by the school.

- carried

(Councillors Bass and Louis opposed)

REFERRAL MOVED by Cllr. Bass,  
 THAT consideration of the Policy Report dated February 29, 2000 entitled "CD-1 Text Amendment - 3075 Slocan Street (Italian Centre), be referred to the March 30, 2000 meeting of the Standing Committee on Planning and Environment, to hear from the applicant.

- LOST

(Councillors Clarke Daniel Lee, Don Lee, McCormick,  
 Price, Puil, Sullivan and the Mayor opposed)

The Referral motion having lost, Councillor Puil's motions were put and CARRIED, with Councillors Bass and Louis opposed.

In addition, staff was requested to provide notification of the Public Hearing within a four block radius of the site, rather than the usual two block radius.

#### **RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Cllr. Don Lee,  
 THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

#### **ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Cllr. Clarke,  
 SECONDED by Cllr. Puil,  
 THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

#### **BY-LAWS**

**1. A By-law to amend By-law No. 6074, being a By-law which amended the Zoning and Development By-law by rezoning an area to CD-1**

**(2490 West 37th Avenue - St. Mary's Church) By-law No. 8167**

MOVED by Cllr. Louis,  
SECONDED by Cllr. Clarke,  
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Louis,  
SECONDED by Cllr. Clarke,  
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

**2. A By-law to amend By-law No. 3575, being the Zoning and Development By-law (Exterior Wall Exclusion) By-law No. 8168**

MOVED by Cllr. Don Lee,  
SECONDED by Cllr. McCormick,  
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,  
SECONDED by Cllr. McCormick,  
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

**3. A By-law to amend various CD-1 By-laws (Exterior Wall Exclusion)**

By-law No. 8169

MOVED by Cllr. Don Lee,  
SECONDED by Cllr. McCormick,  
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

2490 West 37<sup>th</sup> Avenue  
(St. Mary's Church)

BY-LAW NO. 8167

A By-law to amend  
By-law No. 6074,  
being a By-law which amended the  
Zoning and Development By-law  
by rezoning an area to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,  
enacts as follows:

1. By-law No. 6074 is amended in Section 2(b) by inserting immediately after the words "church-related uses" the words "and child day care facility".
2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 14th day of March, 2000.

(Signed) Philip W. Owen  
Mayor

(Signed) Ulli S. Watkiss  
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 14th day of March 2000, and numbered 8167.

CITY CLERK"