



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

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7000 fax 604.873.7060  
[planning@vancouver.ca](mailto:planning@vancouver.ca)

## **CD-1 (497)**

*2665 Renfrew Street*

*By-law No. 10174*

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

***Effective November 16, 2010***

## **1 Zoning District Plan amendment**

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-622(c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

## **2 Definitions**

In this By-law:

‘ “Desktop Publishing” means the creation of page layouts with text, graphics, photos and other visual elements, using computer software.’

## **3 Uses**

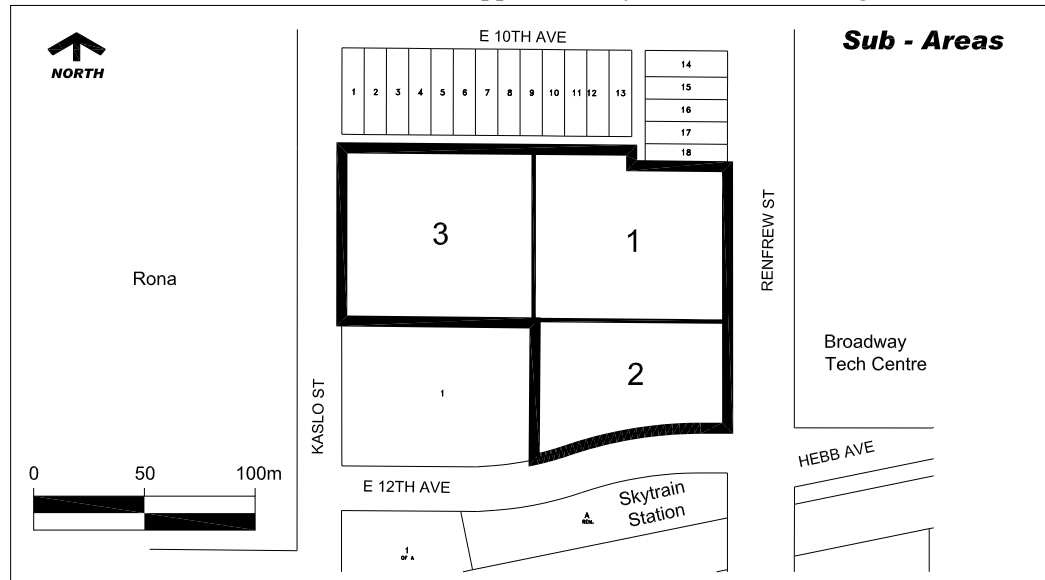
3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (497).

3.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (497) and the only uses for which the Director of Planning or Development Permit Board will issue permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio - Class B and Fitness Centre;
- (b) Institutional Uses, limited to Ambulance Station, Child Day Care Facility, Public Authority Use, School - Elementary or Secondary, School - University or College, and Social Service Centre;
- (c) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Machinery or Equipment Manufacturing, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Plastic Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Software Manufacturing, and Textiles or Knit Goods Manufacturing;
- (d) Office Uses, limited to Financial Institution, General Office, Health Care Office, Health Enhancement Centre, Information Technology, and Desktop Publishing;
- (e) Parking Uses;
- (f) Retail Uses, limited to Limited Service Food Establishment and Retail Store, except that retail uses are only permitted in sub-area 2;
- (g) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laboratory, Laundry or Cleaning Plant, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, Sign Painting Shop, and Work Shop;
- (h) Transportation and Storage Uses, limited to Cold Storage Plant, Mini-storage Warehouse, Packaging Plant, and Storage Warehouse;
- (i) Utility and Communication Uses, limited to Public Utility and Radiocommunication Station;
- (j) Wholesale Uses, limited to Wholesaling - Class A and Wholesaling - Class B; and
- (k) Accessory Uses customarily ancillary to any of the uses permitted by this section 3.2.

## 4 Sub-areas

The site is to consist of the 3 sub-areas approximately as illustrated in Figure 1.



## 5 Density

- 5.1 The floor space ratio for all uses, combined, must not exceed 3.0, except that:
- the floor area, for all uses combined, must not exceed 16 914 m<sup>2</sup> in sub-area 1,
  - the floor area, for all uses combined, must not exceed 16 665 m<sup>2</sup> in sub-area 2,
  - the floor area, for all uses combined, must not exceed 19 767 m<sup>2</sup> in sub-area 3, and
  - the floor area for retail uses, including accessory retail, combined, must not exceed 1 858 m<sup>2</sup>.
- 5.2 Computation of floor space ratio must include all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floors and accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.
- 5.3 Computation of floor space ratio and floor area in each sub-area must exclude:
- patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
  - where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
    - are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
    - are above base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
  - storage space associated with an Artist Studio - Class B where the space is provided below the base surface, except that the maximum exclusion must not exceed 20 m<sup>2</sup> for each artist studio;
  - amenity areas for the social and recreational enjoyment of employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, except that:
    - the total excluded area must not exceed the lesser of 20 per cent of the permitted floor space or 100 m<sup>2</sup>, and

- (ii) for a child day care facility, the Director of Planning, on the advice of the Director of Social Planning is satisfied that a need exists for a child day care facility in the building or in the immediate neighbourhood;
- (e) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000; and
- (f) with respect to exterior:
  - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),
 the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in subsection (ii) of this section meets the standards set out therein.

## **6 Building Height**

- 6.1 The building height, measured above base surface, must not exceed 30.5 m in sub-area 1, except that no portion of a building within 27.4 m of the north property line shall exceed 27.4 m in height.
- 6.2 The building height, measured above base surface, must not exceed 34.2 m in sub-area 2.
- 6.3 The building height, measured above base surface, must not exceed 30.5 m in sub-area 3, except that no portion of a building within 27.4 m of the north property line shall exceed 27.4 m in height.

## **7 Parking, loading, and bicycle spaces**

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle spaces, except that:

- (a) any use, except for School - Elementary or Secondary, School - University or College, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade, must have at least one parking space for each 70 m<sup>2</sup> of gross floor area and not more than one parking space for each 37 m<sup>2</sup> of gross floor area;
- (b) each School - Elementary or Secondary, School - University or College, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade must have at least one parking space for each 70 m<sup>2</sup> of gross floor area and not more than one parking space for each 31 m<sup>2</sup> of gross floor area;
- (c) up to 0.35 per cent of the parking spaces provided must be designated as Shared Vehicle Parking Space;
- (d) there must be at least one Bicycle Space, Class A for each 250 m<sup>2</sup> of gross floor area;
- (e) there must be at least one Bicycle Space, Class B for each 1 000 m<sup>2</sup> of gross floor area;
- (f) there must be one Disability Parking Space for the first 500 m<sup>2</sup> of gross floor area, and 0.4 spaces for each subsequent 1 000 m<sup>2</sup> of gross floor area;

- (g) Loading Spaces, Class A must be provided in accordance with columns 1 and 2 of Table 1:

Table 1

Column 1 Gross Floor Area	Column 2 Loading Space, Class A
Up to 1 000 m <sup>2</sup>	At least one space
From 1 000 m <sup>2</sup> to 2 000 m <sup>2</sup>	At least two spaces
From 2 000 m <sup>2</sup> to 5 000 m <sup>2</sup>	At least three spaces
Greater than 5 000 m <sup>2</sup>	At least three spaces plus one space for any portion of each additional 5 000 m <sup>2</sup>

- (h) Loading Spaces, Class B must be provided in accordance with columns 1 and 2 of Table 2:

Table 2

Column 1 Gross Floor Area	Column 2 Loading Space, Class B
Up to 100 m <sup>2</sup>	At least one space
From 100 m <sup>2</sup> to 500 m <sup>2</sup>	At least two spaces
From 500 m <sup>2</sup> to 1 000 m <sup>2</sup>	At least three spaces
From 1 000 m <sup>2</sup> to 2 000 m <sup>2</sup>	At least four spaces
From 2 000 m <sup>2</sup> to 4 000 m <sup>2</sup>	At least five spaces
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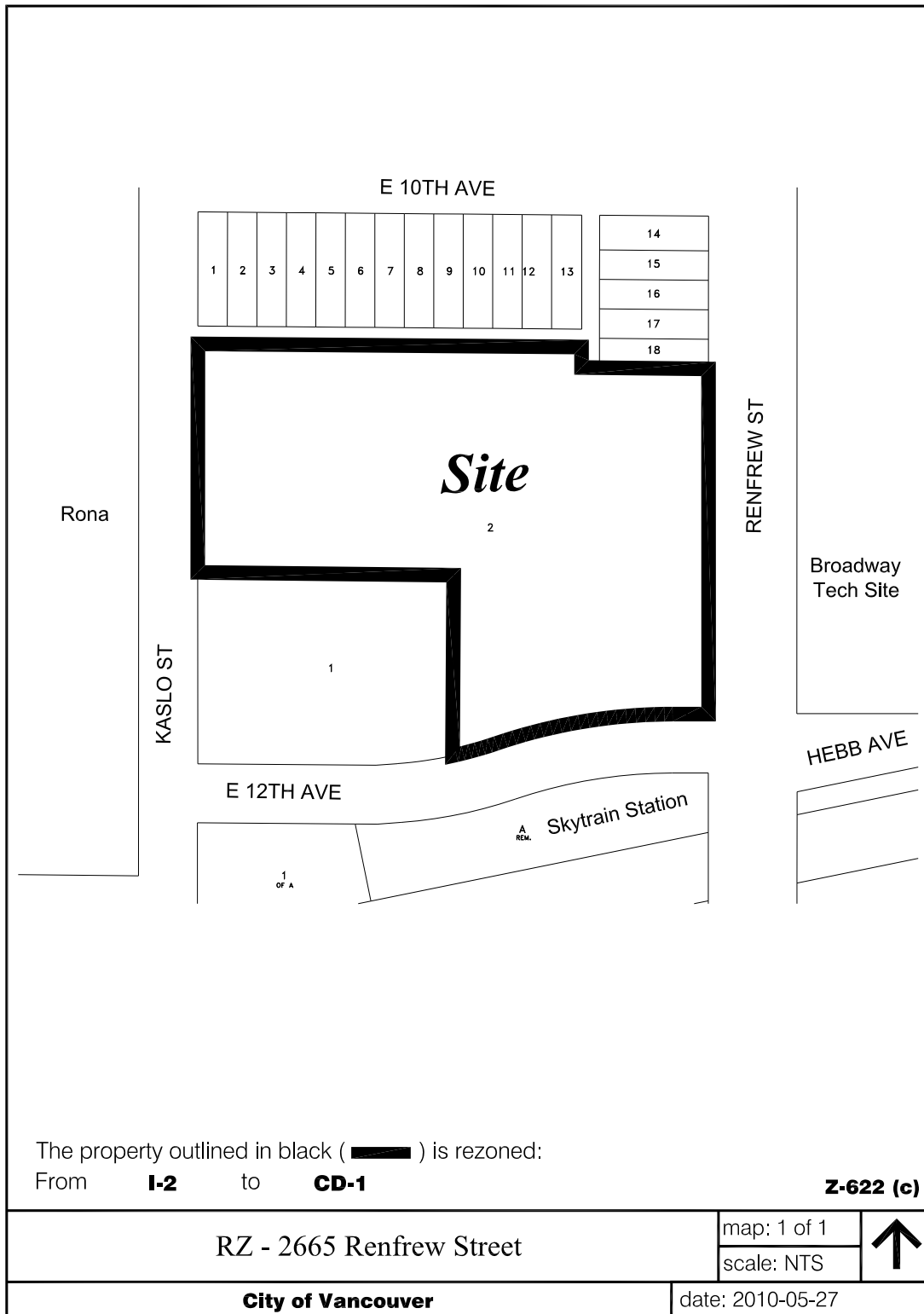
## **8 Severability**


A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law and is not to affect the balance of the By-law.

## **10 Force and effect**

This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 16th day of November, 2010.



The property outlined in black (  ) is rezoned:  
From **I-2** to **CD-1**

**Z-622 (c)**

RZ - 2665 Renfrew Street

map: 1 of 1

scale: NTS



City of Vancouver

date: 2010-05-27

# Backup Notes

# Backup Notes

**By-law No. 10174, dated November 16, 2010**



2665 Renfrew Street

**BY-LAW NO. 10174**

**A By-law to amend  
Zoning and Development By-law No. 3575  
to rezone an area to CD-1**

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

**Zoning District Plan amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-622(c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

**Definitions**

2. In this By-law:

‘ “Desktop Publishing” means the creation of page layouts with text, graphics, photos and other visual elements, using computer software.’

**Uses**

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (497).

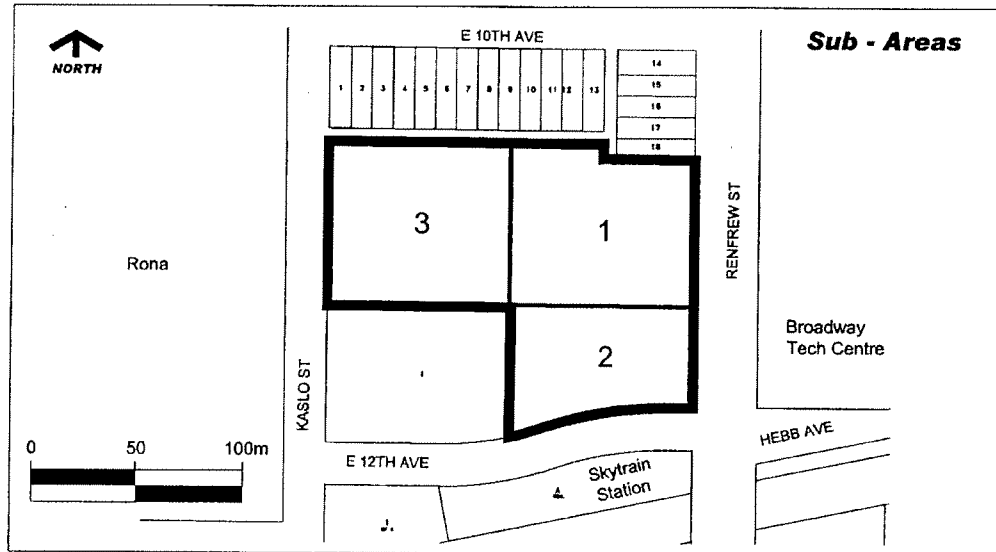
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- (e) Parking Uses;
- (f) Retail Uses, limited to Limited Service Food Establishment and Retail Store, except that retail uses are only permitted in sub-area 2;
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## Sub-areas

4. The site is to consist of the 3 sub-areas approximately as illustrated in Figure 1.



## Density

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  - (ii) are above base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
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## **Building Height**

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## **Parking, loading, and bicycle spaces**

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- (g) Loading Spaces, Class A must be provided in accordance with columns 1 and 2 of Table 1:

Table 1

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Greater than 5 000 m <sup>2</sup>	At least three spaces plus one space for any portion of each additional 5 000 m <sup>2</sup>

- (h) Loading Spaces, Class B must be provided in accordance with columns 1 and 2 of Table 2:

Table 2

Column 1 Gross Floor Area	Column 2 Loading Space, Class B
Up to 100 m <sup>2</sup>	At least one space
From 100 m <sup>2</sup> to 500 m <sup>2</sup>	At least two spaces
From 500 m <sup>2</sup> to 1 000 m <sup>2</sup>	At least three spaces
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### Severability

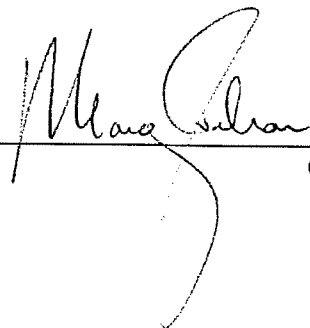
8. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law and is not to affect the balance of the By-law.

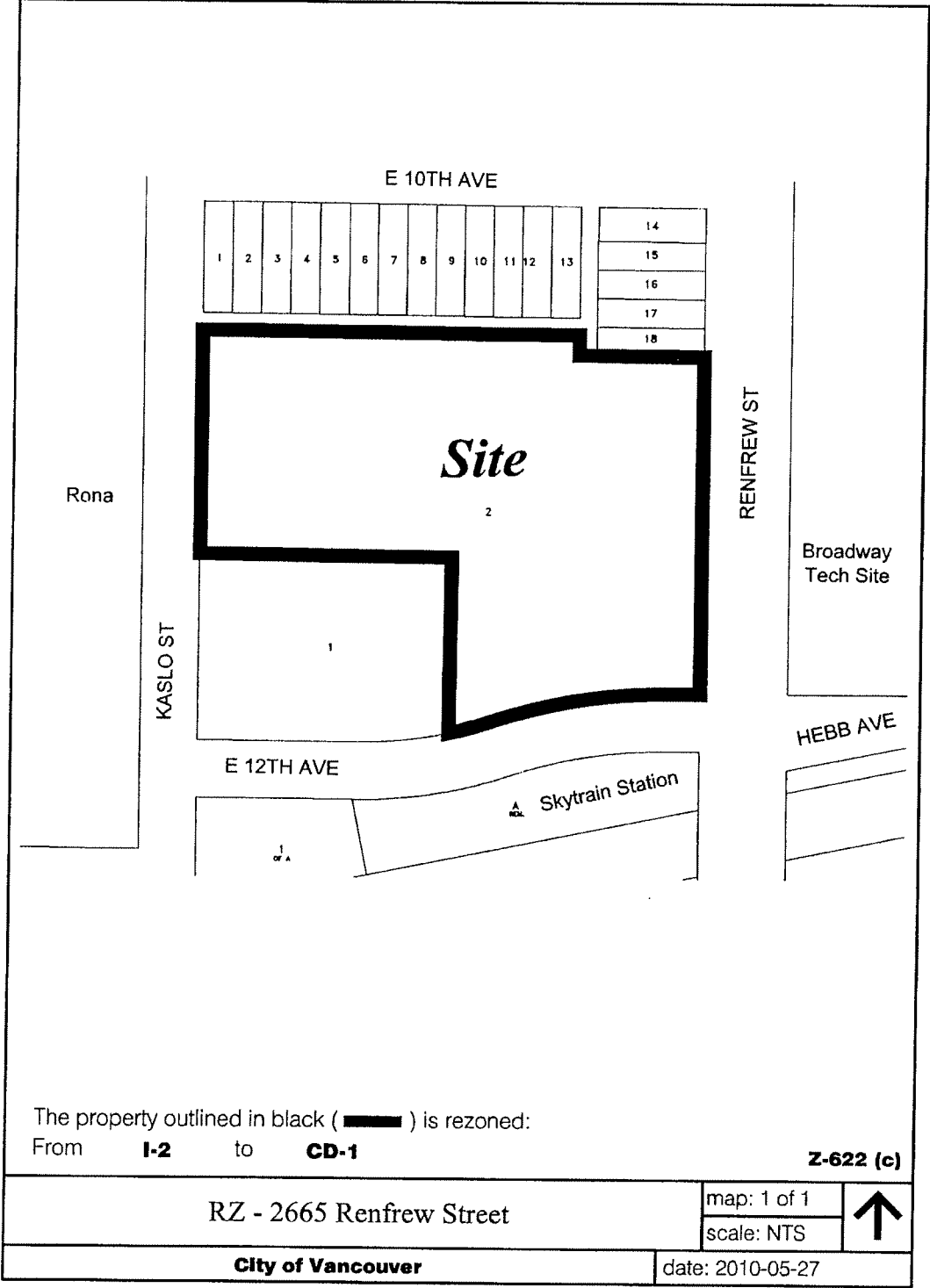
**Force and effect**

9. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 16<sup>th</sup> day of November , 2010

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



The property outlined in black ( **█** ) is rezoned:  
 From **I-2** to **CD-1**

**Z-622 (c)**

RZ - 2665 Renfrew Street

map: 1 of 1  
 scale: NTS



**City of Vancouver**

date: 2010-05-27





1. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2665 Renfrew Street)  
*(Councillor Anton ineligible for the vote)*
2. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (97 East 2<sup>nd</sup> Avenue)
3. A By-law to designate certain real property as protected heritage property (97 East 2<sup>nd</sup> Avenue - Opsal Steel Buildings and interior building fixtures)

### MOTIONS

#### A. Administrative Motions

None.

#### B. Motions on Notice

##### 1. Taxi Licenses

MOVED by Councillor Anton  
SECONDED by Councillor Meggs

#### WHEREAS

1. The Province of BC has reduced tolerance levels for drinking and driving;
2. Public transit is not universally available after midnight;
3. Taxis are reporting increased business;
4. There is anecdotal discussion regarding the difficulty of getting a taxi out of the city;
5. 111 new licenses were issued in 2007 and none have been issued since;
6. At the time of the issuance of the 2007 licenses, staff were requested to report back on license fees;

THEREFORE BE IT RESOLVED THAT staff be directed to report back with recommendations as to measures to improve service to customers at peak periods, including but not limited to possible temporary licenses.

referred

The Mayor noted that requests to speak to this motion have been received.

SPECIAL COUNCIL MEETING MINUTES

JUNE 22 AND 24, AND JULY 6, 2010

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, June 22, 2010, at 7:35 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the zoning, official development plan, sign, and heritage by-laws. Subsequently, the meeting was recessed and reconvened on Thursday, June 24, 2010, at 7:39 pm, and on Tuesday, July 6, 2010, at 7:36 pm.

**PRESENT:**

Mayor Gregor Robertson  
Councillor Suzanne Anton\*  
Councillor David Cadman  
Councillor George Chow\*  
Councillor Heather Deal\*  
Councillor Kerry Jang\*  
Councillor Raymond Louie\*  
Councillor Geoff Meggs  
Councillor Andrea Reimer  
Councillor Tim Stevenson, Acting Chair (June 24, 2010)  
Councillor Ellen Woodsworth

**ABSENT:**

Mayor Gregor Robertson (Civic Business - June 24, 2010 - portion of Item 8)  
Councillor Tim Stevenson (Sick Leave - June 22 and July 6, 2010 - Items 1-7, and portion of Item 8)

**CITY CLERK'S OFFICE:**

Terri Burke, Meeting Coordinator (Minutes)  
Lori Isfeld, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Woodsworth  
SECONDED by Councillor Louie

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the zoning, official development plan, sign, and heritage by-laws.

CARRIED UNANIMOUSLY  
(Councillors Chow, Deal, and Louie absent for the vote)

**Engineering**

(C)3. provision of four shared vehicles and shared vehicle parking spaces as per Section 3.2.2(b) of the Parking By-law. This will require the owner to make a one-time cash contribution of \$100,000 to enable the purchase of four new car share vehicles and \$38,000 as a contribution towards the cost of insuring, operating, repairing and maintaining them.

E. THAT the following be added after A.(b).8. above:

9. to improve light access to the adjacent neighbour building through the use of light, color, materials and treatments; and
10. to improve neighbourliness and privacy between the buildings shared lightwell by introducing a security fence including landscape treatment if appropriate.

carried

AMENDMENT MOVED by Councillor Woodsworth

THAT section E.9 be amended by adding the words "and enhanced setbacks" at the end.

LOST

(Councillors Anton, Deal, Jang, Louie, Meggs, Reimer and the Mayor opposed)  
(Councillor Chow absent for the vote)

The amendment having lost, the motion was put and CARRIED with Councillor Anton opposed and Councillor Chow absent for the vote.

**6. REZONING: 2665 Renfrew Street**

An application by Craig Birston, Musson Cattell Mackey Partnership, was considered as follows:

Summary: To rezone from I-2 to CD-1 to allow a phased development with a retained vocational school (Phase 1), an 8-storey office/retail building at the corner of 12th Avenue and Renfrew Street (Phase 2); and two additional office buildings (Phases 3 and 4) on the northwest portion of the site. An overall density of 3.0 FSR (floor space ratio) and a maximum building height of 110 ft. (Phase 2) are proposed.

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

\* \* \* \* \*

*At 9:05 pm Councillor Anton declared Conflict of Interest on Item 6 as she has a family member associated with the applicant. Councillor Anton left the meeting, did not participate in discussion or voting on this item, and returned when the item was completed at 9:45 pm.*

\* \* \* \* \*

### Summary of Correspondence

The following correspondence was received on this application since referral to Public Hearing:

Support - 1

### Speakers

The Mayor called for speakers for and against the application.

The following expressed concerns regarding the impacts on parking:

Jenn Anderson  
Tony Kosovic

### Applicant Closing Comments

Craig Birston, Musson Cattell Mackey Partnership, provided closing comments and responded to questions.

### Staff Closing Comments

Planning staff responded to questions and provided closing comments.

### Council Decision

MOVED by Councillor Jang

- A. THAT the application by Musson Cattell Mackey Partnership, to rezone 2665 Renfrew Street (PID: 011-126-779 - Lot 2, Exc. Pt. in Ex. Plan 20386 and Pt. Now Road LMP46557, South ½ of Section 35, THSL, Plan 21736) from I-2 (Industrial) District to CD-1 (Comprehensive Development) District, generally as presented in Appendix A of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2665 Renfrew Street", be approved subject to the following conditions:

#### **PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Musson Cattell Mackey Partnership, and stamped "Received City Planning Department, June 11, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

### Design Development

- (i) design development to the mass of Phase 3 and 4 buildings, to substantially reduce the shadow cast on residential properties as measured at the equinox;
- (ii) design development to improve the amenity of the open spaces for pedestrians to provide:
  - a) at least 75% transparency in the building walls at grade where they face significant open spaces;
  - b) continuous weather protection along main pedestrian routes;
  - c) better separation from Renfrew Street of the open area located to the south and east of the Art Institute entrance;
  - d) more pedestrian fixtures such as benches, low walls, art work and trees to the area in c);
  - e) extension of small scale commercial uses along the north side of Phase 2 at grade;
  - f) separation of at least 70 ft. between Phase 2 and the Art Institute;
  - g) removal of the parkade access from the north side of Phase 2;
  - h) consideration to provide balconies and roof decks facing the main open spaces of Phases 3 to 5; and
  - i) consideration to better constrain vehicle travel with vertical features such as curbs and bollards, and to better mark their extents through surface treatments readily perceived by road users;

Note to Applicant: As a part of meeting conditions (ii) a) and (ii) e), the solid walls on the north elevation should be replaced with glazing which provides a view to active uses inside. Item (ii) b) should include a protected route from Renfrew Station to the Art Institute. Where feasible, weather protection should provide horizontal protection comparable with its height above grade. For example, the café canopy on sheet L2.01 is about 12 feet wide and 12 feet above grade. Condition (ii) d) can be accomplished by reference to the spaces further west and south. The intent of condition (ii) h) is to encourage more 'eyes on the street.' Condition (ii) i) is intended to reduce vehicle-pedestrian conflicts and should be reviewed in consultation with Engineering Services staff. See also Landscape conditions.

- (iii) design development to provide setbacks as follows:
  - a) minimum 4.9 m [16 ft.] from east property line measured to the face of the building, for the first three storeys and a minimum 7.3 m [24 ft.] for the remaining storeys, except that the Director of Planning may permit limited portions of the Phase 2 building to reduce the setback to 2 m [6.6 ft.];
  - b) minimum 2.4 m [8 ft.] from west property line;
  - c) minimum 12.2 m [40 ft.] from north property line, except that for new development in sub-area 1 the minimum shall be 10.4 m [34 ft.];

- (iv) design development to the north façade of the Phase 2 building to break up the horizontality of the storeys nearest to grade;

Note to Applicant: The intent is to create a more pedestrian scale. This can be accomplished by varying the façade with indentations or projections in plan and in elevation.

- (v) design development to provide a maximum 50% site coverage, except that for the life of the Arts Institute building, the site coverage may be 60%;

Note to Applicant: Canopies and sunshades may be excluded from the calculation of site coverage at the discretion of the Director of Planning.

- (vi) design development to provide a east-west public open space with the following minimum dimensions:

- a) 9.4 m [30 ft.] within 30.5 m [100 ft.] of the west property line;
- b) 24.4 m [80 ft.] for the remainder of the site, except that it may be reduced to 21.4 m [70 ft.] in sub-area 1 for the life of the Art Institute building;

- (vii) design development to the mechanical penthouses of all buildings to minimize their effects on views and daylight to the north;

Note to Applicant: Consider re-orienting the enclosures in a north-south direction and the use of translucent materials.

- (viii) confirmation and notation on the plans that all new electric transformers to be located indoors;

#### **Landscape Design**

- (ix) design development to increase pedestrian safety by paving the parkade entrance driveways in a distinct paving pattern from the street curb-cut to the building façade;

Note to Applicant: All other surfaces could feature special paving.

- (x) design development to step the lane-edge planter, adjacent to the north property line, down as the grade decreases from west to east, in order to keep the visual screening provided by the trees at the same level as the adjacent residential rear yards;

Note to Applicant: The north elevation of Phases 3 and 4 [Dwg. A331] shows the lane-edge planter raised on the northeast corner of the Phase 4 building to a height of 8 ft. Unless there is a parking garage below, the lane-edge planter should follow the grade down the slope of the lane.

- (xi) provision of adequate growing conditions for site trees, in order to achieve the LEED® point for reducing the heat island effect by providing tree shade cover within five years of construction;

Note to Applicant: Trees planted in paved plazas are often stunted by lack of water and growing space. The development permit documents and plans should provide a written discussion and cross-sections to illustrate and describe strategies such as adequate soil volumes, continuous trenching, soil cells and low water use irrigation.

- (xii) provision of a phasing plan indicating which sections of the public realm will be constructed with each stage of development;
- (xiii) provision of a continuous paving treatment for the public sidewalk;

Note to Applicant: Remove the specialty paving shown beyond the property line at the Renfrew Street and 12th Avenue corner and replace it with standard city treatment.

- (xiv) provision of a complete Landscape Plan;

Note to Applicant: The Landscape Plan should illustrate the proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant materials should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- (xv) provision of a Lighting Plan;

### **Engineering**

- (xvi) Arrangements to be made, to the satisfaction of the General Manager of Engineering Services for the following:
- a) design development to reflect the following vehicular access requirements:
- no outbound vehicle movements permitted onto Renfrew Street (in-only permitted);
  - all vehicle movements permitted to and from the site via Kaslo Street; and
  - no left-out vehicle movements are permitted onto 12th Avenue (right-in, right-out and left-in only are permitted);
- b) submission of a revised Traffic Demand Management Plan which includes data for the Art Institute of Vancouver.

## PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the General Manager of Engineering Services and Approving Officer as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

- (i) upgrading of the existing sanitary sewer main from the site to the Nootka pump station;  
Note to Applicant: The existing downstream sewer mains are currently at capacity. All sewer connections will be directed to 12th Avenue. The estimated cost of this sites' proportion of the upgrade is \$360,000.

- (ii) provision of adequate water service to meet the fire flow demands of the project;

Note to Applicant: The rezoning application lacks the level of detail needed to determine if water main upgrading is required. Please supply project details including projected fire flow demands for each and all phases. Should upgrading be necessary, arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure the works.

- (iii) modification of the existing public utility right-of-way at the northeast corner of the site;

Note to Applicant: The right-of-way need not be amended if the proposed stairs/exit shown encroaching into that area is deleted.

- (iv) provision of traffic calming measures on 10th Avenue, from Kaslo Street to Renfrew Street to ensure that traffic travelling to and from the site does not negatively impact the neighbourhood;

Note to Applicant: The measures could include bulges, traffic circles, diverters and speed humps or other measures deemed appropriate.

- (v) provision of Resident Permit Parking (RPP) for the 2800 block of 10th Avenue, between Kaslo Street and Renfrew Street;

Note to Applicant: All fees for the installation and ongoing operation of the RPP on this block are to be fully funded by the development for a period of ten years. The obligation must be fully secured prior to occupancy of the Phase 2 development and would be subject to approval by City Council.



- (vi) provision of pedestrian bulges on both sides of Kaslo Street at the Central Valley Greenway, prior to occupancy of the Phase 2 development;
- (vii) provision of traffic features on 12th Avenue to prevent left-out vehicle movements and to facilitate right-in, right-out and left-in vehicle movements;

Note to Applicant: A small traffic island and/or traffic signage and paint markings may be necessary to achieve this access configuration.

- (viii) provision of a semi-actuated traffic signal at the Broadway and Kaslo Street intersection, including all street/road/utility modifications necessary to accommodate the signal installation;

Note to Applicant: The necessity of installing the traffic signal will be determined within five years of occupancy of the Phase 2 building. The applicant will provide an updated transportation study in advance of the five-year window, in order for staff to analyze the date and to determine the need for the signal.

- (ix) undergrounding of all new utility services from the closest existing suitable service point;

Note to Applicant: All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Branch is recommended.

- (x) provision of concrete sidewalks on Kaslo Street, adjacent to the site, as part of development of Phase 3;
- (xi) provision of a standard concrete lane entry at the lane south of 10th Avenue, on Kaslo Street;
- (xii) provision of street trees adjacent to the site, where space permits;

#### **Planning**

- (xiii) registration of a subdivision plan to create three parcels in accordance with the sub-areas illustrated in the draft CD-1 by-law;
- (xiv) registration of a Section 219 Covenant providing for the design and construction, and thereafter the repair, maintenance and insurance, of the public open spaces as illustrated on Drawing A102, and detailing the extent of the open space system to be delivered at each phase of development; and

- (xv) registration of a statutory right-of-way to secure public access, both pedestrian and vehicular, over the entirety of the internal road system and over the public open spaces as illustrated on Drawing A102.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT the application to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E [assigning Schedule "B" (I-2)], generally in accordance with Appendix C of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2665 Renfrew Street", be approved.
- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated May 4, 2010, entitled "CD-1 Rezoning - 2665 Renfrew Street", for enactment following the approval and enactment of the CD-1 By-law.

CARRIED UNANIMOUSLY

\* \* \* \* \*

*At this point in the proceedings on June 22, 2010, it was*

*MOVED by Councillor Deal*

*THAT, under Section 2.3(e) of the Procedure By-law, Council extend the meeting end time until 12:00 am, or until Council has heard from thirteen speakers on Item 8.*

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

\* \* \* \* \*