

SPECIAL COUNCIL MEETING MINUTES

JULY 19, 2011

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 19, 2011, at 6:07 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the zoning and sign by-laws.

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
- Councillor Ellen Woodsworth

CITY CLERK'S OFFICE: Terri Burke, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

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

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

1. REZONING: 138 East 7th Avenue

An application by Mike Slevin, Wolverton Foundation was considered as follows:

Summary: To rezone from I-1 (Industrial) District to a CD-1 (Comprehensive Development) District to permit additional uses within the existing building, including offices and "School - Arts or Self Improvement". The proposed density is 3.0 floor space ratio and the proposed height is 18.3 metres (60 feet).

The Director of Planning recommended approval.

Staff Opening Comments

Planning staff reviewed the application and responded to questions.

Summary of Correspondence

No correspondence had been received regarding the application since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Brent Wolverton, Wolverton Family Foundation
Ann De La Hey
Stephan Bohus

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Wolverton Foundation, to rezone 138 East 7th Avenue (Lots 3, 4, and 5, Block 44, DL 200A, Plan 197; PIDs: 015-551-229, 015-551-237, 015-551-253, respectively), from I-1 (Industrial) District to CD-1 (Comprehensive Development) District, to allow additional uses and to alter restrictions on floor space, generally as presented in Appendix A of the Policy Report dated June 24, 2011, entitled "CD-1 Rezoning - 138 East 7th Avenue", be approved.
- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B [assigning Schedule B (I-1)], generally as set out in Appendix B of the Policy Report dated June 24, 2011, entitled "CD-1 Rezoning - 138 East 7th Avenue", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for enactment the amendment to the Noise Control By-law to include the CD-1 in Schedule A, generally as set out in Appendix B of the Policy Report dated June 24, 2011, entitled "CD-1 Rezoning - 138 East 7th Avenue".

CARRIED UNANIMOUSLY

2. REZONING: 8440 Cambie Street (Marine Gateway)

An application by Ryan Bragg, Perkins + Will Architects was considered as follows:

Summary: To rezone the lands adjacent to the Marine Drive Canada Line Station and bus loop from I-2 (Industrial) District to a CD-1 District. Proposed is an 876,971 sq. ft. mixed-use development, comprised of two residential towers and an office tower over a 276,355 sq. ft. podium with retail space (including food and drug stores, cinemas and medical offices). Residential use comprises 331,775 sq. ft. or 464 dwelling units, of which 46 units would be rental tenure under the Short Term Incentives for Rental (STIR) program. Building heights proposed are 208 ft. for the office tower, and 255 and 335 ft. for the residential towers.

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

Council also had before it a Memorandum dated July 14, 2011, from Kent Munro, Assistant Director, Current Planning, which informed Council of the following:

- Minor changes and refinements to the draft CD-1 By-law and to the rezoning conditions that had arisen since referral to public hearing.
- Additional conditions concerning renewable energy which were committed to in the Policy Report dated June 24, 2011, entitled "CD-1 Rezoning - 8440 Cambie Street (Marine Gateway)".
- The summary of the public consultation for the Marine Landing Neighbourhood, as per Council's request at the referral stage.

Staff Opening Comments

Planning staff reviewed the application and responded to questions.

Applicant Comments

Andrew Grant, PCI Group, Peter Busby, Perkins + Will Architects and Ryan Bragg, Perkins + Will Architects, reviewed the application.

Summary of Correspondence

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

Support - 7
Opposed - 2
Other - 2

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Rob Elliott
Bassam Al-Kuwatli
Bill Konnerd
Paul Wong
Anne Deacon
John Terry
Mark Hiscott
Greg Yeomans
Blair McCarry
Claudia Laroye, Executive Director, Marpole BIA
Sam McVicar
Lucky Khunkhun
Mandeep Sandhu
Dale Clemins
Stu MacGillivray, FORTIS BC

The following spoke in opposition to the application:

Bill McCreery
Don Larson
Isabel Minty
George Papp

The following spoke neither for nor against the application:

Joanne Pringle, MARA (Marpole Area Residents Alliance)
Trish French

Staff Closing Comments

Planning staff responded to questions and provided closing comments.

* * * * *

At 10:00 pm, it was

MOVED by Councillor Deal

THAT, under Section 2.3 (e) of the Procedure By-law, Council extend the meeting by one hour or less in order to complete item 2.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

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Council Decision

MOVED by Councillor Anton

- A. THAT the application by Perkins + Will Architects on behalf of 8440 Cambie Nominee Corp. (PCI Developments) to rezone 8440 Cambie Street (PID: 007-103-581; Lot A, Block 8, Plan 18839, DL 311 NWD) from I-2 (Industrial) to a CD-1 (Comprehensive Development) District, generally as presented in Appendix A of the Policy Report dated June 24, 2011, entitled "CD-1 Rezoning - 8440 Cambie Street (Marine Gateway)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Perkins + Will Architects and stamped "Received Planning Department, May 18, 2011", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning or Development Permit Board, who shall consider the following conditions:

Design Development

1. Design development to ensure residential livability by addressing the impacts associated with the on-site transit, and both the existing and future industrial land use activities of the surrounding neighbourhood.

Note to applicant: In particular, residential units should be designed to address the existing and potential negative acoustical and aromatic impacts associated with the City of Vancouver Waste Transfer Station and the Canada Line Transit Station and bus loop activities.
2. Design development to reduce the cumulative scale of overall massing, while improving residential privacy, by significantly increasing the tower separation, while also meeting the required shadowing performance.

Note to applicant: Through careful attention to floorplate orientation, and related upper massing, a tower of separation of 70 ft. should be achievable.
3. Design development to the southerly portion of "Level 01 - Marine" to achieve a more open relationship with the bus loop while improving public open space/sitting opportunities with high solar exposure.

Note to applicant: A re-configuration of the steps, and the reduction/ elimination of the CRU adjacent to the southerly tower core, is required.

4. Design development to the north end of "Level 01 - Marine" to achieve a legible, smooth and direct pedestrian movement between the pedestrian crossing at Marine Drive and Cambie Street through the mews to the station's concourse-level transit entry.
5. Design development in consultation with the Director of Planning and the General Manager of Engineering Services to maximize the public realm and commercial retail opportunity, on the westerly edge (Cambie Street frontage) of the development including potentially available volume under the platform and guideway.

Note to applicant: The public realm interface with the transit infrastructure should be reconfigured towards achieving a vital, pedestrian-oriented Cambie Street retail frontage that recognizes this site's role as a pedestrian/cycling and transit focused environment. Opportunities to maximize the public sidewalk and CRU depth, while accommodating future bike infrastructure including the proposed Bicycle Mobility Centre, should be explored.

6. Design development to the general overall massing strategy to reduce apparent scale of the massing components.

Note to applicant: This strategy is required to bridge/transition from the proposed "monumental scale" of the massing components and the "human scale" required as a local-serving, pedestrian-focused, mixed-use amenity.

7. Design development to ensure that the various massing components achieve architectural excellence while remaining distinguished from each other.

Note to applicant: Further to design development sought under condition 6, staff want to ensure that the overall image of the project is not homogenous. Staff strongly support innovative, bold architecture given the prominence of this transit oriented "gateway entry" site at the city's edge. A careful approach to the composition of varied expression(s) to distinguish between uses is required. Demonstration of high quality sustainable building practices is strongly supported towards announcing Vancouver's civic identity.

8. Design development to secondary architectural elements, including elevator enclosures, stairs, bridges, canopies and other structures to ensure architectural quality/integrity while

contributing to the transition from monumental building scale to human scale pedestrian activity.

Note to applicant: Transparent vertical circulation elements are required, where possible, to reveal human activity, and related ambient light, towards greater evening vitality and CPTED performance.

9. Design development to maintain the physical and visual alignment of the transit rider's view from the in-bound transit platform (east side) at "Level 02 - Marine +1" to the northerly city and mountain views as well the immediate neighbourhood centre context.

Note to applicant: The Marine Drive Station will introduce Vancouver to new visitors arriving from the airport for the first time. This development must ensure that this initial experience, reinforced by distant views to the north, is positive.

10. Design development to achieve a high quality, visually interesting interface of the podium structure and the Marine Drive Station at both the concourse and platform levels.

Note to applicant: Opportunities for a fully integrated elevation treated with high quality materials providing a high degree of visual interest for the transit patron should be provided. Design development of these elevations should explore dynamic themes including the use of light, movement and colour given its relationship with the transit facility. Opportunities to integrate public art in these locations should also be explored.

11. Design development to the office block's north, east and south elevations to improve architectural quality and visual appearance.

12. Design development to architecturally integrate rooftop mechanical penthouse and elevator override service volumes into the overall form of each massing component.

13. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.

14. Provision of a conceptual lighting strategy to ensure appropriate lighting levels, and CPTED performance, while minimizing glare for nearby residents. Careful attention to public realm lighting, including all street frontages as well as the mews and bus loop interface, is required.

15. Provision of a conceptual signage strategy to ensure a well conceived, and disciplined, approach to announcing tenancy.

Note to applicant: The strategy should confirm general signage hierarchy, location and type. Back-lit box signs are not supported. Further clarification of finer grain, and more creative approaches, to announcing ground-oriented tenancy for the mews-fronting and Cambie-fronting retail, is required.

Landscape

Note: This rezoning application is proposing the removal of mature evergreens to facilitate the redevelopment of this property. A zero lot line condition is allowed under the Zoning and Development By-law. The site is located adjacent to the Marine Drive Canada Line Station and bus loop. Landscape plans were not submitted as part of the final submission for the rezoning of this property.

16. Give consideration to the active use of the roof decks for the residents by incorporating communal green roof areas.
17. Provision of a legal survey confirming the location of existing on-site trees.
18. Provision of a Certified Arborist's report verifying the condition of existing site trees proposed for removal and retention and the reasons for removal in accordance with the Protection of Tree By-law, where applicable.
19. Provision of a fully labelled Landscape Plan, Sections and Details at the Complete Development Permit submission stage.
20. Provide large scale $\frac{1}{4}''=1'-0''$ or 1:50 scale partial plans, elevations and sections illustrating the detailed treatment of the project's public realm interface at the street and lane edges; include planter walls, stairs, landscaping, soil depth (indicated by underground structures), and other landscape features, as applicable.
21. Provision of a thorough and detailed landscape management schedule of the proposed landscape forms, including planters, green roof, and irrigation systems to ensure follow-up maintenance for long term care of proposed plantings at all building locations.
22. Provision of adequate planting medium depth within planters on slab condition to meet the BCSLA latest standard.
23. Provision of best current practices for managing water conservation including high efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching (illustrated on the Landscape Plan).

Note to Applicant: Where the deletion of irrigation for all slab planters is a strategy to earn a LEED® point, provide a written rationale for the choice of plants, the amount of sun exposure, and the soil volumes. In addition, a maintenance schedule for watering the plantings during the first year following installation to ensure proper establishment; this may be hand watering. Proposed plantings should be consistent with the City of Vancouver Waterwise Planting Guidelines.

24. New street trees to be provided adjacent to the development site and illustrated on the Landscape Plan with the following notation on the Landscape Plan to read: "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 8 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311".

Note to Applicant: Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Brad Etheridge, Park Board, ph: 604.257.8587 for tree species selection and planting requirements, and to be confirmed prior to issuance of the BU.

25. Illustration on the Landscape Plan and the Site Plan of all lane edge utilities such as gas meters and transformers.

Note to Applicant: All utilities should be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

26. Provision of a separate landscape lighting plan to illuminate pedestrian areas for security and safety purposes.

Engineering

27. Conduct and provide a safety audit/analysis of the traffic along the section of Yukon Street between SW Marine Drive and W. Kent Avenue North. There are safety concerns regarding traffic movement between the close spacing of the site access driveways, the Yukon/Marine intersection and bus loop access.
28. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex.

Note to Applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the

General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

Note to Applicant: The Solid Waste Storage Facility must meet the Solid Waste Storage Facility Design Supplement.

29. Provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.
30. Provision of a Sustainable Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.
31. Show standard commercial boulevard crossings as opposed to curb returns at all vehicle entry locations. Note a separate application and design approval will be required prior to issuance of the development permit.
32. Revised building grades will be required reflecting the contemplated road dedications.
33. Provision of an updated Parking and Loading Study for each Parcel. Clearly show turning templates for all parking and loading access points and for all internal parking and loading circulations. The study is to include details regarding consideration for a loading manager and delivery of a loading management plan and shared use loading agreements if required by the General Manager of Engineering Services.
34. Design development to ensure the Solid Waste Storage Facility meets the Solid Waste Storage Facility Design Supplement.
35. A Canopy Application or Encroachment Agreement will be required for any canopies that encroach over City Street.

Note to Applicant: The requirements of the Sustainable Rainwater Management Plan should be coordinated/integrated with the required Landscape Plan.

Note to applicant: A copy of the public realm landscape plan must be submitted directly to Engineering for review, comment and approval prior to the issuance of a development permit.

Note to applicant: The southernmost rows of trees on SW Marine Drive will be on private property and will be located on top of the parking structure. Provide sufficient continuous soil depth through a combination of an angled parking structure slab, and structural soil or soil cells under the paved areas.

Sustainability

36. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, including at least three optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming LEED® Gold equivalency and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set.

Sustainable Larger Sites

37. An approach to Sustainable Site Design shall be taken and where appropriate, incorporate layout and orientation approaches that reduce energy needs, facilitate passive energy solutions, incorporate urban agricultural opportunities, and replicate natural systems where feasible.
38. Provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

Note to Applicant: The Green Mobility and Clean Vehicles Strategy should be coordinated with the Transportation Study and Traffic Management Plan.

39. Provision of a Sustainable Rainwater Management plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

Note to Applicant: The requirements of the Sustainable Rainwater Management Plan should be coordinated/integrated with the required Landscape Plan (see condition b23).

40. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the development.

Note to Applicant: The strategy must provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream; and, minimize the vehicle trips required for collection, all to the satisfaction of the General Manager of Engineering Services; and, prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

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 Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Arrangements between the owner and the Greater Vancouver Transportation Authority, ("GVTA"), for any proposed construction and use within the GVTA SRW areas as required by the GVTA SRW Agreements.

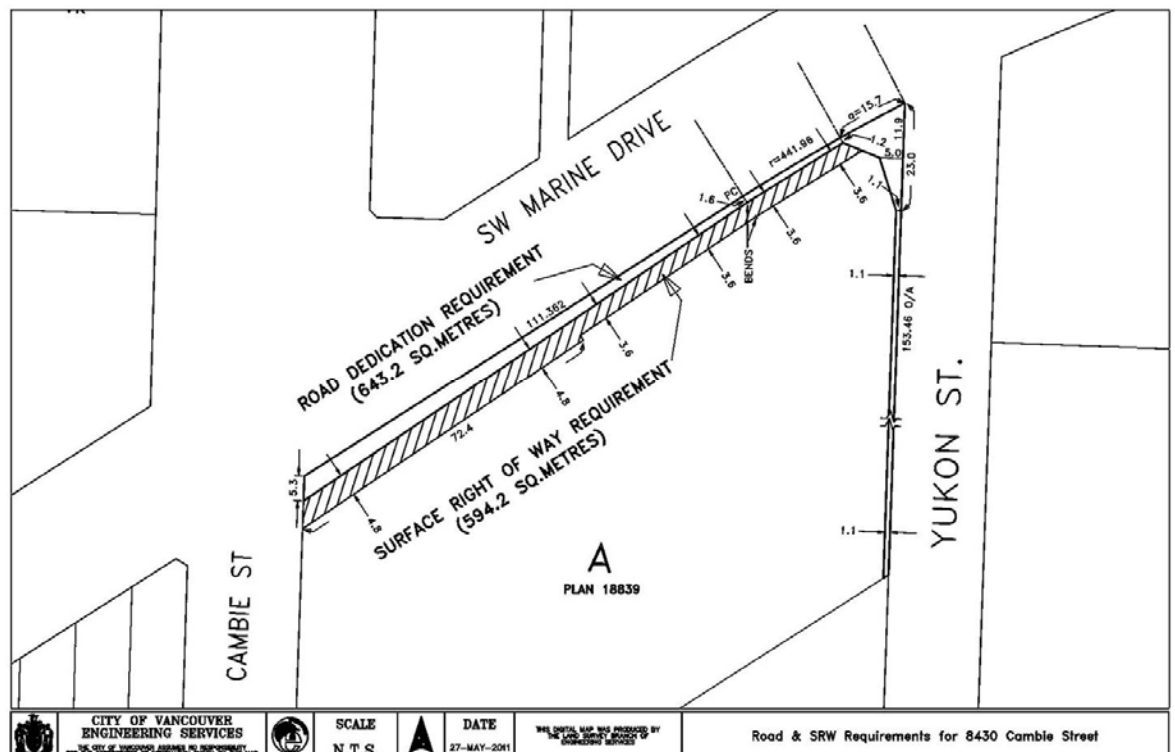
Note: The GVTA SRW Agreements means the charges in favour of GVTA registered on the title to the development site (Lot A Plan 18839) as BB369850 (Bus Loop SRW), BB369851 (Bus Loop Work Area SRW), BB369852 (Canada Line Station SRW), BB369853 (Canada Line Station Work Area SRW), BB369855 (Essential Integration Works SRW), BB369856 (Essential Integration Temporary Works SRW), BB369857 (Essential Integration Work Area SRW), and GVTA SRW Areas means the areas specified in those agreements.

Note: The proposal shows construction within portions of the Bus Loop SRW, the Bus Loop Work Area SRW, the Canada Line Station SRW, the Canada Line Station Work Area SRW, the Essential Integration Temporary Works SRW, and the Essential Integration Work Area SRW.

2. Arrangements between the owner and the British Columbia Hydro and Power Authority, ("BCH"), for any proposed construction within the SRW areas depicted in SRW Plan BCP34864 and BCP34865 (see SRW's BB722159 and BB722160).
3. Clarification of any structure proposed onto City street right of way located under the Canada Line Station (see sheet P.A-06). Confirmation that the unnamed space along Cambie Street located on portions of road right of way is consistent with the Street Use agreement between the City and GVTA, if not, appropriate legal arrangements will be required.
4. Dedication of a portion of Lot A to achieve a minimum 4.4 wide boulevard (curb to new property line) measured from the ultimate curb alignment (see Figure 1) all along the south side of Marine Dr between Cambie and Yukon Street and a further surface statutory right of way in addition to the Marine Drive dedication area to achieve a 8 m wide public realm adjacent the office tower and a 9.2 m public realm adjacent the Residential tower.

Note to applicant: The dimensions of the dedication along Marine Drive and the surface statutory right of way, as shown in Figure 1, are subject to adjustment and refinement at the development application stage.

Figure 1 – Sketch of dedication and SRW requirement along Marine Drive



Note to applicant: If the final building designs does not require the statutory right of way areas the proposed underground parking and or the cantilevered building area the City may seek to establish these portions, or portions of, as road.

Note to applicant: The statutory right of way is to provide a minimum of 17' overhead clearance throughout it entirety.

5. Dedication of the existing surface right of way (plan # BCP28787) at the Marine Drive and Yukon Street corner of the site for road purposes.

6. Dedication of a further portion of lot A at the Marine Drive and Yukon Street corner of the site for road purposes to accommodate Yukon Street road improvements. (See dedication plan).

7. Dedication or provision of a surface right of way if building conflicts arise, of a portion of lot A along the Yukon Street frontage of the site for road purposes. (See dedication sketch)

Note to applicant: All dedication areas are to be free and clear of structures both above and below grade.

8. Release of any redundant charges on title. It is recommended that the Bus Loop Work Area SRW, Canada Line Station Work Area SRW, and the Essential Integration Work Area SRW be discharged.

9. Provision of a statutory right-of-way that provides for public access through the site (Mews) at all times in order to access the bus loops and Canada Line Station to reflect final approved designs including the proposed mews, elevator and stair locations. This agreement is also be to the satisfaction of the Director of Planning.

Note to Applicant: The commercial entities within the proposed development are to be responsible for the maintenance of the "Mews".

10. Provision of a Services Agreement, that facilitates a phased approach to development, to detail the delivery of all on-site and off-site works and services necessary or incidental to the servicing of the subject site (collectively called "the Services") such that they are designed, constructed and installed at no cost to the City, and that all necessary street dedications and rights-of-ways for the Services are provided. No development permit will be issued for the site until the design of the Services is completed. The services shall include:

- 10.1 Provision of adequate water service, storm and sanitary sewers to service the site.

Note to Applicant: The area's storm, sanitary and water systems must be analyzed to determine the need and extent of required system upgrading. Provision of a report analyzing the surrounding water and sewer system capacities and expected fire flow rates for the development are required to assist in determining the extent of system upgrading that may be necessary.

- 10.2 The redesign and reconstruction of the south half of SW Marine Drive from Cambie Street to Yukon Street including but not limited to sidewalks, curb, vehicle lanes, signage, lighting, parking lane(s), treed boulevards, road painting and increased crosswalk widths.
- 10.3 The redesign and reconstruction of an expanded landscape median centered on SW Marine between Cambie Street and Yukon Street.
- 10.4 The redesign and reconstruction of Yukon Street between SW Marine to south of the bus bays including but not limited to sidewalks, curb, vehicle lanes, signage, lighting, a landscaped center median, treed boulevards and road painting.
- 10.5 The extension of the SW Marine Drive west to south bound left turn bay at Yukon Street.
- 10.6 The extension of the SW Marine Drive west to south bound left turn bay at Manitoba Street, within 5 years of the substantial occupancy of the office and residential towers. The need for the left turn bay extension to be determined by a study prepared by Transportation Engineering staff and to be shared with the applicant.

Traffic Signal Improvements

- 10.7 The optimization of traffic signals at the intersection of Cambie Street and SW Marine Drive.
- 10.8 The optimization of traffic signals at the intersection of Yukon Street and SW Marine Drive.
- 10.9 The Provision of communication capabilities between traffic signals on SW Marine Drive at Cambie Street, Yukon Street and at Manitoba Street.
- 10.10 The provision of a new traffic signal at the bus loop exit on Yukon Street and on Cambie Street to minimize operational delays for transit vehicles.
- 10.11 The provision of new traffic signals at the intersection of Cambie Street and W. Kent Avenue North within 5 years of the substantial occupancy of the office and residential portions of the development. The signals need to be

determined by a study prepared by Transportation Engineering staff and to be shared with the applicant.

- 10.12 The provision of new traffic signals at the intersection of Yukon Street and W. Kent Avenue North within 5 years of the substantial occupancy of the office and residential portions of the development. The signals need to be determined by a study prepared by Transportation Engineering staff and to be shared with the applicant.

Note to Applicant: Should benefiting adjacent development proceed concurrently with this project, conditions 10.6, 10.12 and 10.13 will allow a potential reduction of up to 50% of this development's share of these works, to be determined by the General Manager of Engineering Services.

- 10.13 Contribution of \$100,000 for neighborhood traffic calming to be provided prior to substantial occupancy of the office and residential portions of the development.
- 10.14 Contribution of \$250,000 for local area bike improvements to be provided prior to substantial occupancy of the office and residential portions of the development.
- 10.15 Contribution of up to \$750,000.00 towards improvements on Cambie street south of Marine Drive to improve the public realm on the east side of Cambie Street by increasing sidewalk space adjacent the site. Improvements to include road widening to achieve an ultimate street configuration for transit, cycling, pedestrian and vehicular needs. In the event the ultimate widening cannot be achieved the contribution will fund an interim road configuration while still addressing these key transportation modes.
- 10.16 Provision of life-cycle assessments for all non-standard materials proposed for City streets.
- 10.17 Provision of soil resistivity testing in all roads to determine the need for cathodic protection of new utilities.
- 10.18 Underground all new utility services from the closest existing suitable service point. All electrical services to the site must be primary with all electrical transformers, junction boxes and kiosks located on private property. The development is not to rely on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to

show details of how the site will be provided with all services being underground. Early contact with the Utilities Management Branch is encouraged.

Soils

11. Submit a site profile to the Environmental Protection Branch (EPB).
12. The property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
13. Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated there from on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Water, Land and Air Protection, has been provided to the City.

Public Art Program

14. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: To discuss your public art application and fulfillment options please call Bryan Newson, Public Art Program Manager, at 604.871.6002.

Affordable Rental Housing

15. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure at least 46 affordable rental housing units occupying at least 31,594 sq. ft. of the development floor space for 60 years or life of the building, whichever is greater, subject to a no separate-sales covenant and a non-stratification covenant, and subject to such rentals being made available as affordable rental housing units pursuant to the Short Term Incentives for Rental Housing (STIR) Program;

Bicycle Mobility Centre

16. Provide, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, on terms and conditions satisfactory to the Director of Legal Services, for transfer to the City at nominal consideration of a fee simple interest in an air space parcel, or such other tenure satisfactory to the City, for a public amenity in the form of a fully fitted out Bicycle Mobility Centre, with total area of not less than 4,600 sq. ft., as part of the development at 8440 Cambie Street.

Community Amenity Contribution

17. Prior to enactment of the rezoning by-law, remit payment to the city of the Community Amenity Contribution of \$6,600,000 which the developer has offered to the City, to be allocated as follows:
 - (i) \$100,000 to an operating endowment for the Bicycle Mobility Centre, and
 - (ii) \$6,500,000 to public amenities in the vicinity of the Marine Landing Neighbourhood in accordance with the Cambie Corridor Plan, with specific allocations to be brought forward for Council's consideration once the public realm and public benefits strategies for the Cambie Corridor are complete, and after further consultation with the public.

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 rezoning site as is 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, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B [assigning Schedule B (C-3A)] be approved.

- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward, at the time of enactment of the CD-1 By-law, an amendment to the Noise Control By-law to include the CD-1 District in Schedule B (Intermediate Zone).
- D. THAT sections 4.2, 5.4, 5.6(a) and 5.7 of Appendix A of the Policy Report dated June 24, 2011 entitled "CD-1 Rezoning - 8440 Cambie Street (Marine Gateway)" be amended as follows:

[deleted text is struck-through and added text is bold-italic]

- 4.2 Only retail, service, and cultural and recreational uses, *and access to residential uses* are permitted within 10 m of the frontages of Marine Drive and of the pedestrian mews, except that office uses are also permitted, limited to financial institution.
- ~~5.4 Despite section 5.2, it is permissible to use an additional 4% of residential floor area for open residential balcony space, except that, in the case of such use, no enclosure of balconies is permissible for the life of the building, other than enclosure of balconies in dwelling units facing Cambie Street is permitted for noise mitigation purposes where the units are located not more than four floors above Marine Drive Station.~~
- 5.6 Computation of floor area must exclude:
- (a) open residential balconies or sundecks, entry alcoves and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed ~~8%~~ **12%** of the residential floor area being provided;
- 5.7 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:
- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approve the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed ~~8%~~ **12%** of the residential floor area being provided, and
 - (ii) ~~no more than 50% of the excluded balcony floor area may be enclosed~~ **enclosure of balcony floor area is limited to dwelling units facing Cambie Street, which are four floors or less above Marine Drive Station;**
 - ~~(b) windows recessed into the building face to a maximum depth of 160 mm, except that the Director of Planning may allow a greater depth in cases where it improves building character;~~
 - ~~(c)~~ **(b)** unenclosed outdoor areas at grade level underneath building overhangs, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and

- approves the design of any overhangs, and provided that the total area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- ~~(d) despite subsection 5.5(c), open to below spaces or double height volumes in two level dwelling units, where the first floor is located within 2 m of grade, to a maximum exclusion of 15% of the floor area of the first floor of the unit;~~
 - ~~(e) features generally on the westerly facades of buildings, to reduce solar gain which may be in the form of French balconies and horizontal extensions; and~~
 - (c) passive design features, such as horizontal and vertical extensions, that contribute to solar control and improve energy performance; and*
 - ~~(f)~~*(d)* tool sheds, trellises and other garden structures which support the use of intensive green roofs and/or urban agriculture and, despite subsection 5.5(b), those portions of stairways and elevator enclosures which are at the roof level providing access to the garden areas.

- E. THAT the Conditions of Approval (c) 10.2 to 10.15 as presented in Appendix B of the Policy Report dated June 24, 2011 entitled "CD-1 Rezoning - 8440 Cambie Street (Marine Gateway)", concerning the provision of a Services Agreement, be amended by as follows:

[deleted text is struck-through and added text is bold-italic]

- 10.2 The redesign and reconstruction *of the south half* of SW Marine Drive from Cambie Street to Yukon Street including but not limited to sidewalks, curb, vehicle lanes, signage, lighting, parking lane(s), treed boulevards, road painting and increased crosswalk widths.
- 10.3 The redesign and reconstruction of an expanded landscape median centered on SW Marine between Cambie Street and Yukon Street.
- 10.4 The redesign and reconstruction of Yukon Street between SW Marine to south of the bus bays including but not limited to sidewalks, curb, vehicle lanes, signage, lighting, a landscaped center median, treed boulevards and road painting.
- 10.5 The extension of the SW Marine Drive west to south bound left turn bay at Yukon Street.
- 10.6 The extension of the SW Marine Drive westbound to southbound left-turn bay at Manitoba Street *and/or provision of westbound to southbound left-turn signal*, within 5 years of the substantial occupancy of the office and residential towers. *The need for the left-turn bay extension and/or left-turn signal to be determined by the General Manager of Engineering Services.*

Traffic Signal Improvements

- 10.7 The optimization of traffic signals at the intersection of Cambie Street and SW Marine Drive.
- 10.8 The optimization of traffic signals at the intersection of Yukon Street and SW Marine Drive.
- ~~10.9 The provision of left turn traffic signals at the intersection of Yukon Street and SW Marine Drive.~~
- 10.9 The provision of communication capabilities between traffic signals on SW Marine *Drive* at Cambie Street, Yukon Street and at Manitoba Street.
- 10.10 The provision of a new traffic signal at the bus loop exit on Yukon Street and on Cambie St. to minimize operational delays for transit vehicles.
- 10.11 The provision of new traffic signals at the intersection of Cambie Street and W. Kent Avenue North within 5 years of the substantial occupancy of the office and residential portions of the development. *The need for signals to be determined by the General Manager of Engineering Services.*
- 10.12 The provision of new traffic signals at the intersection of Yukon Street and W. Kent Avenue North within 5 years of the substantial occupancy of the office and residential portions of the development. *The need for signals need to be determined by the General Manager of Engineering Services.*

Note to Applicant: Conditions 10.6, 10.11 and 10.12 will allow a potential reduction of this development's share of these works, to be determined by the General Manager of Engineering Services, but not less than 50%, should benefiting adjacent development proceed concurrently with this project.
- 10.13 Contribution of \$100,000 for neighborhood traffic calming to be provided prior to substantial occupancy of the office and residential portions of the development.
- 10.14 Contribution of \$250,000 for local area bike improvements to be provided prior to substantial occupancy of the office and residential portions of the development.
- 10.15 *Contribution of up to \$750,000.00 towards improvements on Cambie Street south of Marine Drive to improve the public realm on the east side of Cambie Street by increasing sidewalk space adjacent the site. Improvements to include road widening to achieve an ultimate street configuration for transit, cycling, pedestrian and vehicular needs. In the event the ultimate widening*

cannot be achieved the contribution will fund an interim road configuration while still addressing these key transportation modes.

- F. THAT the Conditions of Approval as presented in Appendix B of the Policy Report dated June 24, 2011 entitled "CD-1 Rezoning - 8440 Cambie Street (Marine Gateway)" be amended to add the following conditions requiring a renewable energy system:

Renewable Energy [under (b) Conditions of Approval of the Form of Development]

41. Provide for any further feasibility studies and technical investigations required to confirm the preferred approach to implementing the Renewable Energy technology (i.e. sewage heat recovery or alternative) to the satisfaction of the General Manager of Engineering Services.

42. The Renewable Energy sources (i.e. sewage heat recovery or alternative) shall provide a minimum of 70% of total annual space heating and domestic hot water energy requirements to the satisfaction of the General Manager of Engineering Services, and will be designed to be compatible with a District-scale Renewable Energy System. Remaining heating energy demands shall be provided by high efficiency gas boilers for peaking and backup. Where the District Energy approach is shown to be economically infeasible, then a suitable alternative will be selected from screened technologies and shall be implemented for the Marine Gateway development, all to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Selection of the preferred Renewable Energy technology and approach to implementation must be approved by the General Manager of Engineering Services as further information regarding feasibility of technology and approaches to implementation are determined. The Applicant is advised to work closely with Staff to ensure emerging detailed building designs coordinate with potential energy system design requirements.

43. A Renewable Energy System shall reduce greenhouse gas emissions by a minimum of 50% relative to business as usual ("BAU", where residential units would otherwise be heated with electric resistance heat with natural gas combustion for heating ventilation air, common and non-residential spaces and domestic hot water, and through the use of chillers and cooling towers for any space cooling requirements). Lower greenhouse gas reduction targets may be considered where the above-listed target is shown to be economically infeasible. Such claims must be made to the satisfaction of the General Manager of Engineering Services.
44. All mechanical heat generation and cooling equipment, including all heat pumps and natural gas boilers, are to be centralized in one location. The preferred location for the centralized mechanical room is within the loading level, parkade level 1, or alternative location

conveniently situated for the supply of energy to neighbouring developments at the Cambie and Marine intersection, if applicable. Equipment location and centralization must be to the satisfaction of the General Manager of Engineering Services.

45. The energy system shall be designed in such a way as to enable energy metering and the monitoring of performance metrics during system operation for the purpose of preparing system performance reports, which shall include items such as: amount of heating and cooling energy produced, actual measurements of peak and annual cooling and heating loads (including DHW and make-up air, separated into commercial and residential components), heat recovery from cooling on an annualized basis, coefficients of performance of any heat pumps in cooling and heating mode, boiler use and efficiency, associated electricity and natural gas demand of heating equipment and any auxiliary electrical demands associated with the system including, but not limited to, pumping, and, if applicable, long-term expected performance or changes in performance of the Renewable Energy System sources.
46. The energy system shall be designed to be capable of both supplying and receiving thermal energy from district energy pipes in order to connect to other future developments located in the Cambie Corridor area.
47. Mechanical heating and domestic hot water systems of all buildings on the site shall be designed to be easily serviced by the Renewable Energy System that provides a minimum supply temperature of 65 degrees Celsius and maximum return temperature of 50 degrees Celsius.

Note to Applicant: Alternative supply and return temperatures may be agreed to by the City in consultation with the district energy provider at the Marine and Cambie node, if applicable, while ensuring the district energy system has supply and return temperatures adequate to serve all customer space heating and domestic hot water demands, and is compatible with a larger future district energy system serving all future development along the Cambie Corridor. Preference will be given to temperature options that can also serve existing building stock in the area.
48. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
49. Detailed design of the Renewable Energy System must be to the satisfaction of the General Manager of Engineering Services.
50. No heat producing fireplaces are to be installed within residential suites.

Note to Applicant: All fireplaces are discouraged. A letter from a professional Engineering outlining any provision for ornamental

fireplaces is to be submitted at the time of application for Building Permit to state that the fireplaces installed are not heat producing.

Renewable Energy [under (c) Conditions of By-law Enactment]

18. Undertake and complete further site testing and/or analysis as may be required to confirm the viability of the preferred form of the Renewable Energy System and provide updates to the General Manager of Engineering Services which summarize such testing and/or analysis, all of which must be to the satisfaction of the General Manager of Engineering Services.
19. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary to implement and operate the Renewable Energy System which may include but are not limited to agreements which:
 - (i) require the development and operation of the Renewable Energy System;
 - (ii) require buildings on the site to connect to the Renewable Energy System;
 - (iii) grant the operator access to the Renewable Energy System;
 - (iv) provide for adequate and appropriate space to be utilized for the Renewable Energy System plant (at the City's option, to be secured either through an option to lease (long-term) in favour of the City or through an option to purchase in favour of the City, which in either case may be assigned to the utility operator);
 - (v) require the delivery to the City of detailed performance reporting on the Renewable Energy System on a schedule, containing information, and prepared in a form required by the General Manager of Engineering Services; and
 - (vi) require delivery to the City, at a stage determined by the General Manager of Engineering Services, of confirmation that all permits and approvals required to construct and operate the Renewable Energy System have been issued, including if applicable, a certificate of public convenience and necessity.

CARRIED
(Councillor Woodsworth opposed)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Jang

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

The Special Council adjourned at 10:18 pm

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