



PUBLIC HEARING MINUTES

JUNE 3, 2014

A Public Hearing was held on Tuesday, June 3, 2014, at 6:04 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Raymond Louie, Acting Chair
Councillor George Affleck
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Heather Deal*
Councillor Kerry Jang
Councillor Geoff Meggs*
Councillor Andrea Reimer
Councillor Tony Tang

ABSENT: Mayor Gregor Robertson
Councillor Tim Stevenson (Leave of Absence)

CITY CLERK'S OFFICE: Rosemary Hagiwara, Deputy City Clerk
Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Carr
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Councillor Louie in the Chair, to consider proposed heritage and zoning by-law amendments.

CARRIED UNANIMOUSLY
(Councillors Deal and Meggs absent for the vote)

1. TEXT AMENDMENT: Miscellaneous Amendments to the Zoning and Development By-law

An application by the General Manager of Planning and Development Services was considered as follows:

Summary: To amend the Zoning and Development By-law to: 1) provide for "local eggs" to be sold at farmers' markets; 2) allow for Director of Planning authority to relax provisions of minimum lot width in the RS-1, RS-5 and RS-6 districts so that owners do not have to go to the Board of Variance for approvals; 3) insert park and playground uses in the IC-1 and IC-2 district

schedule to allow for a future park use; 4) delete a clause in the M-2 district in regard to maximum floor area for office use for lots existing prior to 1989; 5) permit floor area exclusions for roof areas in industrial buildings; and 6) amend the C-3A schedule so as to expand the area on the Broadway Corridor that will be eligible to receive heritage density.

The General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 1 email in opposition

Speakers

The Chair called for speakers for and against the application.

Stephen Bohus spoke in opposition to the application.

The speakers list closed at 6:28 pm.

Council Decision

Council agreed to separate the vote on components of the motion.

MOVED by Councillor Deal

THAT the application to amend the Zoning and Development By-law, generally as set out in Appendix A of the Policy Report dated April 15, 2014, entitled "Miscellaneous Amendments to the Zoning and Development By-law", to:

- (i) insert "local eggs" into the definition of "Farmers' Market" in Section 2 and into the regulations for farmers markets in Section 11.21;
- (ii) add a clause in Section 3 so that the Director of Planning must relax minimum site width provisions in the RS-1, RS-5 and RS-6 district schedules to permit construction of a one-family dwelling on an existing lot which on record at the Land Title Office if the use was previously approved under issued development or building permits;
- (iii) amend the IC-1 and IC-2 District Schedule to add "parks and playground" as a permitted use;

- (iv) amend the M-2 District Schedule, Section 4.7.1 (c) to delete the phrase referring to lots on record in the Land title Office for Vancouver prior to November 21, 1989;
- (v) amend MC-1 and MC-2, IC-1 and IC-2, IC-3, I-1, I-2, I-3 Districts Schedules, Section 4.7.3 (b) to delete the phrase "for residential purposes only";
- (vi) amend the C-3A District Schedule, Section 4.7.5 to delete the Clause "...for sites located west of Main Street, north of 16th Avenue and east of Burrard Street..."; and
- (vii) amend the C-3A, C-5, C-5A and C-6 Districts Schedules, Section 4.7.5 to modernize and clarify the reference to heritage density transfers;

be approved.

CARRIED
(Councillor Carr opposed to vii)

2. TEXT AMENDMENT: 8125-8277 Ontario Street (and 26 Southwest Marine Drive)

An application by Kasian Architecture, Interior Design and Planning Ltd., on behalf of Veritas Investments Ltd., was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (475) By-law No. 9763 for 8125-8277 Ontario Street (26 Southwest Marine Drive) to add Insurance Office, Health Care Office, Barber Shop or Beauty Salon, Beauty and Wellness Centre, and Laundromat or Dry Cleaning Establishment as permitted uses.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff responded to questions.

Summary of Correspondence

No correspondence had been received on this application since referral to public hearing and prior to the close of the speakers list.

Speakers

The Chair called for speakers for and against the application and none were present.

The speakers list closed at 6:42 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Kasian Architecture, Interior Design and Planning Ltd., on behalf of Veritas Investments Ltd., to amend CD-1 (Comprehensive Development) District (475) By-law No. 9763 for 8125-8277 Ontario Street (26 Southwest Marine Drive) [*PID: 009-902-791, Lot A, North Part of Block 11, District Lot 322, Group 1 New Westminster District Plan 8878 Except: Reference Plan 6793 and BCP38621*] to add Insurance Office, Health Care Office, Barber Shop or Beauty Salon, Beauty and Wellness Centre, and Laundromat or Dry Cleaning Establishment as permitted uses, generally as presented in Appendix A of the Policy Report dated April 29, 2014, entitled "CD-1 Text Amendment: 8125-8277 Ontario Street (and 26 Southwest Marine Drive)", be approved.
- B. THAT A above be adopted on the following conditions:
- i. THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - ii. THAT any approval that may be granted following the public hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - iii. THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

3. REZONING: a) 587 West King Edward Avenue and b) 591-599 West King Edward Avenue and Heritage Designation of the James Residence

An application by W.T. Leung Architects Inc., on behalf of DT5 Developments Ltd., was considered as follows:

Summary: To rezone a) 587 West King Edward Avenue and b) 591-599 West King Edward Avenue from RS-5 (One-Family Dwelling) District to two new CD-1 (Comprehensive Development) districts. For site (a), a floor space ratio (FSR) of 0.94 and height of 11.6 m (37 ft.) are proposed, to retain, restore and rehabilitate the heritage "B" listed James Residence and to allow development of two three-storey infill townhouses at the rear. For site (b),

an FSR of 1.53 and height of 11.6 m (37 ft.) are proposed, to permit development of 18 three-storey townhouses, five of which have lane-fronting lock-off units.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff presented the application and responded to questions.

Applicant Comments

Wing Leung, W.T. Leung Architects, provided opening comments.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 1 email in support
- 3 emails in opposition

Speakers

The Chair called for speakers for and against the application.

Allan Buim, Riley Park-South Cambie Community Visions Group, spoke in support of the application.

Tracey Moir, Oakridge Langara Area Residents, spoke in general support with concerns regarding specific aspects of the application.

John Petrie spoke in opposition to the application.

The speakers list closed at 7:15 pm.

Staff Closing Comments

Planning and Development Services staff responded to questions.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by W.T. Leung Architects Inc., on behalf of DT5 Developments Ltd., to rezone:
- a) 587 West King Edward Avenue [*Lot 31, Block 660, District Lot 526, Plan 2976; PID: 013-272-802*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 0.94 and the height from 10.7 m (35 ft.) to 11.6 m (37 ft.) to permit development of two three-storey lane-fronting townhouses and to retain, restore and rehabilitate of the heritage "B" listed James Residence, generally as presented in Appendix A1 of the Policy Report dated May 2, 2014, entitled "CD-1 Rezoning: a) 587 West King Edward Avenue and b) 591-599 West King Edward Avenue and Heritage Designation of the James Residence"; and
 - b) 591-599 West King Edward Avenue [*Lots 32, 33 and 34, Block 660, District Lot 526, Plan 2976; PIDs: 013-272-811, 013-272-829 and 013-272-837 respectively*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.53 and the height from 10.7 m (35 ft.) to 11.6 m (37 ft.) to permit development of 18 three-storey townhouses, five of which have lane-fronting lock-off units, generally as presented in Appendix A2 of the Policy Report dated May 2, 2014, entitled "CD-1 Rezoning: a) 587 West King Edward Avenue and b) 591-599 West King Edward Avenue and Heritage Designation of the James Residence";

be approved subject to the following conditions:

For (a) 587 West King Edward Avenue

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by W.T. Leung Architects Inc., on behalf of DT5 Developments Ltd., and stamped "Received City Planning Department, January 8, 2014", provided that the General Manger of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Provision of setbacks from the property line to buildings and distance between buildings across the courtyard to remain consistent with the rezoning application submission unless stated in subsequent rezoning conditions.

Note to Applicant: The proposed building setbacks submitted and shown on drawing A2.03 can be considered as minimum setbacks but could be increased if warranted by the design development process.

2. Design development to meet the *Cambie Corridor Draft Public Realm Plan* including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

3. Provision of high quality and durable exterior finishes proposed in this rezoning submission will be carried forward and remain through to the development permit process.

Crime Prevention Through Environmental Design (CPTED)

4. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

5. Provision of a deconstruction plan for demolition of existing buildings on site to divert at least 75 percent of demolition waste (excluding materials banned from disposal) from the landfill.

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference.

6. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under LEED® Canada for Homes with a minimum of twelve optimize energy performance points.

Note to Applicant: Provide a LEED® Canada for Homes checklist confirming that the project will achieve Gold level and a detailed written description of how the minimum target points will be achieved. Both checklist and description should be incorporated into the drawing set and significant LEED® features detailed on the plans.

7. The heating and domestic hot water system for buildings within the development shall be designed to be easily connectable and compatible with a future City-designated Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards - Design Guidelines for general design requirements related to Neighbourhood Energy compatibility. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

8. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat, distributed heat generating equipment, including gas fired make-up air heaters or heat producing fireplaces, unless otherwise approved by the General Manager of Engineering Services.
9. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Landscape Review

10. Design development to the public realm interface to provide safe landscaped outdoor open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment at the street and lane.

11. 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.

Note to Applicant: Contact Eileen Curran in Engineering (604.871.6131) to confirm tree planting locations and Cabot Lyford at the Park Board (604.257.8587) for tree species selection and planting requirements. To be confirmed prior to issuance of the building permit. See also Engineering condition (c) 1. (v).

12. Provision of in-ground planting opportunities for new trees within landscape setbacks along street frontages, and access to the natural grade, where possible.

13. Maximization of growing medium depth for tree and shrub planters on slab condition.

Note to Applicant: Structures such as underground parking slabs may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BC Landscape Standards or better.

14. Design development to integrate utilities into the building, where possible.

Note to Applicant: Avoid the placement of utilities (Pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.

15. Utilisation of best current practices for managing water conservation in common landscaped areas, including high efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching (to be illustrated on the Landscape Plan).

16. Provision of hose bibs for all patios greater than 100 sq. ft. in area.

17. Provision of an external lighting plan consistent with the draft Cambie Corridor Public Realm Plan.

18. At time of development permit application:
 - (i) Provision of a legal survey confirming the location of existing on-site and off-site trees.
 - (ii) Provision of an ISA Certified Arborist report for all existing site trees and adjacent trees on neighbouring sites, as noted on the legal survey.
 - (iii) Provision of a fully labelled Landscape Plan, sections and details.

Engineering

19. Delete the existing portion of steps encroaching over the south property line of the heritage house site.
20. The plans should clearly indicate the provision of hard shell bicycle lockers where such spaces are shown at the rear of the units.

Housing Policy

21. That the proposed unit mix including three three-bedroom units be included in the Development Permit drawings

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

For (a) 587 West King Edward Avenue

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 General Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Office, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100 percent of any water system upgrading that may be required.
- (ii) Provision of a relocated curb and sidewalk adjacent the site and construction of new curbs and a 1.8 m wide concrete sidewalk on King Edward Avenue for the length of the site. Work is to include the relocation and adjustment of all existing street infrastructure and utilities impacted by the proposed street work.

Note: The sidewalk will be located such that a 1.2 m front boulevard is provided and the back boulevard is constructed to an elevation that meets City building grades and is supported by the site. Note; the existing planting adjacent the heritage home will require adjustment or removal including relocation of the steps to private property.

- (iii) Relocation of a portion of the curb on the median along King Edward Avenue to accommodate the installation of a cycling facility. Work is to include the relocation and adjustment of all existing street infrastructure and utilities impacted by the proposed street work.
- (iv) Provision of improved curb ramps at the King Edward Avenue and Ash Street corner of the site including reconstruction of the curb return to correctly align with the adjacent curb ramps should it be necessary.
- (v) Provision of a standard concrete lane crossing on the east side of Ash Street at the lane entry north of the site. Work to include adjustment of the curb returns on both sides of the lane entry.
- (vi) Provision of street trees adjacent the site where space permits.

2. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance 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.

Heritage

3. Enter into a legal agreement for the rehabilitation and long-term maintenance of the heritage building at 587 West King Edward Avenue. The agreement is to be completed and registered in the Land Titles Offices (LTO) to the satisfaction of the Director of Planning and the Director of Legal Services prior to the enactment of the CD-1 By-law.

Note to Applicant: The agreement must be signed by the owner, and any party with a registered interest on title. The purpose of the agreement is to secure the protection of the heritage building during construction and its rehabilitation in a timely manner, and for related matters. Please contact the heritage planner to receive a copy of the draft agreement for review.

Sustainability

4. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System, which may include but are not limited to agreements which:
 - (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that the system becomes available;
 - (ii) grant the operator of the City-designated Neighbourhood Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the owner; and

- (iii) provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the development to the City-designed Neighbourhood Energy System.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

Soils

- 5. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning 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; and
 - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Community Amenity Contribution (CAC)

- 6. If not already paid with the rezoning of 591-599 West King Edward Avenue, pay to the City the Community Amenity Contribution of \$118,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services, to be allocated as follows:

- (i) \$59,000 to the Affordable Housing Reserve.
- (ii) \$59,000 to cycling improvements on King Edward Avenue.

Note to Applicant: 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, 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.

For (b) 591-599 West King Edward Avenue

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by W.T. Leung Architects Inc., on behalf of DT5 Developments Ltd., and stamped "Received City Planning Department, January 8, 2014", provided that the General Manger of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

- 1. Design development to improve through greater articulation and, to the extent possible, additional window placements at all endwall conditions of the townhouse buildings and, in particular, those facing King Edward Avenue and the heritage house.

Note to Applicant: This is to improve the scale, perceived massing, and interface to the street, and to the adjacent heritage house.

2. Provision of setbacks from the property line to buildings and distance between buildings across the courtyard to remain consistent with the rezoning application submission unless stated in subsequent rezoning conditions.

Note to Applicant: The proposed building setbacks submitted and shown on drawing A2.03 can be considered as minimum setbacks but could be increased if warranted by the design development process.

3. Consideration for relocating the children's play area, to satisfy the following performance criteria: improve exposure to daylight; consideration for a closer proximity to the heritage house.

Note to Applicant: See also Landscape condition 16.

4. Design development to meet the *Cambie Corridor Draft Public Realm Plan* including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

5. Provision of high quality and durable exterior finishes proposed in this rezoning submission will be carried forward and remain through the to the development permit process.

Crime Prevention Through Environmental Design (CPTED)

6. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

7. Provision of a deconstruction plan for demolition of existing buildings on site to divert at least 75 percent of demolition waste (excluding materials banned from disposal) from the landfill.

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference.

8. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under LEED® Canada for Homes with a minimum of twelve optimize energy performance points.

Note to Applicant: Provide a LEED® Canada for Homes checklist confirming that the project will achieve Gold level and a detailed written description of how the minimum target points will be achieved. Both checklist and description should be incorporated into the drawing set and significant LEED® features detailed on the plans.

9. The heating and domestic hot water system for buildings within the development shall be designed to be easily connectable and compatible with a future City-designated Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards - Design Guidelines for general design requirements related to Neighbourhood Energy compatibility. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

10. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat, distributed heat generating equipment, including gas fired make-up air heaters or heat producing fireplaces, unless otherwise approved by the General Manager of Engineering Services.
11. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Landscape Review

12. Design development to the public realm interface to provide safe landscaped outdoor open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment at the street and lane.
13. 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.

Note to Applicant: Contact Eileen Curran in Engineering (604.871.6131) to confirm tree planting locations and Cabot Lyford at the Park Board (604.257.8587) for tree species selection and planting requirements. To be confirmed prior to issuance of the building permit. See also Engineering condition (c) 2. (v).

14. Provision of in-ground planting opportunities for new trees within landscape setbacks along street frontages, and access to the natural grade, where possible.
15. Maximization of growing medium depth for tree and shrub planters on slab condition.

Note to Applicant: Structures such as underground parking slabs may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BC Landscape Standards or better.

16. Design development to the children's play area to be more flexible, incorporating forms for children to engage in active and passive social play within a main common open space gathering area.

Note to Applicant: This can be achieved by shifting the proposed play area from the far northwest corner of the north south courtyard walk towards a more central node where entry path and courtyard intersect. Climbing structure may be substituted with more textured landscape forms to climb and step over. Consider Urban Design Panel comments regarding access to sunlight.

17. Design development to integrate utilities into the building, where possible.

Note to Applicant: Avoid the placement of utilities (Pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.

18. Utilisation of best current practices for managing water conservation in common landscaped areas, including high efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching (to be illustrated on the Landscape Plan).
19. Provision of hose bibs for all patios greater than 100 sq. ft. in area.
20. Provision of an external lighting plan consistent with the draft Cambie Corridor Public Realm Plan.
21. At time of development permit application:
 - (i) Provision of a legal survey confirming the location of existing on-site and off-site trees.
 - (ii) Provision of an ISA Certified Arborist report for all existing site trees and adjacent trees on neighbouring sites, as noted on the legal survey.
 - (iii) Provision of a fully labelled Landscape Plan, sections and details.

Engineering

22. The plans should clearly indicate the provision of hard shell bicycle lockers where such spaces are shown at the rear of the units.

Housing Policy

23. That the proposed unit mix including 18 three-bedroom and five lock-off studio units be included in the Development Permit drawings

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

For (b) 591-599 West King Edward Avenue

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 General Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Office, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 32 to 34, Block 660, DL 526, Plan 2976 to create a single parcel.
2. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100 percent of any water system upgrading that may be required.
 - (ii) Provision of a relocated curb and sidewalk adjacent the site and construction of new curbs and a 1.8 m wide concrete sidewalk on King Edward Avenue for the length of the site. Work is to include the relocation and adjustment of all existing street infrastructure and utilities impacted by the proposed street work.

Note: The sidewalk will be located such that a 1.2 m front boulevard is provided and the back boulevard is constructed to an elevation that meets City building grades and is supported by the site. Note; the existing planting adjacent the heritage home will require adjustment or removal including relocation of the steps to private property.

- (iii) Relocation of a portion of the curb on the median along King Edward Avenue to accommodate the installation of a cycling facility. Work is to include the relocation and adjustment of all existing street infrastructure and utilities impacted by the proposed street work.
 - (iv) Provision of improved curb ramps at the King Edward Avenue and Ash Street corner of the site including reconstruction of the curb return to correctly align with the adjacent curb ramps should it be necessary.
 - (v) Provision of a standard concrete lane crossing on the east side of Ash Street at the lane entry north of the site. Work to include adjustment of the curb returns on both sides of the lane entry.
 - (vi) Provision of street trees adjacent the site where space permits.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance 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.

Sustainability

4. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System, which may include but are not limited to agreements which:
- (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that the system becomes available;
 - (ii) grant the operator of the City-designated Neighbourhood Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the owner; and

- (iii) provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the development to the City-designed Neighbourhood Energy System.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

Soils

- 5. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning 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; and
 - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Community Amenity Contribution (CAC)

- 6. If not already paid with the rezoning of 587 West King Edward Avenue, pay to the City the Community Amenity Contribution of \$118,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services, to be allocated as follows:

- (i) \$59,000 to the Affordable Housing Reserve.
- (ii) \$59,000 to cycling improvements on King Edward Avenue.

Note to Applicant: 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 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, Council add to the Vancouver Heritage Register in the 'B' evaluation category the residential building at 587 West King Edward Avenue [*Lot 31, Block 660, District Lot 526, Plan 2976; PID: 013-272-802*], known as the James Residence.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendices C1 and C2 of the Policy Report dated May 2, 2014, entitled "CD-1 Rezoning: a) 587 West King Edward Avenue and b) 591-599 West King Edward Avenue and Heritage Designation of the James Residence".
- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

4. REZONING: 4949-5109 Cambie Street

An application by IBI Group, was considered as follows:

Summary: To rezone 4949-5109 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of three six-storey residential buildings containing a total of 202 dwelling units. A building height of 24.23 m (79.5 ft.) and a floor space ratio (FSR) of 2.39 are proposed.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff presented the application and, along with Engineering Services staff, responded to questions.

Applicant Comments

Martin Bruckner, IBI Group, provided opening comments.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 3 emails and letters in opposition
- 1 email and 1 speaker's brief in opposition

Speakers

The Chair called for speakers for and against the application.

The following spoke in general support of the application:

Craig McNeil
Ken Mah

The following spoke in opposition to the application:

Allan Buium, Riley Park-South Cambie Community Visions Group
Monique Choptuik
Minh Dieu Huynh
Tracey Moir, Oakridge Langara Area Residents

The speakers list closed at 8:28 pm.

Staff Closing Comments

Planning and Development Services and Engineering Services staff responded to questions.

Council Decision

MOVED by Councillor Reimer

- A. THAT the application by IBI Group, on behalf of Feng Yun Shao for 4949-5069 Cambie Street [*Lot 2, Amended Lot 3 (see 279991L), Amended Lot 4 (see 279439L), and Lots 5 to 9, Block 839, District Lot 526, Plan 8513; PIDs 010-086-587, 010-086-919, 010-086-927, 006-745-199, 010-086-706, 010-086-714, 010-086-722 and 002-830-191 respectively*] and on behalf of Lujian Shao and Bin Wang for 5089-5109 Cambie Street [*Lots 10 and 11, Block 839, District Lot 526, Plan 8513; PIDs 010-086-749 and 010-086-757 respectively*] to rezone 4949-5109 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.60 to 2.39 and the building height from 10.67 m (35 ft.) to 24.23 m (79.5 ft.) to permit the development of three six-storey residential buildings containing a total of 202 dwelling units, generally as presented in Appendix A of the Policy Report dated April 29, 2014, entitled "CD-1 Rezoning: 4949-5109 Cambie Street", 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 IBI Group on behalf of Feng Yun Shao, Lujian Shao, and Bin Wang and stamped "Received City Planning Department, January 22, 2014", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to create an active, green, and pedestrian-oriented lane edge, minimizing the appearance and extent of service-oriented spaces such as ramps, garbage areas and transformers.

Note to Applicant: In particular, the extensive ramps that zigzag through the courtyard spaces should be replaced by internal paths or elevator access to reconcile the grade changes on the site. More substantial planting and larger species should be chosen to benefit both future residents and create a screen between the new six-storey building and existing neighbours to the west.

2. Design development to vary the parapet or skyline profile of the main building masses along Cambie Street, especially from one block to another.

Note to Applicant: Although the prominent vertical elements help to break up the overall massing, further design work is recommended to help vary the blocks, including their overall height.

3. Design development to the exterior colour and materials palette to reduce the apparent visual mass of the uppermost floors, to bring more visual interest and brightness to the building, and to better reflect the structure of the form.

Note to Applicant: In particular, consider a light coloured, glassy, and simple expression for the top two floors to reinforce their setback from the street and lane.

4. Design development to the vertically oriented block forms facing Cambie Street to work better with the living spaces inside.

Note to Applicant: Consider the comments of the Urban Design Panel.

5. Provision of a substantially sized row of trees on the Cambie Street, McGuigan Avenue, and future road frontages.

Note to Applicant: Adjustment to the parkade slab and other building elements will be required to provide optimal soil volumes to ensure the best long-term prospects of these trees. See also Landscape Conditions.

6. Specification of high quality, durable exterior materials on the elevation drawings.
7. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcove and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

Landscape Review

8. Design development to expand programming to include opportunities for a broader range of residents to form a complete community. This should include children's play for families with kids, passive community spaces for socializing and gathering, more enhanced urban agriculture with raised beds for the disabled and expanded common green amenity areas. The amount of open space available should allow for more orientation toward common shared spaces, rather than private.

Note to Applicant: Shared gardening areas should be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

9. Design development to improve public realm and encourage connectivity with context. Interface with public realm should provide a hierarchy delineating private, semi-private, semi-public and public spaces, within the guidelines for CPTED. Streetscape improvements should include a double row of street trees, coordinated with a row of smaller, private space trees. There should be visual and wayfinding pedestrian connections to Queen Elizabeth Park, bike trails, playgrounds and other neighbourhood amenities.
10. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to 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.

11. At time of development permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material 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.
- (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604.871.6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604.257.8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.
- (viii) Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- (ix) Trellis and vines to be provided over the underground garage access ramp.

Sustainability

- 12. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including at a minimum 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point, and one storm water point.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project is also required under the policy.

- 13. Provision of a deconstruction plan for demolition of existing buildings on site to divert at least 75 percent of demolition waste (excluding materials banned from disposal) from the landfill.

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference.

- 14. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future District Energy System to supply all heating and domestic hot water requirements. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

15. 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.
16. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Engineering

17. Provision of a parking ramp slope not to exceed 12.5 percent after the first 20 ft.
18. Label and dimension all parking stalls.
19. Provision of design elevations on both sides of the parking ramp at all break points and notation of the length of the ramp at the specified slope.
20. Modify or delete the dead end parking spaces located on P2 at the north end of the building underground parking area.
21. Provide details of garbage bins and recycling bins within the storage areas ensuring adequate maneuvering for users to access the storage bins. Provide confirmation that a waste hauler can access and pick up the bins without reliance of the bins being stored on the lane for any period of time.
22. Provision of an updated landscape plan to reflect the street improvements proposed for the site.

Note to Applicant: The landscape plan and construction/civil drawings that may be required as a result of the services agreement should be co-ordinated to reflect all of the off-site improvements intended for the project.

Housing Policy

23. That the proposed unit mix, including 70 two-bedroom and 18 three-bedroom units, be indicated on the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

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

Engineering

1. Dedication of the south 50 ft. of the site for road purposes.
2. Consolidation of Lot 2, Amended Lot 3 (see 279991L), Amended Lot 4 (see 279439L), and Lots 5 to 11; Block 839, DL 526, Plan 8513 to form a single site.
3. Release of Easement & Indemnity Agreement 165697M (for a private crossing). This may be secured with a letter of intent prior to enactment with release prior to building occupancy.
4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Construction of a new street connecting Cambie Street to the lane west of Cambie Street which is to include curb and gutter, pavement, sidewalk, drainage, street and pedestrian scaled lighting, street trees and related utilities where necessary. The street design to include provision for pedestrians and cyclists and public space which is to include public amenities with seating, a drinking fountain. Work to include adjustment of all existing street furniture, pavement, curbing and fixtures as well as impacted utilities to achieve construction of the new road.
 - (ii) Provision of upgraded storm sewers in Cambie Street. The existing storm sewer does not have the capacity to handle the proposed site storm runoff/discharge and upgrading of the Cambie Street storm sewer from 33rd Avenue to the manhole south of 35th Avenue is required. This is a significant upgrade of the existing storm sewer currently estimated at \$900,000.

- (iii) Statutory Right-of-Way 140837M over Lot 8, allows for storm water from the lane west of Cambie Street to be drained to the existing storm sewer in Cambie Street. Currently this agreement does not allow any construction above or below the right-of-way. Should a solution to drainage of the lane be identified then the existing storm sewer within the right-of-way may be abandoned, relocated or additional storm sewers may be constructed to achieve lane drainage. All costs to achieve drainage of the lane will be 100 percent the applicants' expense and arrangements for delivery of the agreed upon drainage solution will be required prior to zoning enactment and the existing Statutory Right-of-Way 140837M may then be discharged. Should a drainage solution not be identified then no construction above or below the right-of-way is permitted.
- (iv) Provision of new and improved pedestrian crossing across Cambie Street at 35th Avenue, including a marked crosswalk and a concrete sidewalk across the north median of the Heritage Boulevard with curb ramps where necessary connecting the east and west sides of Cambie Street at this location.
- (v) Provision of a new 2.1 m sidewalk on the west side of Cambie Street adjacent to the site between McGuigan Avenue and 35th Avenue should the existing sidewalk be extensively damaged or require replacement due to construction activities. Sidewalk replacement to be determined prior to building occupancy.
- (vi) Provision of a 1.8 m wide sidewalk on the south side of McGuigan Avenue adjacent to the site between Cambie Street and the lane west.
- (vii) Provision of standard concrete lane entry at McGuigan Avenue and the lane west of Cambie Street.
- (viii) Provision of street trees adjacent the site where space permits.
- (ix) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading.

The developer is responsible for 100 percent of any water system upgrading that may be required.

5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance 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.

Sustainability

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System, which may include but are not limited to agreements which:
 - (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that the system becomes available;
 - (ii) grant the operator of the City-designated Neighbourhood Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the owner; and
 - (iii) provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the development to the City-designated Neighbourhood Energy System.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

Soils

7. If applicable:
 - (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning 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; and
 - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Public Art

8. 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: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

Heritage Density Transfer

9. Secure the purchase and transfer of 1,540 m² (16,576 sq. ft.) of heritage density (which has a value of \$1,077,440) from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Community Amenity Contribution

10. Pay to the City the Community Amenity Contribution of \$4,443,010 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 by-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services to be allocated as follows:
 - (i) \$2,760,225 to the Affordable Housing Reserve,
 - (ii) \$841,395 towards improvements to Queen Elizabeth Park that provide more local access and neighbourhood-serving amenities, and
 - (iii) \$841,390 towards non-profit space which would be located in another development in the Cambie Corridor.

Note to Applicant: 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 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, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated April 29, 2014, entitled "CD-1 Rezoning: 4949-5109 Cambie Street".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated April 29, 2014, entitled "CD-1 Rezoning: 4949-5109 Cambie Street".
- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED
(Councillor Carr opposed)

5. REZONING: 1551 Quebec Street, 1600 Ontario Street, and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B)

An application by Rafii Architects Inc., on behalf of Concert Real Estate Corporation (Concert Properties), and the City of Vancouver, was considered as follows:

Summary: To rezone 1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B) from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the phased development of five residential buildings with a total

floor area of 58,020 m² (624,525 sq. ft.), including a 9,748 m² (104,925 sq. ft.) social housing building. The proposed buildings range in height from 12 to 18 storeys. An amendment to the Southeast False Creek Official Development Plan is proposed, to increase the maximum building height to 53.35 m (175 ft.).

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services presented the application and, along with Financial Services staff, responded to questions.

Applicant Comments

Brian McCauley, President and Chief Operating Officer, Concert Properties, provided opening comments.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 4 emails and letters in support
- 6 emails in opposition

Speakers

The Chair called for speakers for and against the application.

The following spoke in support of the application:

Andrew Wan
David Major
Ken Leong
Shawn Anderson
Aaron Goff

The following spoke in opposition or expressed concerns about specific aspects of the application:

Stephen Bohus
Paul Heeres
Rand Chaterjee
Annette La Brosse

* * * * *

At 9:45 pm, during the hearing of speakers, Councillor Carr requested guidance from the Chair on whether staff could respond to questions arising from information presented by a speaker about view cones, given the pending legal challenge on the matter.

The Chair advised that Council has held prior discussions on the topic and as such, the line of questioning was in order.

* * * * *

The speakers list closed at 9:54 pm.

Staff Closing Comments

Planning and Development Services, Financial Services, Housing Policy, and Real Estate Services staff responded to questions.

* * * * *

At 10:00 pm, during questions to staff, it was

MOVED by Councillor Reimer

THAT the meeting be extended to in order complete questions to staff and the applicant on this item;

FURTHER THAT discussion and decision on the matter be referred to the Regular Council meeting on June 10, 2014, as Unfinished Business.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Tang
SECONDED by Councillor Deal

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

ADJOURNMENT

MOVED by Councillor Tang
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:16 pm.

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