



## PUBLIC HEARING MINUTES

MAY 17, 2016

A Public Hearing of the City of Vancouver was held on Tuesday, May 17, 2016, at 6:08 pm, in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Deputy Mayor Heather Deal  
Councillor George Affleck  
Councillor Elizabeth Ball  
Councillor Adriane Carr  
Councillor Melissa De Genova  
Councillor Kerry Jang  
Councillor Geoff Meggs  
Councillor Andrea Reimer  
Councillor Tim Stevenson (Leave of Absence - Items 1, 2 and 3)

**ABSENT:** Mayor Gregor Robertson  
Councillor Raymond Louie (Leave of Absence - Civic Business)

**CITY CLERK'S OFFICE:** Janice MacKenzie, City Clerk  
Tina Hildebrandt, Meeting Coordinator

### COMMITTEE OF THE WHOLE

MOVED by Councillor De Genova  
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Deal in the Chair, to consider proposed zoning and heritage amendments.

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote)

#### 1. REZONING: 288-388 West King Edward Avenue

An application by Mosaic Yukon Limited Partnership was considered as follows:

**Summary:** To rezone 288-388 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of two four storey residential buildings with two-storey townhouses and an amenity room fronting the lane, containing a total of 56 dwelling units. A height of 15.1 m (50 ft.) and a floor space ratio (FSR) of 1.76 are proposed.

The Acting 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.

## Summary of Correspondence

One piece of correspondence in opposition to the application was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments.

## Speakers

Alex Burton spoke in general support of the application but expressed concern regarding the lack of community consultation and increased traffic in the neighbourhood.

The speakers list and receipt of public comments closed at 6:18 pm.

## Council Decision

MOVED by Councillor Carr

- A. THAT the application by Mosaic Yukon Limited Partnership, on behalf of Mosaic Yukon Holdings Ltd. and Susan Miriam Prottas, the registered owners, to rezone 288-388 West King Edward Avenue [Lots 1 to 5, Block 682, District Lot 526, Plan 6539; PIDs 010-879-072, 010-879-099, 010-879-137, 010-879-170 and 010-879-188 respectively] from RS-1 (One-Family Dwelling) District to CD-1 Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.76 FSR and height from 10.7 m (35 ft.) to 15.1 m (50 ft.) to permit the development of two four-storey residential buildings with two-storey townhouses and an amenity room fronting the lane, containing a total of 56 dwelling units, generally as presented in Appendix A of the Policy Report dated April 11, 2016, entitled "CD-1 Rezoning - 288-388 West King Edward Avenue", be approved subject to the following conditions:

### 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 Shift Architecture Inc., on behalf of Mosaic Yukon Limited Partnership and stamped "Received Planning Department, November 5, 2015", 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 improve pedestrian connections through the courtyard.

Note to Applicant: A direct and visually clear route from the principal buildings to the common amenity space should be

provided to facilitate use and activation of the space. For the east building, the main entrance lobby should be relocated to align with access to the amenity space. The corridors may be relocated to exit directly to the courtyard, rather than the front of the building. For the west building, the side entry to the courtyard should be emphasized architecturally, and in the landscape design. See related Landscape Condition.

2. Design development to provide a consistent architectural expression, material quality and level of detail, at all elevations, including courtyard and rear elevations, in-keeping with the expectations of the Cambie Corridor Built Form Guidelines.

Note to Applicant: The Guidelines note that individual buildings should express a unified architectural concept, with authentic and high quality design details.

3. Design development to strengthen the expression of the principal building entrances.

Note to Applicant: The Guidelines note that building entrances should be clearly recognizable, appropriately scaled, and provide a point of distinctiveness in the overall streetscape design.

4. Submission of a bird friendly strategy for the design of the building is encouraged in the application for a development permit.
5. The proposed unit mix including 35 two-bedroom and 2 three-bedroom units are to be included in the Development Permit drawings, which may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units.

#### **Crime Prevention through Environmental Design (CPTED)**

6. Design development to respond to CPTED principles, having particular regard 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.

#### **Landscape**

7. Design development to the central courtyard area to be more reflective of the strong expression of the buildings, by providing more classical, streamlined, modern layout for the space, while allowing for clear functionality of north-south access.

Note to Applicant: The curve in the walkway should be replaced by straight lines and 90 degree corner turns. All planting in the

common courtyard should be flush with the grade, i.e. not raised, while still allowing adequate depth of soil of minimum 3' for trees, not including drainage layer. This may require deeper excavation of the parkade to allow for head room. The feature specimen tree should be in a generous, square planter, also flush with the courtyard.

8. Design development to include as many existing healthy, mature trees and shrubs as possible as part of the proposed landscape plan.

Note to Applicant: The arborist report mentions the Japanese Maple on lot #326 or #362, as a good candidate for relocation. There are other healthy mature shrubs that would also be good candidates and should be identified, tagged and referenced for reuse.

9. Provision of an updated and revised arborist report, to include discussion and detail methods of safe protection and relocation of the existing trees and shrubs (see Condition 8 above) in context of demolition of existing houses and proposed footprints, grades and other site constraints. Report to include a scaled and dimensioned tree protection plan, with Tree reference numbers and Critical Root Zones. Confirmation of safe tree protection is required.

10. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8" high curb.

11. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

12. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and 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.

13. 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 buildings' open space and public realm.
14. Provision requirements at the 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 materials should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
  - (ii) Sections 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 detail 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 garages vent 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.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

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

### **Sustainability**

- 15. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

- 16. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and the strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

### **Engineering Services**

- 17. Show all 1st risers for stair entries a minimum of 1'-0" behind the property lines.
- 18. Delete ramping shown beyond the property line at the parkade entry and garbage holding area.
- 19. Provision of a separate application to Engineering Services for proposed street improvements. Please update landscape and site plan to reflect the street improvements proposed for this rezoning. (Engineering will supply geometrics for the street improvements as they become available.)

20. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the underground parking area, at the front and rear of the proposed Class A loading bay, and at all entrances along the property lines.
  - (ii) The slope of the parking ramp should not exceed 12.5% after the first 20 ft. from the property line.
21. Clarify how the overhead security gate is operated and note on plans.
- Note to Applicant: If a pad mounted activation device is proposed, the ramp width must be increased to 22 ft.
22. Note on plans, with a black line with arrow, the expected exit path to be used by residents to travel between the bicycle rooms and the building exterior.
23. Provision of automatic door openers on all bicycle room doors.

#### Neighbourhood Energy Utility

24. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
25. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply 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 at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

26. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas-fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
27. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
28. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering 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, the General Manager of Planning and Development Services, the General Manager of Engineering 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. Consolidation of Lots 1 to 5, Block 682, District Lot 526, Plan 6539 to create a single parcel.
2. Provision of a statutory right-of-way (SRW) over the north 0.55 m of the site for road purposes.
3. Provision of an added SRW, to the proposed 0.55 m SRW, should it be necessary, to provide for bus stop improvements along the King Edward Avenue frontage of the site.
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 designated, 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 for future street re-construction on King Edward Avenue adjacent to the site to generally include the following: new curb and gutter, curb ramps and curb return, a 2.5 m raised protected bike lane, a 1.22 m grass front boulevard with street trees, a 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints, including adjustment to all existing infrastructure to accommodate



the proposed King Edward Avenue improvements. Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

Note to Applicant: Any street tree relocations or removals necessary to meet the street reconstruction plans will require the approval of the General Manager of Parks and Recreation.

- (ii) Provision of added street works to accommodate the proposed bus stop improvements should they not be captured in the street reconstruction noted above.
- (iii) Provision of upgraded street lighting and new pedestrian scale lighting adjacent the site to meet the standards set by this rezoning and the adjacent street uses.
- (iv) Provision of an on-street separated north-south bike lane in the median on King Edward Avenue.
- (v) Provision of a standard concrete lane crossing on the east side of Yukon Street at the lane south of King Edward Avenue.
- (vi) Provision of a 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints and new curb ramps, and a 1.22 m grass front boulevard with street trees on the Yukon Street frontage of the site.
- (vii) Provision of street trees adjacent the site where space permits.
- (viii) 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 applicant's 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% of any water system upgrading that may be required.
- (ix) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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% of any sewer 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.

#### **Neighbourhood Energy Utility**

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 (NES), if and when the opportunity is available and in accordance with the City's Neighbourhood Energy Strategy and the Cambie Corridor Plan that 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 a system becomes available;
  - (ii) Grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation; and
  - (iii) Grant use of and access to suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.

The development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate

at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.

At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

### Soils

7. 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.

### Heritage Density Transfer

8. Secure the purchase and transfer of heritage density with a value of \$202,422 being equivalent to approximately 289 m<sup>2</sup> (3,114 sq. ft.) of floor area, based on an estimated purchase price of \$65.00 per sq. ft., which price may be varied or negotiated resulting in a higher or lower amount of purchased density from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable heritage density, currently at \$65.00 per buildable square foot as of this date, the City recognizes that the applicant may negotiate its best price to secure the required density at a lower cost, but the City will only recognize a value of the density above \$65.00 per buildable

square foot if the applicant and the owner of the donor site can demonstrate that bona fide market conditions warrant the increased purchase price.

Note to Applicant: Letter "A" and "Letter B" in the City's standard format are 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 (CAC)

9. In addition to the transfer of heritage density (\$202,422), that represents 10% of the overall CAC package, pay to the City a Community Amenity Contribution of \$1,821,798 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. The \$1,821,798 is to be allocated as follows:

- (i) \$1,012,110 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area; and
- (ii) \$809,688 towards childcare and community facilities in and around the Cambie Corridor Plan area.

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 and at no cost to the City.

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 the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, as generally set out in Appendix C of the Policy Report dated April 11, 2016, entitled "CD-1 Rezoning - 288-388 West King Edward Avenue".

- C. THAT A and B 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 and the expenditures of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and

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 (Vote No. 01249)  
(Councillor Stevenson absent for the vote)

## 2. REZONING: 4085 Ash Street and 619-633 West King Edward Avenue

An application by Public Architecture was considered as follows:

Summary: To rezone 4085 Ash Street and 619-633 West King Edward Avenue from RS-5 (One Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a four-storey residential building with three two storey townhouses and an amenity room adjacent the lane, containing a total of 31 dwelling units. A height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 1.93 are proposed.

The Acting 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.

### Summary of Correspondence

One piece of correspondence in opposition to the application was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments.

### Speakers

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

The speakers list and receipt of public comments closed at 6:31 pm.

### Staff Closing Comments

Planning and Development Services staff responded to questions.

## Council Decision

MOVED by Councillor Jang

- A. THAT the application by Public Architecture, on behalf of Aragon (Ash/King Edward) Properties Ltd., to rezone
- 4085 Ash Street [PID 013-275-046; Lot 13, Block 659, District Lot 526, Plan 2976],
  - 619 West King Edward Avenue [PID 013-275-062; Amended Lot 14 (See 41109L), Block 659, District Lot 526, Plan 2976], and
  - 633 West King Edward Avenue [PID 008-240-710; Amended Lot 15 (See 42125L), Block 659, District Lot 526, Plan 2976],

from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.93 FSR and the height from 10.7 m (35 ft.) to 16.8 m (55 ft.) to permit the development of a four-storey residential building with three two-storey townhouses and an amenity room fronting the lane, containing a total of 31 dwelling units, generally as presented in Appendix A of the Policy Report dated March 23, 2016, entitled "CD-1 Rezoning - 4085 Ash Street and 619-633 West King Edward Avenue", be approved subject to the following conditions:

### 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 Public Architecture, on behalf of Aragon Properties Ltd. and stamped "Received Planning Department, July 8, 2015", 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 conform to the Cambie Corridor Guidelines.

Note to Applicant: The Cambie Corridor guidelines recommend a maximum townhouse frontage of 24.3 m (80 ft.). Recommend design development to reduce the proposed length of townhouses along the lane.

2. Design development to reduce the actual and perceived building height.

- (i) reduce the proposed floor to floor height to 3.0 m (10 ft.).
  - (ii) reduce the expansive roof soffit to clarify and reinforce the Level 4 building shoulder setback.
  - (iii) limit level 4 bay projections into shoulder setback to 1.2 m (4 ft.).
  - (iv) increase the length of 2.4 m (8 ft.) shoulder setback along the south elevation sufficient enough to reduce the extent of 4-storey corner element.
  - (v) configure stair access to roof decks to ensure compliance with bylaw height conditions.
3. Design development enhance wayfinding.  
  
Note to Applicant: Provide and align passage from entry lobby to the courtyard to improve visitor/Emergency Services orientation.
4. Design development to improve the interface with the public realm as follows:
  - (i) provide entries along the north elevation of townhouses to engage and animate laneway (recommend that these transition with the grade);
  - (ii) delete amenity room 'slide' that encroaches on public realm beyond east property line;
  - (iii) introduce stepped planter along the east property line to improve transition and reduce height of planter wall against Ash Street sidewalk;
  - (iv) internalize parking exit stair for CPTED reasons; and
  - (v) provide suitable location for pad-mounted transformer (PMT) (consider northwest corner of the site).
5. Provision of high quality and durable exterior finishes.  
  
Note to Applicant: Intent is to maintain the proposed architectural quality, including the use of wood frame elements, having a varied module and cadence. This includes spandrel panels, full height over three storeys and is punctuated by cantilevered balconies having glass guards.
6. Submission of a bird friendly strategy for the design of the building is encouraged in the application for a development permit.

7. The proposed unit mix including 17 two-bedroom and 12 three-bedroom units are to be included in the Development Permit drawings, which may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units.

#### **Crime Prevention through Environmental Design (CPTED)**

8. Design development to respond to CPTED principles, having particular regard 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.

#### **Landscape**

9. Design development to the integrated amenity space/play area to expand the space for functionality on private property and by improving access.

Note to Applicant: The play space should include function actively without the use of public realm for the slide landing. Access to the space(s) should occur internally and avoid going through the parking area. Creative and innovative solution to tree retention is encouraged.

10. Provision of an updated and revised arborist report, to discuss in detail methods of safe protection for Trees #10 and #11, in context of proposed footprint, grades, and other site constraints. Report to include a scaled and dimensioned tree protection plan and Critical Root Zones. Confirmation of safe tree protection is required.
11. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by a 20 cm (8 inch) high curb.

12. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.



13. Provision of improved sustainability with the addition of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and 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.

14. Provision of a Landscape Plan consistent with the draft Cambie Corridor Public Realm Plan.

15. 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.

16. Provision requirements at the 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 materials should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) Sections 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 detail 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 vent 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.  
  
Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.
- (viii) Trellis and vines to be provided over the underground garage access ramp.

### Sustainability

- 17. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

- 18. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and the strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

## Engineering Services

19. Deletion of the proposed 'tunnel slide' on street right-of-way on Ash Street. Remove existing concrete pad located in the front boulevard (and aligned with the existing entrance to 4085 Ash Street).
20. Delete proposed curbing, sidewalk and any other encroachments extending past the property line and shown within the lane on drawing A1.02.
21. Confirmation that no steps are intended beyond the property line at the Lobby entry along King Edward Avenue.
22. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement.

- (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the parking area and at all entrances.

Note to Applicant: This is to calculate the slope and crossfall.

- (ii) Provision minimum vertical clearance for the main ramp and security gates.

Note to Applicant: A section drawing is required showing elevations and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m (7.55 ft.) of vertical clearance is required for access and maneuvering to all disability spaces.

- (iii) Label Class A bicycle rooms with a breakdown of the stall types and dimensions for the stalls and aisles.

- (iv) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (v) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

- (vi) Dimension column encroachments on the parking level.

- (vii) Provision of a 1.2 m x 1.2 m (4 ft. x 4 ft.) corner cut on either side of the overhead gate to the property line.

Note to Applicant: This is to improve visibility and reduce landscaping encroachments.

### Neighbourhood Energy Utility

- 23. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 24. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply 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 at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

- 25. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas-fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
- 26. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
- 27. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The proposed development's sanitary and storm servicing should be connected to the combined sewer on the lane north of 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, the General Manager of Planning and Development Services, the General Manager of Engineering 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. Provision of a statutory right of way over the south 0.75 m (2.5 ft.) of the site for road purposes is required.
2. Consolidation of Lot 13, Block 659, District Lot 526, Plan 2976; Amended Lot 14 (See 41109L), Block 659, District Lot 526, Plan 2976; and Amended Lot 15 (See 42125L), Block 659, District Lot 526, Plan 2976 to create a single parcel.
3. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designated, 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 for future road re-construction on King Edward Avenue adjacent to the site to generally include:
    - a. New concrete curb and gutter;
    - b. 2.5 m (8.2 ft.) raised cycle track, which will require the removal of on-street parking on King Edward Avenue in front of the site;
    - c. 1.2 m (3.9 ft.) sod grass boulevard;
    - d. New street trees where space permits;  
  
Note to Applicant: Delete proposed back boulevard trees on King Edward Avenue as they will be relocated to the front boulevard as a result of the street reconstruction.
    - e. 1.83 m (6 ft.) concrete sidewalk with saw-cut joints;
    - f. 0.3 m (1 ft.) sod building strip;
    - g. Improved curb ramps and curb return at the corner of Ash Street and King Edward Avenue;

h. Improved street and pedestrian LED lighting.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

- (ii) Provision of new minimum 1.83 m (6 ft.) wide concrete sidewalk on Ash Street adjacent the site with saw-cut joints.
  - (iii) Provision of a standard concrete lane crossing and curb ramps at the lane north entry of King Edward Avenue on the west side of Ash Street. Work to include replacement of ramps and curb return on the north side of the lane.
  - (iv) 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 applicant's 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% of any water system upgrading that may be required.
4. Provision of 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.
5. 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 (NES), if and when the opportunity is available and in accordance with the City's Neighbourhood Energy Strategy and the Cambie Corridor Plan that 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 a system becomes available;

- (ii) Grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation; and
- (iii) Grant use of and access to suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.

The development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.

At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

### Soils

6. 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.

### Heritage Density Transfer

7. Secure the purchase and transfer of heritage density with a value of \$131,984 being the equivalent to approximately 189 m<sup>2</sup> (2,031 sq. ft.) of floor area, based on an estimated purchase price of \$65.00 per sq. ft., which price may be varied or negotiated resulting in a higher or lower amount of purchase density from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable heritage density, currently at \$65.00 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 the City will only recognize the value of the density above \$65.00 per buildable square foot if the applicant and owner of the donor site can demonstrate bona fide market conditions warrant the increased purchase price.

Note to Applicant: "Letter A" and "Letter B" in the City's standard format are 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 (CAC)

8. In addition to the transfer of heritage density (\$131,984), that represents 10% of the overall CAC package, pay to the City a Community Amenity Contribution of \$1,187,851 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. The \$1,187,851 is to be allocated as follows:
  - (i) \$659,917 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area; and
  - (ii) \$527,934 towards childcare and community facilities in and around the Cambie Corridor Plan area.

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 and at no cost to the City.

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 the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, as generally set out in Appendix C of the Policy Report dated March 23, 2016, entitled "CD-1 Rezoning - 4085 Ash Street and 619-633 West King Edward Avenue".
- C. THAT A and B 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 and the expenditures of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole 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 (Vote No. 01246)  
(Councillor Stevenson absent for the vote)

### 3. REZONING: 650 West Georgia Street (753 Seymour Street)

An application by Musson Cattell Mackey (MCM) Partnership was considered as follows:

Summary: To rezone 650 West Georgia Street (753 Seymour Street) from CD-1 (Comprehensive Development) District (155) By-law No. 5683 and Downtown District (DD) to a new CD-1 District, to allow for the construction on the site of a second office building at 33 storeys with a floor area of 44,817 m<sup>2</sup> (482,423 sq. ft.).

The Acting 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.

### Summary of Correspondence

Three pieces of correspondence in opposition to the application were received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments.

### Speakers

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

The speakers list and receipt of public comments closed at 6:37 pm.

### Staff Closing Comments

Planning and Development Services staff responded to questions.

### Council Decision

MOVED by Councillor Jang

- A. THAT the application by Musson Cattell Mackey (MCM) Partnership, on behalf of HOOPP Realty Inc., London Life Insurance Company Inc. and The Great-West Life Assurance Company Inc., to rezone 650 West Georgia Street (753 Seymour Street) [*Lots C and D, Block 53, District Lot 541 Group 1 New Westminster District, Plan 15551, PIDs 007-666-896 and 007-666-900 respectively*] from CD-1 (Comprehensive Development) District (155) By-law No. 5683 and Downtown District (DD), to a new CD-1 District, to allow for the construction of a 33-storey office building with a floor area of 44,817 m<sup>2</sup> (482,423 sq. ft.) on the portion of the site currently zoned CD-1, generally as presented in Appendix A of the Policy Report dated, April 6, 2016, entitled "CD-1 Rezoning - 650 West Georgia Street (753 Seymour Street)", be approved subject to the following conditions:

#### 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 Musson Cattell Mackey Partnership, and stamped "Received City Planning Department, October 1, 2015", 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. Significant design development to reduce the encroachment of the proposed Seymour Street fritted-glass and curtain wall system from approximately 2.4 m (8 ft.) to no more than a maximum of 0.9 m (3 ft.) over City property. Further, demonstrate with large-scale detailed drawings that the portion which encroaches over City property is fully demountable without the need to close City roads or sidewalks during the demounting, and that the space located behind the glass and the property line will remain non-habitable. This condition should be read in conjunction with Engineering condition (c)5.

Note to applicant: A separate, more conventional weather protection canopy should be provided over the public sidewalk and right of way, extending no more than 2 m (6.6 ft.) from the existing curb.

2. Significant design development to render the proposed public plaza more useable, with added primary and secondary public seating opportunities.
3. Design development to the proposed canopy located over the public plaza, with special attention to resolving the visual relationship of the canopy with the existing Scotiabank tower.
4. Confirmation that there are no encroachments into any Council-adopted view cones, including any produced by the proposed trees on the roof terrace on Level 27.
5. Consideration to create visually interesting, large-scale graphics through the concerted use of the fritted-glass treatment on all or some of the elevations.

### 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 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

7. Provision of intensive and extensive green planters at the roof and podium levels incorporating high-quality all-season greenery to enhance the sustainability of the building and create vibrant interior and exterior environments to improve the liveability of the building.
8. Design development to the enhancements of the public realm interface to provide safe high-quality landscaped open spaces with substantial greenery and visual interest to benefit the pedestrian environment at the street level.
9. Provision of infill street trees to complete the existing pattern of tree planting on Seymour Street.
10. Provision of a high-efficiency (drip) irrigation system for all green planters on slab, at all building locations.
11. Proposed plantings for green planters to be consistent with the City of Vancouver Water-wise Planting Guidelines and designed to minimize potable water use.
12. Provision of maximized growing medium for tree and shrub planters to ensure long term health and sustainable growth for landscape plantings 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 medium should be better than BCSLNA standards. Trees planted on structures and with pavement surrounds should be consolidated within a trench to maximize soil volume. Individual trees should have approximately 30 cubic metres of soil, if not consolidated.

13. Utilities 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.
14. Provision of a legal survey.
15. Provision of a fully labelled landscape plan, sections and details at the complete development permit submission stage.
16. Illustration of all trees with their root ball circumference located with dashed lines on the lower-level floor with note to read, "Proposed tree above: refer to Floor Plan and Landscape Plan and Section". The section should detail how the floor or parkade slab is depressed or angled back to accommodate 0.9 to 1.2 m (3 to 4 ft.) of tree soil depth. The information must be on the architectural drawings as well as the landscape drawings.

17. New street trees to be provided adjacent to the development site and illustrated on the Landscape Plan, to be confirmed prior to issuance of the BU and to the satisfaction of the City Engineer and Park Board.

### Sustainability

18. 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 Rezoning*s.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the LEED® 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.

### Engineering

19. Provision of a *Loading Management Plan* to the satisfaction of the General Manager of Engineering Services is required for all existing on-site retail and for office tenancies in the new office building, and also for the loading needs of the Vancouver Block at 736 Granville Street, and for the manoeuvring needs of the Future Shop loading at 798 Granville Street, prior to the issuance of a development permit.

Note to applicant: A complete and integrated loading management strategy is required that:

- (i) Does not involve the movement of goods across the entrance to the upper-level parking entry ramp nor within the City lane;
  - (ii) Identifies the names of persons or the staff positions, from all sites, who will coordinate loading activity;
  - (iii) Manages and schedules delivery times and truck sizes, particularly during peak periods of passenger vehicle movement into and out from the parkade, or when peak loading demand typically occurs;
  - (iv) Clarifies the largest size of truck, including dimensions that the loading spaces are intended to accommodate; and
  - (v) Ensures deliveries must be by trucks no greater than an MSU.
20. Provision of required parking for the entire site under the existing Parking By-Law including current disability requirements, bicycle parking, and end-of-trip facilities.

21. Provision of all class A bicycle parking on either parking level O2, one level above the street or parking level P1, one level below the street.

Note to applicant: Use of the lobby by cyclists is not supported.

22. Provision of an interim parking plan to supply parking for the Scotiabank Tower during the construction period.
23. Doors are not to swing over the property line. The new stairwell exit door swinging over the Seymour Street sidewalk from the Scotiabank Tower should be eliminated.
24. Confirmation that the garbage and recycling provision is adequate for the building. Please refer to the City of Vancouver's garbage and recycling guidelines.
25. Clarification of intentions to replace sidewalks north of the building site on Seymour Street and onto West Georgia Street. If so, the replacement sidewalks are to meet current City sidewalk standards.
26. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services. Note to applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

- (i) Provision of additional parking stall width as required in the Parking and Loading Design Supplement for spaces adjacent any wall, columns or structure which is located more than 1.2 m (4 ft.) from either end of the parking stall.

Note to Applicant: Many stalls adjacent structural columns have insufficient width.

- (ii) Provision of the length of ramp at a specified slope and design elevations located on both sides of the parking ramp at all break points, as well as located 0.6 m (2 ft.) off the wall through all curved sections of parking ramp is required.

Notes to applicant: The proposed glass treatments within the plaza area should meet or exceed slip resistance standards.

Building encroachments onto City street will cause problems if strata titling a property, due to Section 244 (1) (f) of the Strata Property Act. In such cases the City may not necessarily support the provision of easements for any part of the building on City street. If strata titling is proposed, the applicant is advised to seek independent legal advice on the matter.

**Neighbourhood Energy System:**

27. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
28. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy 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 at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

29. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
30. Provide for 21 m<sup>2</sup> (226 sq. ft.) of adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
31. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering 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 General Manager of Planning and Development Services, 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. Consolidation of Lots C and D, Block 53, DL 541, Plan 15551 to create a single parcel.
2. Release of Covenant F22759 from the consolidated parcel prior to issuance of an occupancy permit for any new building on the lands.
3. Discharge of statutory rights of way C63001 and C72540 and for the removal and/or relocation of all utilities within these rights of way. This is to facilitate the relocation of this right of way to the south end of the lot for lane/access purposes. Letters of consent from all impacted utility companies are required.

Note to applicant: City records indicate that Telus and BC Hydro infrastructure is located within this statutory right of way area.

4. Provision of a 6.1 m (20 ft.) wide volumetric statutory right of way at the southerly end of the site for public access, with or without vehicles as if dedicated lane. The statutory right of way is to be located a sufficient distance from the south property line to allow the westerly end of the volumetric statutory right of way to be flared with standard 3.1 m x 3.1 m (10 ft. x10 ft.) lane corner-cuts on both sides.
5. Delete all portions of the fritted curtain wall/vertical steel structure proposed beyond the 0.9 m (3 ft.) maximum allowable building encroachment over City street permitted by the encroachment by-law and enter into encroachment agreements for the fritted curtain wall/vertical steel structure encroaching over City street to a maximum of 0.9 m (3 ft.) onto Seymour Street. Any encroaching elements are to be lightweight and visibly and readily demountable, and the applicant must provide a rationale (i.e. that they are necessary in order to meet LEED® standards).

Note to applicant: An application to the City Surveyor is required to initiate these arrangements.

6. Provision of a 5.5 m (18 ft.) dimension from the back of the existing curb on Seymour Street to the building face. A statutory right of way for pedestrian purposes is required over a portion of the eastern edge of the site to provide for the 5.5 m (18 ft.) dimension.

Note to applicant: A legal survey that provides the existing curb to property line dimension is required to confirm the dimension of the proposed statutory right of way. Should the legal survey determine the existing curb to property line dimension provides for the 5.5 m (18 ft.) dimension, this proposed right of way will not be necessary.



7. Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for appropriate legal agreements between the owners of the development site at 753 Seymour Street and the owners of 736 and 798 Granville Street to ensure right of access and use of an on-site Class B loading space on 753 Seymour Street by the Vancouver Block building at 736 Granville Street and for on-site manoeuvring by trucks loading into 798 Granville Street (the Future Shop/Winners site).
8. Arrangements to be made to the satisfaction of the General Manager of Planning and Development Services in consultation with the General Manager of Engineering Services and the Director of Legal Services for a statutory right of way agreement for public access purposes and use over the public plaza located off the Seymour Street sidewalk.
9. 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 improved sidewalks adjacent the site. Sidewalks that meet City standards with exposed aggregate front utility strip and broom-finished sidewalk with saw-cut expansion joints are to be provided between curb and property line for the length of the site.
  - (ii) Provision of a standard concrete lane crossing at the lane entry west of Seymour Street on the north side of Robson Street including curb return renewal.
  - (iii) Provision of a new lane entry at the proposed relocated lane and elimination of the existing lane entry at the north end of the site including all utility relocations and adjustments to accommodate the street changes.
  - (iv) Provision of street trees adjacent the site where space permits.
  - (v) 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% of any water system upgrading that may be required.

10. 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.

#### Neighbourhood Energy

11. 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 (NES), if and when the opportunity is available and in accordance with the City's Neighbourhood Energy Strategy that 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 a system becomes available;
  - (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation; and
  - (iii) grant use of and access to suitable space required for the purposes of an energy transfer station as established in the Neighbourhood Energy Connectivity Standards Design Guidelines, to the satisfaction of the General Manager of Engineering Services.

#### Note to Applicant:

- a) Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.

- b) The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
- c) At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

### Public Art

12. 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

### Soils

13. 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 Planning, the General Manager of Engineering Services and the 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)

14. Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$2,500,000, to be used by the City to fund a childcare facility or facilities in the downtown.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites 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-laws.

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 Director of Legal Services be instructed to bring forward, at the time of enactment of the new CD-1 By-law, a By-law to repeal CD-1 (155) By-law No. 5683 for 650 West Georgia Street, generally as set out in Appendix A of the Policy Report dated April 6, 2016, entitled "CD-1 Rezoning: 650 West Georgia Street (753 Seymour Street)".
- C. THAT, the application to amend Schedule E of the Sign By-law to:
  - (i) establish regulations for the new CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" DD], and
  - (ii) consequentially, delete CD-1 (155) By-law No. 5683 from Schedule E,generally as set out in Appendix C of the Policy Report dated April 6, 2016, entitled "CD-1 Rezoning: 650 West Georgia Street (753 Seymour Street)", be approved.
- D. THAT, subject to enactment of the new CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated April 6, 2016, entitled "CD-1 Rezoning: 650 West Georgia Street (753 Seymour Street)".
- E. 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 6, 2016, entitled "CD-1 Rezoning: 650 West Georgia Street (753 Seymour Street)".

- F. THAT A through E 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 (Vote No. 01247)  
(Councillor Stevenson absent for the vote)

#### 4. REZONING: 420 Hawks Avenue

An application by Atira Women's Resource Society was considered as follows:

Summary: To rezone 420 Hawks Avenue from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposed rezoning would change the maximum density from a floor space ratio (FSR) of 5.0 for industrial use to 4.50 for residential use, and the height from 30.5 m (100 ft.) to 21.6 m (70.9 ft.), which would allow for a seven-storey residential building with 21 social housing units.

The Acting 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 staff reviewed the application and responded to questions.

#### Applicant Comments

Anthony Boni, Boni Maddison Architects, James Weldon, JTW Consulting, and Niki Antonopoulou, Executive Director, Operations (Vancouver), Atira Women's Resource Society, responded to questions.

## Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list and receipt of public comments:

- 262 pieces of correspondence in support of the application; and
- 3 pieces of correspondence opposed to the application.

## Speakers

The Deputy Mayor called for speakers for and against the application.

The following spoke in support of the application:

Wendy Pedersen  
Marion Pollack  
Audrey Siegl  
Mr. HD  
Kai Rajala  
Jenny Waters  
Jack Gates  
Chanel Ly  
Tami Starlight

The following, while in support of more social housing, spoke in opposition to this application. Concerns raised included: the scale and design of the building; fit with the local area plan; safety and security; housing vulnerable women and children in an unsafe area; and loss of commercial/industrial space:

Laurel Lawry, Director, AUUC School of Dance  
Nicole Stinn  
Elana Zysblat, Strathcona Residents' Association  
Joji Kumagai, Executive Director, Strathcona Business Improvement Association  
Guy Wakeman, President, Stamps Place Tenants Council  
Kiku Hawkes  
Michael Parasiuk

Keith Steeves spoke neither in support of nor opposition to the application but noted the need for more social housing that can accommodate men.

The speakers list and receipt of public comments closed at 8:58 pm.

## Applicant Closing Comments

Ms. Antonopoulou provided closing comments and responded to questions.

## Staff Closing Comments

Planning and Development Services staff responded to questions.

## Council Decision

MOVED by Councillor Jang

- A. THAT the application by Atira Women's Resource Society (Atira) to rezone 420 Hawks Avenue [*The South Half of Lots 1 and 2, all of Block 66, District Lot 181, Plan 196; PIDs: 015-577-791 and 015-577-813 respectively*] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District to allow for the construction of a seven-storey social housing building with a floor space ratio of 4.50 and a height of 21.6 m (70.9 ft.), generally as presented in Appendix A of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue", 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 Boni Maddison Architects, including plans and addendum received October 23, 2015 and January 19, 2016 respectively, 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:

#### Design Development

1. Design development to enhance the building interface with the public realm:
  - (i) To reduce overlook into semi-private amenity space from the street, accommodate a 0.9 m (3 ft.) planting strip along the outside boundary of the west property line (see Landscape condition 5).
  - (ii) To reduce overlook and reinforce the transitional massing to existing development south of the site, delete the cantilevered area of the roof deck on the seventh floor, at the southwest corner of the building.

Note to applicant: Consider reallocating this outdoor amenity area to a roof deck above the garbage storage, which could be accessed from the second floor.

- (iii) Animate the largely blank, south building face at the lane.

Note to applicant: Consider the introduction of clerestory fenestration, artwork, with the opportunity to work with

local artists, or material variation as the mechanism to do so (also see Landscape condition 6).

2. Design development to enhance the livability of units:

(i) To comply with Horizontal Angle of Daylighting and ventilation requirements, adjust the layout of the seven two-bedroom units (marked as unit 1 on each floor, located at the northeast corner) to locate the second bedroom adjacent to an exterior wall.

(ii) Provide semi-private outdoor space to enhance the livability of the residential units.

Note to applicant: Recommend the introduction of "Juliet" guards to facilitate sliding door openings in curtain wall assembly for each unit, or other means by which to achieve the same performance objectives.

(iii) Consider the provision of additional residential storage at the basement level.

Note to applicant: This could be achieved by expanding the basement level to include additional storage space, or by reconfiguring the proposed bicycle parking rooms to include residential storage space.

(iv) Provide in-suite storage, in the form of open or closed shelving units, for the proposed micro dwelling units.

(v) The building is to include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).

(vi) A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

Note to applicant: Explore the inclusion of informal play elements as part of the interior courtyard space, potentially co-located with opportunities for urban agriculture.

(vii) Provision of additional shared outdoor space for residents.

Note to applicant: Explore the addition of shared outdoor space at the second floor, on top of the garage rooftop at the lane (see also conditions 1(b) and 9).



### Crime Prevention Through Environmental Design (CPTED)

3. 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.

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.

### Sustainability

4. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The design strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

### Landscape

5. Design development to improve the interface with Hawks Avenue by expanding the planting bed at grade across the entire west façade, except at the main entry and entry to the amenity space.

Note to applicant: See also condition 1(a). Proposed planting to be reviewed by the Street Activities Branch, Engineering Services.

6. Design development to provide a more pedestrian friendly experience at the lane edge. See also condition 1(c).

Note to applicant: This can be achieved by the use of down-lighting and more substantial planting at grade, oriented to the lane, such as the addition of woody shrubs and groundcover, along with the espaliered Fig tree. The lane edge planting should be protected from vehicles by an 8-inch high curb, while maintaining visual connectivity for CPTED concerns.

7. Design development to enhance and soften the elevator shaft at the east façade by the use of cable trellis with pocket-planted climbing vines.
8. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long-term viability of the landscape.

Note to applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

9. Provision of revised Level 7 roof deck landscape to confirm reduced overlook, by deleting cantilevered area. See also condition 1(b).
10. Provision of minimum two 6 cm caliper deciduous street trees along Hawks Avenue, in coordination with Engineering and Park Board.
11. 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.
12. 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 root balls of proposed trees well into the future.
13. 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.

14. 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.
15. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board".

Note to applicant: 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.

16. A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade.
17. A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

#### Engineering

18. Provision of elevators with an internal dimension of a minimum 2,051 mm width by 1,683 mm depth and a minimum 1,067 mm (3.5 ft.) double set of elevator doors that are sized for easy access by cyclists and pedestrians.
19. Provision of City building grades and additional design elevations at all entries along the property line, clearly indicating that entries meet building grades.

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

#### Engineering

1. Consolidation of the south half of Lots 1 and 2, all of Block 66, District Lot 181, Plan 196 to create a single parcel.
2. Provision of support (retention) for both Hawks Avenue and the lane adjacent the site.

Note to applicant: There currently is a retaining wall and pipe rail fence located adjacent the boundary of the site. Confirmation that if the wall is removed adequate support is provided for the street and lane and a building design that clearly reflects such support. Should the retaining wall remain then arrangements to the satisfaction of the General Manager of Engineering Services are required for any modifications to the retaining wall to accommodate the development of the site.

Note to applicant: Note a support agreement (legal agreement) may be required.

3. 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 a standard concrete lane crossing at the lane entry south of Hastings Street, on the east side of Hawks Avenue, including reconstruction of the lane curb returns should it be required to ensure a standard lane crossing design.
  - (ii) 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 applicant's 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% of any water system upgrading that may be required.
  - (iii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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% of any sewer system upgrading that may be required.

4. 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.

#### Housing Policy and Projects

5. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement to secure all 21 residential units as social housing, for 60 years or the life of the building, whichever is greater subject to the following additional conditions in respect of those units:
  - (i) That none of the social housing units may be separately sold;
  - (ii) That rents in at least one third of the 21 social housing units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance and the target rents and affordability for the remaining two-thirds will be for one of these thirds to be up to "Housing Income Limits" (HILs), and the remaining third to be at affordable market rents;
  - (iii) That the social housing units will be legally and beneficially owned by a non-profit corporation, or by or on behalf of the city, the Province of British Columbia, or Canada single legal entity and used only to provide rental housing for terms of not less than one month at a time and prohibiting the separate sale or transfer of legal or beneficial ownership of any such units;
  - (iv) That the operator shall provide a draft Operations Management Plan prioritizing the social housing for DTES residents; and
  - (v) Such other terms and conditions as the Director of Legal Services and the Chief Housing Officer may in their sole discretion require.

Note to Applicant: this condition will be secured by a 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to Section 565.2 of the Vancouver Charter.

### Social Policy and Projects

6. Make arrangements to the satisfaction of the Managing Director, Social Policy and Projects and the Director of Legal Services to secure public access to a minimum 68.7 m<sup>2</sup> (740 sq.ft.) amenity room on the ground floor through a Community Use Agreement.

### Soils

7. 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 Planning, the General Manager of Engineering Services and the 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.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites 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-laws.

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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue".
- 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 January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue".
- D. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated January 26, 2016, entitled "CD-1 Rezoning - 420 Hawks Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the CD-1 By-law contemplated by this same report, subject to the terms and conditions as may be required at the discretion of the Director of Legal Services and Chief Housing Officer.
- E. THAT A through D 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.

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 (Vote No. 01248)

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang

SECONDED by Councillor Stevenson

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 Stevenson

SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:41 pm.

\* \* \* \* \*