



PUBLIC HEARING MINUTES

MAY 16, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, May 16, 2017, at 6:08 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson*
Councillor George Affleck
Councillor Elizabeth Ball*
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer*
Councillor Tim Stevenson

CITY CLERK'S OFFICE: Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Mayor acknowledged that we are on the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh First Nations.

COMMITTEE OF THE WHOLE

The Mayor reminded Council that, based on advice from the City Clerk, it is not necessary for Council to sit as Committee of the Whole during a Public Hearing; however, in order to comply with the Procedure By-law, a motion to go into Committee of the Whole should be put to a vote and failed by Council.

MOVED by Councillor Louie
SECONDED by Councillor Jang

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

LOST

(Councillors Affleck, Carr, De Genova, Deal, Jang, Louie, Meggs, Reimer, Stevenson and Mayor Robertson opposed)
(Councillor Ball absent for the vote)

1. HERITAGE DESIGNATION: 3750 Prince Edward Street (Gardiner Residence)

An application by Shed Homes was considered as follows:

Summary: To designate as protected heritage property the exterior of the existing building at 3750 Prince Edward Street, known as the Gardiner Residence, which is listed on the Vancouver Heritage Register in the 'C' evaluation category.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Summary of Correspondence

No correspondence was received on this application since it was scheduled for public hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 6:12 pm.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Carr

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate as protected heritage property the exterior of the existing building at 3750 Prince Edward Street [*PID: 012-833-703; Lot E, Block 27, District Lot 301, New Westminster District Plan VAP3476*]), known as the "Gardiner Residence", which is listed on the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted 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. 01955)
(Councillor Ball absent for the vote)

2. HERITAGE DESIGNATION: 1819 West 15th Avenue (The William C. Hatch House)

An application by Terra Firma Design Ltd. was considered as follows:

Summary: To add the existing building at 1819 West 15th Avenue, known as The William C. Hatch House, to the Vancouver Heritage Register in the 'C' evaluation category and to designate the exterior of the heritage building as protected heritage property.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Summary of Correspondence

No correspondence was received on this application since it was scheduled for public hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

The Mayor called for speakers for and against the application.

David Smith expressed concerns that if approved, the existing tenants will have to move out due to the proposed stratification of the house.

The speakers list and receipt of public comments closed at 6:17 pm.

Council Decision

MOVED by Councillor Deal

SECONDED by Councillor Stevenson

- A. THAT Council add the existing building at 1819 West 15th Avenue [*PID: 012-757-799; Lot 13, Block 447, District Lot 526, Plan 3557*], known as the William C. Hatch House, to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the *Vancouver Charter*, a by-law to designate the exterior of the heritage building as protected heritage property.
- 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 any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and

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

CARRIED UNANIMOUSLY (Vote 01956)
(Councillor Ball absent for the vote)

**3. HERITAGE DESIGNATION AND HERITAGE REVITALIZATION AGREEMENT (HRA):
2840 Yukon Street (Annie Campbell Residence) and 2850 Yukon Street
(Howard and Idella Campbell Residence)**

An application by Birmingham & Wood Architects was considered as follows:

Summary: To add the buildings at 2840 and 2850 Yukon Street to the Vancouver Heritage Register, in the 'C' evaluation category; to designate the buildings as protected heritage properties; to enter into a Heritage Revitalization Agreement to secure the rehabilitation and long-term preservation of the two heritage buildings; and to permit development of the site, with infill and bonus density, as proposed under Development Permit Application Number DE418777.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Summary of Correspondence

No correspondence was received on this application since it was scheduled for public hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

The Mayor called for speakers for and against the application.

Lenore Nicholson spoke in opposition to the application and expressed concerns regarding traffic in the neighbourhood.

The speakers list and receipt of public comments closed at 6:28 pm.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Carr

- A. THAT Council add to the Vancouver Heritage Register, in the 'C' evaluation category, the building at 2840 Yukon Street and the building at 2850 Yukon Street [*PID: 014-565-731; Lot A (see 452258L) of Lots 15 and 16, Block I, District Lot 526, Plan 1530; PID: 014-565-684; the South 1/2 of Lot 15, Block I, District Lot 526, Plan 1530; and PID: 014-565-706; the South 1/2 of Lot 16,*

Block I, District Lot 526, Plan 1530], known as the Annie Campbell Residence and the Howard and Idella Campbell Residence, respectively.

- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the *Vancouver Charter*, by-laws to designate the Annie Campbell Residence and the Howard and Idella Campbell Residence as protected heritage properties.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment under Section 592 of the *Vancouver Charter* a by-law for the City to enter into a Heritage Revitalization Agreement to:
 - (i) secure the rehabilitation and long-term preservation of the two heritage buildings; and
 - (ii) vary the *Zoning and Development By-law* as necessary to permit development of the site, including infill development and bonus density, as proposed under Development Permit Application Number DE418777.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed and noted, registered, and given priority on title to the site to the satisfaction of the Director of Legal Services and the General Manager of Planning, Urban Design, and Sustainability.
- E. THAT A to 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 nor any obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted 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. 01957)
(Councillor Reimer absent for the vote)

4. TEXT AMENDMENT: 1101 West Waterfront Road (1199 West Cordova Street)

An application by CitySpaces Consulting Ltd., on behalf of the City of Vancouver (Parks and Recreation Board), was considered as follows:

Summary: To amend the text of Comprehensive Development (CD-1) District (363) By-law for 1101 West Waterfront Road (1199 West Cordova Street) to increase the maximum floor area in Sub-area 3 for Retail and Service use (restaurant) from 600 square metres (6,458 square feet) to 975 square metres (10,495 square feet).

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application and, along with Parks and Recreation staff, responded to questions.

Applicant Comments

Deane Strongithard, CitySpaces Consulting, provided opening comments.

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:

- 1 piece of correspondence in support of the application; and
- 11 pieces of correspondence in opposition to the application.

Speakers

The Mayor called for speakers for and against the application.

Brent Davies spoke in support of the application.

The following spoke in opposition to the application, many of whom expressed concerns about seating capacity, building design, sight lines and safety issues due the proposed proximity to the seawall:

Richard Jaffray, President, Cactus Restaurants Ltd.
Gerald Sieben, Coal Harbour Residents Association
Daniel Frankel, CEO, Tap & Barrel Restaurants
Tim Grant, PCI Developments Corp
Burton Van Alstine
Clark Ledingham, General Counsel, BC Pavilion Corporation
Alex Von Kleist, Coal Harbour Residents Association
Cynthia Levy
Dr. Lyall Levy

Mark Ollinger was neither in support nor opposition, but enquired about the status of nearby public art.

The speakers list and receipt of public comments closed at 7:58 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments.

Applicant Closing Comments

Mr. Strongithard provided closing comments.

Council Decision

REFERRAL MOVED by Councillor Reimer
SECONDED by Councillor Jang

THAT discussion and decision on the application entitled "Text Amendment: 1101 West Waterfront Road (1199 West Cordova Street)", be referred to the Regular Council meeting on June 13, 2017, as Unfinished Business.

CARRIED (Vote No. 01958)
(Councillors Affleck, Ball, Carr and De Genova opposed)

5. REZONING: 2153-2199 Kingsway

An application by IBI Group Architects (Canada) Inc. was considered as follows:

Summary: To rezone 2153-2199 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building containing commercial retail units at grade and 101 secured market rental housing units. A height of 20.6 metres (67.5 feet) and a floor space ratio (FSR) of 3.35 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application.

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:

- 2 pieces of correspondence in support of the application.

Speakers

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

The speakers list and receipt of public comments closed at 8:31 pm.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Jang

- A. THAT the application by IBI Group Architects (Canada) Inc. on behalf of Hua Long International Technical Investment Ltd, to rezone:
- 2153-2173 Kingsway [*Lots 114, 113 and 112, Except Part in Reference Plan 2407, Blocks 2 and A District Lot 393 Plan 2707; PIDs: 013-535-773, 013-534-939 and 013-534-921 respectively*],
 - 2185 Kingsway [*PID: 017-659-892; Lot B Blocks 2 and A District Lot 393 Plan LMP3068*], and
 - 2199 Kingsway [*PID: 007-725-469; Lot 1 Blocks 2 and A District Lot 393 Plan 15037*]

from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.50 to 3.35 and the building height from 13.8 m (45.3 ft.) to 20.6 m (67.5 ft.), to permit the development of a six-storey mixed-use development containing commercial retail units at grade and 101 for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated March 14, 2017 entitled "CD-1 Rezoning: 2153-2199 Kingsway", 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 IBI Group Architects (Canada) Inc. and stamped "Received City of Vancouver, September 6, 2016", subject to the following conditions, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Urban Design

1. Consideration to provide an outdoor amenity area for the rooftop above Level 6, with children's play area, urban agriculture plots and areas for sitting and eating, while minimizing impacts to privacy for the properties located due north.

Note to Applicant: A height relaxation may be granted if the provisions stated in the *Roof-Mounted Energy Technologies and Green Roofs - Discretionary Height Increases* bulletin are satisfied.

2. Design development to provide private outdoor space for every dwelling unit in the form of exterior balconies.

Note to Applicant: All balconies should have a depth and width of no less than 1.8 m (6 ft.) in dimension.

3. Design development to maximize the access to natural light for the north-facing townhouse units located off the service lane on the ground storey.

Note to Applicant: Reducing the depth of the architectural soffit over the windows would help to satisfy this condition.

4. Provision of a vertical ventilation shaft that can exhaust air from the ground-floor commercial retail units through the highest roof, for every 75 ft. of linear storefront facing Kingsway.

5. Design development to ensure that every dwelling unit has a minimum size of 398 sq. ft., excluding in-suite storage closets.

6. Relocation or design development to the proposed ventilation grill located adjacent to the public Gladstone Street sidewalk to ensure that:

- (i) during operation, the exhaust produces little noise and low-air flow onto the sidewalk;
- (ii) it discourages mischief and loitering in this covered area; and
- (iii) the grille may be integrated with a more customized artistic aesthetic.

7. Consideration to vary the proposed colour palette of spandrel panels.

8. Submission of a bird-friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the *Bird Friendly Design Guidelines* and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

9. That the proposed unit mix of 45% studio, 17% one bedroom, 31% two bedrooms and 7% three bedrooms be included in the development permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

10. Design development to consider the principles of CPTED, 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 Review

11. Design development to expand programming to provide a children's play area with visual access from an indoor amenity room.

Note to Applicant: This can be achieved from Level 1 amenity area, Level 2 amenity area, or on the rooftop (see condition (b)1).

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 sloped or altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

Sustainability

13. Confirmation of the building's sustainability performance as required by the *Green Buildings Policy for Rezoning*, including achieving Gold certification under LEED® for Homes - Multifamily

Mid-Rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management 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 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

14. Clarification of garbage pick-up operations.

Note to Applicant: Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note that pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.

15. Provision of the following notations on the landscape plans:

- (i) "All sidewalks between the curb and property line are to be reconstructed fully at the applicant's expense."
- (ii) "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive 'For Construction' approval and related permits are issued. Please contact Kevin Cavell at 604.873.7773 for details."
- (iii) "Installation of parking regulatory signage on Kingsway and Gladstone Street adjacent the site to the satisfaction of the General Manager of Engineering Services".

16. Deletion of lane lines and median shown on Kingsway on the site plan (drawing 9 of 34) as there are no plans to revise the existing paint markings.
17. Provision of automatic door openers providing access to the bicycle rooms clearly noted on the plans.
18. Provision of 3 ft. (0.9 m) clearance from walls for the outer most Class B bicycle spaces.

Note to applicant: Additional width is required for access to these spaces.

19. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services as follows:

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

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

- (ii) Provision of a minimum 6.1 m (20 ft.) wide overhead gates and maneuvering aisle width.

Note to Applicant: Clearly note on plans and dimension the width of both O/H gates on P1.

- (iii) Provision of updated plans showing consistent number of Class B bicycle spaces.

Note to Applicant: Tech table and sheet 15 indicate 20 Class B spaces are being provided and drawing L1.1 shows 12 spaces.

- (iv) Modify column placement to comply with the requirements of the *Parking and Loading Design Supplement* as follows:

- a. Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns and dimension on plans.
- b. Dimension the overall stall width for stalls where columns are set back more than 4 ft. from the end of the stall as additional parking stall width is required.
- c. Dimension all columns.

- (v) Provision of an improved section drawing showing 2.3 m of vertical clearance for the main ramp and security gates.

Note to Applicant: Section A-A dimensions 9 ft. to the top of the slab and not the ceiling of the parking level. Update drawings to show the overhead gate and ensure all utilities are located beyond the 2.3 m of required clearance.

- (vi) 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.

Housing Policy and Projects

- 20. The building is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a common amenity room with kitchenette and accessible washroom.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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, Urban Design and Sustainability, the General Manager of Engineering Services, the General Manager of Community 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 112, 113 & 114, All Except Part in Reference Plan 2407, Plan 2707; Lot 1, Plan 15037; and Lot B, Plan LMP3068; All of Blocks 2 and A, DL 393 to create a single parcel.
- 2. Provision of a statutory right-of-way for public pedestrian use of an expanded sidewalk over the area between the at-grade building face and the south (Kingsway) property line. The SRW agreement must accommodate underground parking levels P1 and P2, and upper portions of the building from Level 2 to the roof within the SRW area.
- 3. Release of Easement & Indemnity Agreements 114764M (support agreement), 243014M (commercial crossing agreement) and A56423 (extension) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

4. Provision of a shared use loading agreement between the residential and commercial uses for use of the two proposed Class B loading bays.
5. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (i) Provision of adequate water service to meet the fire flow demands of the project.

Note to Applicant: The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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 per cent of any water system upgrading that may be required.

- (ii) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off.
- (iii) Provision of new concrete sidewalks adjacent the site in keeping with the Norquay Village treatment and public realm plans. Provision of concrete sidewalk with saw cut joints on Kingsway and Gladstone Street as the proposal indicates tooled joints.
- (iv) Provision for street re-construction on Gladstone Street adjacent to the site to generally include the following: new curb and gutter; a 2.5 m wide raised protected bike lane; a 1.83 m (6'-0") wide CIP light broom finish concrete sidewalk with saw cut joints in front of the residential component and 4.27 m (14'-0") in front of the commercial components; curb ramps; boulevard with street trees; improved street and pedestrian LED lighting; removal of the existing curb bulge; and adjustment to all existing infrastructure to accommodate the proposed street improvements.

- (v) Provision of upgraded street lighting fixtures using LED technology at the intersection of Gladstone Street and Kingsway.
 - (vi) Relocation of the existing bus stop ID to 23.5 m west of the property line along Gladstone Street (approximately 7.4 m west of existing ID location) and removal of the existing bus shelter and litter can on Kingsway and reinstallation of the bus shelter 2.1 m west of the new bus ID location (bus shelter ad panel to be 1.5 m east of existing trolley pole).
 - (vii) Provision of street trees adjacent the site where space permits.
6. Provision of all utility services to be underground from the closest existing suitable service point.

Note to Applicant: 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.

7. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Housing

8. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:
- (i) A no separate-sales covenant.
 - (ii) A no stratification covenant.

- (iii) That none of such units will be rented for less than one month at a time.
- (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance.
- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents subject to adjustment as contemplated by Section 3.1B(c) of the Vancouver Development Cost Levy-By-law:

Unit Type	2153-2199 Kingsway Proposed Average Starting Rents
Studio	\$1,256
One bedroom	\$1,674
Two bedrooms	\$2,079
Three bedrooms	\$2,603

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Community Services and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by Section 3.1B(c) of the Vancouver Development Cost Levy By-law.
- (vii) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City, by by-law, enacted pursuant to section 565.2 of the *Vancouver Charter*.

Environmental Contamination

- 9. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);

- (ii) As required by the Manager of Environmental Services 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 Services 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 Services, 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have 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 registered charges pursuant to 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 is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-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 approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated March 14, 2017, entitled "CD-1 Rezoning: 2153-2199 Kingsway", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law.

- C. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" of the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated March 14, 2017, entitled "CD-1 Rezoning: 2153-2199 Kingsway", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment of the Parking By-law, generally as set out in Appendix C of the Policy Report dated March 14, 2017, entitled "CD-1 Rezoning: 2153-2199 Kingsway".
- E. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated March 14, 2017, entitled "CD-1 Rezoning: 2153-2199 Kingsway".
- 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 and 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. 01959)

6. REZONING: 5469-5507 Willow Street

An application by Yamamoto Architecture was considered as follows:

Summary: To rezone 5469-5507 Willow Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of three 3-storey residential buildings, containing a total of 20 townhouse units. A height of 11.3 metres (37 feet) and a floor space ratio (FSR) of 1.20 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application.

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:

- 1 piece of correspondence in support of the application.

Speakers

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

The speakers list and receipt of public comments closed at 8:38 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Jang

- A. THAT the application by Yamamoto Architecture, on behalf of Coromandel Willow 39 BT Ltd, the registered owner, to rezone 5469-5507 Willow Street [*Lots 4-6, Block 867 District Lot 526 Plan 8454; PIDs: 004-338-367, 010-075-577, and 010-075-607 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 1.20 and the height from 10.7 m (35 ft.) to 11.3 m (37 ft.) to permit the development of three 3-storey residential buildings, containing a total of 20 townhouse units, generally as presented in Appendix A of the Policy Report dated March 28, 2017, entitled "CD-1 Rezoning: 5469-5507 Willow 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 Yamamoto Architecture, on behalf of Coromandel Properties, and stamped "Received, Planning and Development Services, July 21, 2016", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

- (b) That, prior to the approval of Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development to the courtyard to provide children's play space, and explore further opportunities for common amenity space.
2. Design development to mitigate potential privacy and overlook impacts on the neighbouring building to the south.
3. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the development permit application.

Crime Prevention through Environmental Design (CPTED)

4. 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 Design

5. Design development to explore options to increase the setback from the building to the outer canopy of tree #577 and to ensure protection of neighbour's vegetation.

Note to Applicant: Tree #942 is a pine tree located on the edge of the site. Ideally, the optimal setback allowances would be expanded to anticipate future growth of the tree and to allocate space for construction clearances, without relying on canopy pruning. The building may need to be set back further or notched. Modifications to the public walkway and the proposed city sidewalk alignment may be needed, in coordination with General Manager of Engineering Services. At the time of the development permit, staff will coordinate with the applicant team to review the tree protection strategy. Further comments may be outstanding at the development permit stage.

6. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and landscaping.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

7. Provision of a row of trees on private property along Willow Street and within the public walkway (space permitting).
8. Design development regarding the location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (e.g. pad mounted transformers, "Vista" junctions, underground venting, etc.) visible to the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

9. At time of development permit:
 - (i) Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8 in. : 1 ft. scale minimum. The Plant List should include the common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The Landscape Plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, and fire hydrants.

- (ii) Provision of a Tree Management Plan.

Note to Applicant: provide a large scale tree plan that is separate from the Landscape Plan. The plan should clearly illustrate all trees to be removed and retained, including dimensioned tree protection barriers and important construction management directives drawn out of the arborist report(s), such as clearly illustrating the limit of excavation and footing design strategy (i.e. vertical shoring, shotcrete, etc.).

- (iii) Provision of detailed architectural and landscape cross sections (minimum 1/4 in. scale) through tree protection zones, all proposed common open spaces and semi-private patio areas.

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- (iv) Replacement of artificial turf with groundcover.
- (v) Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.
- (vi) Provision of a partial Irrigation Plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including hose bibs for urban agriculture areas. Consider providing individual hose bibs for all private patios of 100 sq. ft. (9.29 sq. m). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

- (vii) Provision of an outdoor Lighting Plan.

Note to Applicant: Consider CPTED principles and avoid any lighting that can cause glare to residential uses.

- (viii) Provision of an updated, detailed Arborist Report.

Note to Applicant: The expanded report should inform design and discuss all development limitations. Include any construction limitations such as the location of construction storage materials, temporary structures, utility conflicts, site access, development phasing and temporary irrigation requirements.

- (ix) Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is typically necessary when any work is required within a minimum root protection zone of a retained tree. The arborist should discuss the details of any supervision requirements

within the Arborist Report, particularly if the plans depict any work that encroaches into a minimum root protection zone. Typically, an assurance letter will outline up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

Neighbourhood Energy Utility

10. There will be no Neighbourhood Energy Utility (district energy) requirements due to the size and location of this project.

Engineering

11. Clarify garbage storage and pick-up space. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering Garbage and Recycling Storage Facility Design Supplement for recommended dimensions and quantities of bins.

Note to Applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick up, provision of an on-site bin holding area at grade is required. Bins are to be returned to storage areas immediately after emptying.

12. Provision of clear sight lines at the intersection of the lane and the shared use path, and at the lane and the parkade ramp. Fences, walls and landscape should be designed to provide good sight lines.
13. Deletion of the laurel hedge proposed along the lane edge and provision of alternate plant material such as vines at the retaining wall/fence and low planting at the parkade and shared use path. The applicant has proposed planting a hedge in a space approximately 0.3–0.45 m wide between the lane and the retaining wall/fence. Planting a hedge in this narrow space will most certainly create ongoing maintenance and encroachment issues in the lane.
14. Delete the portions of trellis and all gates swinging out over the east property line.
15. Provision of a bike room for the required Class A bicycle spaces with a clear access aisle.
16. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
17. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, as follows:

(i) Modification of the parking ramp design to address the following:

- a. The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.

Note to Applicant: A transition ramp is required at the bottom of the 15% slope for 4 m (13 ft.), as 8 ft. is shown on drawing A2.0. If an approvable ramp cannot be achieved at the current location, consider relocating the ramp further south in the lane to a lower elevation or extending the parkade to the easterly property line to lengthen the ramp by approximately 10 ft.

- b. Ramps which have a 15% slope and are exposed to the weather must be heated and noted on plans.

(ii) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement as follows:

- a. A column 2 ft. in length must be set back 2 ft. from either the opening to or the end of the parking space. A column 3 ft. long may be set back 1 ft.
- b. Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4 ft. from the end of the stall. Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns.

Note to Applicant: The alignment of the parking stalls shown requires additional width as certain stalls have columns that are set back more than 1.2 m (4 ft.) from the end of the stall.

(iii) Dimension all columns encroaching into parking stalls.

(iv) Dimension the small car spaces and number all stalls.

(v) Modify parking stalls to be clear of structure.

Note to Applicant: Several parking stalls for the building adjacent to the parking ramp have stalls that encroach into the stairs for the units.

- (vi) Provision of additional design elevations within the parking area to calculate the slope and crossfall.

Note to Applicant: The slope and crossfall must not exceed 5%.

- (vii) Confirm if disability stalls are required as none are shown and if so, the following 2.3 m of vertical clearance condition is required:

A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces.

- (viii) Provision of an improved plan showing six Class B bicycle spaces on private property.

Note to Applicant: Locate the bike rack in close proximity to Willow Street with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach over the property line.

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

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, Sustainability and Urban Design, 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 Services

1. Consolidation of Lots 4–6, Block 867, District Lot 526, Plan 8454 to create a single parcel.
2. Provision of a 6.1 m (20 ft.) wide statutory right-of-way between Willow Street and the lane west of Willow Street generally along the 39th Avenue alignment, for public use and for development of a shared use path for walking and cycling.

Note to Applicant: The proposed statutory right-of-way is to allow for a construction of a shared pedestrian and cyclist connection as identified in the Oakridge Transit Centre Policy Statement. The site is to be responsible for full maintenance of all features constructed within the statutory right-of-way.

Deletion of all encroaching structures is required including but not limited to walls, gates, fences, stairs, trellises etc. The SRW agreement must accommodate the underground parkade and minor building elements from levels 2, 3 and the roof within the SRW area.

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 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.
 - (ii) Provision of a report or management plan by a registered professional demonstrating that post development storm water run-off flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
 - (iii) Construction of a 4.0 m CIP concrete shared use path with saw cut joints within the 6.1 m (20 ft.) statutory right-of-way between Willow Street and the lane west with a slope of less than 5%. The remaining 2.1 m may have low planting, lighting, benches etc. to enhance the public experience. Provision of a single bollard located at either end of the shared use path set back 2.0 m from each end and in the centre of the path. The design and construction costs are to be 100% of the applicant's expense. Provision of a high-quality design of the shared use path (e.g. materials, lighting, street furniture, street trees, landscaping, signage, etc.) is expected.

- (iv) Provision of pedestrian LED lighting along the shared use path, lighting levels to be determined through the provision of a lighting simulation/analysis to the satisfaction of the General Manager of Engineering Services.
 - (v) Provision of an intersection curb bulge on Willow Street at the intersection with 39th Avenue complete with pedestrian and cyclist ramps, work to include improved intersection lighting and relocation of the existing fire hydrant to allow for bicycle ramps at the curb.
 - (vi) Provision of a minimum 1.83 m (6 ft.) wide CIP light broom finish concrete sidewalk with saw cut joints on Willow Street adjacent the site.
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.

Community Amenity Contribution (CAC)

5. Pay to the City the Community Amenity Contribution of \$864,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$864,000 is to be allocated as follows:
- (i) \$432,000 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
 - (ii) \$345,600 (40%) toward childcare and community facilities in and around the Cambie Corridor Plan area; and
 - (iii) \$86,400 (10%) to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

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

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

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated March 28, 2017 entitled "CD-1 Rezoning: 5469-5507 Willow Street".
- E. THAT A and B above be adopted on the following conditions:
 - (a) 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 any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (b) 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
 - (c) 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. 01962)

7. REZONING: 3868-3898 Rupert Street and 3304-3308 East 22nd Avenue

An application by GBL Architects was considered as follows:

Summary: To rezone 3868-3898 Rupert Street and 3304-3308 East 22nd Avenue from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with at-grade commercial uses and 98 secured market rental housing units. A height of 20.4 metres (67 feet) and a floor space ratio (FSR) of 3.16 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application.

* * * * *

*During the staff presentation, Mayor Robertson left the meeting and did not return.
Acting Mayor Louie assumed the Chair.*

* * * * *

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:

- 65 pieces of correspondence in support of the application;
- 1 petition with 114 names in support of the application;
- 10 pieces of correspondence in opposition to the application; and
- 1 petition with 20 names in opposition to the application.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application, some of whom also offered suggestions or expressed concerns about aspects of the application:

Bob Chin
Gordon Wong
Sharleen Sendjaya
Raymond Cho
David Sexton, Renfrew Park Community Association

Hunt Tse
Sharon Sendjaya

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

Rick Hurlbut
Ron Wood
Lisa Wong
Carl Kwan

The speakers list and receipt of public comments closed at 9:45 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability and Engineering Services staff responded to questions.

* * * * *

At 9:58 pm, it was,

*MOVED by Councillor Deal
SECONDED by Councillor Jang*

THAT the meeting be extended to complete this agenda item.

*LOST NOT HAVING RECEIVED
THE REQUIRED MAJORITY
(Councillor De Genova opposed)*

*MOVED by Councillor Deal
SECONDED by Councillor Jang*

THAT under Section 6.8 of the Procedure By-law, Council suspend Section 2.3(e) of the Procedure By-law and extend the meeting to complete this agenda item.

*CARRIED AND BY THE
REQUIRED MAJORITY
(Councillor De Genova opposed)*

* * * * *

Council Decision

MOVED by Councillor Jang
SECONDED by Councillor Deal

- A. THAT the application by GBL Architects, on behalf of Hanbu Enterprises Ltd., to rezone 3868-3898 Rupert Street and 3304-3308 East 22nd Avenue [*Lot A, Block 4, North West 1/4 of Section 50 Town of Hastings Suburban Lands Plan 10246; PID: 009-585-061*] from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.20 to 3.16 and the building height from 10.7 m (35 ft.) to 20.4 m (67 ft.) to permit the development of a six-storey mixed-use building with at-grade commercial uses and 98 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated March 14, 2017 entitled "CD-1 Rezoning: 3868-3898 Rupert Street and 3304-3308 East 22nd 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 GBL Architects and stamped "Received City Planning Department, November 18, 2016", subject to the following conditions, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1. Design development to improve the building elevations, as follows:
 - (i) more strongly emphasize the 'break' between two primary building volumes along Rupert Street;
 - (ii) provide a more tactile, visually interesting surface on the wall facing the lane;
 - (iii) provide a tactile and/or coloured cladding on the exterior wall adjacent to the bus shelter, to discourage graffiti;
 - (iv) consider deleting the 'L' soffit that frames the south building volume, in order to reduce apparent massing; and
 - (v) provide a more distinctive architectural expression to the residential entry.

2. Provision of a weather protection canopy along retail frontages (including East 22nd Avenue and East 23rd Avenue), min. 6 feet deep.
3. Design development to encourage 'active use' of the building by residents, by providing a stair that is attractive and readily visible from the residential lobby.
4. Consideration to improve livability of the dwelling units, as follows:
 - (i) provide larger terraces or balconies for 3-bedroom units; and
 - (ii) relocate the entrance to Unit K, to mitigate noise and privacy impacts of the elevator.
5. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating or Passive House certification, along with registration for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which strategies, features or technologies will be incorporated into the project in order to achieve LEED® Gold or Passive House certification. The strategy, along with the LEED® or Passive House checklist must be incorporated into the drawing submission. A letter from a LEED® or Passive House accredited professional must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration of the project with certification-granting organization (CaGBC or other) must be provided with the application. Application for certification will be required at a subsequent stage.

6. That the proposed unit mix for family units, 30% two-bedroom and 4% three-bedroom units, be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or the Development Permit Board provided that it does not go lower than 25% of the dwelling units designed to be suitable for families with children.

7. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at

<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

Crime Prevention through Environmental Design (CPTED)

8. Design development to consider the principles of CPTED, 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.

Sustainability

9. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED™Gold with a minimum of 6 optimize energy performance points, 1 water efficiency point and 1 stormwater point.

Note to Applicant: Provide a checklist and a detailed written description of how the rating system points have been achieved with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set, with significant elements keyed to the building plans and elevations. A letter from the Mechanical consultant shall be submitted outlining how the 6 optimize energy points will be achieved in this building design.

Landscape Design

10. Design development to the integration of the planters on slab with the overall architecture to provide maximum plant growing depth (exceed BCLNA Landscape Standard) to support plant health.

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible.

11. Provision of high efficiency irrigation for all planted areas, hose bibs for common areas and a consideration to provide hose bibs for all patios areas greater than 100 square feet.
12. Provision requirements at the time of Development Permit application:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of large scale architectural and landscape sections [typical] through planted areas, including the slab-patio-planter relationship, the lane interface, common areas and upper levels.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball.

- (iii) Large scale detailed elevations/sections for rooftop landscape structures, gates, fences, walls and privacy screens.

- (iv) Provision of high efficiency irrigation for all planted areas.

Note to Applicant: Provide a separate irrigation size irrigation plan (one sheet size only) that illustrates symbols for hose bibs and/or stub out locations. Tree protection areas should be excluded. Include written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

- (v) Provision of new street trees adjacent to the development site, to be confirmed prior to the issuance of the building permit, to discretion of the General Manager of Engineering.

Note to Applicant: Contact Eileen Curran, Streets Engineering, at 604.871.6131 to confirm tree planting locations and Park Board, at 604.257.8587 for tree species selection and planting requirements. Provide a notation on the plan, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in deep. Planting depth of root ball must be below sidewalk grade.

Call Park Board for inspection after tree planting completion.

Engineering

13. Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-law.
14. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
15. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: Pick up operations should not rely on bins being stored on the street or lane for pick-up, bins are to be returned to storage areas immediately after emptying.

16. Provision of a landscape plan that reflects the off-site improvements sought of this application.

Note to Applicant: Where improvements cannot be illustrated a statement of the required improvement is to be indicated on the landscape plan. Please submit a copy of the updated landscape plan directly to engineering for review.

17. The following statement is to be noted on the landscape plans: "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Kevin Cavell at 604.873.7773 for details."
18. Confirmation that canopies and/or awnings are proposed over the property line and submission of an appropriate application to the General Manager of Engineering Services.
19. Provision of additional design elevations to be noted on the property line adjacent all entries clearly showing that all entries will meet City building grades.

20. Provision of corner cuts to achieve two way traffic flows at the bends in the parkade ramp for the commercial parking and provide turning tracking diagrams to confirm.

21. Provision of the required Class B bicycle parking on private property as per the Parking by-law.

Note to Applicant: Locate the bike rack in close proximity to the lobby entrance with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach over the property line.

22. Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

23. Provision of 'stairs free' loading access with reduced length and slope of ramps from the loading area to all the CRUs.

Note to Applicant: Consider sloping the Class B loading bays at 5% and providing a loading lift to CRU 1, and a loading lift to CRUs 6 and 7 inches the loading storage room to achieve this.

24. Dimension the distance from the back of the curb to the property line on Rupert Street to confirm that 5.5 m distance is being provided on drawing A3.01 and L2.

25. Clearly show the loading bay throat for the southerly bay and ensure it is not impeded by the PMT placement or any required clearances that may be necessary for the PMT or that bollards or other PMT protection features will not encroach into the loading bay throat.

26. Note to Applicant: Confirmation is required that the PMT shown on drawing A3.01 will not reduce the maneuvering for the southerly Class B loading space. Show any additional walls or bollards required for the PMT.

27. Provision of a chamfer on the curb in front of the commercial garbage room to improve maneuvering for the northerly Class B loading space.

28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

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

(ii) Note to Applicant: Confirm all ramp slopes shown are correct as using the elevations and lengths shown, some of the ramp slopes are steeper than what is indicated on the drawings.

(iii) Dimension the width of all overhead gates within the parking area.

Note to Applicant: A 20 feet clear width is required.

(iv) Dimension all maneuvering aisle widths.

(v) Provision of all Class A bicycle parking at or above the first level of underground parking.

Note to Applicant: Relocate the Class A spaces shown on P2 to P1.

(vi) Confirmation of all column locations within the parkade and loading areas.

Note to Applicant: Parking space placement, with respect to structural elements, and column encroachment dimensions must comply with the requirements in the Parking and Loading Design Guidelines. Full maneuvering must be maintained within the loading area for any column placements.

(vii) Provision of minimum vertical clearance for the main ramp, security gates, and loading bays and note on plans.

Note to Applicant: A section drawing is required showing elevations, O/H gates and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

(viii) 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.

Note to Applicant: Please refer to the Parking and Loading Design Guidelines at the following link:

<http://former.vancouver.ca/engsvcs/parking/admin/developers.htm>

Housing Policy and Projects

29. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette and accessible washroom.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Release of Easement & Indemnity Agreement 291025M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

2. 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 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 standard concrete lane crossings at the lane east of Rupert Street on the south side of 22nd Avenue and the north side of 23rd Avenue including new curb returns and curb ramps on both sides of the lane entry.
 - (ii) Provision of new curb returns and curb ramps at the north east corner of 23rd Avenue and Rupert Street and the south east corner of 22nd Avenue and Rupert Street.
 - (iii) Provision of new CIP concrete sidewalks with saw cut score marks on all 3 frontages of the site in keeping with area standards.

- (iv) Confirmation that the proposed utility pole relocations in the lane are achievable. Written confirmation from all affected utility companies is required.
- (v) Provision of upgraded street lighting adjacent the site to LED standards, including additional street lights should a lighting review determine that lighting levels are not met.
- (vi) Provision of painted left turn bays on 22nd Avenue at Rupert Street. This will require re-striping of the intersection and paint markings to create eastbound and westbound left turn bays and revision of the parking regulations, adjustment of the bus stops and shelters and include adjustment to any street infrastructure impacted by the proposed work.

Note to Applicant: Engineering Services will develop a design for this work and determine its viability prior to permit issuance, should the restriping not be achievable the obligation will be removed from any related services agreement.

- (vii) Provision of improved lighting for the intersection of Rupert Street and 22nd Avenue.
- (viii) Provision of speed humps in the lane south of 22nd Avenue, from the lane east of Rupert Street to Cassiar Street subject to resident notification.
- (ix) Provision of street trees adjacent to the site, where space permits.
- (x) 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.
- (xi) Provision of approximately 70 m of new/upgraded sanitary sewer south along Rupert Street from 3725 Rupert Street to 22nd Avenue, then approximately 30 m along 22nd Avenue east past the intersection of 22nd Avenue and Rupert Street. Totalling approximately

100 m in length. The work is currently estimated at \$300,000.00.

A reduction in the sewer upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

3. Provision of all utility services to be underground. All electrical services to the site must be primary with all electrical plant including but not limited to system vista, vista switch gear, pad mounted transformer and street vaults or any additional required hydro equipment is to be located on private property.

The applicant is to provide confirmation that all required electrical plant is provided for on-site. There is to 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.

Housing

4. Make arrangements to the satisfaction of the General Manager of Community Services (or successor in function) and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years or life of the building, and subject to the following additional conditions:
 - (i) A no separate-sales covenant;
 - (ii) A no stratification covenant;
 - (iii) That none of such units will be rented for less than one month at a time; and
 - (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit, when Housing Agreement is entered into and again prior to development permit issuance.
 - (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents subject to adjustment as contemplated by Section 3.1B(c) of the Vancouver Development Cost Levy By-law:

Unit Type	3868-3898 Rupert Street and 3304-3308 East 22nd Avenue Proposed Average Starting Rents
1-bedroom	\$1,476
2-bedroom	\$2,080
3-bedroom	\$2,372

5. That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Community Services (or successor in function) and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by Section 3.1B(c) of the Vancouver Development Cost Levy By-law.
6. Such other terms and conditions as the General Manager of Community Services (or successor in function) and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the *Vancouver Charter*.

Environmental Contamination

7. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have 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 registered charges pursuant to 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 is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-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.

- C. 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 March 14, 2017, entitled "CD-1 Rezoning: 3868-3898 Rupert Street and 3304 3308 East 22nd Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law.
- D. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated March 14, 2017, entitled "CD-1 Rezoning: 3868-3898 Rupert Street and 3304-3308 East 22nd Avenue", be approved.
- E. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated March 14, 2017, entitled "CD-1 Rezoning: 3868-3898 Rupert Street and 3304-3308 East 22nd Avenue".
- 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 and

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. 01961)
(Mayor Robertson absent for the vote)

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor Stevenson

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:10 pm.

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