



## PUBLIC HEARING MINUTES

JULY 11, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, July 11, 2017, at 6:05 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 Andrea Reimer  
Councillor Tim Stevenson

**CITY CLERK'S OFFICE:** Bonnie Kennett, Meeting Coordinator

\*Denotes absence for a portion of the meeting.

### WELCOME

The Mayor acknowledged 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 Reimer  
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, Reimer, Stevenson and Mayor Robertson opposed)  
(Councillor Ball absent for the vote)

1. **HERITAGE DESIGNATION AND REVITALIZATION AGREEMENT: 604 East 23rd Avenue (Mitchell Residence)**

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

Summary: To designate the exterior of the building at 604 East 23rd Avenue (Mitchell Residence), which is listed in the 'B' evaluation category on the Vancouver Heritage Register. To enter into a Heritage Revitalization Agreement to secure the rehabilitation and long-term preservation of the heritage building, and 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 DE419627.

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 to 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 6:10 pm.

**Council Decision**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, the by-law to designate the exterior of the Mitchell Residence at 604 East 23rd Avenue [*PID: 015-638-561; Lot 1, Block 5, District Lot 301, Plan 187*], which is listed in the 'B' evaluation category on the Vancouver Heritage Register, as protected heritage property.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to 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 heritage building; 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 DE419627 and as more particularly described in the Policy Report dated June 26, 2017, entitled "Heritage Designation and Heritage Revitalization Agreement: 604 East 23rd Avenue (Mitchell Residence)".
- C. 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.
- D. THAT, subject to Council's approval of the heritage designation and the Heritage Revitalization Agreement discussed in the Policy Report dated June 26, 2017, entitled "Heritage Designation and Heritage Revitalization Agreement: 604 East 23rd Avenue (Mitchell Residence)", Council waive for the site, for the development as proposed under the DP Application, the requirements contained in paragraph 3.1 of the *Strata Title Policies for RS, RT and RM Zones*, including a condition of development permit approval for new development on a site that the registered owner is to execute a covenant which must be registered against title to the property which prohibits registration of a strata plan.
- 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. 02104)

**2. ZONING AMENDMENT: Enabling Innovative Development with Social Housing - Amendments to the Downtown-Eastside/Oppenheimer Official Development Plan (DEOD ODP)**

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To amend the Downtown-Eastside/Oppenheimer District (DEOD) Official Development Plan (ODP) to enable the delivery of priority uses with housing on corner sites, allow frontage relaxations for 100 per cent social housing

projects, and include a definition for local economic development use. These zoning changes help implement the Downtown Eastside Plan and enable innovative projects and the delivery of social housing.

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 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:

- 2 pieces of correspondence in support of the application; and
- 3 pieces of correspondence in opposition to the application.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Ian Harrison

The following spoke in opposition to the application:

Jean Swanson  
Paul Allen  
Christopher Jay Summers

The speakers list and receipt of public comments closed at 6:42 pm.

### **Council Decision**

The Committee agreed to separate the vote on the components of the motion.

MOVED by Councillor Jang  
SECONDED by Councillor Deal

- A. THAT the following amendments to the Downtown-Eastside/Oppenheimer District Official Development Plan By-law No. 5532, generally as set out in Appendix A of the Policy Report dated May 30, 2017, entitled "Enabling Innovative Development with Social Housing - Amendments to the Downtown-Eastside/Oppenheimer Official Development Plan (DEOD ODP)", be approved:
- (i) Include a definition for local economic development use;
  - (ii) In sub-area 1 (Main and Hastings), enable the development of other priority uses in combination with social and secured market rental housing within the current overall maximum density;
  - (iii) In sub-areas 1, 2, 3, and 4, allow existing priority uses to expand to a maximum of 1.5 FSR; and
  - (iv) In sub-areas 1, 2, 3 and 4, introduce a relaxation by the Director of Planning to the current maximum site width (i.e. site frontage) on the condition that 100 percent of housing units are social housing.
- B. THAT A above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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 (Vote Nos. 02107 and 02108)  
(Councillor Carr opposed to A i, ii and iii)

**3. TEXT AMENDMENT: 620 Cardero Street (formerly 1575 West Georgia Street)**

An application by Henriquez Partners Architects was considered as follows:

Summary: To amend the text of Comprehensive Development (CD-1) District (633) By-law for 620 Cardero Street (formerly 1575 West Georgia Street) to

increase the overall floor space ratio from 10.59 to 10.85 and the residential floor space ratio from 7.86 to 8.15.

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.

Council had before it a memorandum dated, July 5, 2017, from the Acting Director of Planning, Downtown Division, to clarify the explanation of the floor area increase contained in the Policy Report dated May 2, 2017, titled "CD-1 Text Amendment: 620 Cardero Street (formerly 1575 West Georgia Street)". It brought forward the additional recommendation below to accept the offering of a Community Amenity Contribution (CAC) for this application.

### ***RECOMMENDATION***

THAT the following be added as a condition of approval of the CD-1 Text Amendment application for 620 Cardero Street:

"Pay to the City, prior to enactment of the zoning by-law, the cash Community Amenity Contribution of \$150,000 which the applicant has offered to the City and that it be allocated towards affordable housing and a 69-space childcare facility to serve Coal Harbour."

This recommendation is added after A from the Policy Report noted-above and B is renumbered as C, as contained in the Summary and Recommendation of the Public Hearing agenda for this item with the added condition explained in the memorandum noted-above.

### **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;
- 2 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence related to other matters.

### **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 6:50 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 Henriquez Partners Architects, on behalf of 1072705 B.C. Ltd. and 1072719 B.C. Ltd. (Bosa Properties), to amend CD-1 (633) By-law No. 11577 for 620 Cardero Street (formerly 1575 West Georgia Street) [*PID 029-884-667; Lot A, Block 42, District Lot 185, Group 1, New Westminster District and of part of the public harbour of Burrard Inlet Plan EPP62321*] to increase the floor space ratio from 10.59 to 10.85 and the residential floor space ratio from 7.86 to 8.15, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Text Amendment: 620 Cardero Street (formerly 1575 West Georgia Street)", be approved.
- B. THAT the following be added as a condition of approval of the CD-1 Text Amendment application for 620 Cardero Street:
- "Pay to the City, prior to enactment of the zoning by-law, the cash Community Amenity Contribution of \$150,000 which the applicant has offered to the City and that it be allocated towards affordable housing and a 69-space childcare facility to serve Coal Harbour."
- C. THAT A and B 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; 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 by-law 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. 02109)

#### 4. REZONING: 870 East 8th Avenue (Red Door Housing Society)

An application by Red Door Housing Society was considered as follows:

Summary: To rezone 870 East 8th Avenue from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a seven-storey building containing a total of 51 social housing units. A height of 21.3 m (69.9 ft.) and a floor space ratio (FSR) of 2.80 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.

It was noted a clerical error was made on page 1 of Appendix H of the Policy Report dated May 30, 2017, entitled "CD-1 Rezoning: 870 East 8th Avenue (Red Door Housing Society)" and should be shown as follows, "The Public Benefit Summary - A total of 51 social housing units, representing 29 net new units."

#### Applicant Comments

Dane Jansen, dys architecture, 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:

- 47 pieces of correspondence in support of the application;
- 6 pieces of correspondence in opposition to the application; and
- 2 petitions in opposition to the application with a total of 55 signatures.

#### Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Scott De Lange Boom  
Deanne Ziebart  
Susan Snell



The following spoke in opposition to the application:

Dave Webb  
Russ Irish  
Ryan Quirico  
Anna Szul  
Jeff Crompton  
Michelle Sangster  
John Meier  
Jessica McLennan  
Gord Risch  
Marilyn Hogan  
Mullen Buss

The speakers list and receipt of public comments closed at 8:05 pm.

### **Applicant Closing Comments**

Graham Plant, Development Coordinator, CPA Development Consultants, provided brief closing comments.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor Jang  
SECONDED by Councillor Stevenson

- A. THAT the application by the Red Door Housing Society to rezone 870 East 8th Avenue [*PID: 002-549-140; Lot G, Block 117, District Lot 264A, Plan 20632*] from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 1.45 to 2.80 and the maximum building height from 10.7 m (35.1 ft.) to 21.3 m (69.9 ft.) to permit a seven-storey building with 51 social housing units, generally as presented in Appendix A of the Policy Report dated May 30, 2017, entitled "CD-1 Rezoning: 870 East 8th Avenue (Red Door Housing Society)", 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 dys architecture and stamped

“Received Planning, Urban Design and Sustainability, March 22, 2017”, 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. Maximum building height should not exceed 21.3 m.
2. Reduction in the building massing facing St. Catherines Street to better reflect the scale of the context should be maintained, with a setback of minimum 29.3 ft. from this street for the floors above the local height limit of 35.1 ft., and an additional 7.6 ft. setback of the top storey from the level below.
3. Design development to meet the relevant sections of the High-Density Housing for Families with Children Guidelines.

Note to Applicant: For more information, see the guidelines at <http://guidelines.vancouver.ca/H004.pdf>

4. Provision of usable private open space for each dwelling units.

Note to Applicant: Dimensions should be commensurate to unit size.

5. Provision of bulk storage units for each dwelling units.

Note to Applicant: Consider repurposing amenity space on Levels 2 and 3 into storage space for units without in-suite storage.

6. Design development to mitigate privacy and overlook towards existing residents.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings to illustrate specific built features such as translucent guards on balconies that face other residential properties, taller plantings or similar features.

7. Design development to improve accessibility of site circulation.

Note to Applicant: Design development to eliminate the steps to urban agriculture and garbage area and provide Universal Access in site circulation.

8. Consideration to provide bird friendly strategy for the design of the building with development permit application.

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://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>

9. The proposed unit mix, including one studio unit (2 percent), 19 one-bedroom units (37 percent), 7 two-bedroom units (14 percent), and 24 three-bedroom units (47 percent), is to 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 percent of the dwelling units designed to be suitable for families with children.

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

10. 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.

#### **Sustainability**

11. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning, including at a minimum: a Gold rating if using LEED for Homes Midrise, 1 point each for water efficiency and stormwater management, and a 22 percent reduction in energy cost as compared to ASHRAE 90.1 2010; along with registration and application for certification of the project.

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.

### Landscape Design

12. Design development to enhance presentation to the neighbourhood by providing a softer streetscape edge along East 8th Avenue and St. Catherines Street.

Note to Applicant: The landscape plan should be better developed to increase buffering and blend with the neighbouring landscape. The northeast corner planter walls should be deleted and grades should be dropped to meet site grades. Large, full-scale deciduous trees of minimum 8 cm calliper should be accommodated along both East 8th Avenue and St. Catherines Street, with a minimum of 1 m wide planting allowance on grade. This will require revisions to the parkade with the possibility of losing parking spaces and relocation of water utility room and storage lockers. Wider planting beds should accommodate larger plants, providing a clear, public/private transition.

13. Design development to expand programming by providing a usable common roof deck amenity space.

14. 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.

15. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) 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.
16. Design development to ensure locations of hydro kiosks 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.
  17. Provision of further arboricultural information, as follows:
    - (i) A Letter of Assurance for arborist supervision during any excavation into the Critical Root Zones of retained trees, or any work in proximity to retained trees which may cause root damage to retained trees. The letter should be signed and dated by arborist, owner and contractor.
    - (ii) An updated arborist report, to discuss in detail methods of safe protection, for retained trees, 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.
  18. Consideration to explore design options that respect the City of Vancouver Bird Friendly Design Guidelines

Note to Applicant:  
<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>  
<http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>
  19. 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 in. high curb.
  20. 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.

21. 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.

22. At time of development permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) Provision of section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- (iii) Provision of sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
- (vii) A Landscape Lighting Plan to be provided for security purposes.  
  
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.

### Engineering

- 23. Confirmation that automatic door openers providing for access to the bicycle room(s) are on all doors along the route leading from the bicycle rooms to the outside.
- 24. 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 design elevations throughout the parking layout and at all entrances.
- (ii) Provision of modification of the parking ramp design to the satisfaction of the General Manager of Engineering Services as follows:
  - a. Show turn swathes on the drawing demonstrating two-way flow through the jug handle curve of the parkade entrance.

Note to Applicant: You may need to provide a corner cut at IBG 100.13' on the inside radius or a

larger jug handle with additional width to accommodate two way vehicle flow.

- b. Ensure that the overall change in slope of the ramp through the jug handle curve at elevation 99'10" does not exceed 12.5 percent.

Note to Applicant: From elevation 97.41" to 99.83", the ramp slopes up at 6.7 percent. The change in slope at elevation 99' 10" is 17 percent. Consider providing a 5 percent crossfall at elevation 99'10" from the south to the north to achieve an overall 12.5 percent change in slope.

- c. Modify elevations on the main ramp from elevation 98' 11/2" to elevation 90'-03/4" to reduce crossfall of the ramp to 5 percent or less.

Note to Applicant: Provide a maximum slope of 15 percent on the inside edge for this section and adjust center and outside elevations accordingly.

- d. Provision of parabolic mirrors at the top, bottom and the 90 degree corner of the main ramp for improved visibility.
- e. Provision of a section drawing showing elevations, vertical clearances, and the security gate for the main ramp.
- f. Label the minimum clearance for parking levels on the section drawings, including overhead gate and mechanical projections.
- g. Remove the note and dashed line regarding Class A bicycle secondary access using the stairs and a wheel ramp to reach the outside.

Note to Applicant: Engineering does not support the use of stairs and a wheel ramp. The parking ramp is to be used as a secondary access.

- (iii) Bicycle elevator internal chamber dimensions to be minimum 2051 mm width by 1683 mm depth to accommodate two cyclists at a time.



(iv) Provide automatic door openers on the doors providing access to the bicycle room(s) and on all doors for bicycles to reach outside. Label on drawings.

25. Delete portions of pavers and special sidewalk treatments shown between the City sidewalks and property lines and show standard concrete connector walks.

Note to Applicant: Street tree location may be preferred behind the sidewalks and thus be in conflict with the on-site tree locations. Please review and adjust as needed.

### **Housing Policy and Projects**

26. Provision of the completed Tenant Relocation Application Form which includes a list outlining the name of each tenant, the number of the tenant's unit, the size of unit, the type of unit, and their rent, as per Section 6.1(a) of the Tenant Relocation and Protection Guidelines.

Note to Applicant: An updated list of tenants must be submitted at the time of development permit application.

27. Provision of a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all tenants.
28. Provision of a notarized declaration to be submitted prior to issuance of a development permit which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; includes information on posting of notice regarding the intent to redevelop as per Section 6.1(c); and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
29. Provision of a final Tenant Relocation Report to be submitted prior to issuance of the occupancy permit which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent, any other compensation); and includes a summary of all communication provided to the tenants.

## 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 Managing Director of Cultural 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. Release of Easement & Indemnity Agreement P14987-8 (underground anchor rods within the lane) prior to building occupancy. Compliance with encroachment by-law #4243 is required.

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-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 is provided.
  - (i) Provision of new concrete curb and gutter, new curb ramps and curb return at the 8th Avenue and St. Catherines Street corner of the site and asphalt pavement to centerline of St. Catherines Street adjacent the site including adjustment of all utilities and existing infrastructure to accommodate the road work.
  - (ii) Provision of a concrete lane crossing and new curb returns on both sides of the lane entry at the lane south of 8th Avenue on the west side of St. Catherines Street.
  - (iii) Provision of street trees adjacent the site where space permits.
  - (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, including sprinkler demand, hydrant load, and domestic water demand as determined by the applicant's mechanical consultant to assess if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100 percent of any water system upgrading that may be required.

Note to Applicant: Confirmation of the water meter location on P1 or at grade is required. Retain current location of storm and sanitary service connections. An interconnected water service will be required for this development.

3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

#### **Housing Policy and Projects**

4. 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 social housing, for the longer of 60 years and the 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 minimum of 22 units (43 percent) are occupied by households with incomes below the housing income limits as set out in the current "Housing Income Limits (HILS)"

table published by the British Columbia Housing Management Commission or equivalent publication, at a rent which is no more than 30 percent of household income, and meets all other applicable preconditions in order to comply with the development cost levy exemption provisions for social housing under the Vancouver Charter;

- (v) compliance with the City approved Tenant Relocation Plan, including provision of a final Tenant Relocation Report prior to issuance of the occupancy permit; and
- (vi) 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.

#### Soils

5. If applicable:

- (i) Submit a site profile to the 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 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 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 site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

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

- D. THAT, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated May 30, 2017, entitled "CD-1 Rezoning: 870 East 8th Avenue (Red Door Housing Society)", 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 property owner and their mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by this report.
- 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 Parking By-law, generally as set out in Appendix C of the Policy Report dated May 30, 2017, entitled "CD-1 Rezoning: 870 East 8th Avenue (Red Door Housing Society)".
- F. THAT A through C 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 risk of the person making the expenditure 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 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. 02110)  
(Councillor De Genova absent for the vote)

## 5. REZONING: 4138 Cambie Street

An application by Pennyfarthing Hillcrest Developments Ltd. was considered as follows:

Summary: To rezone 4138 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building and 2 two-storey townhouses containing a total of 22 dwelling units. A height of 20.5 m (67 ft.) and a floor space ratio (FSR) of 2.31 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.

### Summary of Correspondence

No correspondence was received on this application since it was referred to 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 8:31 pm.

### Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Jang

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd. on behalf of Yuk Ying Ng, the registered owner, to rezone 4138 Cambie Street [PID 010-949-020; Lot 2, Block 681, District Lot 526, Plan 6212] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.31 and the height from 10.7 (35 ft.) to 20.5 m (67 ft.) to permit the development of a six-storey residential development, containing a total of 22 dwelling units, generally as presented in Appendix A of the Policy Report dated May 30, 2017 entitled "CD-1 Rezoning: 4138 Cambie Street", be approved subject to the following conditions:

#### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by Raymond Letkeman Architects Inc., on behalf of Pennyfarthing Hillcrest Developments Ltd., and stamped

“Received Planning, Urban Design and Sustainability, September 28, 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 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 for the following:

### Urban Design

1. Design development to provide improved common amenity space.

Note to Applicant: Common indoor and outdoor amenity space should be provided suitable to the project size, and number and type of units. Common outdoor space should include children’s play space. It is recommended that common outdoor space be provided at the courtyard. For more information, refer to the *High-Density Housing for Families with Children Guidelines*.

2. Design development to provide a green roof in keeping with the expectations of the Planning By-Law Administration Bulletin *Roof-mounted Energy Technologies and Green Roofs*.

Note to Applicant: Common outdoor space may also be provided at the roof top.

Note to Applicant: The height of the guard rails above the sixth storey may be relaxed if a substantial portion of the roof is a green roof (minimum of 25 percent of the roof area for an intensive green roof and 50 percent for an extensive green roof).

3. Design development to provide an enhanced lane edge treatment in keeping with the expectations of the Cambie Corridor Plan.

Note to Applicant: The proposed 5 ft. setback is supported. Lane edge planting, planter walls, and walkways should provide texture, lighting, and detailing that promotes a pleasant walking environment in the lane. Refer to the Cambie Corridor Plan, Section 6.4, Public Realm: Streets and Lanes.

4. Design development to maintain a high quality architectural design at the development permit stage.

Note to Applicant: Brick cladding should be incorporated at the side elevations for a more cohesive, high quality expression.

5. The proposed unit mix, including one studio unit (5 percent), 15 two-bedroom units (68 percent), and six three-bedroom units (27 percent), is to 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 25 percent two-bedroom and 10 percent three-bedroom 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 Design**

7. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to a standard 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.

8. Provision of a Tree Plan.

Note to Applicant: Provide a Tree Plan that is separate from the Landscape Plan and consistent with the survey and arborist report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including offsite trees and any necessary tree protection barriers. Tree replacements can be shown on the proposed landscape planting plans.

9. Illustration of measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.



Note to Applicant: A brief written rationale should be provided to describe the rainwater management strategy.

10. Provision of large scale, dimensioned, landscape sections [typical] through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

11. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 sq. m) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

12. Design development to integrate the architecture, grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

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. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

13. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

14. Coordination with the south neighbor regarding the proposed removal of tree #51.

Note to Applicant: The removal of tree #51 will be necessary to facilitate the form of development. However, the tree may be shared with the south property. A neighbor consent letter should be provided. In the event that a neighbor consent letter cannot be provided and the tree is verified to be legally shared, the tree will need to be retained.

15. Design development to locate site utilities and vents onto private property and integrate discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

16. Consideration to incorporate the principles of the City of Vancouver *Bird-Friendly Design Guidelines* for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City.

Note to Applicant: For more information, refer to the guidelines at:

<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>

### Sustainability

17. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for the demolition of existing buildings on site, to recycle/reuse at least 75 percent 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. All new buildings in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22 percent 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 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 of 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.

19. In lieu of the requirements outlined in Condition 18, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning*s (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the *Green Buildings Policy for Rezoning*s - *Process and Requirements* (amended April 28, 2017 or later).

### Engineering

20. This site is to provide independent garbage storage and pick up. A single point of access to garbage in multiple parkades breaches the security provisions of typical parkade design. Pick up operations do 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. If this cannot be confirmed then on-site, at grade bin storage will be required.
21. 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 & 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.
22. Provision of the following note on the landscape plan:  
"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."

23. Delete concrete connector sidewalks shown extending over the property line in the lane.
24. Compliance with Section 4.8.4 *Required Disability Parking Spaces* of the Parking Bylaw.

Note to Applicant: One additional Disability Parking space shall be provided on site.

25. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Confirm how residential parking security is to be maintained as per Section 4.13.5 of the Parking By-law for this application and the adjacent sites, noting the comments in condition (b)19 regarding garbage storage.
  - (ii) Provision of design elevations on both sides of all ramp sections, at all break points, throughout the parking level and at all entrances.
  - (iii) Provision of 7.5 ft. vertical clearance at the overhead gate to P1 and at knock out panel access to adjacent property to the north.
  - (iv) Dimension the vertical clearances of the parking level on the section drawings and label the minimum vertical clearance, including at overhead gates and mechanical projections.

Note to Applicant: Minimum 2.3 m clearance is required for Class A loading and disability spaces.
  - (v) Confirm that 2.3 m minimum vertical clearance is provided from the lane to the Class A loading, Disability parking and Garbage and Recycling room.
  - (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 or elevator, if required.
  - (vii) Provide automatic door openers on the doors providing access to the bicycle room(s).

Note to Applicant: If mandors are required at overhead gates for bicycle access, mandors are to be incorporated into the overhead gates to maintain 20 ft. drive aisles.

### Technical Analysis

26. Compliance with the Administrative Bulletin *Bulk Storage and In-Suite Storage - Multiple Family Residential Developments*.

Note to Applicant: Twelve additional storage lockers shall be provided. Alternatively, in-suite storage may be provided for each unit, and up to 40 sq. ft. may be deducted from the floor area for each unit that contains a bulk storage room. Also, ensure the two lockers underneath stairs in the parkade comply with the provisions of the Bulletin in regards to minimum ceiling height.

27. Notation of the following geodetic heights on the Elevation Drawings and Section:

- (i) top of railing above the sixth storey; and
- (ii) top of parapet above the sixth storey.

28. Notation of the Class B Bicycle spaces on the Site Plan.

29. Clarification of the location of the privacy screen as illustrated on page A401.

Note to Applicant: This screen is not illustrated on the Elevation Drawings nor the Roof Plan. If it is proposed, it shall be illustrated on all drawings and its geodetic height shall be noted.

30. Clarification of the use of the roof deck above the sixth storey.

Note to Applicant: Illustrate all architectural and landscape features on the Roof Plan and the Landscape Plan.

31. Clarification of the information on the FSR Overlays and FSR Summary.

Note to Applicant: The numbers are blurred and illegible.

32. Provision to delete survey information from the Main Floor Plan.

### Neighbourhood Energy Utility

33. The proposed approach to site heating and cooling, developed in collaboration with the City, shall be provided prior to the

issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.

34. Design of the development must provide for Neighbourhood Energy System (NES) compatibility and shall adhere to the following requirements:

(i) 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 NES 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 NES 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.

(ii) 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.

(iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated NES, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.

(iv) 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.

35. In lieu of the requirements outlined in Condition 34, the applicant may choose to meet the requirements of the *Green*

*Buildings Policy for Rezonings.* Where, at time of development permit, the applicant chooses to pursue a Near Zero or Low Emissions Green Building under this policy, the design of the development shall adhere to the following requirements:

- (i) Any gas fueled heating systems, including but not limited to domestic hot water, will be designed for NES compatibility to preserve the opportunity to eventually connect to a future low-carbon NES. The applicant will refer to *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general requirements.
- (ii) 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: 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 technical requirements.

If following requirements of the *Green Buildings Policy for Rezonings*, the applicant will be required to work in collaboration with City of Vancouver Sustainability staff to demonstrate that the development is on track to achieve the above requirements and what must be submitted at each stage of permit [see Condition (b)19].

#### 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 Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

##### Engineering Services

1. Provision of a knockout panel and arrangements (legal agreements) to secure access to underground parking from within the adjacent development site at 4162 Cambie Street (Lot A, Block 681, DL 526, Plan EPP59286) will be required. Similarly, if the proposed vehicle access onto adjacent northerly Lot 1 via both the subject site and Lot A is supported, then provision of a knockout panel and arrangements to secure access

to underground parking within future development on that northerly property at 4118 Cambie Street (Lot 1, Block 681, DL 526, Plan 6212) will be required. Confirmation that a secured parking access corridor can be provided through the site is to be confirmed.

2. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, 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 percent 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. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
  - (iii) Provision of street re-construction on Cambie Street adjacent to the site to generally include:
    - a. New curb and gutter;
    - b. 2.5 m (8.2 ft.) wide raised protected bike lane;
    - c. 1.83 m (6.0 ft.) wide broom finish concrete sidewalk with saw cut joints;
    - d. Improved street and pedestrian LED lighting including a lighting analysis and design; and



- e. Adjustment to all existing infrastructure to accommodate the proposed street improvements.

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

- (iv) Provision of speed humps in the lane east of Cambie Street between King Edward Avenue and 26th Avenue.
  - (v) Upgrading of the traffic signal at King Edward Avenue & Cambie Street from Audible to Accessible (APS). APS buttons provide an audible queue, vibro tactile feedback and produce less noise/disturbance than the current audible style signals.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
4. If, at time of development permit, the applicant chooses not to meet requirements of the *Green Buildings Policy for Rezoning (amended February 7, 2017)*, they will 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, 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 a 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.

- 5. If, at time of development permit, the applicant chooses to meet requirements for the *Green Buildings Policy for Rezonings* (amended February 7, 2017), they will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

#### Environmental Contamination

- 6. 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.

#### Community Amenity Contribution

7. Pay to the City a Community Amenity Contribution of \$983,730, 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 \$983,730 is to be allocated as follows:
- (i) \$491,865 (50 percent) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (ii) \$393,492 (40 percent) toward childcare and community facilities in and around the Cambie Corridor Plan area; and
  - (iii) \$98,373 (10 percent) 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 registerable 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 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 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 enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated May 30, 2017, entitled "CD-1 Rezoning: 4138 Cambie Street".
- C. 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 set out in Appendix C of the Policy Report dated May 30, 2017, entitled "CD-1 Rezoning: 4138 Cambie Street".
- D. THAT A through C 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 risk of the person making the expenditure 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 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. 02111)  
(Councillor De Genova absent for the vote)

**ADJOURNMENT**

MOVED by Councillor Reimer  
SECONDED by Councillor Stevenson

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:33 pm.

\* \* \* \* \*