



REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL ON POLICY AND STRATEGIC PRIORITIES

JULY 26, 2017

A Regular Meeting of the Standing Committee of Council on Policy and Strategic Priorities was held on Wednesday, July 26, 2017, at 9:39 am, in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Andrea Reimer, Chair
Mayor Gregor Robertson
Councillor George Affleck
Councillor Elizabeth Ball*, Vice-Chair
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Heather Deal
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT: Councillor Kerry Jang (Leave of Absence)

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Rosemary Hagiwara, Deputy City Clerk
Katrina Leckovic, Deputy City Clerk
Maria Castro, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

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

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Reimer

THAT items 2, 3, 6, 7, 8 and 10 be adopted on consent.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

VARY AGENDA

MOVED by Councillor Stevenson

THAT the order of the agenda be varied to consider Item 11 after Item 1.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY (Vote No. 02150)

For clarity, the minutes are recorded in chronological order.

AGENDA ITEMS

1. Presentation - Housing Vancouver Update - Part II - Addressing Vancouver's Lower Income and Homeless Residents

The General Manager of Community Services, Director of Housing Policy and Projects and Director, Homelessness Services, presented on this matter and, along with the City Manager, Director/Chief Executive Officer of Vancouver Affordable Housing Agency, General Manager of Planning, Urban Design and Sustainability, and Housing Policy staff, responded to questions.

**11. Recommendation for the 2017 Contingency Budget for the Overdose Crisis
July 14, 2017**

At the Regular Council meeting on July 25, 2017, Vancouver City Council referred this matter to the Standing Committee on Policy and Strategic Priorities meeting on July 26, 2017, to receive a presentation and hear from speakers.

Social Policy and Projects Division staff presented on this matter and, along with the General Manager of Community Services and City Manager, responded to questions.

Dr. Patricia Daly, Chief Medical Health Officer, Vancouver Coastal Health, Miranda Compton, Regional Director, Prevention, Vancouver Coastal Health, and Dr. Mark Tyndall, Executive Medical Director, BC Centre for Disease Control and Deputy Provincial Health Officer, spoke in support of the recommendation and acknowledged staff for their continued collaborative efforts on these initiatives. Dr. Daly, Ms. Compton and Dr. Tyndall also responded to questions.

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At 11:54 am, it was MOVED by Councillor Stevenson

THAT the meeting be extended to complete the business on the agenda.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

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The Committee recessed at 12:08 pm and reconvened at 1:02 pm.

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The Committee heard from thirteen speakers in support of the grants and who also spoke on the urgency to address the drug-overdose crisis.

MOVED by Mayor Robertson
THAT the Committee recommend to Council

THAT Council approve 16 grants totalling \$601,800 to non-profit organizations to mitigate the effects of the overdose crisis, as listed in Appendix A. Source of Funds: 2017 Contingency Budget for the Opioid Crisis.

amended

AMENDMENT MOVED by Councillor De Genova

THAT the motion be struck and replaced with the following:

“THAT the Mayor write a letter on behalf of Council to the Premier and the Minister of Mental Health and Addiction Services and request immediate funding in the amount of at least \$601,800 to the City of Vancouver, to be allocated to non-profit organizations to mitigate the effects of the overdose crisis, as listed in Appendix A.”

amended

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The Committee recessed at 3:02 pm and reconvened at 3:11 pm.

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AMENDMENT TO THE AMENDMENT MOVED by Councillor Louie

THAT the amendment be amended by adding the following before the words “THAT the Mayor”:

“THAT Council approve 16 grants totalling \$601,800 to non-profit organizations to mitigate the effects of the overdose crisis, as listed in Appendix A. Source of Funds: 2017 Contingency Budget for the Opioid Crisis;

FURTHER”; and

FURTHER THAT the following be deleted after the word "Vancouver":

" , to be allocated to non-profit organizations to mitigate the effects of the overdose crisis, as listed in Appendix A"

carried

The amendment to the amendment having CARRIED (Vote No. 02151), the amendment as amended was put and CARRIED UNANIMOUSLY (Vote No. 02152).

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 02153).

FINAL MOTION AS ADOPTED

THAT the Committee recommend to Council

THAT Council approve 16 grants totalling \$601,800 to non-profit organizations to mitigate the effects of the overdose crisis, as listed in Appendix A of the Administrative Report dated July 14, 2017, entitled "Recommendation for the 2017 Contingency Budget for the Overdose Crisis". Source of Funds: 2017 Contingency Budget for the Opioid Crisis;

FURTHER THAT the Mayor write a letter on behalf of Council to the Premier and the Minister of Mental Health and Addictions and request immediate funding in the amount of at least \$601,800 to the City of Vancouver.

2. New Leases for Boys and Girls Clubs, 395 East 6th Avenue and 2875 St. George Street May 30, 2017

THAT the Committee recommend to Council

THAT Council authorize the Director of Real Estate Services to negotiate and execute two separate leases (the "Leases") with the Boys and Girls Clubs of South Coast BC (the "Society"), a non-profit organization, at a nominal rent for two City-owned properties (together the "Properties"):

1) the Kivan Club, situated at 2875 St. George Street and legally described as:

PID: 013-378-236
Lot G Block 129 District Lot 264A Plan 2797;

PID 013-378-244
Lot 2 (Reference Plan 1415) Of Lot E Block 129 District Lot 264A Plan 2797;

PID: 015-064-557
Lot A (Reference Plan 847) of Lot 7 Block 132 District Lot 264A
Plans 923 and 1771;

PID: 015-064-565
Lot B (Reference Plan 1617) of Lot 7 Block 132 District Lot 264A
Plans 923 and 1771;

PID: 015-064-573
Lot 7, Except Portions in Reference Plans 847 and 1617, Block 132 District Lot
264A Plans 923 and 1771; and

- 2) the Kimount Club, situated at 395 East 6th Avenue and legally described as:

PID: 011-126-191
Lot E Block 27 District Lot 200A Plan 5540;

PID: 011-126-213
Lot F Block 27 District Lot 200A Plan 5540; and

on the following terms and conditions:

Term: Ten (10) years, commencing August 1, 2017, with one option to renew for an additional ten (10) years to a total term of twenty (20) years.

*Early
Termination:*

In case of redevelopment opportunities for the Properties, both Leases are to include a clause allowing either party to terminate for convenience by providing the other party with one hundred and twenty (120) days' written notice. Both parties to acknowledge that it is preferable not to select a termination date during the school year (September to June).

Rent: The Total Rent is to be ten dollars (\$10) each term for Kimount and ten dollars (\$10) each term for Kivan, payable at the beginning of each term and each renewal.

Use: The Properties are to be used for programming for youth, children and families, and for offices of the Society, meeting rooms, special events and mixed uses.
Service Level Agreement (SLA): The City will provide a medium level of facility maintenance support, which represents lifecycle replacement of main building systems.

*Other Terms
and Conditions:*

The Leases are to be based on the City's Precedent Lease For Non-Profit Entities, drawn to the satisfaction of the Director of Real Estate Services, Director of Facilities Planning and Development and the Director of Social Policy and Projects, it being noted that no legal right or obligation is created and none shall arise until the Leases are fully executed by both parties.

As the rent for the Properties will be below the applicable market rate and includes rent-in-lieu of property taxes, the recommendation constitutes a grant valued at approximately \$1,840,000 for Kimount and \$4,900,000 for Kivan for each of the initial ten year terms and requires the affirmative vote of two-thirds of all Council members, per *Vancouver Charter* S. 206(1).

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY (Vote No. 02167)
(Councillor Ball absent for the vote)

**3. Local Government By-Election - 2017
July 13, 2017**

THAT the Committee recommend to Council

- A. THAT Council appoint the City Clerk as the Chief Election Officer for the conduct of a by-election to fill a vacancy on Vancouver City Council arising from the resignation of a Councillor.
- B. THAT, on behalf of Vancouver City Council, the City Clerk notify the Minister of Community, Sport, and Cultural Development, of the by-election as required by Section 10(4) of the *Vancouver Charter*.

ADOPTED ON CONSENT (Vote No. 02168)
(Councillor Ball absent for the vote)

**4. Vancouver City-wide Development Cost Levy Update (2017-2026)
July 13, 2017**

City-wide and Regional Planning staff and Craig Binning, Hemson Consulting Ltd, presented on this matter and, along with the General Manager of Planning, Urban Design and Sustainability, General Manager, Finance, Risk and Supply Chain Management, Deputy Director of Planning, Financial Planning and Analysis staff, Parks staff, and the City Manager, responded to questions.

The Committee heard from two speakers in opposition to the recommendations.

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The Committee recessed at 5:10 pm and reconvened at 5:54 pm.

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MOVED by Councillor Louie
THAT the Committee recommend to Council

- A. THAT Council approve in principle the following for the Vancouver (City-wide) Development Cost Levy (DCL) as shown in Appendix A of the Administrative Report dated July 13, 2017, entitled "Vancouver City-wide Development Cost Levy Update (2017-2026)":
- (a) Adjust DCL rates to contribute towards projected growth costs recovered from new development using a phased approach, with 50% of the rate increase effective September 30, 2017, and the remainder effective September 30, 2018. The amended rate for September 30, 2017, is as follows:
- i. Higher Density Residential (above 1.5 FSR): From \$13.91/square foot (\$149.73/square metre) to \$15.62/square foot (\$168.13/square metre).
 - ii. Lower Density Residential (at or below 1.2 FSR): From \$3.23/square foot (\$34.77/square metre) to \$3.63/square foot (\$39.07/square metre).
 - iii. Add new DCL rate categories for:
 1. Medium Density Residential (above 1.2 FSR to 1.5 FSR) to be applied at a rate of \$8.66/square foot (\$93.22/square metre).
 2. Mixed Employment (Light Industrial) to be applied at a rate of \$10.44/square foot (\$112.38/square metre).
- With new DCL rates and categories to be effective September 30, 2017.
- (b) Not adjust DCL rates for Industrial and Commercial rate categories.
- (c) Approve reduced DCL rates at a rate of \$10/building permit for the following uses in the City-wide DCL and the Area Specific DCL:
- Artist studio (Class A and B)
 - Community centre/neighbourhood house
 - Library
 - Public authority use (limited to Firehall and Police Station)
 - Social service centre
- With new reduced rates to be effective September 30, 2017.
- B. THAT Council approve allocating DCL revenues among DCL project categories, generally in the same proportion as projected growth costs:

- Replacement Housing 36%
- Transportation 25%
- Park 18%
- Childcare 13%
- Utilities 8%;

FURTHER THAT staff make the allocation percentages effective upon Council approval of the Administrative Report dated July 13, 2017, entitled "Vancouver City-wide Development Cost Levy Update (2017-2026)"; and

FURTHER THAT staff confirm and update as appropriate such allocations as part of the 2019-2022 Capital Plan and financial strategy.

- C. THAT Council approve the expansion of the Vancouver (City-wide) Development Cost Levy (DCL) District to include the areas covered by the Downtown South DCL District, with such expansion to be accompanied by amending the following by-laws which govern DCLs:
- (a) the Vancouver DCL By-law No. 9755 to be amended as follows:
 - (i) amend Schedule A - Part 1 by removing the Downtown South Development Cost Levy Area, and
 - (b) the Area Specific DCL By-law No. 9418 to be amended as follows:
 - (i) amend all rates applicable to Downtown South to reduce them to \$0/square foot, including nominal rates.
- D. THAT Vancouver (City-wide) DCL as well as uses eligible for reduced DCL rates be reviewed and updated as appropriate every 4 years to align with the City's 4-year Capital Plan cycle.
- E. THAT the Director of Legal Services be instructed to bring forward amendments to the Vancouver DCL By-law No. 9755 and the Area Specific DCL By-law No. 9418.

carried

AMENDMENT MOVED by Councillor Carr

THAT the following be added as F at the end:

- F. THAT Council consult with the Vancouver Board of Parks and Recreation to consider any changes in allocating DCL project categories prior to the 2019-2022 Capital Plan and financial strategy.

LOST (Vote No. 02154)
(Councillors Deal, Louie, Reimer, Stevenson and Mayor Robertson opposed)

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

FINAL MOTION AS ADOPTED

- A. THAT Council approve in principle the following for the Vancouver (City-wide) Development Cost Levy (DCL) as shown in Appendix A of the Administrative Report dated July 13, 2017, entitled "Vancouver City-wide Development Cost Levy Update (2017-2026)":
- (a) Adjust DCL rates to contribute towards projected growth costs recovered from new development using a phased approach, with 50% of the rate increase effective September 30, 2017, and the remainder effective September 30, 2018. The amended rate for September 30, 2017, is as follows:
- i. Higher Density Residential (above 1.5 FSR): From \$13.91/square foot (\$149.73/square metre) to \$15.62/square foot (\$168.13/square metre).
 - ii. Lower Density Residential (at or below 1.2 FSR): From \$3.23/square foot (\$34.77/square metre) to \$3.63/square foot (\$39.07/square metre).
 - iii. Add new DCL rate categories for:
 1. Medium Density Residential (above 1.2 FSR to 1.5 FSR) to be applied at a rate of \$8.66/square foot (\$93.22/square metre).
 2. Mixed Employment (Light Industrial) to be applied at a rate of \$10.44/square foot (\$112.38/square metre).
- With new DCL rates and categories to be effective September 30, 2017.
- (b) Not adjust DCL rates for Industrial and Commercial rate categories.
- (c) Approve reduced DCL rates at a rate of \$10/building permit for the following uses in the City-wide DCL and the Area Specific DCL:
- Artist studio (Class A and B)
 - Community centre/neighbourhood house
 - Library
 - Public authority use (limited to Firehall and Police Station)
 - Social service centre

With new reduced rates to be effective September 30, 2017.

CARRIED (Vote No. 02155)
(Councillors Affleck, Ball and De Genova opposed)

- B. THAT Council approve allocating DCL revenues among DCL project categories, generally in the same proportion as projected growth costs:

- Replacement Housing 36%
- Transportation 25%
- Park 18%
- Childcare 13%
- Utilities 8%;

FURTHER THAT staff make the allocation percentages effective upon Council approval of the Administrative Report dated July 13, 2017, entitled "Vancouver City-wide Development Cost Levy Update (2017-2026)"; and

FURTHER THAT staff confirm and update as appropriate such allocations as part of the 2019-2022 Capital Plan and financial strategy.

CARRIED (Vote No. 02156)

(Councillors Affleck, Ball, Carr and De Genova opposed)

- C. THAT Council approve the expansion of the Vancouver (City-wide) Development Cost Levy (DCL) District to include the areas covered by the Downtown South DCL District, with such expansion to be accompanied by amending the following by-laws which govern DCLs:

- (a) the Vancouver DCL By-law No. 9755 to be amended as follows:
- (i) amend Schedule A - Part 1 by removing the Downtown South Development Cost Levy Area, and
- (b) the Area Specific DCL By-law No. 9418 to be amended as follows:
- (i) amend all rates applicable to Downtown South to reduce them to \$0/square foot, including nominal rates.

CARRIED UNANIMOUSLY (Vote No. 02157)

- D. THAT Vancouver (City-wide) DCL as well as uses eligible for reduced DCL rates be reviewed and updated as appropriate every 4 years to align with the City's 4-year Capital Plan cycle.

CARRIED UNANIMOUSLY (Vote No. 02158)

- E. THAT the Director of Legal Services be instructed to bring forward amendments to the Vancouver DCL By-law No. 9755 and the Area Specific DCL By-law No. 9418.

CARRIED (Vote No. 02159)

(Councillors Affleck, Ball and De Genova opposed)

**5. 2017 Inflationary Rate Adjustments to Community Amenity Contribution (CAC) Targets
July 11, 2017**

City-Wide and Regional Planning staff and the General Manager of Planning, Urban Design and Sustainability, responded to questions.

MOVED by Councillor Louie
THAT the Committee recommend to Council

THAT Council approve the 2017 inflationary rate adjustments for Community Amenity Contribution (CAC) Targets with new target rates to be effective September 30, 2017, as shown in Appendix A of the Administrative Report dated July 11, 2017, entitled "2017 Inflationary Rate Adjustments to Community Amenity Contribution (CAC) Targets".

CARRIED (Vote No. 02160)
(Councillors Affleck, Ball and De Genova opposed)

**6. Contract Award for Construction of Oakridge Trunk Replacement Project - Sewer Separation
June 26, 2017**

THAT the Committee recommend to Council

A. THAT Council authorize City staff to enter into a contract with Pedre Contractors Ltd., for Construction of Oakridge Trunk Replacement Project - Sewer Separation, for a term of approximately six (6) months, with an estimated contract value of \$2,898,000.00, plus applicable taxes over the approximate six (6) month term, to be funded through the capital 2017 Sewer Main Reconstruction budget;

FURTHER THAT the Director of Legal Services, Chief Purchasing Official and General Manager of the Engineering Services Department be authorized to execute on behalf of the City the contract contemplated above.

B. THAT no legal rights or obligations will be created by Council's adoption of A above unless and until such contract is executed by the authorized signatories of the City as set out in the above.

ADOPTED ON CONSENT (Vote No. 02169)
(Councillor Ball absent for the vote)

**7. Contract Award for Construction of Vancouver West Sewer Separation - Package 1
June 26, 2017**

THAT the Committee recommend to Council

- A. THAT Council authorize City staff to enter into a contract with Pedre Contractors Ltd., for Construction of Vancouver West Sewer Separation - Package 1, for a term of approximately five (5) months, with an estimated contract value of \$4,407,561.28, plus applicable taxes over the approximate five (5) month term, with \$4,231,295 funded from the approved Sewer Main Reconstruction capital budget and \$176,266 from the approved Local Roads capital budget;

FURTHER THAT the Director of Legal Services, Chief Purchasing Official and General Manager of the Engineering Services Department be authorized to execute on behalf of the City the contract contemplated above.

- B. THAT no legal rights or obligations will be created by Council's adoption of A above unless and until such contract is executed by the authorized signatories of the City as set out in the above.

ADOPTED ON CONSENT (Vote No. 02170)
(Councillor Ball absent for the vote)

**8. Contract Award for engaging a Contractor for the South False Creek Seawall
Upgrades
July 6, 2017**

THAT the Committee recommend to Council

- A. THAT Council authorize City staff to negotiate to enter into a contract with Jacob Bros. Construction Inc., for upgrades to the South False Creek Seawall, for a term of approximately five months with an estimated contract value of \$3,078,800.00 plus applicable taxes over the term, to be funded through the approved Seaside Greenway - South False Creek project budget.

- B. THAT the Director of Legal Services, the Chief Purchasing Official and the General Manager of Engineering Services be authorized to execute on behalf of the City, the contract contemplated by A above.

- C. THAT no legal rights or obligations will be created by Council's adoption of A and B above unless and until such contract is executed by the authorized signatories of the City as set out above.

ADOPTED ON CONSENT (Vote No. 02171)
(Councillor Ball absent for the vote)

9. **Engineering Snow Event Response and Readiness: Response to 2016-2017 Snow Season and Readiness Improvements for Future Snow Events
June 27, 2017**

The General Manager of Engineering Services responded to questions.

MOVED by Mayor Robertson
THAT the Committee recommend to Council

- A. THAT Council direct staff to amend the City's Snow Clearing Plan to include proposed readiness improvements for communication, procedures, equipment and by-law enforcement to increase the service level to respond to future snow events.
- B. THAT Council approve the varying of borrowing authority of \$1,286,000 in the 2015-2018 Capital Plan from "Public Safety and Public Works/Street and Bridge Infrastructure" to "Community and Civic Facilities/Civic Facilities and Infrastructure".

The variation of debt financing requires two-thirds affirmative votes of all Council members, per *Vancouver Charter* S. 245(3).

- C. THAT Council, subject to approval of B above, approve a multi-year capital project budget for Snow Readiness Capital Improvements of \$4,302,000; source of funding to be:
- \$2,516,000 for vehicle and equipment snow readiness additions and upgrades, funded from the Plant and Equipment Reserve, to be added to the 2015-2018 Capital Plan (Equipment and Technology);
 - \$1,286,000 for service yard upgrades and salt storage expansion, funded from the 2015-2018 Capital Plan (Civic Facilities); and
 - \$500,000 for traffic monitoring CCTV cameras on major road networks, funded from TransLink OMR Reserve (Non-Pavement Rehabilitation), to be added to the 2015-2018 Capital Plan (Equipment and Technology).

Expenditures for 2017 for the vehicle and equipment snow readiness additions and upgrades to be managed within the current overall Annual Capital Expenditure Budget for 2015-2018 Vehicle and Equipment Replacement and Additions Program. Expenditures for 2017 for the service yard upgrades and installation of traffic monitoring CCTV camera to be transferred from the Annual Capital Expenditure Budget for Landfill Phase 3 Southeast Closure.

- D. THAT Council approve an increase of \$840,000 to the 2018 annual snow clearing operating budget from \$780,000 to \$1,620,000. Funding for 2018 will be brought forward as part of the 2018 operating budget process as either increased expenditure budget funded by additional revenues, or offset by a reduction in expenditure budget in another area.

- E. THAT Council direct staff to bring back for review and approval amendments to the Street and Traffic By-law No.2849 to improve enforcement and to add a provision to fine drivers that are on the road in snow conditions without winter tires.

carried

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

- A. THAT Council direct staff to amend the City's Snow Clearing Plan to include proposed readiness improvements for communication, procedures, equipment and by-law enforcement to increase the service level to respond to future snow events.
- B. THAT Council approve the varying of borrowing authority of \$1,286,000 in the 2015-2018 Capital Plan from "Public Safety and Public Works/Street and Bridge Infrastructure" to "Community and Civic Facilities/Civic Facilities and Infrastructure".

The variation of debt financing requires two-thirds affirmative votes of all Council members, per *Vancouver Charter* S. 245(3).

- C. THAT Council, subject to approval of B above, approve a multi-year capital project budget for Snow Readiness Capital Improvements of \$4,302,000; source of funding to be:
- \$2,516,000 for vehicle and equipment snow readiness additions and upgrades, funded from the Plant and Equipment Reserve, to be added to the 2015-2018 Capital Plan (Equipment and Technology);
 - \$1,286,000 for service yard upgrades and salt storage expansion, funded from the 2015-2018 Capital Plan (Civic Facilities); and
 - \$500,000 for traffic monitoring CCTV cameras on major road networks, funded from TransLink OMR Reserve (Non-Pavement Rehabilitation), to be added to the 2015-2018 Capital Plan (Equipment and Technology).

Expenditures for 2017 for the vehicle and equipment snow readiness additions and upgrades to be managed within the current overall Annual Capital Expenditure Budget for 2015-2018 Vehicle and Equipment Replacement and Additions Program. Expenditures for 2017 for the service yard upgrades and installation of traffic monitoring CCTV camera to be transferred from the Annual Capital Expenditure Budget for Landfill Phase 3 Southeast Closure.

- D. THAT Council approve an increase of \$840,000 to the 2018 annual snow clearing operating budget from \$780,000 to \$1,620,000. Funding for 2018 will be brought forward as part of the 2018 operating budget process as either increased expenditure budget funded by additional revenues, or offset by a reduction in expenditure budget in another area.

- E. THAT Council direct staff to bring back for review and approval amendments to the Street and Traffic By-law No.2849 to improve enforcement and to add a provision to fine drivers that are on the road in snow conditions without winter tires.

CARRIED (Vote Nos. 02161 and 02162)
(Councillor De Genova opposed to E)

**10. 9100 Stanley Park Drive - Stanley Park Lawn Bowling Club
Liquor Primary Club Licence and Outdoor Patio Application
Liquor Establishment Class 7 - Private Club
May 25, 2017**

THAT the Committee recommend to Council

THAT Council, having considered the opinion of local area residents and business operators as determined by neighbourhood notification, site sign, noise impacts and relevant Council policy as outlined in the Administrative Report dated May 25, 2017, entitled "9100 Stanley Park Drive - Stanley Park Lawn Bowling Club - Liquor Primary Club Licence and Outdoor Patio Application - Liquor Establishment Class 7 - Private Club", endorse the request by Stanley Park Lawn Bowling Club for a 78 person Liquor Primary Club licence (Liquor Establishment Class 7 - Private Club) and a 72 person outdoor patio located at 9100 Stanley Park Drive subject to:

- i. A maximum total interior capacity of 78 persons and 72 person outdoor patio;
- ii. Hours of operation, limited to 11 am to 10 pm, seven days a week;
- iii. The outdoor patio ceasing all liquor service and vacated by 10 pm, nightly;
- iv. No music or entertainment permitted on the patio;
- v. A Time-limited Development Permit;
- vi. An acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- vii. Food service to be provided while the establishment is operating as well as on the patio when open; and
- viii. Signing a Good Neighbour Agreement with the City prior to business licence issuance.

ADOPTED ON CONSENT (Vote No. 02173)
(Councillor Ball absent for the vote)

The Committee adjourned at 8:06 pm.

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REGULAR COUNCIL MEETING MINUTES
STANDING COMMITTEE OF COUNCIL ON
POLICY AND STRATEGIC PRIORITIES

JULY 26, 2017

A Regular Meeting of the Council of the City of Vancouver was held on Wednesday, July 26, 2017, at 8:18 pm, in the Council Chamber, Third Floor, City Hall, following the Standing Committee on Policy and Strategic Priorities meeting, to consider the recommendations and actions of the Committee.

PRESENT:	Mayor Gregor Robertson Councillor George Affleck Councillor Elizabeth Ball Councillor Adriane Carr Councillor Heather Deal Councillor Raymond Louie Councillor Geoff Meggs Councillor Andrea Reimer Councillor Tim Stevenson
ABSENT:	Councillor Melissa De Genova (Sick Leave) Councillor Kerry Jang (Leave of Absence)
CITY MANAGER'S OFFICE:	Sadhu Johnston, City Manager
CITY CLERK'S OFFICE:	Katrina Leckovic, Deputy City Clerk Maria Castro, Meeting Coordinator

COMMITTEE REPORTS

Report of Standing Committee on Policy and Strategic Priorities
July 26, 2017

Council considered the report containing the recommendations and actions taken by the Standing Committee on Policy and Strategic Priorities. Its items of business included:

1. Presentation - Housing Vancouver Update - Part II - Addressing Vancouver's Lower Income and Homeless Residents
2. New Leases for Boys and Girls Clubs, 395 East 6th Avenue and 2875 St. George Street
3. Local Government By-Election - 2017
4. Vancouver City-wide Development Cost Levy Update (2017-2026)
5. 2017 Inflationary Rate Adjustments to Community Amenity Contribution (CAC) Targets
6. Contract Award for Construction of Oakridge Trunk Replacement Project - Sewer Separation
7. Contract Award for Construction of Vancouver West Sewer Separation - Package 1

8. Contract Award for engaging a Contractor for the South False Creek Seawall Upgrades
9. Engineering Snow Event Response and Readiness: Response to 2016-2017 Snow Season and Readiness Improvements for Future Snow Events
10. 9100 Stanley Park Drive - Stanley Park Lawn Bowling Club
Liquor Primary Club Licence and Outdoor Patio Application
Liquor Establishment Class 7 - Private Club
11. Recommendation for the 2017 Contingency Budget for the Overdose Crisis

Items 1 to 11

MOVED by Councillor Deal
SECONDED by Councillor Louie

THAT the recommendations and actions taken by the Standing Committee on Policy and Strategic Priorities at its meeting of July 26, 2017, as contained in items 1 to 11, be approved.

CARRIED UNANIMOUSLY AND
ITEMS 2, 9 AND 11 BY THE REQUIRED MAJORITY

VARY AGENDA

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the order of the agenda be varied to consider Urgent Business 1 and 2 before Unfinished Business 1.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

For clarity, the minutes are recorded in chronological order.

URGENT BUSINESS

1. Zoning and Development By-law No. 3575 - Amendment to the General Regulations to Delegate Discretionary Relaxation Powers to Expedite the Delivery of Low Cost Housing for Persons Receiving Assistance

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to bring forward a by-law to amend the Zoning and Development By-law, generally as outlined in Appendix A of the Policy Report dated July 24, 2017, entitled "Zoning and Development By-law No. 3575 - Amendment to the General

Regulations to Delegate Discretionary Relaxation Powers to Expedite the Delivery of Low Cost Housing for Persons Receiving Assistance”, in order to delegate to the Director of Planning or the Development Permit Board the discretionary power to relax the provisions of the Zoning and Development By-law for proposed developments where a minimum of 70% of all dwelling units in the development provide for low cost housing for persons receiving assistance, and that the application be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws for consideration at the Public Hearing.

CARRIED UNANIMOUSLY (Vote No. 02163)

2. Replacement of Council Member on Metro Vancouver Regional District Board

MOVED by Councillor Louie
SECONDED by Councillor Stevenson

THAT Council appoint Councillor Ball as the alternate for Councillors Reimer and Jang on the Metro Vancouver Regional District Board.

CARRIED UNANIMOUSLY (Vote No. 02164)

UNFINISHED BUSINESS

Councillor Affleck advised he had reviewed the proceedings of the Public Hearing in relation to Unfinished Business 1, and he would therefore be eligible to participate in the discussion and vote.

1. REZONING: 969 Burrard Street and 1019-1045 Nelson Street

On July 18 and 25, 2017, Council heard from speakers on the above-noted matter and, on July 25, 2017, closed the receipt of public comments and referred discussion and decision to the Regular Council meeting following the Standing Committee on Policy and Strategic Priorities meeting on July 26, 2017, as Unfinished Business.

Staff from Planning, Urban Design and Sustainability, Engineering Services and the Director, Real Estate Services, responded to questions.

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

- A. THAT the application by Bing Thom Architects Inc., on behalf of The First Baptist Church of Vancouver and Westbank Project Corp., to amend CD-1 (445) District By-law No. 9204 for 969 Burrard Street [*The West ½ of Lot 16, the East ½ of Lot 16 and Lots 17 and 18, all of Block 7, District Lot 185, Plan 92; PIDs*

015-749-967, 015-749-975, 025-114-042 and 025-114-051 respectively] and 1019-1045 Nelson Street [*the West ½ of Lot 15, the East ½ of Lot 15, Lot 14 Except the East 30 Feet, the East 30 Feet of Lot 14 and Lot 13, all of Block 7, District Lot 185, Plan 92; PIDs 015-749-941, 015-749-959, 015-749-932, 012-338-311 and 015-749-924 respectively*], to increase the permitted floor space ratio (FSR) from 2.87 FSR to 11.27 FSR and the building height from 75.6 m (248 ft.) to 169.5 m (556 ft.) to permit the development of a 57-storey residential tower containing 331 market strata units, seismic upgrade, conservation and restoration (including interiors) of the First Baptist Church building, expanded church program space and a seven-storey residential building containing 61 social housing units, generally as presented in Appendix A of the Policy Report dated June 13, 2017 entitled "CD-1 Rezoning: 969 Burrard Street and 1019-1045 Nelson Street", be approved, subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Bing Thom Architects Inc., and stamped "Received City Planning Department, March 18, 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 to the following:

Urban Design

1. Design development to provide a 6.6 m (21.5 ft.) setback from the west property line including a public passage and landscaping.

Note to Applicant: Intent is to provide more space for residential units located along this interior property line, to provide a pedestrian passage for all users, and to help break up the scale of development facing toward Nelson Street and the lane, while still providing interior connections requested to serve the building program. The west elevation should be developed to a similar standard as the street facing sides in terms of architectural interest.

2. Design development to improve the visual transparency and reduce the apparent scale of the podium element, seen by pedestrians on Nelson Street and along the lane.

Note to Applicant: Intent is to reduce the visual mass of the podium, and to reflect the general intent of the *West End Community Plan* to improve the appeal of lanes as secondary walking routes. This can be accomplished by providing substantial openings at the lower levels that permit filtered views and the passage of natural light through the podium, in combination with a more varied approach to the massing and wall treatments of the lane side façade. Public passage is not required through the podium element.

3. Design development to provide a more varied massing and landscaped character for the wall of the new podium facing the lane, including a range of building setbacks with planting on grade, and with other green and landscaped elements.
4. Design development to the residential mid-rise to reduce its height to no more than 18.3 m (60 ft.), as measured below.

Note to Applicant: Intent is to provide more openness between buildings to improve access to natural light and other benefits. The required dimension may be taken from the southwest corner to the roof surface to allow development of the rooftop as an intensive green roof for common access by all residents of the mid-rise. The provision of 22.3 m (73.1 ft.) height limit in the CD-1 By-law is measured to the base surface, as is standard in the Zoning and Development By-law.

5. Design development as required to mitigate wind effects in the open tower corridors, on the podium rooftops, and at the pedestrian areas at grade, as recommended by registered professionals with relevant expertise.
6. Provide more substantial replacement trees to offset the removal of the conifers along Nelson Street.

Note to Applicant: See also Landscape conditions.

7. Design development to maintain the family housing percentage in the tower substantially at 59% while allowing some flexibility to change at the Development Permit stage. Family units design in the tower and rental building shall meet the *High-Density Housing for Families with Children Guidelines*.
8. Provide high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: Intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability,

and performance, by retaining the use and extent of the specific finishes shown such as pre-cast and architecturally finished concrete panels. Material choices including visible areas such as wall returns and soffits should be noted on the elevation drawings.

9. Design development to mitigate privacy and overlook toward nearby residential units.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features proposed to balance the amenity of future and existing residents.

10. Design development to tree planters in the market residential building to provide optimized growing conditions.

Note to Applicant: This can be accomplished by providing an overhead clearance of approximately 24 ft. and by relocating some planted area from the north side to create larger soil volumes for the south-facing planters located at every third floor from Level 4 and up.

11. Provide a preliminary design package indicating the commercial signage approach for any facilities on the site.

Note to Applicant: Intent is to show the intended quality of materials and integration with the architectural approach in general. A separate permit application will be required under the Sign By-law.

12. Note on the drawings of the lighting and acoustic mitigation features or specifications that will be installed to mitigate the effect of equipment and lights to new and existing residences.

Note to Applicant: Features should include full cut-off lights or shrouds to confine building light to the property, quieting measures on gates, and acoustic shrouds on equipment.

13. Consider supplying a bird friendly strategy for the design of the building and landscape with the 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://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

14. Retain the unique architectural design and resulting low-efficiency floor layout for the proposed building.

Note to Applicant: These were key factors in the pro forma analysis and resolution of the community benefits offering. As such, the City has acknowledged several premium cost components in the pro forma, including the significantly reduced floor layout efficiency rate at 69%.

Furthermore, the reduced floor layout efficiency rate at 69% reduces the potential sellable area which has a relationship to the amount of Community Amenity Contribution that may be negotiated based on development economics of the site. Therefore, if the applicant chooses to make alterations to the building design, including exterior finishes (as proposed in the application), which result in the removal of such premium cost items or an increase in the sellable area, Council approval must be sought through an application to change the form of development under Schedule 1, Section 16 of the Zoning and Development Fee By-law. Any implications this would have for the Community Amenity Contribution would be reported to Council at that time.

Landscape

15. Design development to the grade oriented open space plan to increase pedestrian amenity through the provision of replacement tree canopy, permanent site furniture, wayfinding measures, creative hardscaping, artistic elements and/or public art (where applicable);

Note to Applicant: Further work may be requested at the development permit stage.

16. Design development to the sustainable site strategy and landscape plan for the private property to include the following:
 - (i) an increase in the overall amount of pedestrian amenity space and tree canopy planting at the plaza level (Note: this will require a reduction or deletion of space dedicated to water features and stairs);
 - (ii) a robust tree canopy replacement scheme at the plaza level and a row of trees at the northern edge (Note: new trees to be medium to large shade species with a medium to large leaf size);

- (iii) modifications to the slab to ensure that all trees are planted level with the plaza surface and with a minimum growing medium below slab containing soil volume targets of 16 cubic metres. For each tree, growing medium should be no less than 1 m deep and no less than 2 m radially, measured from the trunk. Soil cells, structural soils and contiguous planting troughs should be explored;
 - (iv) provision of trees in the common outdoor hallways of the strata use building at a regularly spaced interval of about 1 tree per 3 floors and located in large planters with maximized soil volumes (as permitted in the CD-1 bylaw for the site) of no less than 6.25 square metres;
 - (v) meet the requirement for 25% green roof area for the rental building as a combination of adequately sized urban agriculture planters and other intensive green roof features;
 - (vi) improvement of the lane experience through additional greening and pedestrian safety measures (Note: except at point of access/egress, consider an evergreen hedge, such as Yew species, and climbing plants established on a support structure to cover blank walls. Where space is limited, portions of the building may need to be further setback to satisfy the requirement).
17. Design development of the rainwater management strategy and related grey water/mechanical systems to be scaled and integrated with full infiltration from hard and soft surfaces within the site, to the greatest extent practicable;
- Note to Applicant: refer to Rezoning Policy for Sustainable Large Developments for applicable requirements. The applicant is also encouraged to reference the Integrated Rainwater Management Plan (IRMP), Volume II, Best Management Practices, supported by Council in April 2016. At the development permit stage, further design development may be requested.
18. Site utilities and vents to be located on private property and integrated discreetly into the building, avoiding landscaped and common areas;
19. Design development to reduce potable water consumption in the irrigation systems by using drought tolerant species, rainwater harvesting methods and efficient irrigation technology for all planted areas;

Note to Applicant: Potable water may be needed for urban agriculture areas and patios. Individual hose bibs to be provided for all patios of 100 sq. ft. or greater in size, to encourage patio gardening.

20. At time of development permit application, the following:

- (i) Provide a detailed Landscape Plan illustrating soft and hard landscape treatment;

Note to Applicant: the Landscape Plan should include a planting plan listing 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. Illustrate and clarify all outdoor surface/paving materials, site furniture, bicycle racks, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment);

- (ii) Provide large scale sections [typical] through landscaped areas, including the ground oriented interface, the slab-patio-planter relationship, street trees, the lane interface, common areas and upper storey planters;

Note to Applicant: the sections should include the planter materials, tree canopy, tree stem, outline of the root ball, voiding, built up membrane and dimensions.

- (iii) Provide spot elevations to all outdoor areas (including top/ bottom walls), including offsite context spot elevations in proximity (public sidewalks, inner boulevards and lanes);

- (iv) Provide adequate soil volumes and depths for planting on slabs and in planters;

Note to Applicant: refer to the rezoning conditions. To ensure the long term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs should angle down to provide deeper soils. Within the site at the plaza level, the slab must be lowered below to avoid the necessity for above grade planter walls that would impede pedestrian flow.

- (v) Provide universal design principles in the outdoor spaces;

Note to Applicant: special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along shared circulation routes.

- (vi) Provide a "Tree Removal and Protection Plan" in coordination with arboricultural services, including the assessment of existing trees and retention feasibility;

Note to Applicant: given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and/or retained, where applicable, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

- (vii) Provide a partial irrigation plan to demonstrate efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs to be provided for all patios of 9.3 sq. m (100 sq. ft.) or greater in size.

Note to Applicant: Specification notes and irrigation symbols to should be added to the drawing;

- (viii) Provide all necessary infrastructure to support urban agriculture, including hose bibs, tool storage, work tables and seating;

- 21. 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: This can be demonstrated on the landscape plan, plant list and a written rationale. Refer to:
<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>

Access to Nature

22. Include a dedicated and irrigated dog relief area, consisting of a pea gravel area and hose in order to accommodate the needs of building dog owners and their dogs. Approval of the dog relief area design and location are contingent upon approval from the General Manager of the Park Board.

Note to Applicant: This measure is to mitigate negative impacts of dogs on public parks and public sidewalks.

Sustainability

23. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*, including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

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

Note to Applicant: For conditions related to meeting the Low Carbon requirements of the *Rezoning Policy for Sustainable Large Developments*, refer to the Neighbourhood Energy Utility conditions below. For conditions related to meeting other requirements of the *Rezoning Policy for Sustainable Large Developments*, refer to Engineering, Landscape and Social Policy conditions.

24. The applicant commits the proposed residential tower to demonstrate leadership in sustainable design as required by the *General Policy for Higher Buildings*, through the following measures:

- (i) Energy/GHG Savings: the proposed tower shall achieve the greenhouse gas reductions equivalent to a 45% reduction in energy use from ASHRAE-90.1 using Appendix G of the Policy Report dated June 13, 2017, entitled "CD-1 Rezoning: 969 Burrard Street and 1019-1045 Nelson Street", (68% GHG reduction compared to BAU) through measures such as energy efficient design and/or connection to a low-carbon energy system. For more on the definition and requirements of a low carbon energy system, refer to the NEU conditions below.
- (ii) High-Performance Envelope: provide a high-performance thermal envelope that meets or exceeds the performance level described in the rezoning application, which included:
 - a. an effective R(IP)-value of 6 or better for the opaque enclosure when accounting for thermal bridging;
 - b. high-performance double pane windows with thermal breaks at exterior wall conditions; and
 - c. a moderate glazing ratio.
- (iii) Air-tightness Testing: testing the airtightness of at least 10% of suites under the LEED v2009 ETS protocol.
- (iv) Heat Recovery Ventilation: make use of ventilation heat recovery for ventilation air provided to all suites, and with direct ventilation provided to each space as interpreted by LEED.
- (v) Thermal Sub-Metering and Billing: provide suite-level thermal sub-metering, such that the building's total thermal energy use costs can be allocated to the suites based on their monitored usage in the strata bylaws.
- (vi) Smart Thermostats: provide smart thermostats in all suites, such as the Nest or similar.
- (vii) Master Cut-Out Switch: provide a single master cut-out switch for each suite, capable of turning off the majority of the lighting loads within the suite.

- (viii) Post-Occupancy Energy Model Update: the applicant commits to update the energy model for the building post-occupancy, using the actual building energy use, and use this to provide support for ongoing energy performance of the building.

Crime Prevention Through Environmental Design (CPTED)

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

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

Heritage

- 26. Design development to keep the existing entrance facing Nelson Street.

Note to Applicant: Application proposed to re-orient existing entry steps from facing Nelson Street to face Burrard Street. It is recommended that this approach be reviewed as to retain the steps' historic orientation to Nelson Street.

- 27. Provide fully updated, final version of the Conservation Plan prior to submitting Development Permit application. Include conservation strategies for implementation of proposed seismic upgrades.
- 28. Provide fully developed seismic upgrade plans prior to applying for the Development Permit.
- 29. Provide an Interpretive Plan to preserve the memory of the site and structures that stood on this location prior to redevelopment.

Note to Applicant: As four other existing structures (some with heritage merit) are planned to be removed from the site, it is requested that an Interpretive Plan be developed to preserve the memory of the site and structures that stood on this location prior to redevelopment and to provide information about the conservation work on the heritage church. The Interpretive Plan content (panels, plaques, audio/video material) is to be appropriately incorporated within the architectural or landscaped areas where they should be made accessible to the public, preferably accessed from Nelson Street. The provision of the Interpretive Plan is required at submission of a Development Permit application.

Engineering

30. Delete all bollards and other non-standard treatments shown on public property.
31. Delete proposed landscaping in the lane. Match or retain existing lane treatments.
32. Show standard broom-finished saw-cut sidewalks and tree surrounds adjacent the site in keeping with the area treatments of broom-finished saw-cut sidewalks on Nelson Street and with the ceremonial treatments on Burrard Street (Georgia Street Public Realm design on Burrard Street).

Note to Applicant: A separate application to the General Manager of Engineering Services is required and the landscape treatments on public property are to be finalized prior-to development permit issuance.

Note to Applicant: Engineering Services does not support the use of pavers adjacent the site.

33. Clarify if bicycle racks are proposed for public property. If so, a separate application to the General Manager of Engineering Services is required.

Note to Applicant: Class B bicycle parking (bike racks) supplied on public property cannot be counted towards the on-site by-law requirement that would apply to this project. The on-street bicycle racks as shown on the site plan should parallel the curb and use standard City of Vancouver bicycle racks.

34. Delete the portions of parking barrier gate shown in the lane on page A207 (Note: this encroachment does not appear on subsequent page A208).

35. Delete what appears to be added curbing in the lane. The site has existing standard roll over curb for the length of the site, no additional curbing is required.
36. Delete door swings shown over the property line into the lane (A207).
37. Delete reference to "curb roll up" on the Nelson Street frontage, there will be no vehicular access to the sidewalks from Nelson Street.
38. 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.

39. Provide additional waste management/recycling and compostable space for the church's kitchen, café and retail space. The Zero Waste Planning report does not appear to address these components of the development.
40. Clarify what the white space is shown along the Burrard Street frontage shown just beyond the property line on drawing A211 – is this existing or proposed, at or above grade.
41. Clarify the property line location on landscape plan (Conceptual Render - Nelson courtyard, page 94) to ensure pool structure does not encroach onto public property.
42. Show City of Vancouver building grades on the site plan. Additional design elevations are required adjacent to all entries and on both sides of entries greater than 1.5 m (5 ft.) in width, clearly indicating that the entries meet the building grades.
43. Remove benches and waste receptacles from public property, if desired please provide on-site.
44. Provide the following measures as part of the Green Mobility Plan:
 - (i) two rapid charging stations for electric vehicles;
 - (ii) a bike hub/repair station;
 - (iii) a minimum of 15 Class A bike spaces for the church and childcare;

- (iv) a minimum of 12 Class A bike spaces and bikes for the "private" bike share;
- (v) three spaces and vehicles for the "private" carshare; and
- (vi) the required parking for the church, rental housing and daycare uses

45. Provide revised landscape plans at 1"=1/8" .

Note to Applicant: Please place the following notes on the landscape plans.

- (i) All plant material within the same continuous planting area which is located on street right-of-way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m, measured from the sidewalk.
- (ii) All plant material within the street right-of-way which are located outside of the areas described in the bullet above shall not exceed 1m in height, measured from the sidewalk. Exceptions will be approved on a case-by-case basis by the City of Vancouver's Street Activities Branch.
- (iii) Plants shall be planted in such a way as to not encroach on the sidewalk, street, lane, and/or bike lane.

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

47. Provide a Rain Water Management Plan. The plan is to confirm that site run-off is not to exceed the run-off condition that exists prior to redevelopment of the site and is to propose additional management strategies that will further reduce site run-off.

48. Comply 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) Provide 1/8 scale drawings for the parking and loading levels.

Note to Applicant: Dimension and number all stalls, dimension all column encroachments and maneuvering aisle widths.

- (ii) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: A column 0.6 m (2 ft.) in length must be set back 0.6 m (2 ft.) from either the opening to or the end of the parking space. A column 0.9 m (3 ft.) long may be set back 0.3 m (1 ft.). Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns.

- (iii) Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 1.2 m (4 ft.) from the end of the stall.
- (iv) Provide improved plans showing the required maneuvering to access the three angled stalls along gridline F on P1 to P6.

Note to Applicant: Consider perpendicular stalls as angled stalls may require excessive maneuvering.

- (v) Provide 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 to calculate the slope and cross fall.

- (vi) Provide an improved plan showing the loading access route from the Class B spaces to the church.
- (vii) Provide two-way traffic flow in the main ramp - the current ramp design does not allow for opposing vehicles to pass. Two-way flow is required from level L0 to P3.

Note to Applicant: Corner cuts are required at the top and bottom of ramps to provide adequate radii for continuous two-way traffic flow where 200 or more vehicles are being served. A standard 6 m (20 ft.) ramp width would require a 2.7 m x 2.7 m (9 ft. x 9 ft.) corner cut. Reduced corner cuts would be acceptable for wider ramps upon review. Provide turning swaths showing two-way flow on the ramp down to P3.

- (viii) Provide an improved plan noting the daycare drop-off and staff parking spaces on drawing A207.

Note to Applicant: Show the daycare spaces on the Daycare Circulation Diagram drawing A602 on drawing A207 and note the daycare spaces in the legend.

- (ix) Provide details regarding daycare drop-off procedure as parents will require security access for the drop-off spaces in the underground parking spaces and elevator access to the daycare on the Level 4.

- (x) Provide minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m (7.5 ft.) of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m (12.5 ft.) of vertical clearance is required for Class B loading spaces and maneuvering.

- (xi) All Class A bicycle spaces must be located on the P1 parking level, mezzanine level, or at grade.

Note to Applicant: Engineering does not support the three Class A bicycle spaces shown on floors 6-55 (150 spaces total).

- (xii) Provide 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.

Neighbourhood Energy Utility

- 49. The proposed approach to site heating and cooling, developed in collaboration with the City and a City-recognized NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 50. All new buildings in the development shall connect to a City-recognized low-carbon Neighbourhood Energy System and 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 Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services;
- (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 21 sq. m (226 sq. ft.) of adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to a City-recognized Neighbourhood Energy System, as outlined in the *Neighbourhood Energy Connectivity Standards Design Guidelines*, at development permit;
- (iv) Provide for up to 150 sq. m (1,615 sq. ft.) of suitably located dedicated Neighbourhood Energy Room and design provisions to accommodate a City-recognized NES, as outlined in the *Neighbourhood Energy Connectivity Standards - Design Guidelines*, to the satisfaction of the General Manager of Engineering Services; and,
- (v) 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:

- a. A Low Carbon Energy System means a thermal energy generating, distribution, and delivery system that incorporates low carbon energy sources (such as sewage heat recovery, geo exchange, surface water exchange, heat recovery, air source heat pumps, solar thermal, biomass, etc.) for space and domestic hot water heating, and in some cases cooling, for one or multiple

buildings. The system may include conventional heating and cooling sources (such as boilers, chillers, cooling towers, etc.) to satisfy peaking and back-up thermal energy requirements as agreed to by the General Manager of Engineering.

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

51. If, at the time of development permit approval, it is determined by the General Manager of Engineering Services that a City-recognized low-carbon Neighbourhood Energy System has not been secured, design of all new buildings in the development shall adhere to the following requirements:

- (i) Implement, as approved by the General Manager of Engineering Services, a building-scale low-carbon energy system or low-carbon energy supply strategy. The proposed low-carbon approach must achieve a greenhouse gas reduction equivalent to a 45% reduction in energy use from ASHRAE-90.1 using Appendix G of the Policy Report dated June 13, 2017, entitled "CD-1 Rezoning: 969 Burrard Street and 1019-1045 Nelson Street", (68% GHG reduction compared to BAU).
- (ii) Any building-scale low-carbon energy system shall be designed in such a way as to enable energy metering and the monitoring of performance metrics during system operation for the purpose of optimizing system performance and preparing system performance reports. The applicant shall refer to *the Performance Monitoring and Reporting Requirements for Low Carbon Energy Systems* for a summary of minimum requirements. The applicant will be required to demonstrate compliance with these requirements prior to issuance of building permit.

Social Policy

52. Provide a Sustainable Food System Plan to include a minimum of three food systems assets as described in the Rezoning Policy for Sustainable Large Developments, to the satisfaction of the Director of Social Policy.

Note to Applicant: The application identifies food assets that can count towards the required three food assets that must be delivered as part of the development. The three identified food assets are (1) edible landscaping, (2) community gardens, and (3) community kitchen. The following comments outline ways to strengthen the submission.

(i) Edible landscaping:

- a. In order to enhance the edible landscaping component applicant to specifically identify number, location and species of edible landscaping, and how edible landscaping can fit into the broader landscaping design and features of the site.
- b. Consider plant design and species selection that supports pollinators, as referenced in "Access to Nature" section of the policy.
- c. The Urban Agriculture Design Guidelines for the Private Realm are applicable to this site. As such, the Applicant should ensure that design and stewardship requirements for edible landscaping are met.

(ii) Community gardens:

- a. Increase the number of community garden plots on the rental building common roof space to minimum of 30% of units in order to increase opportunities for tenants of the building to take part in food growing. Consider installing the additional plots in the space currently designated for "outdoor kitchen" create a stronger urban agricultural presence on the common roof space.
- b. Provide a Landscape Plan for the garden in accordance with the Urban Agriculture Design Guidelines for the Private Realm
<http://vancouver.ca/files/cov/urban-agriculture->

[guidelines.pdf](#)). Please note that this includes hose bibs, a potting bench, tool storage area and compost bins. Given the location of the garden plots on a rooftop, sun and shading should be considered.

- c. In constructing raised-bed community garden plots, ensure that Community Gardens Accessibility Guidelines are met (<http://vancouver.ca/files/cov/Community-Gardens-Accessibility-Guidelines-2011.pdf>). Please note that at least 5% of plots should be accessible raised beds; 10-20% is ideal.

(iii) Community kitchen:

- a. The rezoning package shows the presence of a kitchen in the church. Applicant to further describe how project intends to improve the existing facility - explain what features will be added and/or improved to that of the existing.

Childcare Facility

- 53. Design development of a licensable 37-space childcare facility that meets the Childcare Design Guidelines (1993), to the satisfaction of the Managing Director of Social Development and Vancouver Coastal Health Community Care Facility Licensing.

Note to Applicant: Further design development required to improve safety for children in pickup/drop-off areas, as well as to ensure that outdoor play spaces are larger, have a more functional layout, and generally meet the intent of the *Childcare Design Guidelines*.

Housing Policy and Projects

- 54. Provide a 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.

55. Provide a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all tenants.
56. Provide a notarized declaration, 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.
57. Provide 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 and to the General Manager of Planning and Development, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lot 13, The East 30 Feet of Lot 14 and Lot 14, Except The East 30 Feet, The East ½ of Lot 15, The West ½ of Lot 15, The East ½ of Lot 16, The West ½ of Lot 16, Lot 17, and Lot 18; all of Block 7, DL 185, Plan 92 to create a single parcel.

Note to Applicant: Covenant BX288747 restricts building on site until the above noted lands have been consolidated. Upon consolidation of the properties this covenant may be released. Arrangements for release of this covenant at the appropriate time are required.

2. Confirmation that the existing disability access ramp that encroaches onto Nelson Street is to be removed and, if so, make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement and Indemnity Agreement R23722 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.

3. Confirmation that the existing duct shaft in the lane is to be removed and, if so, make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement and Indemnity Agreement BV472198 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 written confirmation from BC Hydro agreeing to the removal of their infrastructure located within Statutory Right of Way K10512 on Lot 15, and the subsequent release of the charge from title.

Note to Applicant: The release is to occur prior to occupancy and after Hydro's works have been removed/relocated/abandoned. The written confirmation from BC Hydro and commitment in writing from the applicant will satisfactorily address this condition.

5. Replacement or modification of the existing encroachment agreement (registered under BA450628-30) to encompass only those existing encroaching elements which are to remain at the completion of the project.

Note to Applicant: Clarification and approval of any additional elements that may encroach prior to DP issuance. Prior to occupancy, arrangements are required to validate all encroaching elements and to include them in any modification or replacement agreement. A building location survey for the entire development is required to facilitate these arrangements. Provision of a letter of commitment prior to enactment and a refundable deposit will be required prior to DP issuance to address this condition.

Note to Applicant: Regarding releases – prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

6. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 2 Shared Vehicles and the provision and maintenance of 2 Shared Vehicle Parking Spaces for use exclusively by such Shared Vehicles, [with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law], on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
 - (i) Provide 2 Shared Vehicles to the development for a minimum period of 3 years.
 - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicles.
 - (iii) Provide and maintain the Shared Vehicle Parking Spaces for use exclusively by such shared vehicles.
 - (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Spaces.
 - (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle.
 - (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the *Land Title Act* of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.
 - (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: Shared vehicle spaces are required to be a minimum width of 2.9 m (9.5 ft.).

7. 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 adequate water service to meet the 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 demand as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (ii) Provision of improved street lighting adjacent the site. A study to determine the adequacy of the lighting for this proposal is required and upgrading to LED lighting including additional lamp standards where applicable is required. Note: the study should be completed during the development review with a draft lighting plan clearly shown on the development permit plans.
 - (iii) Should the project trigger removal of any existing wood poles in the lane that provide lane lighting then replacement lighting will be required through provision of new poles located on private property. A draft lighting plan for the lane lighting will be required to be identified on the approved development permit plans.
 - (iv) Provision of improved curb ramps and curb return at the northwest corner of Burrard and Nelson streets.
 - (v) Provision of street trees adjacent the site where space permits.
8. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be

located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Neighbourhood Energy Utility

9. 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-recognized low-carbon Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and the *West End Community Plan*, that may include but are not limited to agreements as determined by the General Manager of Engineering Services which:
 - (i) Require all new buildings in the development to connect to a City-recognized low-carbon Neighbourhood Energy System (NES).
 - (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.
 - (iii) Grant use of and access to suitable space required for the purposes of an energy transfer station as established in the *Neighbourhood Energy Connectivity Standards Design Guidelines*, to the satisfaction of the General Manager of Engineering Services.
 - (iv) Grant use of and access to the Neighbourhood Energy Room for the purposes of infrastructure and distribution equipment to the satisfaction of the General Manager of Engineering Services.
 - (v) If, at the time of development permit approval, it is determined by the General Manager of Engineering Services that a City-recognized low-carbon Neighbourhood Energy System has not been secured, require the project to implement, as approved by the General Manager of Engineering Services, a building-scale low-carbon energy system or low-carbon energy supply

strategy that must achieve a greenhouse gas reduction equivalent to a 45% reduction in energy use from ASHRAE-90.1 using Appendix G of the Policy Report dated June 13, 2017, entitled "CD-1 Rezoning: 969 Burrard Street and 1019-1045 Nelson Street", (68% GHG reduction compared to BAU).

- (vi) If, at the time of development permit approval, it is determined by the General Manager of Engineering Services that a City-recognized low-carbon Neighbourhood Energy System has not been secured, require the developer to undertake monitoring of the development's low carbon energy system and performance that includes a reporting schedule containing information and prepared in a form as requested by the General Manager of Engineering Services.

Note to Applicant:

- a. Until a City-recognized NES utility provider has been identified by the General Manager of Engineering Services, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.
- b. The Development will be required to connect to a City-recognized low-carbon, if determined to be available by the General Manager of Engineering Services NES, prior to occupancy.
- c. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.
- d. Design shall provide suitable space for the installation of NES equipment with adequate provisions for connection to outside NES distribution piping and communications conduit. District energy equipment may include, but is not limited to; a steam to hot water converter station sized for neighbourhood service provision, an

energy plant sized for neighbourhood service, energy transfer stations (ETS), and/or boiler equipment. 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.

Sustainability

10. The applicant 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 proposed residential tower 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.

Housing Policy and Projects

11. 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 61 social housing residential units, 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 41 units (67%) 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% 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.
- (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*.

Heritage

12. Amendment of the Heritage Designation Compensation Waiver to confirm that The First Baptist Church of Vancouver has been fully compensated through the rezoning and waives any further right to compensation attributable to the 2005 heritage designation.

Note to Applicant: The waiver may form part of the Heritage Restoration Covenant to be registered on title to the Lands.

13. Amend the existing Heritage Designation By-law 9158, as required.
14. Enter into a Heritage Restoration Covenant for the First Baptist Church (FBC) to be completed and fully registered in the Land Title Office to the satisfaction of both the Director of Planning and the Director of Legal Services to, among other things:
 - (i) Conserve and rehabilitate FBC in accordance with the proposal, approved FBC Rehabilitation Plan dated September 4, 2015 compiled by Bing Thom Architects including the Conservation Plan dated March 2016 prepared by Don Luxton and Associates.
 - (ii) Seismically and structurally upgrade the FBC in accordance with approved Seismic Review and Upgrade Options Report by Glotman - Simpson, dated 2013 and updated in 2014 and particular technical approach chosen for the CAC costing purposes (Option 1A Report dated November 14, 2016, indicating Vancouver upgrade Trigger Model to upgrading the building to 100% of the current Vancouver Building By-Law and related requirements, and accompanied by The Haebler Group cost estimate, dated November 16, 2016).

- (iii) Secure protection of the FBC during construction with supervision by a Heritage Consultant (heritage conservation professional with professional expertise in particular conservation techniques and programs) and periodic status reporting on completion of the approved conservation work, prepared by the Heritage Consultant.
- (iv) Provide that any alteration, modification or deviation from the approved heritage conservation program (including changes to the approved seismic upgrade plan) would need prior approval from the City.
- (v) Provide, as required, that The First Baptist Church waives any further right to compensation attributable to the 2005 heritage designation.
- (vi) Secure the costs of carrying out the rehabilitation and conservation work by an Equitable Charge.
- (vii) Allow a heritage plaque to be placed on the FBC or the subject property.
- (viii) Require the owner to provide verification by a Structural Engineer or other Designated Professional of completed upgrade work to 100% VBBL of the current Vancouver Building By-Law as part of the heritage restoration and seismic upgrade works to the church.
- (ix) Require the owner, at their cost, to retain an independent quantity surveyor approved by the City, to provide quantity survey cost reports to the City, including interim reports as required and a final quantity survey report (the "Final Report") on completion of the heritage restoration and seismic upgrades.
- (x) Provide that heritage conservation and rehabilitation of the FBC be fully completed and Occupancy Permit issued for the FBC, prior to the issuance of any Occupancy Permit for the tower.

In-kind Community Amenity Contribution (CAC): Heritage Conservation

15. The owner is required to rehabilitate, restore and seismically upgrade the FBC sanctuary, narthex and associated interior space as set out in condition 15 and the required Heritage Restoration Covenant at a total estimated cost of \$21,700,000.

16. In the event that the Additional Contingency is required in part or in whole, an additional contingency of up to \$4,300,000 (the "Additional Contingency") for premium costs resulting from unforeseen circumstances, the City will reimburse the owner for costs incurred, subject to verification by a Structural Engineer or other Designated Professional of completed upgrade works, and receipt of the Final Report by the independent quantity surveyor cost consultant.

In-kind Community Amenity Contribution (CAC): Affordable Housing Credit

17. Affordable Housing Credit (\$6,500,000) – A \$6.5 million allowance is allocated for 41 units in the rental building that will be secured at housing income limits (HILs) rate, for the longer of 60 years or life of the building. As the City requires rental replacement at market rents, this allowance reflects the value difference between this base requirement and First Baptist Church's offer to secure 67% of the units at rents below the HILs rental rates.

Community Amenity Contribution (CAC): Cash Payments

18. Pay to the City the cash component of the Community Amenity Contribution of \$63,105,225 which the applicant has offered to the City and to be allocated as follows:
 - (i) \$6,000,000 toward support of strategic City-wide public benefits such as the City's Housing and Homelessness Strategy;
 - (ii) \$4,300,000 towards the Additional Contingency related to the Heritage Conservation; and
 - (iii) \$52,805,225 to support delivery of the West End Public Benefit Strategy.
19. Payment of the cash portion of the CAC is to be made as outlined below, at no cost to the City, and on terms and conditions and in a form satisfactory to the Director of Legal Services:
 - (i) 10% of the Net Cash Contribution (\$6,310,523) must be paid by bank draft, certified cheque or wire transfer prior to enactment of the rezoning by-law.
 - (ii) The balance of \$56,794,702 in cash must be paid on the following milestones:

- o 40% of the Net Cash Contribution (\$25,242,090) must be paid by bank draft, certified cheque or wire transfer on the calendar date which is 1.5 years after the rezoning enactment date, with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date when such payment is due until the date that such amount is fully paid;
- o 50% of the Net Cash Contribution (\$31,552,612) must be paid by bank draft, certified cheque or wire transfer on the earlier of:
 - the developer achieving the first occupancy permit for any portion of the tower development; and
 - the calendar date which is 4.5 years after the rezoning enactment date, with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date when such payment is due until the date when such amount is fully paid. For certainty, the issuance of any occupancy permit will be subject to full payment of the Net Cash Contribution to the City.

The deferral of \$56,794,702 of the Cash Contributions will be secured a corporate guarantee (the "City Security") provided by Westbank Holdings Ltd (the parent corporation which owns the Westbank group of companies) and its principals, all to the satisfaction of the City's Director of Legal Services (subject to due diligence on such corporation), or other security satisfactory to the Director of Legal Services. The City will be entitled to realize on the City Security if the required payments are not made to the City in the amounts and at the times set out above. The payments will also be secured with permit holds and covenants pursuant to Section 219 of the *Land Title Act* as appropriate.

Public Art

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

Note to Applicant: Please contact 311 to be directed to the Public Art Program Manager to discuss your application.

Environmental Contamination

21. If applicable:

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

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as 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 enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated June 13, 2017, entitled "CD-1 Rezoning: 969 Burrard Street and 1019-1045 Nelson Street".
- C. THAT, if Council approves in principle this rezoning and the Housing Agreement condition described in section (c) of Appendix B of the Policy Report dated June 13, 2017, entitled "CD-1 Rezoning: 969 Burrard Street and 1019-1045 Nelson Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law(s) for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a 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 (Vote No. 02165)
(Councillor Carr opposed)

ADJOURNMENT

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 9:25 pm.