

SUMMARY AND RECOMMENDATION

1. REZONING: 2221-2223 Main Street

Summary: To rezone 2221-2223 Main Street from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a stepped nine-storey mixed-use building with 145 social housing units and commercial uses at grade. A height of 30.8 metres (101.1 feet) and a floor space ratio (FSR) of 3.33 are proposed.

Applicant: Catalyst Community Development Society and Marcon Developments Ltd.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 19, 2017.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Catalyst Community Development Society ("Catalyst") and Marcon Developments Ltd. ("Marcon"), on behalf of the Vancouver Affordable Housing Agency ("VAHA"), as agent for the City of Vancouver (the "City"), to rezone 2221-2223 Main Street [*Lot 6; Lot 7, except the south 6.44 feet; Amended Lot 8 (See 124528L); Lot 9; Lot 10; and Lot 11, all of Block 37, District Lot 200A, Plan 197; PIDs: 013-420-283; 013-420-305; 005-173-019; 005-173-027; 005-173-043 and 005-173-051 respectively*], from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit a stepped nine-storey mixed-use building with 145 social housing units and commercial uses at grade, with a floor space ratio of 3.33 and a maximum building height of 30.8 m (101.1 ft.), generally as presented in Appendix A of the Policy Report dated September 5, 2017 entitled "CD-1 Rezoning: 2221-2223 Main Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Rositch Hemphill Architects and stamped "Received Planning, Urban Design and Sustainability, May 19, 2017", provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

1. Significant design development to the proposed building form, in order to respond to the sloping site topography and the terminating view from Kingsway.

Note to Applicant: This should include a relocation of building mass from the top storey on the north side to the southeast corner where an extra storey may be added to give physical prominence to this corner.

2. Design development to the south commercial retail units interfacing with the future park, with finished floor elevation to follow the existing topography.

Note to Applicant: Removing the proposed elevated patio on proposed Parks land, and staggering the floor elevations to approximately 104 ft. on the west side and 106 ft. on the east side, would satisfy this condition. Also refer to Parks conditions. Vancouver Park Board staff have indicated that new design of the park will likely follow the existing grade, which will meet the rear lane elevation with a smooth transition. Park Board staff have also indicated that a rectangular site shape for the park will be sought.

3. Design development to achieve a residential architectural character with a rich palette of materials and textures; a stronger expression of the residential balconies; and a response to the specific orientations of the four elevations for passively reducing solar gain during the summer months.

4. Design development to provide an activating relationship to the park from the residential component, by providing a direct secondary "convenience" entry to the residential component of the building when approached from the south side while also retaining the main, elevator-served residential entry on the north side of the building.

Note to Applicant: Locating an indoor and/or outdoor amenity area directly facing the park on level 2 and a direct physical and visual linkage are also recommended.

5. Relocation of the pad-mounted transformer to an at-grade location on the development site, to be directly accessible from the service lane.
6. Identification on the architectural drawings of any built features intended to create a bird friendly design.

Note to Applicant: Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

7. The proposed unit mix, including 28 studio units (19%), 45 one-bedroom units (31%), 42 two-bedroom units (29%), and 30 three-bedroom units (21%), is to be included in the Development Permit drawings.

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

Crime Prevention through Environmental Design (CPTED)

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

Landscape Design

9. Design development of the Public Realm treatment to meet the intent of the Mount Pleasant Public Realm Plan.
10. Design development to provide a more conservative tree removal strategy, including as a minimum, Trees #380, 381 and 382 (Red Maples in good condition).

Note to Applicant: These trees are located on the future Park land and do not appear to require alterations to the building. Confirmation from the Park Board is required. It is expected that all developments will adhere to Council's approved Urban Forest Canopy Strategy, by retaining a maximum of viable trees, while still allowing development. A revised Arborist Report should document and make recommendations for methods of protection of retained trees during construction. If arborist supervision is required, then a Letter of Assurance should also be provided, signed and dated by arborist, owner and contractor.

11. Design development to relate the building more with the Park, by creating a stronger visual and access link and by programming the common patio to make the transition from building to Park.
12. Design development to re-orient the children's play area to a roof location with more solar access and visual linkage to the park, while allowing visual access from an indoor amenity room for parental supervision.
13. Provision of maximized tree growing medium and planting depths for

tree and shrub planters to ensure long term viability of the landscape.

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

14. Design development to improve sustainability by the provision of diverse, edible plants, in addition to urban agriculture plots on inhabitable roofs.

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

15. At the time of Development Permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale. The plan should read clearly in black and white, without tones or shading.
- (ii) A Tree Management Plan, showing all existing trees to be retained/relocated/removed, complete with tree protection in coordination with arborist report.
- (iii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future, at a depth that exceeds BCSLA standard.
- (iv) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (v) Design development to locate, integrate and fully screen lane

edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- (vi) Coordination of new proposed street trees with Engineering and the Park Board, confirming species and locations, and addition of the following note:

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.

- (vii) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.

- (viii) A Landscape Lighting Plan to be provided for security purposes.

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

- (ix) Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.

- (x) Provision on the landscape drawings of landscape features intended to create a bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at:

Sustainability

16. All new buildings in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

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

17. In lieu of the requirements in Condition (b) 16, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

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

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

Engineering

19. The owner or representative is advised to contact Engineering to

acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection /removal or slab pour that requires additional street use beyond the already identified project street use permissions.

20. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent the site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

21. Provision of a canopy application. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).

22. Clarify if plants or sod are proposed in the front boulevard on East 6th Avenue.

Note to Applicant: Landscape drawings to include a detailed plant list. All plantings on City right of way to comply with the *Boulevard Gardening Guidelines*.

23. Provide a 1'-6" (0.46 m) sod grass strip between the sidewalk and any proposed planting in the boulevard.

24. Show the existing utility poles in the lane on the site plan.

Note to Applicant: The existing wood poles in lane may conflict with access and manoeuvring to the Residential Class B loading. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation may be required. Should a conflict exist, written confirmation of the ability to relocate or remove the pole is required from all affected utility companies.

25. Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts or loss of existing lane lighting then provision of replacement lighting and/or upgrading of the lane lighting to current standard will be required.

26. Provision of an updated landscape plan that reflects the off-site improvements and Mount Pleasant Public Realm plan treatments sought by this rezoning.
27. Please ensure that SRW dimensions are clearly measured from back of the existing curbs, not the front. (Plans only reference "curb" not "back of curb".)
28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Show the overhead gate for the main ramp and the loading bays on the plans.
 - (ii) Ensure O/H gate maintains full manoeuvring aisle width when operating. Either delete door shown in gate or confirm gate and door will open as "one" and not reduce required manoeuvring aisle width.
 - (iii) All parking stalls to be numbered and dimensioned on the drawings including clearances to walls or structures.
 - (iv) Dimension the manoeuvre aisle widths on all parking levels.

Note to Applicant: Minimum 6.6 m (21.8 ft.) maneuvering aisle width is required or provide 2.74 m (9 ft.) stall widths.
 - (v) Provide a 10 ft. x 10 ft. corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.
 - (vi) Explore opportunities to improve two-way flow and sightlines at the parking ramps from P1 to P4 parking levels. View slots and parabolic mirrors are recommended.
 - (vii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp and through the loading bays.
 - (viii) Label the minimum clearance for parking levels on the drawings, including overhead gate and mechanical projections.

Note to Applicant: Minimum 2.3 m clearance is required to all disability spaces and 3.8 m clearance is required for the Class B loading.
 - (ix) Dimension the Class B loading bays and load throats.
 - (x) Provision of design elevations on both sides of all loading bays to calculate the slope and crossfall.
 - (xi) Provide double throats for the Class B loading spaces.

Note to Applicant: Double throats are required to facilitate approaches and departures to and from both 6th and 7th Avenues.

- (xii) Additional loading bay width of 3.8 m is required for the second and subsequent loading spaces.
- (xiii) Confirm that internal, stair-free loading routes are provided from the Commercial loading bays to all of the Commercial units.
- (xiv) Provision of updated plans showing the access route for 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.

- (xv) Provide automatic door openers on the doors providing access to the bicycle room(s).
- (xvi) Class B residential bicycle parking to be relocated to a visible location on private property as per the Parking By-law.
- (xvii) Adjust the architectural columns located at the south east corner of the site (dwg L1.1, May 2017) so they are not in the sidewalk that connects Main Street to the lane within the park area.

29. Provision of a residential parking update 1 year post-occupancy.

Neighbourhood Energy Utility

- 30. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 31. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

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

32. 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.

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

Note to Applicant: The site would be serviced by the City-designated NES from 6th Avenue.

34. Provide for suitably located Neighbourhood Energy Room and design provisions to accommodate the City-designated NES, as outlined in the *Neighbourhood Energy Connectivity Standards - Design Guidelines*, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Design provisions shall allow for the future installation of heat producing equipment (boilers/heat pumps) in the building parkade. The room location must be suitable for accommodating boiler ventilation and flues, and connecting to the NEU distribution piping.

35. 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.

Housing

36. Housing to be designed in accordance with the City's Housing and Technical design guidelines, including the requirement for a minimum of 5% of units to be accessible.

Parks

37. The design, construction and programming of the park are to be determined through a separate, Park Board-led process.

Note to Applicant: The Park Board-led process will confirm the amenities to be included in the park. Elements such as a Public Bike Share station, shown in the site plan, or other non-park related infrastructure are not supported within the park parcel.

38. Design development to provide a contiguous, rectangular park parcel totaling no less than 985 m² (10,600 sq. ft.).
39. Building is to meet City building grades at the new shared property line, including an at-grade connection at Main Street and an at-grade connection at the lane. The park will meet these existing grades through its design.

40. No private development or non-park uses are to be located in the park parcel.

Note to Applicant: If the patio amenity servicing the private property extends into the park parcel, the third-party operator will be required to enter into a license agreement outlining terms for revenue sharing. The agreement will be renewed regularly with terms to the satisfaction of the General Manager of the Park Board.

41. Park Board arborist approval required for tree protection plan for all trees on site. Plans to be submitted for Park Board approval at each phase of development.
42. Park Board arborist approval required for any impacts on, or planned removal or relocation of, existing street trees.
43. Park Board arborist review of tree health and retention or relocation within the park site will be required.
44. License agreement for construction staging within the undeveloped Park Parcel, subject to the satisfaction of the General Manager of Parks and Recreation.
45. Anticipated that Park Parcel will be designated as permanent park by the end of the first quarter of 2022.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Parks and Recreation, the General Manager of Engineering Services, the Managing Director of Cultural Services, the General Manager of Community Services (or successor in function), and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Subdivision of Lot 7, Except the South 6.44 Feet, Amended Lot 8 (See 124528L), and Lots 6, 9, 10 and 11; all of Block 37, DL 200A, Plan 197 to create a northerly parcel (Sub-area 1) for housing, and a southerly parcel (Sub-area 2) for Park; with the dedication of the south 1.0 m and the east 2.6 m of the southerly parcel for road purposes.
2. Resolution of the lane ownership is required prior to issuance of a development permit.

Note to Applicant: Portions of the lane that are required for access to the development are not owned by the City. Legal Services has

commenced a petition to the Supreme Court of BC in order to assert the City's ownership of the lane.

3. Provision of a Statutory Right of Way (SRW) for public pedestrian use of an expanded sidewalk over the area of the northerly parcel adjacent to the Main Street frontage to give an overall distance of 5.5 m (18 ft.) from the back of the existing City curb to the building face for the entire length of that parcel; and the area adjacent to the E 6th Avenue frontage to give an overall distance of 4.5 m (14 ft. 9 in.) from the back of the existing City curb to the building face.

Note to Applicant: A legal survey showing the existing distance from the back of the City curb to property line is required to determine the final building setback/SRW dimension. The SRW is to be free of any encumbrance such as structure, stairs, door-swing, landscape and bicycle parking at-grade and to consist of typical sidewalk treatments; however, below-grade structures and portions of the building from the third storey and above will be accommodated within the SRW agreement.

4. Release of Easement & Indemnity Agreement 250881M (commercial crossing) and Covenant E3313 (off-site parking) 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.

5. Provision of replacement Commercial parking spaces on this site to the satisfaction of the General Manager of Engineering Services.
6. Provision of a letter of commitment to provide the City with a Residential Parking Study one year after occupancy, including the number of parking spaces in use by residents by unit type, and vehicle ownership survey of building residents.
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 are provided.
 - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required.

Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

- (ii) If the development connects to the 200 mm combined main, then the developer must separate the combined main adjacent to the proposed development, in the lane west of Main Street (north of the lane west of Main Street and 7th Avenue intersection). Separated sanitary and storm main to be designed and constructed to City of Vancouver Sewers Design Manual and Construction Specifications. Existing combined main may be used as the storm main following CCTV review and approval by City of Vancouver Sewers Design Branch. CCTV footage to be provided by developer.
- (iii) Provision of the following Mount Pleasant public realm sidewalk treatments adjacent the site.

"Streetscape components as per the Mount Pleasant Community Plan Implementation including sidewalk paving materials and finishes between the curb and building face on Main Street and E 6th Avenue, benches on the front boulevard on E 6th Avenue and street lighting on Main Street that announces the processional character of Main Street and reflects the commercial and industrial character of the neighbourhood."

- a. A curb bulge on East 6th Avenue at Main Street. City of Vancouver to provide road geometry.
- b. Engineering recommends CIP light broom finish concrete walk with saw cut joints for the public paths shown south of the building within the park area.
- c. A 1.83 m CIP broom finish sidewalk and sod grass boulevard with street trees where space permits on 7th Avenue.
- d. Upgraded street lighting on Main Street and on East 6th Avenue to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- e. Provision of standard concrete commercial lane crossings at the 2 lane entries to the site (north side of 7th Avenue at the lane west of Main Street and the south side of 6th Avenue at the lane west of Main Street). Work to include upgrading of curb returns either side of the lane.
- f. 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.

In addition, 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.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

9. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
10. Parking is to be supplied to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services and loading, and bicycle spaces are to be provided and maintained according to the provisions of the Vancouver Parking By-law.

Neighbourhood Energy Utility

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

Notes to Applicant:

- a. The development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of building permit issuance. If connection to a NES is not available or appropriate, a deferred services agreement or similar agreement will be required.
- b. If the development is required by the General Manager of Engineering Services to connect to an NES, 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 supply, unless otherwise approved by the General Manager of Engineering Services.
- c. 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, an energy plant sized for neighbourhood service, energy transfer stations, heat recovery equipment, 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.

Parks

12. Make arrangements to the satisfaction of the General Manager of Parks and Recreation in consultation with the General Manager of Planning, Urban Design and Sustainability, General Manager of Community Services and the Director of Legal Services for the delivery of a permanent park space no less than 985 m² (10,600 sq. ft.). To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirement, to be satisfied at no cost to the City:
 - (i) Subdivision to create no less than a 10,600 square foot park parcel.

Soils

13. If applicable:
 - (i) Submit a site profile to the Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the

requirements of Section 571(B) of the Vancouver Charter; and

- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Housing

14. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Section 219 Covenant, Housing Agreement pursuant to section 565.2 of the Vancouver Charter, or other security, to secure:
 - (i) a minimum of 44 units will be 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 per cent of household income;
 - (ii) average rents across all units will not exceed 80 per cent of average area rental rates as published and updated from time to time by Canada Mortgage and Housing Corporation in their annual Rental Market Report;
 - (iii) the social housing units for the life of the building for use as "social housing" as defined in the Vancouver Zoning and Development By-law and as described in this report;
 - (iv) a no separate-sales covenant;
 - (v) a no stratification covenant; and
 - (vi) a requirement that none of the units will be rented for less than one month at a time.

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*.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of

the property owners, but also as registered charges pursuant to the Land Title Act.

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

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

- B. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street".
- E. THAT A through D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a 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;
 - (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.

[RZ - 2221-2223 Main Street]