



## PUBLIC HEARING MINUTES

DECEMBER 12, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, December 12, 2017, at 6:08 pm, in the Council Chamber, Third Floor, City Hall.

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

**ABSENT:** Councillor Elizabeth Ball (Sick Leave)  
Councillor Melissa De Genova

**CITY CLERK'S OFFICE:** Tina Hildebrandt, Meeting Coordinator

### WELCOME

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

### COMMITTEE OF THE WHOLE

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

MOVED by Councillor Deal  
SECONDED by Councillor Stevenson

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

### LOST

(Councillors Affleck, Bremner, Carr, Deal, Jang, Louie, Reimer, Stevenson and the Mayor opposed)

## 1. HERITAGE DESIGNATION: 5471 Wales Street (Cantone Residence)

An application by Birmingham and Wood was considered as follows:

**Summary:** To designate as protected heritage property the exterior of the existing building at 5471 Wales Street, known as the Cantone Residence, which is listed on the Vancouver Heritage Register in the 'B' evaluation category.

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

### Summary of Correspondence

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

- 1 piece of correspondence in support of the application.

### Speakers

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

The speakers list and receipt of public comments closed at 6:16 pm.

### Council Decision

MOVED by Councillor Deal

SECONDED by Councillor Carr

- A. THAT Council bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior of the Cantone Residence at 5471 Wales Street (the "heritage building"), which is listed on the *Vancouver Heritage Register* in the 'B' evaluation category, as protected heritage property [PID: 010-647-414; Lot 27 North ½ of Block 12, District Lot 394, Plan 7368; PID: 005-010-462; Lot 28 North ½ of Block 12, District Lot 394, Plan 7368] (the "site").
- B. THAT A above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02481)

## 2. TEXT AMENDMENTS: Miscellaneous Amendments to the Zoning and Development By-law and Various CD-1 By-laws

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

Summary: To make amendments to CD-1 (674) By-law for 3205-3221 West 41st Avenue and 5590 Balaclava Street, to CD-1 (642) By-law for 2133 Nanton Avenue, to CD-1 (158) By-law for 2657-2693 West 10th Avenue and 2676-2696 West Broadway, and to the C-3A and C-5, C-5A and C-6, and FC-2 Districts Schedules. The amendments would achieve the intent of the initial rezoning approvals, and correct inadvertent errors.

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

Council also had before it the following documents from the Assistant Director of Planning, Vancouver - South Division:

- a memorandum dated November 22, 2017, which advised of a change in the street name for recommendation (ii) from “Nanton Street”, to “Nanton Avenue”; and
- a memorandum dated November 7, 2017, which proposed an additional recommendation (v) to correct a minor labelling oversight for the new Schedule regarding “Stipulated Rents at initial occupancy for secured market rental housing“, and the reference to this Schedule in the new FC-2 District Schedule in the False Creek Flats area.

No action was required by Council as the Summary and Recommendation of the Public Hearing agenda and the posted by-laws contained the above-noted changes.

### Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application.

### Summary of Correspondence

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

### Speakers

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

The speakers list and receipt of public comments closed at 6:19 pm.

## Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Jang

THAT Council approve the following applications, to:

- (i) amend CD-1 (674) By-law No. 11894 for 3205-3221 West 41st Avenue and 5590 Balaclava Street for a minor text amendment, generally as presented in Appendix A of the Policy Report dated October 31, 2017, entitled “Miscellaneous Amendments to the Zoning and Development By-law and Various CD-1 By-laws”;
- (ii) amend CD-1 (642) By-law No. 11658 for 2133 Nanton Avenue (formerly known as 4255 Arbutus Street) for a minor text amendment, generally as presented in Appendix B of the Policy Report dated October 31, 2017, entitled “Miscellaneous Amendments to the Zoning and Development By-law and Various CD-1 By-laws” and in the Memorandum dated November 22, 2017, entitled “Miscellaneous Amendments to the Zoning and Development By-law and to Various CD-1 By-laws”;
- (iii) amend CD-1 (158) By-law No. 5705 for 2657-2693 West 10th Avenue and 2676-2696 West Broadway for a minor text amendment, generally as presented in Appendix C of the Policy Report dated October 31, 2017, entitled “Miscellaneous Amendments to the Zoning and Development By-law and Various CD-1 By-laws”;
- (iv) amend Section 4.7.8 of the C-3A District Schedule and the C-5, C-5A and C-6 District Schedule to correct minor section numbering errors in recent by-law amendments regarding heritage conservation amenity shares, generally as presented in Appendix D of the Policy Report dated October 31, 2017, entitled “Miscellaneous Amendments to the Zoning and Development By-law and Various CD-1 By-laws”; and
- (v) amend the Schedule regarding “Stipulated Rents at initial occupancy for secured market rental housing” to correctly identify it as Schedule H to the Zoning and Development By-law and correspondingly correct the reference to this Schedule in Section 4.7.12 of the FC-2 District Schedule, generally as described in the Memorandum dated November 7, 2017, entitled “RTS No. 11977 - False Creek Flats: Housekeeping Amendments to New Schedule for ‘Stipulated Rents at initial occupancy for secured market rental housing’ and the FC-2 District Schedule”.

CARRIED UNANIMOUSLY (Vote No. 02482)

### 3. REZONING: 55-79 Southwest Marine Drive

An application by GBL Architecture Inc. was considered as follows:

**Summary:** To rezone 55-79 Southwest Marine Drive from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 53 social housing units over one level of underground parking. A height of 20.7 m (68 ft.) and a floor space ratio (FSR) of 2.40 are proposed.

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

#### Applicant Comments

Casey Clerkson, CPA Development Consultants, provided opening comments.

#### Summary of Correspondence

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

- 1 piece of correspondence in opposition to the application.

#### Speakers

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

The speakers list and receipt of public comments closed at 6:24 pm.

#### Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Jang

- A. THAT the application by GBL Architecture Inc., on behalf of the Vancouver Affordable Housing Agency as agent for the City of Vancouver, to rezone 55-79 Southwest Marine Drive [*Lot A of Lot 5, Block 5, District Lot 322, Plan 11012 and Lots C, B, and A of Block 5, District Lot 322, Group 1, NWD, Plan LMP24456; PIDs: 009-184-309, 023-161-752, 023-161-744, and 023-161-736, respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.40 and the height from 10.7 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey residential building, containing 53 social housing units, generally as presented in Appendix A of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 55-79 Southwest Marine Drive”, be approved subject to the following conditions:

## CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architecture Inc. on behalf of the Vancouver Affordable Housing Agency (VAHA), and stamped “Received Planning and Development Services (Rezoning Centre), June 15, 2017”, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard for the following:

### Urban Design

1. Design development to provide an improved transition to the surrounding context, in particular the single lot to the west and to sites across the lane.

Note to Applicant: A substantial notch in the building massing at the southwest corner should be provided to better transition to the adjacent single lot. Four-storey shoulder setbacks should be provided at the rear as a transition to future townhouse sites across the lane.

2. Design development to respond to the unique site configuration and curved geometry of Southwest Marine Drive.

Note to Applicant: The architectural and landscape design should reflect the curvature of the street which may be achieved through the design of the retaining walls in the front yard and the building’s projecting balconies. The inner row of street trees, required under Section 7.2.5 of the *Marpole Community Plan*, should also follow the curvature of the street.

3. Design development to improve and provide additional common amenity space.

Note to Applicant: Additional common indoor and outdoor amenity space should be located at the south side for improved solar access. It is recommended that the southern common amenity space be located in conjunction with the main residential entry to encourage social interaction. Delete large overhangs at the rear yard amenity space noting that they are not required due to the northern exposure and will further compromise solar access.

4. Design development to ensure the underground parkade structure does not project above the existing grades.

Note to Applicant: The building should not read as located on an elevated plinth due to the parkade structure. The side yards should be landscaped and the finished grades in the yards should be compatible with existing grades at adjacent sites. This may require further setbacks to the parkade structure to align with the exterior walls of the building which may result in a reduction in the proposed number of parking spaces, and/or modifications to provide localized drops in the parkade roof slab. Adequate soil depth should be provided at the roof of the parkade to support planting in the side yards. Front patios may be located above existing grades and contiguous with the main floor elevation, with terraced retaining walls to transition to lower sidewalk grades. Detail sections should be provided to confirm the proposed finished grading, patios, retaining walls, and planting and soil depth at parkade roofs in the front and side yards.

5. Design development to provide more prominence for the front entry.

Note to Applicant: The primary front entry should be architecturally distinct and identifiable. Ground floor units should have entries and patios oriented to the street to provide an improved relationship to the public realm, noting that Southwest Marine Drive is expected to evolve into a more pedestrian friendly street with the development of projects under the *Marpole Community Plan*.

6. Design development to provide high quality and durable exterior finishes and details consistent with the rezoning application.

Note to Applicant: The intent is to provide quality in all aspects, including but not limited to appearance, durability, and performance. The materials and details, including the front balconies design, should be consistent with the proposed architectural expression.

7. The proposed unit mix, including 10 studios (19%), 15 one-bedroom units (28%), 15 two-bedroom units (28%), and 13 three-bedroom units (25%), 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 50% of the dwelling units designed to be suitable for families with children.

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

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

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

9. Design development to respond to CPTED principles, having particular regard for the following:
  - (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

10. Design development to increase the amount of common outdoor area and expand programming by providing a second common amenity area at the south side of the building to provide an opportunity for sunnier orientation.

Note to Applicant: This should include relocating the urban agriculture plots to the south side for better solar exposure. 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.

11. Design development to the front yard to provide a transition zone to the street, extend patios further out away from the building cover, and realign the terraced retaining wall to follow the curvature of the street.

Note to Applicant: Terraced walls should recall the site history and respect the existing stone wall currently in front of 87 Southwest Marine Drive. This can be accomplished through the use of a true stone masonry wall or an architectural concrete wall.



12. Design development to provide a second row of street trees on the inside boulevard, consistent with the *Marpole Community Plan*, away from the parkade structure on free grade.

Note to Applicant: The parkade structure may need to be setback or angled away from the edge to allow proper rootball development. Street trees should be aligned to follow the curvature of the sidewalk and street on private property.

13. Design development to delete awkward angular spaces created by the parkade ramp turn at the property line (currently shown as gravel) and integrate into the building.

Note to Applicant: This space, as shown, poses a CPTED concern.

14. Design development to improve the expression of the main entry by provision of flanking planting beds on either side, containing some colourful, friendly, woody evergreen shrubs.

15. Design development to provide a substantial landscape buffer at the lane interface, oriented to the lane.

16. Design development to safely retain and protect west neighbour tree (Tree #OS-2), or obtain written consent for removal from the property owner.

Note to Applicant: This tree is currently in conflict with the proposed building footprint, grades and paving. If arborist supervision is sufficient to protect the tree during any work within the Critical Root Zone of the tree, then a Letter of Assurance for this is required, signed and dated by the arborist, owner and contractor.

17. Design development to improve sustainability and expand programming to include edible plants integrated into the landscape design, in addition to urban agriculture plots.

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

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

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

19. A full Landscape Plan for the proposed landscape is 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 of 1:100 or 1/8" scale.
20. Section details at a minimum of 1/4"=1' scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must be dimensioned and confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
21. Sections (1/4" = 1' or 1:50) illustrating the building 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.

22. Design development to locate, integrate and fully screen the 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.
23. New proposed street trees should be coordinated with the Park Board and Engineering Services and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
24. A high-efficiency automatic irrigation system is to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade.

25. A Landscape Lighting Plan is 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.

### Sustainability

26. All buildings in the development shall meet the requirements of the *Green Buildings Policy for Rezonings* (amended to 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 the development is on track to achieve the above requirements at each stage of permit. For phased developments, it is expected that the individual development permits will meet the intent of the Green Buildings Policy for Rezonings in effect at the time of development permit application. 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 Rezonings - Process and Requirements (amended April 28, 2017 or later).

### Housing

27. Housing is to be designed in accordance with the City's Housing and Technical Design Guidelines.

### Engineering

28. Provision of construction details to determine the 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 to your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.

29. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum of 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.
30. 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.
31. Improvements to the access to the garbage rooms to facilitate pick-up. Provision of wider doors and more direct access from storage to pick up location.
32. Clarify garbage storage and pick-up space. Please show containers and totes on plans for recycling and garbage needs and refer to the Engineering Garbage and Recycling Storage Facility Design Supplement for recommended dimensions and quantities of bins.

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

33. Design development to improve the parking ramp to meet the requirements of the Parking and Loading Design Supplement for vehicle access. Using the design elevations shown, the ramp slope calculates to 16% and does not meet the design guidelines of a maximum slope of 15%. A revised ramp design or a vehicle elevator is required.
34. Number all drawings and indicate the drawing scale.
35. Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
36. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Modification of the parking ramp to address the following:

- a. The slope must not exceed 10% for the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length. Ramps which have a 15% slope and are exposed to the weather must be heated and noted on plans.

Note to Applicant: The ramp slopes calculate to more than the 15% indicated on the drawings.

- (ii) Provide measures to address conflicts between vehicles at the 90 degree turn on the ramp. A parabolic mirror is recommended.
- (iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, and additional design elevations within the parking area to calculate slope and crossfall.

Note to Applicant: The slope and crossfall within the parking area must not exceed 5%.

- (iv) Dimension all stall widths and stall offsets from walls and label all stalls.

Note to Applicant: The disability parking spaces must be 13 ft. 1½ in. wide.

- (v) Confirm column placements comply with the requirements of the Engineering Parking and Loading Design Supplement as none are shown.

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

- (vi) Provide a 6.6 m (21.66 ft.) maneuvering aisle width or provide additional stall widths.

Note to Applicant: Refer to the Parking and Loading Design Supplement for requirements. Stall 36 also requires additional maneuvering aisle width as the angled north wall provides a clear maneuvering aisle of 15 ft.

- (vii) Provision of the minimum 2.3 m of vertical clearance for the main ramp and security gates.

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

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

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

#### CONDITIONS OF BY-LAW ENACTMENT

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

##### Engineering Services

1. Consolidation of Lot A of Lot 5, Block 5, District Lot 322, Plan 11012 and Lots C, B, and A of Block 5, District Lot 322, Group 1, NWD, Plan LMP24456 to create a single parcel.
2. Provision of a 1.0 m wide statutory right-of-way (STATUTORY RIGHT OF WAY) along the south property line of the site. The STATUTORY RIGHT OF WAY is to be free and clear at grade of all structures, door swings, planters and bike racks. The agreement will allow for any below grade structures necessary for the project.
3. Provision of a knockout panel at the appropriate location along the vehicle entry ramp or parkade and appropriate arrangements (legal agreements) to secure access to underground parking with a potential future development on the adjacent property at 83 Southwest Marine Drive (Lot 14, Block 6, Plan VAP3354, District Lot 322 NWD, Except Plan 6476 of Lot E and Block 7).

Note to Applicant: Only a single knockout panel must be provided. The knockout panel connecting to 83 Southwest Marine Drive may be achieved from the subject site or the site at 87-115 Southwest Marine Drive. The preferred staff option for the knockout panel access is from the site at 55-79 Southwest Marine Drive.

4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are 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 fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
  - (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
  - (iii) Provision of a 1.83 m (6 ft.) CIP light broom finish concrete sidewalk with saw cut joints and a minimum 1.53 m (5 ft.) wide sod grass front boulevard on the site frontage on Southwest Marine Drive.
  - (iv) Provision of upgraded street lighting on Southwest Marine Drive adjacent the site to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
  - (v) Provision of new/changed parking regulatory signage on Southwest Marine Drive adjacent the site.
  - (vi) Provision of street trees adjacent the site where space permits.

5. Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Watercourse By-law and, as required, provision of a Stormwater Storage Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services. The plan shall achieve the following:
  - (i) retain or infiltrate the six-month storm event volume (24 mm) onsite.
  - (ii) treat the two-year event (48 mm) on site.
  - (iii) maintain the pre-development 2014 IDF ten-year storm rate event. The post-development estimate shall use the 2100 IDF curve to account for climate change.
  - (iv) meet the 2018 VBBL plumbing code requirements (plumbing fixture rates).
  
6. 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 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. 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 BC Hydro that an area has been identified 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.

### Housing

7. 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 and Housing Agreement securing all dwelling units as social housing for 60 years or the life of the building, whichever is greater, which will contain the following terms and conditions:
  - (i) a no separate sales covenant;
  - (ii) a no stratification covenant;



- (iii) a provision that none of the dwelling units in the building will be rented for less than one month at a time;
- (iv) that a minimum of 16 dwelling units (30%) are to be occupied by households with incomes below the housing income limits as set out in the current “Housing Income Limits (HILSs)” 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
- (v) 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 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the *Vancouver Charter*.

#### Sustainability

8. 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(s) of the proposed building to report energy use data, on an aggregated basis, for each 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(s) for a minimum of three years in collecting and submitting energy use data to the City.

#### Environmental Contamination

9. If applicable:
  - (i) submit a site profile to Environmental Services (Environmental Protection);
  - (ii) as required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
  - (iii) if required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of

Engineering Services and Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this 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 issued to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over other such liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 55-79 Southwest Marine Drive”.
- C. THAT, if Council approves in principle this rezoning and the Housing Agreement described in Appendix B of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 55-79 Southwest Marine Drive”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.
- D. THAT A through 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 and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02484)

#### 4. REZONING: 87-115 Southwest Marine Drive

An application by GBL Architecture Inc. was considered as follows:

Summary: To rezone 87-115 Southwest Marine Drive from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 48 social housing units over one level of underground parking. A height of 20.7 m (68 ft.) and a floor space ratio (FSR) of 2.26 are proposed.

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

#### Summary of Correspondence

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

- 2 pieces of correspondence in opposition to the application.

#### Speakers

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

The speakers list and receipt of public comments closed at 6:27 pm.

#### Council Decision

MOVED by Councillor Louie

SECONDED by Councillor Jang

- A. THAT the application by GBL Architecture Inc., on behalf of the Vancouver Affordable Housing Agency, as agent for the City of Vancouver, to rezone 87-115 Southwest Marine Drive [*Lot 1, Except Part in Plan 18093, Blocks 6 and 7, District Lot 322, Plan 14888; Lot 15, Except Part in Reference Plan 6476 of Lot E, Blocks 6 and 7, District Lot 322, Plan 3354; Lot G, Blocks 6 and 7, District Lot*

322, Plan 18093; and Lot F, Except Part in Plan 14888 of Lot E, Blocks 6 and 7, District Lot 322, Plan 3354; PIDs: 016-125-568, 012-994-260, 007-235-445, and 012-994-359, respectively] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.26 and the height from 10.7 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey residential building, containing 48 social housing units, generally as presented in Appendix A of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 87-115 Southwest Marine Drive”, be approved subject to the following conditions:

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

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architecture Inc. on behalf of the Vancouver Affordable Housing Agency (VAHA), and stamped “Received Planning and Development Services (Rezoning Centre), June 15, 2017”, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard for the following:

#### Urban Design

1. Design development to provide an improved transition to the surrounding context, in particular the single lot to the east and to sites across the lane.

Note to Applicant: A substantial notch in the building massing at the southeast corner should be provided to better transition to the adjacent single lot. Four-storey shoulder setbacks should be provided at the rear as a transition to future townhouse sites across the lane.

2. Design development to respond to the unique site configuration and curved geometry of Southwest Marine Drive.

Note to Applicant: The architectural and landscape design should reflect the curvature of the street which may be achieved through the design of the retaining walls in the front yard and the building’s projecting balconies. The inner row of street trees, required under Section 7.2.5 of the *Marpole Community Plan*, should also follow the curvature of the street.

3. Design development to improve and provide additional common amenity space.

Note to Applicant: Additional common indoor and outdoor amenity space should be located at the south side for improved solar access. It is recommended that the southern common

amenity space be located in conjunction with the main residential entry to encourage social interaction. Delete large overhangs at the rear yard amenity space noting that they are not required due to the northern exposure and will further compromise solar access.

4. Design development to ensure the underground parkade structure does not project above existing grades.

Note to Applicant: The building should not read as located on an elevated plinth due to the parkade structure. The side yards should be landscaped and the finished grades in the yards should be compatible with existing grades at adjacent sites. This may require further setbacks to the parkade structure to align with the exterior walls of the building which may result in a reduction in the proposed number of parking spaces, and/or modifications to provide localized drops in the parkade roof slab. Adequate soil depth should be provided at the roof of the parkade to support planting in the side yards. Front patios may be located above existing grades and contiguous with the main floor elevation, with terraced retaining walls to transition to lower sidewalk grades. Detail sections should be provided to confirm the proposed finished grading, patios, retaining walls, and planting and soil depth at parkade roofs in the front and side yards.

5. Design development to provide more prominence for the front entry.

Note to Applicant: The primary front entry should be architecturally distinct and identifiable. Ground floor units should have entries and patios oriented to the street to provide an improved relationship to the public realm, noting that Southwest Marine Drive is expected to evolve into a more pedestrian friendly street with the development of projects under the *Marpole Community Plan*.

6. Design development to provide high quality and durable exterior finishes and details consistent with the rezoning application.

Note to Applicant: The intent is to provide quality in all aspects, including but not limited to appearance, durability, and performance. The materials and details, including the front balconies design, should be consistent with the proposed architectural expression.

7. The proposed unit mix, including 23 one-bedroom units (48%), 15 two-bedroom units (31%), and 10 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 50% of the dwelling units designed to be suitable for families with children.

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

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

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

9. Design development to respond to CPTED principles, having particular regard for the following:
  - (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

10. Design development to increase the amount of common outdoor area and expand programming by providing a second common amenity area at the south side of the building to provide an opportunity for sunnier orientation.

Note to Applicant: This should include relocating the urban agriculture plots to the south side for better solar exposure. 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.

11. Design development to the front yard to provide a transition zone to the street, extend patios further out away from the building cover, and realign the terraced retaining wall to follow the curvature of the street.

Note to Applicant: Terraced walls should recall the site history and respect the existing stone wall currently in front of 87 Southwest Marine Drive. This can be accomplished through the use of a true stone masonry wall or an architectural concrete wall.

12. Design development to provide a second row of street trees on the inside boulevard, consistent with the *Marpole Community Plan*, away from the parkade structure on free grade.

Note to Applicant: The parkade structure may need to be setback or angled away from the edge to allow proper rootball development. Street trees should be aligned to follow the curvature of the sidewalk and street on private property, except for the trees at the southwest corner, where the property line does not follow this alignment.

13. Design development to delete awkward angular space created by the parkade ramp turn, near the property line, (currently shown as gravel) and integrate into the building.

Note to Applicant: This space, as shown, poses a CPTED concern.

14. Design development to improve the expression of the main entry by provision of flanking planting beds on either side, containing some colourful, friendly, woody evergreen shrubs.

15. Design development to provide a substantial landscape buffer at the lane interface, oriented to the lane.

16. Design development to improve sustainability and expand programming to include edible plants integrated into the landscape design, in addition to urban agriculture plots.

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

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

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

18. A full Landscape Plan for the proposed landscape is 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 of 1:100 or 1/8" scale.

19. Section details at a minimum of 1/4"=1' scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must be dimensioned and confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
20. Sections (1/4"=1' or 1:50) illustrating the building 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.

21. Design development to locate, integrate and fully screen the 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.
22. New proposed street trees should be coordinated with the Park Board and Engineering and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
23. A high-efficiency automatic irrigation system is to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade.
24. A Landscape Lighting Plan is 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.

### Sustainability

25. All buildings in the development shall meet the requirements of the *Green Buildings Policy for Rezoning* (amended to 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 the development is on track to achieve the above requirements



at each stage of permit. For phased developments, it is expected that the individual development permits will meet the intent of the Green Buildings Policy for Rezonings in effect at the time of development permit application. 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 Rezonings - Process and Requirements (amended April 28, 2017 or later).

### Housing

26. Housing is to be designed in accordance with the City's Housing and Technical Design Guidelines.

### Engineering

27. Provision of construction details to determine the 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 to your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.
28. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum of 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.
29. 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.
30. Improvements to the access to the garbage rooms to facilitate pick-up. Provision of wider doors and more direct access from storage to pick up location.

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

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

32. Design development to improve the parking ramp to meet the requirements of the Parking and Loading Design Supplement for vehicle access. Using the design elevations shown, the ramp slope calculates to 24% and does not meet the design guidelines of a maximum slope of 15%. A revised ramp design or a vehicle elevator is required.

33. Number all drawings and indicate the drawing scale.

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

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

- (i) Modification of the parking ramp to address the following:
  - a. The slope must not exceed 10% for the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length. Ramps which have a 15% slope and are exposed to the weather must be heated and noted on plans.

Note to Applicant: The ramp slopes calculate to more than the 15% indicated on the drawings.

- (ii) Provide measures to address conflicts between vehicles at the 90 degree turn on the ramp. A parabolic mirror is recommended.
- (iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, and additional design elevations within the parking area to calculate slope and crossfall.

Note to Applicant: The slope and crossfall within the parking area must not exceed 5%.

- (iv) Dimension all stall widths and stall offsets from walls and label all stalls.

Note to Applicant: Stalls 31-34 appear to be small car spaces. The disability parking spaces must be 13 ft. 1½ in. wide.

- (v) Confirm column placements comply with the requirements of the Engineering Parking and Loading Design Supplement as none are shown.

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

- (vi) Provide a 6.6 m (21.66 ft.) maneuvering aisle width or provide additional stall widths.

Note to Applicant: Refer to the Parking and Loading Design Supplement for requirements.

- (vii) Provision of the minimum 2.3 m of vertical clearance for the main ramp and security gates.

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

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

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

#### CONDITIONS OF BY-LAW ENACTMENT

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

## Engineering Services

1. Consolidation of Lot 1, Except Part in Plan 18093, Blocks 6 and 7, District Lot 322, Plan 14888; Lot 15, Except Part in Reference Plan 6476 of Lot E, Blocks 6 and 7, District Lot 322, Plan 3354; Lot G, Blocks 6 and 7, District Lot 322, Plan 18093; and Lot F, Except Part in Plan 14888 of Lot E, Blocks 6 and 7, District Lot 322, Plan 3354 to create a single parcel.
2. Provision of a 1.0 m wide statutory right-of-way (STATUTORY RIGHT OF WAY) along the south property line of the site. The STATUTORY RIGHT OF WAY is to be free and clear at grade of all structures, door swings, planters and bike racks. The agreement will allow for any below grade structures necessary for the project.
3. Release of Easement and Indemnity Agreement H13723 (support agreement) prior to building occupancy from Lot 1 and Lot G.
4. Provision of a knockout panel at the appropriate location along the vehicle entry ramp or parkade and appropriate arrangements (legal agreements) to secure access to underground parking with a potential future development on the adjacent property at 83 Southwest Marine Drive (Lot 14, Block 6, Plan VAP3354, District Lot 322 NWD, Except Plan 6476 of Lot E and Block 7).

Note to Applicant: Only a single knockout panel must be provided. The knockout panel connecting to 83 Southwest Marine Drive may be achieved from the subject site or the site at 55-79 Southwest Marine Drive. The preferred staff option for the knockout panel access is from the site at 55-79 Southwest Marine Drive.

5. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (i) Provision of adequate water service to meet fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

- (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
  - (iii) Provision of a 1.83 m (6 ft.) CIP light broom finish concrete sidewalk with saw cut joints and a minimum 1.53 m (5 ft.) wide sod grass front boulevard on the site frontage on Southwest Marine Drive.
  - (iv) Provision of upgraded street lighting on Southwest Marine Drive adjacent the site to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
  - (v) Provision of new/changed parking regulatory signage on Southwest Marine Drive adjacent the site.
  - (vi) Provision of street trees adjacent the site where space permits.
6. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are 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. 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 BC Hydro that an area has been identified 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.
7. Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Watercourse

By-law and, as required, provisions of a Stormwater Storage Covenant to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services. The plan shall achieve the following:

- (i) Retain or infiltrate the six-month storm event volume (24 mm) onsite.
- (ii) Treat the two-year event (48 mm) onsite.
- (iii) Maintain the pre-development 2014 IDF ten-year storm rate event. The post-development estimate shall use the 2100 IDF curve to account for climate change.
- (iv) Meet the 2018 VBBL plumbing code requirements (plumbing fixture rates).

### Housing

- 8. Make arrangements to the satisfaction of the Director of Legal Services and General Manager of Community Services to enter into a Section 219 Covenant and Housing Agreement securing all dwelling units as social housing for 60 years or the life of the building, whichever is greater, which will contain the following terms and conditions:
  - (i) a no separate sales covenant;
  - (ii) a no stratification covenant;
  - (iii) a provision that none of the dwelling units in the building will be rented for less than one month at a time;
  - (iv) that a minimum of 15 units (30%) are to 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% of household income; and
  - (v) 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 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the *Vancouver Charter*.

## Sustainability

9. 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(s) of the proposed building to report energy use data, on an aggregated basis, for each 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(s) for a minimum of three years in collecting and submitting energy use data to the City.

## Environmental Contamination

10. If applicable:
  - (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
  - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this 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 issued to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over other such liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 87-115 Southwest Marine Drive”.
- C. THAT, if Council approves in principle this rezoning and the Housing Agreement described in Appendix B of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 87-115 Southwest Marine Drive”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.
- D. THAT A through 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 and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02485)



## 5. REZONING: 478-496 West 48th Avenue

An application by South Street Development Group was considered as follows:

**Summary:** To rezone 478-496 West 48th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a 10-storey mixed use building with 59 secured market rental housing units, and commercial uses at grade. A height of 33.0 m (108 ft.) and a floor space ratio (FSR) of 3.91 are proposed.

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

### Summary of Correspondence

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

- 9 pieces of correspondence in support of the application; and
- 1 piece of correspondence regarding other matters related to the application.

### Speakers

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

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

### Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Deal

- A. THAT the application by South Street Development Group on behalf of 1041782 B.C. Ltd., the registered owners, to rezone 478-496 West 48th Avenue [*Lots 1-2 of Lot 4, Block 999, District Lot 526, Plan 5531; PIDs 011-138-289 and 004-410-491 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 3.91 and the height from 10.7 m (35 ft.) to 33.0 m (108 ft.) to permit the development of a 10-storey mixed-use building, containing a total of 59 secured market rental housing units, with approximately 176.5 sq. m (1,900 sq. ft.) of commercial space at grade, generally as presented in Appendix A of the Policy Report dated October 31, 2017, entitled "CD-1 Rezoning: 478-496 West 48th Avenue", be approved subject to the following conditions:

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

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Hotson Architecture, on behalf of

South Street Development Group and stamped “Received Planning Department, December 19, 2016”, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

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

#### Urban Design

1. Design development to improve the retail/commercial frontage on Cambie Street and the plaza as follows:
  - (i) replace amenity space with a commercial retail unit (CRU) fronting on the plaza.
  - (ii) provide servicing for CRU units on private property.

Note to Applicant: The northwest corner of Level 1, adjacent to the residential entry, is recommended as an alternative location for the indoor amenity room. The increased retail space may trigger a requirement for a loading space (see Engineering conditions). It is recommended that the bike storage be relocated to P1. To provide a high-quality public realm in the lane, as much landscaping as possible should be retained, and the exterior wall facing the lane should be given careful design consideration. CRU loading and servicing is typically separated from residential circulation.

2. Design development to the building massing, to better distinguish between Cambie Street (primary frontage) and 48th Avenue (secondary frontage).

Note to Applicant: This can be achieved by:

- (i) decreasing or deleting setbacks at Levels 9 and 10 for a portion of the west and south elevations (i.e. up to 50% of the elevation); and
- (ii) increasing the setback at Level 4 on West 48th Avenue to minimum 8 ft.

Note to Applicant: The intent is to create a more prominent “corner building” expression facing the plaza and station site, while reinforcing 48th Avenue as a secondary street frontage with a more neighbourly character.

3. Design development to better animate the public pedestrian connector.

Note to Applicant: This may be achieved by adding windows at Level 1, creating a more varied, visually-interesting screen to the parkade, adding climbing plants and/or a green wall, lighting features, and/or a combination of the above.

4. Design development to create a plaza for public use, as described in Section 6.5 of the *Cambie Corridor Plan*, “*Public Realm: Public Places*”.

Note to Applicant: The final plaza design should adhere to the requirements of the *Cambie Corridor Public Realm Plan*, upon its completion and adoption, and will require coordination with the General Manager of Engineering Services.

5. Design development to improve the livability of dwelling units, as follows:

- (i) Reconfigure Level 2 and 3 floorplans so that no unit fronts solely onto the internal side yard (east PL).
- (ii) Remove internal rooms (i.e. without an exterior window, referred to as “dens” on the floorplans).
- (iii) Provide closets in all bedrooms.
- (iv) Align internal walls to meet mullions or sections of solid exterior wall.
- (v) Reconfigure unit layouts to avoid narrow, non-functional spaces (i.e. between exterior balcony walls and bedroom partition walls).
- (vi) Ensure that storage meets the requirements of the Bulk Storage bulletin:  
<http://bylaws.vancouver.ca/bulletin/b004.pdf>.
- (vii) Eliminate enclosed balconies in the east elevation.

Note to Applicant: The east elevation is the most protected from traffic noise impacts, and so there is a lack of rationale for enclosed balconies on this elevation.

6. Design development to improve the residential common amenities, by introducing opportunities for children’s play activities for a range of ages.

Note to Applicant: Play equipment is not required for the children’s play areas but a soft surface play area and creative

landscape/play features (such as balancing logs and boulders, sandbox, a small/tangible water stream or feature, creative motor-skills developing features, etc.) which provide a myriad of creative play opportunities for a range of ages is encouraged.

7. Design development of the building elevations, as follows:

- (i) Provide a more prominent architectural expression for the main residential entry.

Note to Applicant: This may be achieved by reconfiguring the entry to face Cambie Street and/or providing an entry canopy. Planting, lighting and exterior furniture should also be considered.

- (ii) Provide entry canopies for the ground-oriented units on the north elevation.
- (iii) Provide weather canopies for the retail frontage, at locations where there is not a building overhang (i.e. east side of plaza).
- (iv) Provide further information on the building materials, as follows:
  - a. Material/finish of patio walls on north elevation.
  - b. Material/finish of horizontal bands between each storey.
  - c. Material of balcony guardrails.
  - d. Material/finish of soffits (particularly for overhangs over public realm) and fascias.
  - e. Confirm if panels are spandrel glass or metal panel (or combination).
  - f. Confirm thickness of brick veneer (min. 2.25" thickness).

Note to Applicant: While it is understood that materials and detailing may evolve during the development permit stage, the rezoning submission should demonstrate a commitment to provide durable, high quality materials and robust detailing.

8. Identification on the architectural and landscape 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>.

### Housing

9. The proposed unit mix, including 6 three-bedrooms (10%), 41 two-bedrooms (70%) and 12 one-bedrooms (20%) are 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.

10. Design development of common amenity space to include a kitchenette, storage closet and accessible washroom with baby change table, in the indoor amenity room.

### Crime Prevention through Environmental Design (CPTED)

11. 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

12. Design development to provide a more conservative tree removal strategy, enabling the retention and protection of as many healthy existing mature trees as possible, including retention or relocation of Tree #1 and coordination with Park Board and adjacent property owner for the removal of Tree #4.

Note to Applicant: 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. Tree #4 may need to be retained, if there is not approval for removal. This may change the form of development. Tree #1 is a Japanese Maple in good condition, usually a good candidate for successful relocation, if retention in place is not possible. This tree should be re-integrated into the landscape

design. A revised Arborist Report should document and make recommendations for methods of protection during construction.

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

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

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

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

15. Provision of improved sustainability and expanded programming by the provision of confirmed urban agriculture plots on the rooftop and the addition of edible plants to the Plant Palette.

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.

16. Provision of additional green roofs landscape plans for visible planting from the street for terraces on Levels 3, 4, 5 and 9, as well as providing trees and plants with an arching habit to soften the edge of Level 4, overlooking the plaza.

Note to Applicant: This can be achieved by providing strategic locations for planting beds, while still allowing for areas of private balconies. Landscaped beds can act as privacy buffers between units, with larger trees and shrubs in wider areas that can accommodate them. Details should confirm adequate depth of soil, to exceed BCSLA standard. Maintenance by tenants should be confirmed as part of the rental agreements, with written commitment for this as part of the development permit application submission. Irrigation viability should be confirmed by provision of either automatic high efficiency system (preferred), or individual hose bibs for each unit.

17. Provision requirements at the time of Development Permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) 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 be dimensioned to confirm depth of proposed planting on structures exceeds BCSLA standard to accommodate rootballs of proposed trees well into the future.
- (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (iv) A Tree Management Plan, locating all existing trees and dimensioned tree protection for all retained trees, in coordination with Arborist Report.
- (v) Deletion from the plans of any proposed artificial turf.
- (vi) 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.
- (vii) New proposed street trees should be coordinated with Engineering and the Park Board and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604- 871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (viii) 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.

- (ix) 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.

### Sustainability

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

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

- 19. Confirmation that the application is on track to meeting the *Green Buildings Policy for Rezonings* 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.

Note to Applicant: Provide an updated LEED® checklist and sustainable design strategy outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

### Engineering

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

22. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on- site garbage bin staging area is to be provided adjacent the lane.
23. Deletion of the extraneous lines extending over the property line into the lane from the site plan.
24. Confirmation that the first riser for the residential units along 48th Avenue, are 1'-0" behind the property line.
25. Delete proposed lane crossing treatment and indicate a standard concrete commercial crossing at the lane entry.
26. Indicate proposed specialty lane treatments including proposed lane crossing/walkway as requiring a separate application to the General Manager of Engineering Services. Please note that special treatments are only authorized through Engineering Services, no approvals will be granted via the development application approval process.
27. 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.
28. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
29. Provision of 7 ft. x 7 ft. corner cuts at the bottom of the ramp to improve maneuvering to the commercial and visitor parking spaces.
30. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, additional design elevations within the parking area, and at all entrances.
  - (ii) Dimension all stalls, column encroachments, maneuvering aisles and ramp widths.

Note to Applicant: Adjust the columns for stalls 25-31 as they look incorrect.

- (iii) Provision of improved visibility at the top of the parking ramp. The following is required and note on plans:
  - a. Provision of a 1.5 m x 1.5 m corner cut on the planter on the east side of the parking ramp.
  - b. Taper the wall on the west side of the ramp to meet grade at the property line and to have a maximum wall height of 0.6 m at 1.5 m from the property line.
- (iv) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

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

Note to Applicant: Confirm if separation is required between the visitor and residential parking spaces. If so, a minimum width of 20 ft. for the O/H gate must be provided.

#### CONDITIONS OF BY-LAW ENACTMENT

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

##### Engineering Services

1. Consolidation of Lots 1 and 2, both of Lot 4, Block 999, District Lot 526, Plan 5531 to create a single parcel.
2. Provision of a surface Statutory Right of Way over the west 2.0 m of the site for sidewalk purposes. The Statutory Right of Way will be free of any encumbrance such as structure, stairs, benches, door swing, landscape and bicycle parking at grade but the encroaching building portions shown below grade and at the third storey and above will be accommodated within the STATUTORY RIGHT OF WAY agreement.
3. Provision of a surface Statutory Right of Way over the proposed public plaza for public use.
4. Provision of a surface Statutory Right of Way over the east 3.1 m of the site for public access through the site connecting the lane with 48th Avenue.

5. Statutory Right of Way CA624128 (as modified by Statutory Right of Way CA3391314) stipulates that “no excavation or construction of any building, structure or improvement will at any time be commenced by the Owner over or under the Statutory Right of Way Area and unless and until all plans and specifications relating to the said excavation or construction of any building, structure or improvement have first been delivered to and approved in writing by GVTA [now South Coast British Columbia Transportation Authority], confirmation of such approval by the SCBCTA is required.
6. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
  - (ii) Provision of upgraded (storm and sanitary) service to meet the demands of the project. Replacement of the existing 300MM combined sewer with minimum 450MM storm sewer and 200MM sanitary sewer is required. Upgrading of the sewers from the lane east of Cambie St. to Cambie St. (approx. 51 meters) is required. Stubs to the north must be provided at the downstream manholes. Final sewer size and location are subject to detailed reviews and designs. Submission of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and watercourse by-law is required. The plan shall achieve the following;
    - a. Retain or infiltrate the 6 month storm event volume (24MM) on site.
    - b. Treat the 2 year event (48MM) on site.

- c. Maintain the pre- development 2014 IDF-10 year storm event rate. The post development estimate shall use the 2100 IDF curve to account for climate change.

Note: Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.

- (iii) The development is to meet the 2018 Vancouver Building Code plumbing fixture rates.
- (iv) 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.

- (v) Provision of 100% of funding to the satisfaction of General Manager of Engineering Services for the future construction of protected bike lanes and infrastructure improvements on Cambie Street adjacent to the site. Improvements will generally include the following:
  - a. new concrete curb and gutter;
  - b. raised protected bike lane;
  - c. concrete sidewalk;
  - d. curb ramps where necessary;
  - e. upgraded street lighting to LED standard;
  - f. pedestrian scale lighting; and

- g. adjustment to all existing infrastructure to accommodate the proposed street improvements.

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

- (vi) Provision of a 2.13 m (7'-0") CIP light broom finish concrete sidewalk with saw cut joints on 48th Avenue.
- (vii) Upgrading of the current audible signal into an accessible pedestrian signal at Cambie Street and 49th Avenue.
- (viii) Provision of installation of, or improvements to, any speed humps, paint markings and signage in the lane south of 48th Avenue from Cambie Street to Alberta Street.
- (ix) Provision of an improved laneway crossing as an extension to the proposed plaza treatments. Should a design to the satisfaction of the General Manager of Engineering Services not be agreed to then a standard concrete lane crossing will be required. Lane crossing is to include adjustment or replacement of curb returns and curb ramps on both sides of the lane south of 48th Avenue on the east side of Cambie Street to meet current standards.
- (x) Provision of street trees adjacent the site where space permits.

### Housing

- 7. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement and/or section 219 Covenant securing all 59 residential units as rental housing for 60 years or the life of the building, whichever is greater and subject to the following additional conditions in respect of those units:
  - (i) That such units may not be subdivided by deposit of a strata plan.
  - (ii) That none of such units may be separately sold.
  - (iii) That none of such units will be rented for less than one month at a time.

- (iv) On other such 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 enactment pursuant to section 565.2 of the *Vancouver Charter* and/or a Section 219 Covenant.

#### Environmental Contamination

8. If applicable:

- (i) Submit a site profile to Environmental Services (Environmental Protection).
- (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this 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 issued to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over other such liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form

satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 478-496 West 48th Avenue”.
- C. 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 October 31, 2017, entitled “CD-1 Rezoning: 478-496 West 48th Avenue”, be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 478-496 West 48th Avenue”.
- E. THAT, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 478-496 West 48th Avenue”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the property owner(s) and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated by this report.
- F. THAT A through E above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02488)

## 6. REZONING: 2075 West 12th Avenue

An application by Yamamoto Architecture Inc. was considered as follows:

**Summary:** To rezone 2075 West 12th Avenue from C-7 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 48 secured market rental housing units and 32 underground parking spaces. A height of 20.0 m (65.7 ft.) and a floor space ratio (FSR) of 3.5 are proposed.

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

Council also had before it a memorandum dated November 29, 2017, from the Assistant Director of Planning, Vancouver-Midtown, which noted an inconsistency in Section 5 “Building height” of the draft CD-1 By-law in Appendix A of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 2075 West 12th Avenue”, versus how building height was described in the body of the report. The posted by-law for this item was changed as shown below (*deleted text is greyed and struck-through; added text is underlined*):

### Building height

5. Building height, measured from base surface, must not exceed ~~19.4 m~~ 20.0 m.

No action was required by Council as the posted by-law contained the above-noted change.

### Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application.

### Applicant Comments

Cameron Thorn, Strand Development Ltd. provided opening comments.

### Summary of Correspondence

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

- 32 pieces of correspondence in support of the application;
- 7 pieces of correspondence in opposition to the application; and
- 2 pieces of correspondence regarding other matters related to the application.

### Speakers

The Mayor called for speakers for and against the application.

David Hutniak, LandlordBC, spoke in support of the application and stressed the need for more purpose built rental housing in the city.



Tim Dumper expressed concerns regarding the application, including location, building height and lack of parking.

The speakers list and receipt of public comments closed at 6:48 pm.

### Applicant Closing Comments

Mr. Thorn responded to questions.

### Council Decision

MOVED by Councillor Deal

SECONDED by Councillor Carr

- A. THAT the application by Yamamoto Architecture Inc., on behalf of Strand Arbutus Development Limited, to rezone 2075 West 12th Avenue [*PID: 014-181- 002, Lot 4 (Reference Plan 5178) of Lot A, Block 385, District Lot 526, Plan 1949*] from C-7 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.25 to 3.5 and the building height from 13.8 m (45.3 ft.) to 20.0 m (65.7 ft.) to permit the development of a six-storey residential building containing 48 secured market rental housing units and 32 underground parking spaces, generally as presented in Appendix A of the Policy Report dated October 31, 2017 entitled “CD-1 Rezoning: 2075 West 12th Avenue” and as amended in the memorandum dated November 29, 2017, entitled “CD-1 Rezoning: 2075 West 12th Avenue”, be approved subject to the following conditions:

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

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Yamamoto Architecture Inc. and stamped “Received City Planning Department, March 23, 2017”, subject to the following conditions, 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. Design development to increase the setbacks to improve dwelling unit livability, particularly at the ground floor level adjacent the Arbutus Greenway.

Note to Applicant: A patio setback of 7.5 ft. should be provided at the west side of the ground floor including a 1.5 ft. landscape strip as a buffer to the future pedestrian and bicycle path at the

adjacent Greenway. A front yard setback of 9.5 ft. should be provided at the southeast corner to align with the front setback at the adjacent building across the lane to the east.

2. Design development to the massing in response to the context and site conditions.

Note to Applicant: The form may be less symmetrical to address the different site conditions, in particular the prominence of the southwest corner at the entrance to the Arbutus Greenway which may have a more vertical expression.

3. Design development to increase the amount of common outdoor amenity space.

Note to Applicant: While the constraints of the small site and the proximity to the Greenway and neighbourhood parks are noted, an outdoor amenity space of approximately 500 sq. ft. is to be provided and include children's play space.

4. That the proposed unit mix for family units, 35 per cent two-bedroom units and 19 per cent three-bedroom units, be included in the Development Permit drawings.

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

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

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

#### Sustainability

6. 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 1 point for stormwater or rainwater management, and a 22 per cent 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.

### Landscape Design

7. Final Design development to the integration of the ground level planters, underground slab and overall architecture to provide maximum plant growing depth (exceed BCLNA Landscape Standard) to support tree and plant health.

Note to Applicant: This can be done by angling the parking structure slab down at the edges. Raised planters at the front edge should be minimized or avoided. Consideration to building code parking space headroom clearance limits is needed. Underground parkade uses that would prohibit slab angling should be relocated away from planted edges, especially the front (south) edge, to the greatest extent practicable.

8. Further coordination with City staff and the project arborist at the development permit stage to protect street tree roots associated with public realm improvements.

Note to Applicant: This will require further attention by the landscape architect and project arborist to anticipate and reduce unnecessary root disturbances, wherever possible. Retention of the existing public sidewalk/boulevard in the critical root zone may be necessary. The below grade foundation design should employ vertical excavation and shotcrete shoring techniques that remain in place permanently to the degree necessary to enhance tree root protection. Coordination will be needed with Engineering, Planning and Park Board (Urban Forestry) for the final public realm landscape design submitted for development permit and construction phase.

9. At time of Development Permit:

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

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

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

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

- (iii) Deletion of artificial turf in the west sideyard (planted area).

Note to Applicant: Alternative planting materials should be explored.

- (iv) Large scale detailed elevations/sections for the proposed green wall system and the perimeter fencing.

Note to Applicant: Perimeter fencing should be high quality and consistent with architectural materials. Fencing adjacent the Arbutus Greenway should be residential in scale and allow light through to the hedging.

- (v) Provision of additional details for storm water management on the landscape/building plans and in a letter from the subject matter expert.

Note to Applicant: Response should include calculations for achieving LEED performance credits and rainwater targets.

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

Note to Applicant: Illustrate symbols (irrigation stub locations), written specifications and notations on the landscape plans in this regard.

- (vii) Provision of a revised Tree Removal/Protection Plan.

Note to Applicant: To be further coordinated with the arborist report/ landscape plan. Provide dimensions for all tree protection barriers and additional construction management directives drawn out of the arborist report(s) and shown on the landscape plan.

- (viii) Provision of an arborist supervision assurance letter.

Note to Applicant: The letter should outline the important construction milestones where the arborist will need to be notified in advance to attend the site and provide services. The letter should and be signed by the applicant/owner, the arborist and the contractor.

- (ix) Incorporate the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat, in addition, reduce potential threats to birds in the city.

Note to Applicant: refer to

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>.

## Engineering

- 10. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
- 11. The following is to be addressed at the development permit stage:
  - (i) 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.
  - (ii) 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 your 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.

- (iii) The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration of the building design or sourcing adjacent private property from which to construct) and be aware that a minimum 60 days' lead time is required for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- (iv) Provision of revised building sections and a labelled site plan.

Note to Applicant: The sections shall reflect actual grade conditions so that the relationship between below-grade structure and overlying 3.0 m Statutory Right of Way can be understood. The site slopes downward to the north and west and it is unclear how the below-grade structure accounts for this.

- (v) Provision of a second landscape plan that illustrates the future condition with the Arbutus Greenway located within the Statutory Right of Way. For this purpose, the applicant may assume that the greenway element closest to the building is a hard-surfaced walkway.
- (vi) Update the landscape plans to reflect the requirements of this rezoning and submit a copy directly to Engineering for review and include the following statement on the landscape plans.

The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details."

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

- (viii) Provision of 6 Class B bicycle parking to be on private property as per the By-law.

Note to Applicant: The proposed standard bike rack has access from one side only. In order for this bike rack to meet the By-law it would need to be located so that it could be accessed from both sides or consider a second bike rack on the west side of the lobby entrance.

- (ix) Clarification of garbage pick-up operations, provide on-site pick-up location so that bins are not stored on the City lane.
- (x) Show existing BC Hydro right of way on the site plan and clearly label it (or reference its discharge if arrangements are made for this).
- (xi) Provision of revised building grades (There are no plans for future lane north of the site so reference to future lane can be removed and grades adjusted as needed).

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

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

Note to Applicant: 15 per cent slopes on the parking ramp may be acceptable if a 7.5 per cent to 10 per cent transition ramp is provided at the bottom for at least 4 m in length.

- (ii) Provision of column placements to comply with the Parking and Loading Design Supplement as none are shown.
- (iii) Provision of an improved section drawing showing minimum vertical clearance for O/H gate on the parking ramp.
- (iv) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

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

## Housing Policy and Projects

13. The proposed unit mix, including 2 studio (4 per cent), 20 one-bedroom units (42 per cent), 17 two-bedroom units (35 per cent), and 9 three-bedroom units (19 per cent), 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 per cent of the dwelling units designed to be suitable for families with children.

14. The development is to comply with the High-Density Housing for Families with Children Guidelines, and include a kitchenette and accessible washroom in the indoor common amenity rooms.

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

## CONDITIONS OF BY-LAW ENACTMENT

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

### Engineering

1. Discharge of BC Hydro Right of Way (registered as 321681M) or written permission from BC Hydro & Telus for the excavation and construction of the underground parkade within the west 9.56 feet of the site (The right of way area).
2. Provision of a building setback and surface right of way in favour of the City to achieve a 3.0 metre distance from the west property line. This Statutory Right of Way is to either replace BC Hydro/Telus Statutory Right of Way 321681M, or be in addition to it should the chargeholder provide the permission contemplated by condition 1. The right of way area shall be clear of all structures, landscaping, chairs and tables at grade and above. Landscaping is to be minimal and not include any trees, and all features must be removable at the request of the General Manager of Engineering Services. The Statutory Right of Way shall accommodate the proposed below grade parking.



3. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called “the services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services is provided.

(i) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable to the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

(ii) Provision of new 1.83 m (6 ft.) CIP light broom finish concrete sidewalk with saw cut joints on West 12th Avenue and new curb ramps adjacent the site subject to further review (see Landscape Condition (b) 8).

(iii) Provision of a standard concrete commercial lane crossing.

(iv) Adjustment/removal of the paved crossing on 12th Avenue immediately west of the site including reconstruction of the curb and sidewalk to meet with the Arbutus Greenway Plan.

(v) Provision for lane repaving of the lane east of Arbutus from 12th Avenue to the lane north of 12th Avenue.

(vi) Provision of pedestrian countdown timers at the intersection of Arbutus Street and West 12th Avenue.

(vii) Provision of LED lighting at the Arbutus Street and 12th Avenue intersection.

(viii) Provision of street trees adjacent the site where space permits.

(ix) 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 per cent of any water system upgrading that may be required.

- (x) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Water Course Bylaw. The plan shall achieve the following objectives:
  - (a) Retain or infiltrate the 6-month storm event volume (24 mm) onsite;
  - (b) Treat the 2-year event (48 mm) onsite; and
  - (c) Maintain the pre-development 5 year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.

- (xi) Provision of modified sewer services for the site. Abandonment of the existing service connections and manhole in the lane east of the site and those portions of the sanitary sewer main connecting to the existing main on West 12th Avenue and provision of new separate sanitary and storm connections from the site to the existing mains on West 12th Avenue.
4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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. If this

development opts for a gas service, the gas riser must be installed on private property.

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.

### Housing

5. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as market rental housing units for the longer of 60 years or 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; and;
- (iv) such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

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

### Environmental Contamination

6. If applicable:
- (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
  - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager

of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the CD-1 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, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 2075 West 12th Avenue”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.
- 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 2075 West 12th Avenue”.
- D. THAT A through 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 and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and

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

CARRIED UNANIMOUSLY (Vote No. 02489)

#### 7. REZONING: 1715 Cook Street

An application by Chris Dikeakos Architects Inc. was considered as follows:

Summary: To rezone 1715 Cook Street from M-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit the development of a 10-storey residential building with 104 secured market rental housing units over two levels of underground parking. A height of 31.6 m (103.7 ft.) and a floor space ratio (FSR) of 5.03 are proposed.

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

#### Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application and responded to questions.

#### Applicant Comments

Julian Kendall, Cressey Development, provided opening comments.

#### Summary of Correspondence

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

- 5 pieces of correspondence in support of the application; and
- 1 piece of correspondence regarding other matters related to the application.

#### Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns with the proposed rental rates:

Silvia Moreno  
David Chen  
Ingo Lou, Producer, Trembling Void Studios

Amy Fox spoke in general support of the application but expressed concerns with the lack of affordable units.

The speakers list and receipt of public comments closed at 7:18 pm.

### Applicant Closing Comments

Mr. Kendall provided closing comments.

### Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions regarding concerns raised by the foregoing speakers.

### Council Decision

MOVED by Councillor Louie

SECONDED by Councillor Stevenson

- A. THAT the application by Chris Dikeakos Architects Inc., on behalf of Cressey Wilkinson Holdings Ltd., to rezone 1715 Cook Street [*Lot 7 and Lot 8, both of Block 4, District Lot 302, Plan 5832; PID: 011-069-627 and 011-069-643*] from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to allow for a 10-storey residential building, containing 104 secured market rental housing units, with a total height of 31.6 m (103.7 ft.) and density of 5.03 FSR, generally as presented in Appendix A of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 1715 Cook 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 Chris Dikeakos Architects Inc., and stamped “Received Planning & Development Services (Rezoning Centre), October 7, 2016”, 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. Provision of a more substantial setback than 3.7 ft. from the west neighbour.

Note to Applicant: Intent is to moderate the massing of the building base for residences in the “James” building to the west, and to open up visual connections toward the north.

2. Design development of the loading enclosure to improve its appearance toward the adjacent residential open space.

Note to Applicant: This can be accomplished by revising the west wall to present a softer and more appealing condition.

3. 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.

4. Design development to meet the High-Density Housing for Families with Children Guidelines.

5. Provision drawings to confirm high quality and durable exterior finishes, including enlarged building details for notable exterior elements.

Note to Applicant: Intent is to maintain the architectural quality proposed at rezoning. Further development of the historic elements of the exterior design is expected in detail.

6. Consideration of a strategy 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. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

7. The proposed unit mix, including 49 studio units (47%), 23 one-bedroom units (22%), 26 two-bedroom units (25%), and 6 three-bedroom units (6%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% 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 regards for:
  - (i) theft in the underground parking;
  - (ii) residential break and enter;
  - (iii) mail theft; and

- (iv) mischief in alcoves and vandalism, such as graffiti.

### Sustainability

- 9. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® for Homes - Multifamily Mid-Rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

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

### Landscape Design

- 10. Final coordination of the public realm plan to be consistent with the Southeast False Creek Public Realm Plan.
- 11. Provision of maximum 40 per cent effective impervious area, to the greatest extent possible.

Note to Applicant: Effective impervious area is generally understood to mean the percentage of rain catchment area that directs rain into outlying water bodies. If the requirement is considered unviable, a rationale shall be submitted, subject to review by the Director of Planning.

- 12. Design development to provide extensive green roof cover on the roof of the building.

Note to Applicant: this condition assumes that the design of the building limits access to the roof for maintenance only. A fully accessible roof should accommodate intensive green roof design. Refer to the Southeast False Creek Design Guidelines for Additional Penthouse Stories (section 4.g) and Southeast False Creek O.D.P (section 3.13). The intent is for green roofs to promote storm water management, water harvesting and mitigate heat island effect. If an extensive green roof is considered unviable, a detailed rationale should be submitted, subject to review by the Director of Planning. Alternate methods of roof and penthouse level improvement may be considered.



13. Provision of best current practices for reducing potable water use and managing storm water conservation, including high efficiency irrigation, xeriscaping and the use of captured storm water for irrigation.

Note to Applicant: Size and location of water storage cisterns should be noted on Plans. Where practical, water features are to use storm water or other non-potable alternatives. Detailed technical drawings of storm water recycling will be required at the time of development permit application.

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

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines and the lane, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

15. Design development to ensure the long term viability of the planting and trees at the lane.

Note to Applicant: This will require careful selection of the columnar tree species to avoid conflicts with the architectural overhang located above the trees. To maximize soil volumes, the tree planters should be sunken below grade, rather than relying on raised planters.

16. Provision of a rainwater management strategy.

Note to Applicant: A detailed rainwater management plan should be submitted at time of development permit submission.

17. The integration of native plant species for planted areas that are not utilized for urban agriculture.

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

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

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

Note to Applicant:

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

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

21. At time of Development Permit application:

- (i) Provision at time of development permit application of a detailed rationale outlining intent for the specific programming of individual outdoor spaces and landscape structures, including overall use, pedestrian capacity, storage (for example, compost, gardening tools), access, security, sustainable design requirements (planting, water, waste, soil, habitat).

- (ii) Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

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

- (iii) Illustration of rainwater management plan, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should be provided to describe the approach to rainwater management. Rainwater management calculations shall be submitted by a subject matter expert at the time of final development permit approval.

- (iv) Provision of large scale, dimensioned, landscape sections [typical] through planted areas.

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

- (v) Provision of a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations, including written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

### Engineering

- 22. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
- 23. Clarification is required for the projection above Level 8 shown encroaching over the Cook Street property line on the sections on pages A211 & A212. Note: this projection does not appear on the plan views and should be deleted.
- 24. Remove proposed wood bench that is located on SW corner on Cook Street and W 1st Avenue. The bench is illustrated on the Landscape plan L-1 - Ground Level drawing.
- 25. Provision of landscaping on street right of way to the satisfaction of the GMES. Confirm the following conditions are being met:
  - (i) All planting on street right-of-way are to be maintained by the adjacent property owner.
  - (ii) 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.
  - (iii) All plant material within the street right-of-way which is located outside of the areas described in the bullet above shall not exceed 1 m in height, measured from the sidewalk.
  - (iv) Plants shall be planted in such a way as to not encroach on the sidewalk, street, lane, and/or bike lane.
  - (v) Provide tree and planting selections.
  - (vi) Provision of a continuous planted front boulevard and a 12 in. (0.3 m) wide planted Back Boulevard between the sidewalk and wall on W 1st Avenue.
- 26. Delete reference to concrete curb at edge for retention of the granite setts and show the specification as detailed in the

Southeast False Creek Public Realm Enrichment Guide (page 26 of the guide).

27. Please update the landscape plan and submit a copy directly to Engineering Services for review.
28. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
29. Provision of 'stairs free' loading access from the Class B loading space to the elevator core.

Note to Applicant: Consider sloping the loading bay down at 5%, relocate the loading corridor to the north and sloping the loading corridor to achieve this.

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

- (i) Provision of design elevations on both sides of the maneuvering aisle, parking ramp at all breakpoints, both sides of the loading bay, additional elevations within the parking area and at all entrances.
- (ii) Dimension all column encroachments to ensure they comply with the PLDS guidelines.
- (iii) Provision minimum vertical clearance for the parking security gates, and loading bay.

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 of vertical clearance is required for access and maneuvering to all disability spaces. 3.5 m of vertical clearance is required for Class B loading spaces and maneuvering.

- (iv) Provision of an improved drawing A102 to show the parking ramp accessed on the adjacent site.

Note to Applicant: Confirm the location and dimension of the parking connection to the adjacent site is correct as the access does not align with the maneuvering aisle on the adjacent site.

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

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

## Neighbourhood Energy Utility

31. The proposed plan for site heating and cooling, developed in consultation with the City, and shall be provided prior to the issuance of development permit, to the satisfaction of the General Manager of Engineering Services.
32. The building(s) heating and domestic hot water system shall be designed to be compatible with the SEFC NEU system 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 Energy Utility System By-law (9552) and SEFC NEU Developer Document (2014) for specific design requirements, which include provisions related to the location of the mechanical room(s), centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for NEU compatibility are provided for in the mechanical design. 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.

33. The building mechanical system must utilize the energy transfer station for all of its space heating and domestic hot water requirements, and the building mechanical system must not incorporate any additional heat production equipment including, but not limited to, boilers, water source heat pumps, air source heat pumps, furnaces, hot water heaters, geo-exchange systems, electric baseboards, or heat producing fire places except that:
  - (i) a building may incorporate a solar system to generate heat energy;
  - (ii) a building may incorporate hybrid heat pumps for space cooling, provided the compressor cannot operate in heating mode;
  - (iii) a building may incorporate heat recovery ventilation (air to air heat exchangers) and waste heat recovery from refrigeration or active cooling systems for the purposes of supplementing the heat energy provided:
    - (a) the systems used for heat recovery from refrigeration or active cooling do not provide any supplemental heating when there is no active cooling service required;

- (b) the approach to heat recovery is consistent with this Schedule (i.e. hydronic systems with centralized mechanical equipment); and
- (c) waste heat recovery systems do not cross property lines.

Exceptions for on-site heat production may be approved by the City Engineer, provided the total heat production produced by all exceptions does not exceed 1% of the total annual thermal energy needs of the building.

- 34. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.
- 35. Provision of a dedicated NEU room (6 m x 3 m) in a location suitable for connecting to the SEFC NEU distribution piping to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: This site has been pre-serviced from Cook Street. The NEU room must line up with the pre-service. Please Coordinate with NEU staff.

#### CONDITIONS OF BY-LAW ENACTMENT

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

#### Engineering

- 1. Consolidation of Lots 7 and 8, Block 4, DL 302, Plan 5832 to create a single parcel and subdivision of that site to result in the dedication of the northerly 1.7 metres (fronting West 1st Avenue) for road purposes. Also, arrangements (legal agreements) are to be made for the portion of the existing building which will be encroaching onto the dedicated northerly 1.7 metres until such time as it's demolished.
- 2. Provision of a Statutory Right of Way over the southerly 1.5 metres of the site (adjacent to the lane) for lighting and landscape purposes. Portions of parking levels P1 and P2, and building projections above the 1st to 8th floor levels which are within the Statutory Right of Way area are to be accommodated within the Statutory Right of Way agreement.

3. Provision of a 1.5 m wide easement to the adjacent owner along the west boundary of the development site, to be combined with the existing easement on the adjacent site, for the purpose of a private pedestrian walkway and open space to be shared by both developments.
4. Release of Easement & Indemnity Agreements 100696M (commercial crossing) and BJ107462 and modification Agreement BB673520 (existing building encroachment) 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. Clarification is required for the location of the knock-out panel on P1 for vehicle access from the adjoining site, as it does not match that shown on Plan EPP20687 (contained in Easement BB1258104). A modification to the easement area may be required.
6. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 1 Shared Vehicle and the provision and maintenance of 1 Shared Vehicle Parking Space for use exclusively by such Shared Vehicle, with such parking spaces to be in addition to the minimum parking spaces required by the Parking Bylaw, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
  - (i) provide 1 Shared Vehicle 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 Vehicle;
  - (iii) provide and maintain the Shared Vehicle Parking Space for use exclusively by such shared vehicles;
  - (iv) make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
  - (v) provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle; and
  - (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.

- 7. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called “the services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (i) Provision of street re-construction on W 1st Avenue adjacent to the site to generally include the following; new curb and gutter including the median, pavement, a 2.5 m wide raised protected bike lane, a 1.83 m (6 ft.) wide broom finish concrete sidewalk with saw cut joints, a 5 ft. (1.53 m) front boulevard, and adjustment to all existing infrastructure to accommodate the proposed street improvements. The City will provide an approved geometric design for construction. Should road reconstruction not be possible at the time of building occupancy then temporary “greening” of the existing 1st Avenue median adjacent the site is to be provided until such time as the 1st Avenue road improvements can be constructed.
  - (ii) Provision for street re-construction on Cook Street adjacent to the site to generally include the following; new curb and gutter, a 1.83 m (6 ft.) wide broom finish concrete sidewalk with saw cut joints, a 5 ft. (1.53 m) front boulevard, improved street and pedestrian lighting to current standards including a lighting analysis and design, and adjustment to all existing infrastructure to accommodate the proposed street improvements. The City will provide an approved geometric design for construction.
  - (iii) Provision of an 8 ft. wide planted area beneath the trees and flame finished granite setts between the trees in the front boulevard and a 12 in. (0.3 m) wide planted Back Boulevard between the sidewalk and wall on private



property on Cook Street. All plant material on street right-of-way shall mature to a maximum height of 0.6 m. Planting and granite setts shall adhere to the Southeast False Creek Private Lands Public Realm Enrichment Guide.

- (iv) Provision of curb ramps and the SEFC corner treatment at the intersection of W 1st Avenue and Cook Street including granite blocks in the curb bulge.
- (v) Provision of three (3) SEFC 'Creative Pipe Inverted U' bike racks on private property located a minimum of 36 in. from each other, any wall, pole, walkway or sidewalk for the Class B bicycle requirement. Each bike rack should be located to comfortably accommodate two bicycles.
- (vi) Provision of lane repaving and lane improvements as per the Southeast False Creek Public Realm Plan.
- (vii) Provision of the Industrial 1913 Shoreline represented by a corten steel band on W 1st Avenue.

Note to Applicant: This site is located within the boundaries of SEFC Private Lands and the public realm design is guided by the Southeast False Creek Private Lands Public Realm Enrichment Guide. Refer to the Southeast False Creek Private Lands Public Realm Enrichment Guide.

- (viii) Provision of speed humps in the lane south of 200 block of W 1st Ave between Cook Street and Crowe Street.
- (ix) Confirmation and provision of lane lighting adjacent the site. Please contact Engineering Services to confirm if lane lighting is applicable to this location and update plans to clearly indicate lighting where required.
- (x) Provision of street trees adjacent the site where space permits.
- (xi) Clearly show the provision of structural soil adjacent the site. (Please consult with Engineering Streets Design Branch to establish the extent and location for structural soils (contact Eileen Curran at 604-871-6131).

- 8. 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.

9. Provision of all existing utility services adjacent the site to be underground and all new utility services to be undergrounded 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 is required to show details of how the site will be provided with all services being underground including those services/poles/kiosks etc. that will be removed from the lane as part of this development.

#### Neighbourhood Energy Utility

10. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connecting to and securing adequate space for the SEFC NEU, which may include but are not limited to agreements which:
  - (i) Grant the operator of the SEFC NEU 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.

#### Environmental Contamination

11. If applicable:
  - (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and

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

### Affordable Housing Projects

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

	1715 Cook Street Proposed Rents
studio	\$1,496
1-bed	\$1,922
2-bed	\$2,539
3-bed	\$3,333

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

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 Section 4.2 in the Southeast False Creek Official *Development Plan* (By-law No. 9073) to increase the maximum permitted floor area for residential uses in area 1B from 85,106 m<sup>2</sup> to 90,797 m<sup>2</sup> as set out in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 1715 Cook 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 Noise Control By-law, generally as set out in Appendix D of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 1715 Cook Street”.

- D. THAT A through 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 and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02490)

#### 8. REZONING: 4238-4262 Cambie Street

An application by Arno Matis Architecture was considered as follows:

Summary: To rezone 4238-4262 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 57 dwelling units including five townhomes over two levels of underground parking. A height of 19.5 m (64 ft.) and a floor space ratio (FSR) of 2.75 are proposed.

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

#### Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application.

#### Summary of Correspondence

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

- 1 piece of correspondence in opposition to the application.

#### Speakers

The Mayor called for speakers for and against the application.

Allan Buium, Riley Park-South Cambie Community Visions, expressed concerns regarding the application including the proposed FSR, affordability and parking.

The speakers list and receipt of public comments closed at 7:46 pm.

### Staff Closing Comments

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

### Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Jang

- A. THAT the application by Arno Matis Architecture on behalf of Create Properties Ltd, the registered owner, to rezone 4238-4262 Cambie Street [*Lots 2-3, Block 701, District Lot 526, Plan 6539; PIDs 010-872-701 and 010-872-710 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.75 and the height from 10.7 m (35 ft.) to 19.5 m (64 ft.) to permit the development of a six-storey residential building, containing approximately 56 dwelling units including five townhomes, generally as presented in Appendix A of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 4238-4262 Cambie Street”, be approved subject to the following conditions:

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

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by Arno Matis Architecture, on behalf of Create Properties Ltd., and stamped “Received Planning & Development Services (Rezoning Centre), October 21, 2016”, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard for the following:

#### Urban Design

1. Design development of the townhouse massing to provide a minimum building separation of 8 ft. to provide open space, a substantial break in massing, and opportunities for an easier connection to the lane.

Note to Applicant: A “*substantial break*” between buildings is noted in the plan, Section 5.3.2. Open space may be used to

support outside amenity functions. See also Condition 2. Further, confirmation of the location of a transformer should be incorporated in the proposed site design. The laneway townhouse building must not exceed 80 ft. in length.

2. Design development to relocate the amenity room to the main building and to meet the courtyard's design elevation. Provide a larger outside amenity space co-located with the indoor amenity space.

Note to Applicant: The proposed amenity room at approximately 7.5 ft. above natural grade is not supportable. Further, to enhance its design for those with accessible needs, it should be located at the courtyard level. Further design development should be carried out to increase the amount of common open space.

3. Design development to reduce the overall courtyard elevation to better relate to natural grade, in particular, along the north property line.

Note to Applicant: The currently proposed interface of the courtyard at approximately 5 ft. above the existing grade of the site to the north is not supported. Existing grades at the corners of the site on the north property line, front and rear corners, show the site to be substantially flat. This design refinement may require the elevation of the townhouse massing to be adjusted, and will also eliminate the need for ramping in the along the north property line.

4. Design development to comply with the maximum height of the CD-1 By-law of 19.5 m.

Note to Applicant: Maximum height is measured to the top of parapet. This condition will require that all other building elements must comply with the Zoning & Development By-law.

5. Design development to remove enclosed stair access (in two cases) at the roof that provides access to private roof decks. Provide roof hatches instead.

Note to Applicant: The stairs to private roof access add mass and bulk of the building. Removal of same will enable other roof access to be excluded from height pursuant to Section 10 of the Zoning and Development By-law.

6. Maintain the proposed high quality materials (which may include composite metal panel, masonry, high quality cementitious panel systems, architecturally exposed concrete or similar) and level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing as shown on the rezoning application plans.

Note to Applicant: Hardie plank and panels is not considered a high quality material.

#### Housing

7. The proposed unit mix, including 6 three-bedrooms (11%), 30 two-bedrooms (53%), and 20 one-bedrooms (36%) 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 to improve the common open space courtyard to enable the following:
  - (i) increase the amount of outdoor amenity space;
  - (ii) maintain visual connection from indoor amenity building to outdoor space;
  - (iii) better connection and flow between play area and other common uses; and
  - (iv) better solar access.

Note to Applicant: The courtyard space is presently substantially privatized and not commonly accessed. Improved outside commonly accessed amenity space is required (See also Urban Design condition 2).



10. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment. The Landscape Plan should include:
  - (i) Illustration of 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 in. scale.
  - (ii) Section details at a minimum scale of 1/4 in. = 1 ft. scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbors and trellises, and other features. Planter section details must be dimensioned to confirm depth of proposed planting on structures exceeds BCSLA standard to accommodate root balls of proposed trees well into the future.
  - (iii) Sections (1/4 in. = 1 ft. 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.

11. 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.
12. New proposed street trees should be coordinated with Engineering and the Park Board and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board."

Note to Applicant: Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604- 257-8587) of Park Board regarding tree species.

13. 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.

14. 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.

15. Design development to provide a more conservative tree removal strategy, enabling the retention and protection of as many healthy existing mature trees as possible, including retention or relocation of Tree #97 and increased protection for the retained City owned trees, to fully protect entire root zone.

Note to Applicant: 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. This may require revisions to the parkade. Tree #97 is a Japanese Maple in good condition, usually a good candidate for successful relocation, if retention in place is not possible. This tree should be re-integrated into the landscape design. A revised Arborist Report should document and make recommendations for methods of protection during construction.

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

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

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

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

18. Provision of improved sustainability by the provision of confirmed urban agriculture plots and the addition of edible plants to the Plant Palette.

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.

19. Consideration to incorporate the principles of the City of Vancouver, Bird- Friendly Design Guidelines for the protection,

enhancement and creation of bird habitat and to reduce potential threats to birds in the City. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

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

### Sustainability

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

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

21. Any new building 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.

### Engineering Services

22. The owner or representative is advised to contact Engineering to determine the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be

aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.

23. Provision of Class B bicycle parking on private property.
24. Deletion of the entry paving proposed on the boulevards.
25. Delete back boulevard trees along Cambie and either meet the boulevard planting guidelines or show lawn between the back of the City sidewalk and property line.
26. Provision of a landscape plan that reflects the proposed off-site improvements sought for this application.
27. Remove P1 parking door swing from the lane on City right of way at the SE property line.
28. Show PMT on-site or confirm power is supplied from an alternate source.
29. Provision of onsite garbage and recycling space. Please refer to garbage and recycling supplement for quantity of bins and totters and recommended space to be allocated.
30. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Provision of a 26 ft. knock out panel to accommodate a minimum 20 ft. drive aisle and a corner cut for future two way flow into the neighbouring property.
  - (ii) Provision of improved parking level plans that show the top of the main parkade ramp at the lane and the NE corner of the parking level on P1 including top of the ramp from P1 to P2. Plans to include elevations, slopes and the length of slope on both sides of the ramp sections.
  - (iii) Provision of a minimum 6 ft. by 6 ft. corner cut at the bottom of the main parkade ramp for improved two way flow.
  - (iv) Provide measures to address conflicts between vehicles on the main ramp and the ramp from P1 to P2. Parabolic mirrors are recommended.
  - (v) Confirm minimum vertical clearance is provided on the main parkade ramp and all parking levels including at all overhead gates and overhead mechanical projections.

- (vi) Show overhead gates for main ramp and residential parking on the plan and section drawings including the minimum vertical clearances at the gates.
- (vii) Provision of stairs free access to all units from the lane for loading operations.
- (viii) Show all columns in the parking levels on drawings.
- (ix) Engineering recommends relocating the 5 visitor stalls to 5 of the small car spaces located on P1 (stalls 1-9).
- (x) Clarify if access is being provided to each townhome at the P1 parking level. The plans show no doors leading from the parking to the stairs.
- (xi) Provide automatic door openers on the doors providing access to the bicycle room(s).
- (xii) Provision of an improved plan showing the access route from the Class A bicycle spaces to the outside.

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

#### CONDITIONS OF BY-LAW ENACTMENT

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

##### Engineering Services

1. Consolidation of Lots 2 and 3, Block 701, District Lot 526, Plan 6539 to create a single parcel.
2. Provision of a knockout panel (as indicated on the applicant's drawings on A.202) and arrangements (legal agreements) to secure access to underground parking within a future development on the adjacent property at 486 West 26th Avenue (Lot 1, Block 701, District Lot 526, Plan 6539) is required.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (i) A contribution of \$150,000.00 towards the installation of a pedestrian signal at the intersection of Cambie Street and 27th Avenue.
- (ii) Provision of a protected bike lane on Cambie Street adjacent to the site including any transition areas adjacent the site to connect existing and new curb alignments. These improvements will generally include the following: new concrete curb and gutter, raised protected bike lane, asphalt pavement, concrete sidewalk, curb ramps and adjustment to all existing infrastructure to accommodate the proposed street improvements.

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

- (iii) Provision of a minimum 1.83 m (6 ft.) wide CIP light broom finish concrete sidewalk with saw cut joints on Cambie Street.
- (iv) Provision of a minimum 0.46 m (1.5 ft.) setback between any sidewalk and any planting located at or near sidewalk elevation. The setback may be a sod grass strip or hard surface. This is required to minimize encroachment of the plant material onto the sidewalk.
- (v) Provision of upgraded street lighting and new pedestrian lighting on Cambie to current standards including a review of the existing lighting to determine its adequacy and provision of a lighting design as required.
- (vi) 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.
- (vii) Provision of upgraded sewers to serve the site. Replacement of the existing 200 mm combined sewer with separated services of approximately 250 mm storm and 200 mm sanitary mains all located in the lane east of Cambie Street between 27th Avenue and the manhole

located north of the site in the center of 26th Avenue. Final sewer main sizes and locations subject to detailed design reviews and approvals.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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. If this development opts for a gas service, the gas riser must be installed on private property.

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.

5. Provision of street trees where space permits.
6. 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.

#### Environmental Contamination

7. If applicable:
  - (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
  - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of

Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

### Community Amenity Contribution

8. Pay to the City a Community Amenity Contribution of \$2,528,726, which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$2,528,726 is to be allocated as follows:
  - (i) \$1,264,363 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (ii) \$1,011,490 (40%) toward childcare and community facilities in and around the Cambie Corridor Plan area; and
  - (iii) \$252,873 (10%) to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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



- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval, the amendment to the Subdivision By-law generally as set out in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 4238-4262 Cambie Street”.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval, necessary amendments to the Parking By-law, generally as set out in Appendix C of the Policy Report dated October 31, 2017, entitled “CD-1 Rezoning: 4238-4262 Cambie Street”.
- D. THAT A through 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 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 sole risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02491)

9. REZONING: 3030-3038 Commercial Drive

This application was withdrawn from the agenda.

ADJOURNMENT

MOVED by Councillor Stevenson

SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:58 pm.

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