

SUMMARY AND RECOMMENDATION

7. REZONING: 1715 Cook Street

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.

Applicant: Chris Dikeakos Architects Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of November 14, 2017.

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

- A. THAT the application by 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 SEFC 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 South East False Creek Design Guidelines for Additional Penthouse Stories (section 4.g) and South East 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/rr1attachmentB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachmentC.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 SEFC PREG. (Page 26 of the guide).
27. Please update the landscape plan and submit a copy directly to Engineering 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 SRW area are to be accommodated within the SRW 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 SEFC Public Realm guide.
- (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 m² to 90,797 m² 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 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.

[RZ - 1715 Cook St]