



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
OCTOBER 17, 2006

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, October 17, 2006, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development and Heritage By-laws.

PRESENT: Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor David Cadman
Councillor Kim Capri
*Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
*Councillor Raymond Louie
Councillor Tim Stevenson

CITY MANAGER'S OFFICE: Brent MacGregor, Deputy City Manager

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair, to consider proposed amendments to the Zoning and Development and Heritage By-laws.

CARRIED UNANIMOUSLY
(Councillors Chow and Louie absent for the vote)

1. TEXT AMENDMENT: Downtown Official Development Plan Amendment (DODP)

An application by the Director of Planning was considered as follows:

Summary: To amend the Downtown Official Development Plan (DODP) to correct a typographical error and thereby achieve the intent of an earlier rezoning.

The Director of Planning recommended approval.

Staff Opening Comments

Phil Mondor, Rezoning Planner, was available to respond to questions.

Summary of Correspondence

There was no correspondence received on this application since the date of its referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Stevenson

THAT the application by the Director of Planning to amend the Downtown Official Development Plan By-law, generally as described in Appendix A of Policy Report "Miscellaneous Text Amendment to the Downtown Official Development Plan By-law" dated September 19, 2006", be approved.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

2. HERITAGE DESIGNATION: 2622 West 7th Avenue

An application by Alexander Berger, Property Owner was considered as follows:

Summary: Heritage Designation to preserve and protect the exterior of this heritage house at 2622 West 7th Avenue as part of the Vancouver Heritage Foundation's True Colours grant program.

The Director of Planning recommended approval.

Staff Opening Comments

Hugh McLean outlined the application and responded to questions regarding the True Colours program.

Summary of Correspondence

There was no correspondence received on this application.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT Council approve the designation of the Ainsworth House at 2622 West 7th Avenue, listed on the Vancouver Heritage Register in the "C" category, as Protected Heritage Property.
- B. THAT Council commend the building owners for designating their property on a voluntary basis and for participating in the Vancouver Heritage Foundation's *True Colours* program.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. TEXT AMENDMENT: 1380 Hornby Street

An application by Pawel Mikolajczak, IBI/HB Architects was considered as follows:

Summary: To amend an existing CD-1 Comprehensive Development District for 1380 Hornby Street to permit the enclosure of a previously approved outdoor pool.

The Director of Planning recommended approval, subject to conditions set out in the agenda of the Public Hearing..

Staff Opening Comments

Michelle McGuire, Planning Analyst, outlined the application.

Applicant Comments

Pawel Mikolajczak, IBI/HB Architects, and John Michael Shearer, Allessandro Holdings, were available to respond to questions.

Summary of Correspondence

One email regarding other issues than those contained in the application associated with this site was received since the date the application was referred to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Capri

- A. THAT the application by IBI/HB Architects, to amend Comprehensive Development District (CD-1) By-law No. 9116 (reference No. 435) for 1380 Hornby Street (Lot A, Block 111, District Lot 541, Plan BCP12494) to amend the rear yard setback requirement, generally as presented in Appendix A of Policy Report "CD-1 Text Amendment - 1380 Hornby Street" dated September 12, 2006", be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the amended form of development be approved by Council in principle, generally as prepared by IBI/HB Architects, and stamped "Received, City of Vancouver Planning Department, May 24, 2006", provided that the Director of Planning may allow minor alterations when approving the detailed scheme of development.
- (b) THAT prior to final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall consider the following condition:
- (i) make arrangements to the satisfaction of the Director of Planning, for amendment to the Operations and Management Plan to reflect the change to the pool and patio hours of operation.

CARRIED UNANIMOUSLY

4. REZONING: 201 West 2nd Avenue

An application by Graham McGarva, VIA Architecture, was considered as follows:

Summary: To rezone the site at 201 West 2nd Avenue from M-2 Industrial District to CD-1 Comprehensive Development District to permit development of a 16-storey mixed use building under the Southeast False Creek (SEFC) Official Development Plan (ODP)

The Director of Planning recommended approval, subject to the conditions set out in the agenda for the Public Hearing.

Also before Council was a memorandum dated October 5, 2006, from G. Miller, SEFC Rezoning Planner, which set out minor changes to the draft CD-1 By-law presented in Appendix A of the Policy Report dated September 13, 2006, entitled "CD-1 Rezoning: 201 West 2nd Avenue". The changes had been incorporated into the draft By-law included in the Public Hearing Agenda package.

Staff Opening Comments

Grant Miller, Central Area Planning Branch, was available to respond to questions.

Applicant Comments

Peg MacDonald, VIA Architecture, and Michael J. Overholt, Owner, were available to respond to questions.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to public hearing.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT the application by VIA Architecture on behalf of Murphy Stationery Co. Ltd. to rezone 201 West 2nd Avenue (PID: 011-069-589; Block 5, Explanatory Plan 3389, DL 302, Plan 5832) from M-2 (Industrial) to CD-1 (Comprehensive Development District), to permit a 16 storey mixed use building with a total density of 3.5 Floor Space Ratio, generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 201 West 2nd Avenue" dated September 13, 2006, and as amended in the Memorandum dated October 5, 2006, from G. Miller, SEFC Rezoning Planner, be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by VIA Architects and stamped "Received City Planning Department, April 7, 2006", provided that the Director of Planning or the Development Permit Board, as the case may be, 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, or Development Permit Board, who shall have consider the following:

Design Development

- (i) design development to the overall building to refine the massing and detailing and to further break down and slim the building scale;

Note to Applicant: This may be achieved by offsetting the slab forms on each side of the atrium. Consideration may also be given to hinging or angling the north from the south form.

- (ii) design development to the atrium to provide: more openness; a glass roof to allow more light; and an analysis of natural ventilation and air flows;
- (iii) provide a pedestrian mews along the east side of the building for use by the building residents;
- (iv) provide a feature on both the east and west facades of the building and landscape to respond to the axial view from the lanes;
- (v) provide high quality, durable architectural materials and detailing including rain protection overhangs;
- (vi) design development to the roof mechanical penthouse/roof access to provide a form and material treatment as an extension of the building architecture and to minimize the scale of the penthouse;
- (vii) design development to provide improved daylight access and privacy for residential;

Note to Applicant: The objective is to maintain approximately 24.4 m separation between main living spaces facing each other above the 2nd floor across Cook Street.

- (viii) provide details of sliding screens, overhangs and other visible responses to solar orientation and weather protection and consider the use of colour for these features;

CPTED (Crime Prevention Through Environmental Design)

- (ix) design development to take into consideration the principles of CPTED, having particular regard for reducing opportunities for;
 - theft in the underground parking;
 - residential break and enter;
 - mail theft;
 - vandalism such as graffiti.

Landscape

- (x) final coordination of the public realm treatment to be consistent with the SEFC Public Realm Plan;
- (xi) ensure the open space on the east side allows visibility through from 2nd Avenue to achieve a water view of False Creek;

- (xii) provide an enhanced open space on 2nd Avenue at Columbia Street where the boulevard widens;
- (xiii) provision of semi public and semi private spaces that complement the design of the public realm. Aspects to consider at time of Development Permit Application include special paving, lighting, planting, driveway crossings, pedestrian entrances and safety, walkways, permanent site furniture, weather protection, garbage storage, recycling and loading facilities;
- (xiv) provision of maximum 40 percent effective impervious area;
- (xv) design development to ensure the integration of the underground parking structure into the overall open space design;
- (xvi) 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. 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;
- (xvii) 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);
- (xviii) maximize opportunities for "green walls", planted roofs and patios. Mitigate blank walls by locating continuous linear planters and climbing plants at their base;
- (xix) increase the planter sizes on private patios and maximize edible planting opportunities, including hose bibs and tool storage. Provide hose bibs for all patios that cannot be serviced using at grade non-potable water;
- (xx) design development to the inner boulevard "rain garden features" to explore the opportunity for the direct collection of water from the street as a "swale", in coordination with Engineering and the public realm design;
- (xxi) encourage native plant species for planted areas that are not utilized for urban agriculture;

Technical

- (xxii) provision at time of development permit application of a full Landscape Plan illustrating proposed plant materials (common and botanical names), sizes and quantities; notation of existing trees to be retained, paving, walls, fences, light

fixtures and other landscape elements, including site grading. Proposed plant materials should be clearly illustrated on the Landscape Plan. The Landscape Plan should be at 1:100 (1/8" = 1' 0");

- (xxiii) Grades, retaining walls, walkways and structural elements, such as underground parking, to be designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard). Where applicable, underground parking design to increase soil depth for planting. Planted areas adjacent to structures and on slab to contain continuous soil volumes. Underground parking to angle downward at the corner (3 feet across and 4 feet down) to increase planting depth for inner boulevard trees and planters;
- (xxiv) provision of large scale partial plans, elevations, sections, specifications illustrating the detailed treatment of the public realm interface at the streets and lanes; including planters, retaining walls, stairs, planting, soil depth, underground structures, semi private patios and privacy screens;
- (xxv) provision at time of development permit application of a lighting plan;

Trees

- (xxvi) additional street trees will be required and are to be clearly illustrated on the Landscape Plan;
- (xxvii) protect lane edge trees and planting from vehicular impacts by providing metal tree surrounds, bollards or low curbs as needed;

Universal Design

- (xxviii) Applicant to work with a Universal Design consultant to achieve the objectives for Universal Design through implementation of "The Safer Home Certification Criteria" as outlined in Appendix F;

Environmental Sustainability

- (xxix) applicant to achieve the SEFC Green Building Strategy and meet a minimum LEED™ Silver Canada Certified standard (with a target of 36 points), including City of Vancouver prerequisites (with full LEED™ registration and documentation) or equivalency;

Energy

- (xxx) provide energy efficient design and modelling results to meet or exceed the CBIP (Commercial Buildings Incentive Program) standard for energy efficiency;
- (xxxi) provide full building design to meet ASHRAE 90.1 2004 in its entirety (with the exception of outright energy efficiency, which is covered under provision "xxx", above) including:

- improved envelope options such as “continuous insulation”, increased r-values, and thermal breaks for balconies and slab extensions;
- energy efficient lighting;
- air exchange effectiveness;
- full best practice building systems commissioning;
- daylighting; and
- provision of vestibules where necessary.

Note to Applicant: A letter from a professional engineer trained in building commissioning outlining provision for this service is to be submitted at the time of application for Building Permit.

- (xxxii) provide compatible, energy efficient design and details of the heating and domestic hot water for the referenced connection to the False Creek Neighbourhood Energy Utility proposed for the area;
- (xxxiii) provide vertical glazing to a maximum of 40 percent or provide additional thermal measure such as low-e glass to compensate for the additional heat loss;
- (xxxiv) provide roughed-in capacity for future individual metering for energy and water supplies;
- (xxxv) provide climate zone control for residential and live-work units that is compatible with the False Creek Neighbourhood Energy Utility;
- (xxxvi) provision of fireplaces listed as a heating appliance with a minimum combustion efficiency to meet or exceed ASHRAE/IESNA Standard 90.1 - 2001 heating appliance standards. No continuous pilot lights; interrupted power ignition is preferred;

Note to Applicant: A letter from a professional engineer outlining provision for these features is to be submitted at the time of application for Building Permit.

Stormwater Management and Green Roofs

- (xxxvii) provision of a green roof (including useable, intensive roof and or inaccessible, extensive roof) on principal building roofs;
- (xxxviii) provision of effective impervious area of no more than 60 percent of total site area with 30 percent of useable intensive green roof area in soft landscape (this includes drop off areas, walkways rooftops and plazas);
- (xxxix) provision of best current practices for managing water conservation including high efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching;
- (xl) design development to provide a balanced stormwater management system that maximizes on site water quality/quantity (e.g., greenroofs, on-site

ponds, infiltration galleries, etc.) and potable water conservation through reuse for irrigation, water features, and toilet flushing (e.g. cistern with dual piping, water treatment). Detailed technical drawings of stormwater reuse system will be required at the time of development permit application;

Note to Applicant: Provide a stormwater retention system separated from the potable water system (dual system) for the irrigation of the ground level semiprivate open spaces and public realm landscaping to be sized for the summer drought periods. In addition, water storage for the roof top shared open space to be considered. All hose bibs to be supplied with potable water unless clearly indicated otherwise. This system is to be designed in coordination with Building - Processing.

- (xli) provide details and arrangements for connection and flow rates to meet the SEFC Stormwater Management Plan (see engineering condition "*follow-up with Engineering*");
- (xlii) provision of green roof design to meet structural load, soil depths, and access & egress conditions necessary for an intensive green roof/urban agriculture (regardless of initial roof design - intensive or extensive);

Note to Applicant: A letter from a professional engineer outlining provision for these features is to be submitted at the time of application for Building Permit.

In-Building Water Efficiency

- (xliii) provide low water use plumbing fixtures at or below 1.8 gpm for faucets and showerheads and 6L/3L dual flush toilets;

Note to Applicant: A letter from a professional engineer outlining provision for these features is to be submitted at the time of application for Building Permit.

Urban Agriculture

- (xliv) design development to incorporate the objectives of urban agriculture including provision of garden plots of an adequate size and number which are to be productive and viable. The total amount of gardening spaces is to be appropriate for the size of development. Locate gardening plots to maximize sunlight and respond to programming requirements such as providing an area for composting, non-potable water/irrigation systems, and suitable soil volumes;

Building Durability

- (xliv) provide high quality, durable architectural materials and detailing including rain protection overhangs to meet or exceed CSA Guidelines on Durability in Buildings;

Waste Management

- (xlvi) provide a Construction and Demolition Waste Management Plan at the time of application for Building Permit ensuring that a minimum of 75 percent landfill diversion through the construction process;

AGREEMENTS:

- (c) That 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 registered owner shall:

ENGINEERING

Make Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

- (i) dedication of the north 0.8 metres of the site for road purposes;
- (ii) dedication of the south 5 ft. of the site (1.524 m -- not the 1.5 m noted on plans) for road purposes;
- (iii) dedication of a 4.9 metre by 50 metre tapered portion of the site along Cook Street measured from the 1st Avenue widening line for road purposes;

Note: clarify if any permanent portion of the development, both above and below grade encroach beyond any of the dedication lines. If so they must be deleted from the dedication areas.

- (iv) release of Easement & Indemnity agreement P9092 (existing building encroachments) prior to issuance of any permits beyond excavation & shoring stages;
- (v) undergrounding of all new utility services from the closest existing suitable service point. All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground / overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged;
- (vi) provision of new sidewalks, curb, pavement, concrete lane crossings, lamp standards, street trees and street furniture adjacent the site in keeping with the final SEFC public realm design requirements;
- (vii) provision of 3 streams of waste removal for the development (regular garbage, recyclable materials and organics). The development site is to provide adequate space to accommodate 3 streams of waste removal including fully

outfitted areas that can be made active upon implementation of organics collection system;

- (viii) building design is to include provision for connections to and be compatible with the neighbourhood energy utility proposed for the area;
- (ix) make arrangements to the satisfaction of the General Manager of Engineering Services, in consultation with the Director of Planning for:
 - (A) the provision, operation, and maintenance of co-operative vehicles and the provision and maintenance of parking spaces for use exclusively by such co-operative vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law; and
 - (B) designation of visitor or surplus parking spaces which are publicly accessible for future use by co-operative vehicles, with such spaces not to be in addition to required parking for residents or visitors.

all as outlined below:

| Dwelling Units | Co-operative Vehicle | Co-operative Vehicle Parking Space | Future Converted Co-operative Parking Space |
|--|----------------------|------------------------------------|---|
| 1-49 | None | None | 1 |
| 50-149 | 1 | 1 | 1 |
| 150 - 249 | 2 | 2 | 2 |
| 250-349 | 2 | 2 | 3 |
| Each add'l 100 units or portion there of | +0 | +0 | +1 |

SOILS

- (x) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (xi) execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance has been provided to the City by the Ministry of Environment;

OLYMPIC SECURITY REQUIREMENTS

Prior to enactment of the CD-1 By-law, the registered owner of the Lands (the "Owner") shall:

- (xii) enter into a legal agreement, on terms and conditions acceptable to the City's Director of Legal Services and the City's General Manager of Olympic Operations (the "Security Agreement") which shall, inter alia, provide for the following:
 - (A) The Owner may make application for a development permit and a building permit pursuant to the Rezoning at any time. The City's General Manager of Olympic Operations shall, prior to issuance of any development permit, delineate the site into two zones, roughly the North portion of the Lands (the "Red Zone") and the South portion of the Lands (the "Green Zone"), at his sole discretion, and the following conditions shall apply to each zone:

RED ZONE CONDITIONS

- i. If the Owner commences construction of the improvements permitted pursuant to the Rezoning to be located in the Red Zone (the "Red Zone Improvements"), the Red Zone Improvements shall be completed, at a minimum, to "lock down" (including, without limitation, completion of all doors and windows) to the satisfaction of the City's Chief Building Official on or before January 12, 2010;
- ii. prior to issuance of any building permit for the Red Zone Improvements, the Owner shall be required to lodge a letter of credit with the City, on terms acceptable to the Director of Legal Services, in an amount deemed adequate by the Chief Building Official, in his sole opinion, to secure completion of the Red Zone Improvements to lock down prior to January 12, 2010;
- iii. the Owner acknowledges and agrees that the Chief Building Official shall inspect the Red Zone Improvements on or before October 12, 2009 and shall determine whether or not, in his opinion, the Red Zone Improvements will be completed to lock down prior to January 12, 2010. If the Chief Building Official is not satisfied that lock down will be achieved by January 12, 2010, the Chief Building Official may order that the Owner take all necessary steps to ensure that lock down can be achieved by January 12, 2010 and the Owner shall take all necessary steps to do so at the Owner's cost. Alternatively, the Chief Building Official may, in his sole discretion, permit the City, or its permittees or licensees to complete the Red Zone Improvements to lock down, at the cost and risk of the Owner;
- iv. the Owner acknowledges and agrees that notwithstanding that the Owner may construct the Red Zone Improvements, the Owner may not occupy, or permit occupation of the Red Zone Improvements,

other than for site servicing, construction, maintenance and security purposes, prior to January 12, 2010;

- v. the Owner shall not access or use the Red Zone Improvements for any purpose other than maintenance of and security for the Red Zone Improvements during the period between January 12, 2010 and March 12, 2010. The Owner and the Owner's personnel shall comply with any security protocols established by the City during such access or use;

GREEN ZONE CONDITION

- vi. the Owner may make application for all applicable permits to construct and occupy the improvements permitted pursuant to the Rezoning to be located in the Green Zone (the "Green Zone Improvements") at any time and may construct and occupy the Green Zone Improvements in accordance with any development permits, building permits and occupancy permits issued in respect of the Green Zone Improvements. However, if all construction of the Green Zone Improvements is not fully completed on or before January 12, 2010, the Owner shall, during the period between January 12, 2010 and March 12, 2010;
 - a. cease, or cause to cease, all servicing and/or construction activities on the Green Zone Improvements; and
 - b. not access or use the Green Zone Improvements for any purpose other than for maintenance of and security for the Green Zone Improvements. The Owner and the Owner's personnel shall comply with any security protocols established by the City during such access or use;

GENERAL CONDITIONS

- vii. the Owner shall permit the City and its permittees and licensees, including without limitation the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games ("VANOC") and any security organizations responsible for security for the 2010 Olympic Winter Games, to enter the Lands and any buildings and improvements located thereon at any time, and from to time, from December 1, 2009 to January 11, 2010 for security planning purposes and from January 12, 2010 to March 12, 2010 for any security purposes they deem necessary or desirable for the purpose of providing security protection for the Vancouver Olympic Village;

- viii. the Owner shall, during the period January 12, 2010 through March 12, 2010, permit the City and any permittee or licensee of the City including, without limitation, VANOC, access to the Lands and any buildings and improvements located thereon, to erect any fences, security barriers, screens, drapes or other security or pageantry materials or equipment on the Lands deemed necessary by the City or any permittee or licensee for the purpose of facilitating the security and decoration of the Vancouver Olympic Athlete's Village (the "Security Fencing"). The Security Fencing will be at the cost of the City, or its permittee or licensee, as the case may be, and shall be at no cost to the Owner;
- ix. the Owner shall release the City and its officials, officers, employees, contractors and agents ("City Personnel") from any costs, damages (including special, indirect and consequential damages), injuries or liabilities of any kind suffered or incurred by the Owner and/or the Owner's officers, employees, contractors and agents ("Owner's Personnel") which arise due to the use or occupation of the Lands by the City and/or City Personnel and/or any restrictions placed on the Owner's use, occupation and development of the Lands, as set out in the Security Agreement. The Owner shall indemnify and hold harmless the City and City Personnel for any costs, damages (including special, indirect and consequential damages), injuries or liabilities of any kind suffered or incurred by the City or City Personnel due to the breach of any term or condition of the Security Agreement by the Owner and/or the Owner's Personnel; and
- x. the Owner acknowledges and agrees that vehicular and/or pedestrian access to the Lands from City streets may be restricted or unavailable for a period of time before, during and after the 2010 Olympic Winter Games;

the Security Agreement shall be fully registered against title to the Lands in the applicable Land Title Office, to the satisfaction of the Director of Legal Services, prior to the enactment of the CD-1 By-law.

PUBLIC ART

- (xiii) Execute an agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs for the provision of public art in accordance with the City's Public Art Policy and the SEFC Public Art Plan, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and
- (xiv) Submit a preliminary public art plan to the satisfaction of the Managing Director, Cultural Services setting out the proposed public art program aims, artist terms of reference, site and artist selection methods, project budget,

implementation plan and a schedule consistent with the objectives and intent of the SEFC Public Art Plan;

COMMUNITY AMENITY CONTRIBUTION

- (xv) execution of Section 219 Covenant (No Development Covenant) providing that prior to issuance of the development permit the agreed Community Amenity Contribution in the amount of \$2,308,916, is to be paid to the City, such Covenant to be on terms and conditions satisfactory to the Director of Legal Services;

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject 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.

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 the application by VIA Architecture to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)) as set out in Appendix C of the Policy Report "CD-1 Rezoning: 201 West 2nd Avenue" dated September 13, 2006, be approved;
- C. THAT the Noise Control By-law be amended to include this CD-1 in Schedule B as set out in Appendix C of the Policy Report "CD-1 Rezoning: 201 West 2nd Avenue" dated September 13, 2006.

CARRIED UNANIMOUSLY

- 5. **REZONING:** 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)

An application by Roger Bayley, Merrick Architecture was considered as follows:

Summary: To rezone the site at 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (the Olympic Village Site) from M-2 Industrial District to CD-1 Comprehensive District to permit development of a new residential neighbourhood at the heart of the Southeast False Creek

(SEFC) sustainable community with a mix of affordable and market housing and neighbourhood retail including a grocery store. Also proposed is a community centre with a non-motorized boating centre, an elementary school and childcare facilities. Building heights would vary up to 13 storeys maximum. The site would initially serve as the Athletes Village for the 2010 Olympic Winter Games.

The Director of Planning, in consultation with the General Manager of Engineering Services, the Director of the Housing Centre, and the General Manager of Parks and Recreation, recommended approval, subject to the conditions set out in the agenda of the Public Hearing.

Also before Council was a memorandum dated October 13, 2006, from M. Naylor, SEFC Project Planner, which set out minor changes to the draft CD-1 By-law presented as Appendix A of the Policy Report dated September 26, 2006, entitled "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (Olympic Village Site)". The changes had been incorporated into the draft By-law included in the Public Hearing package.

Staff Opening Comments

Trish French, Assistant Director of Current Planning, gave an overview of the process, and introduced staff available to present the application and respond to questions.

Michael Naylor, Southeast False Creek Planner, provided an overview of the application, noting three open houses were well attended and many people were pleased with what they saw, and explained how the application fits into the Southeast False Creek (SEFC) Official Development Plan. Mr. Naylor also noted that the recommendations contained in the Other Report dated August 2, 2006, entitled "Southeast False Creek and Olympic Village: Bike Movement", and contained in the agenda package, would be dealt with at a later date

Applicant Comments

Jody Andrews, Manager of City of Vancouver SEFC/Olympic Village Project Office, noted the project is less than three years away from completion, all public infrastructure is being built to a high standard and described the relationship between the City and Millenium properties, noting both are the developers in this project and are committed to working together to achieve high standards.

Roger Bayley, Merrick Architecture, noted the principal concerns are to deliver a sustainable community with as much modest market housing as possible and to service the needs of the athletes in 2010. Mr. Bayley also noted the developer is on schedule to start pouring concrete on June 1, 2007 and thanked the City for their diligence and efforts in this application.

Ms. French, Mr. Bayley, and Mr. Andrews, along with Cameron Gray, Housing Centre, and Karis Hiebert, Planning, responded to questions regarding:

- levels of housing with current ODP;
- impact of construction on adjacent properties;
- density and costs;

- timeline for staff reporting to Council and the issues that will be dealt with in these reports; and
- liability in the event buildings are faulty (e.g. - leaky), especially if they are social housing.

Summary of Correspondence

Council received one email and one letter in favour of the application; one email opposed to the application and two emails addressing other aspects of the site, since its referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following delegations noted specific concerns with the application and site:

Rita Koutsodimos
Richard Campbell, BEST (*brief submitted - on file*)
Ron Bain, Southeast False Creek Stewardship Group (*brief submitted - on file*)
Harold Schellekens
Jack Becker, VACC
Thomas Nichols
John Irwin, SPEC/Southeast False Creek Working Group
Leslie Stern

Delegates' comments included:

- concerns about livability and sustainability of the City;
- pleased with mixed-use aspect;
- application falls short in social housing and cycling facilities;
- low-traffic bike routes are important;
- parking is currently at maximum under current ODP; high number of parking spaces will encourage people to drive to the development and potentially increase conflict between bicycles and cars;
- concerns with intersections on Ontario Bikeway and 1st and 2nd Avenues;
- Ontario Street should be kept car-free;
- concerns with missing out on live-work strategy;
- preserving bikeways improves livability of the City;
- need to clearly communicate what will happen with cycling in the area;
- request full cycling facilities that are geared for 10 per cent cycling mode share; should push for 15 per cent in this area;
- need to pay more attention to sustainable transportation;
- commend developers and staff;
- Salt building should be for public use rather than a commercial site;
- LEED ratings must be assessed by Canadian Green Buildings Council; and
- whether there will be another chance for the public to review the design.

Bruno Wall, Wall Financial Corporation, noted his company is building a new development on 1st Avenue between Columbia Street and Manitoba Street, directly across from the proposed Olympic Village and explained his company's preliminary study indicated that 10 per cent of the units in that building will be affected by the higher buildings proposed on the Olympic Village site. Mr. Wall requested Council provide direction to staff regarding this issue.

Throughout the hearing of speakers, Ms. French and Mr. Naylor, along with Brian Crowe, Engineering; Cameron Gray, Housing Centre; Karis Hiebert, Planning; and Paul Pinsker, Parking Management, and Messrs. Andrews and Bayley responded to questions regarding:

- LEED classification, green roofs and parking issues;
- effect of higher buildings on surrounding area and density issues;
- cycling issues, including cycling facilities and traffic concerns, particularly along the Ontario Bikeway;
- severing sale of parking spaces from sale of residential units;
- live-work strategy; and
- clarification of accomplishments of this evening's proceedings, should the application be approved.

Staff Closing Comments

Ms. French summarized staff comments and noted there will be a focus on the affordability of modest market housing, and noted a roof access exclusion from height or density is not standard, offered revised wording to the recommendation so that this exclusion could be acted upon. Ms. French also noted that, at some point, it may be useful to extend the exclusion to other developments in the city and link the exclusion to the provision of green roofs.

Council Decision

MOVED by Councillor Ladner

- A. THAT the application by Merrick Architecture Ltd. on behalf of Millennium Southeast False Creek Properties Ltd. and the City of Vancouver to rezone 51, 85 and 199 West 1st Avenue, 1599 -1651 Ontario Street, 1598 -1650 Columbia Street and a portion of 215 West 1st Avenue (Lots 314, 315, 316, 318, 319, 320 and 321, Plan BCP24394, a portion of Lot 309, Plan BCP20726 and a portion of Lot 313, Plan BCP24394) from M-2 (Industrial) to CD-1 (Comprehensive Development District), generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006, and as amended in the memorandum dated October 13, 2006, from M. Naylor, SEFC Rezoning Planner, be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Merrick Architecture Ltd. and stamped "Received Planning Department, August 10, 2006", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT – GENERAL

Precinct Conditions

- (i) design development to reduce floor area, and re-distribute project massing, to improve precinct scale, character and better integrate with adjacent context.

Note to applicant: This can be achieved as generally outlined below subject to further detailed resolution of each building design:

Parcel 3 – eliminate one floor from the southeast residential area (represented as 8 typical units) and one floor from northeast residential area (represented as 3 typical units and elevator/stair core). A consistent north-south gap width is also required.

Parcel 4 – eliminate/relocate sufficient fifth floor residential area to achieve a demonstrable breakdown into three distinct massing components and ensure a two storey high gap.

Parcel 5 – eliminate sufficient residential area on the north side by introducing stepped massing that is derived by applying a 60 degree angle to ensure adequate daylight penetration to the north.

Note to applicant: Consideration may be given to introducing relocated affordable housing floor area immediately adjacent to the Salt Building while respecting the eave height and ensuring a proper transition to building scale adjacent to the public plaza.

Note to applicant: In reviewing the application, staff considered that up to 557 m² (6,000 sq. ft.) of floor space would have to be eliminated to achieve these massing changes. While this floor space has not been subtracted from the CD-1 floor space maximum allowance, staff note that achieving this floor space is subject to design development demonstrating it can be accommodated in a satisfactory way.

- (ii) design development to clarify architectural expression design intent, and related design development strategies, to ensure a high quality, distinguished and coherent identity that is recognized for sustainability performance.

Note to applicant: A range of architectural responses that are characterised by varied approaches to expressing passive and active sustainable design systems is anticipated for all buildings to ensure that the Olympic Village precinct achieves a recognizable identity while properly managing respective block and building scale. Strategies to ensure different approaches to design systems detailing should be considered.

- (iii) design development to more clearly distinguish individual building massing components from each other within each parcel as a strategy to improve project and precinct scale. Further design development to more clearly differentiate between lower two/three-storey scaled streetwall, from upper floors and penthouses is also required.

Note to applicant: Further attention to articulation of massing, provision of substantive "breaks" between massing, materiality strategies and related building envelope detailing will assist in mitigating project and individual block scale. Penthouse units should be adequately setback and present a lighter, more transparent architectural expression while achieving sustainable performance.

- (iv) design development to optimize pedestrian interest and commercial use exposure by appropriately locating retail anchor tenant entries and related residential entries.

Note to applicant: An assessment of proposed anchor entry locations is necessary to conclude on the proper strategy to maximize pedestrian exposure. Further design development to maximize fine grain commercial retail unit (CRU) opportunities along Manitoba and Slipway streets based on the expression of an approximate frontage module of 7.6 m (25 feet) is also required.

- (v) design development to confirm perimeter setbacks dimensions, landscape setback treatment and the design of ground-oriented entries/porches/patios and related articulation to ensure that all buildings achieve streetwall definition while clearly demarcating private and public realms.

Note to applicant: Design development to ensure proper integration with the Council-approved SEFC Public Realm Plan and to ensure that buildings contribute to coherent street identity is required. Perimeter alcoves for residential uses at grade are not supported.

- (vi) provide design development wall section information, including confirmation of detail intent for building envelope, related passive and active architectural systems and other innovative features to ensure that anticipated design quality conveyed in the proposed character examples is achieved at construction.

Note to applicant: Sustainable precinct character will be achieved by a strategy of robust architectural expression of passive and active systems that are well designed and carefully integrated into buildings.

- (vii) design development to affordable housing buildings to ensure that architectural expression and quality is well integrated with market housing buildings.

Note to applicant: Careful attention to building envelope quality, including the provision of substantive materials and related detailing, to avoid these buildings from being overly distinguished from market residential buildings is required.

- (viii) provide an exterior lighting strategy (white light) for all buildings, including pedestrian routes, and courtyards, to ensure that adequate lighting levels are achieved for CPTED performance while minimising glare for residents.

Note to applicant: Provision of anticipated exterior lighting fixture character that is consistent with the design intent for precinct lighting in the Council-approved SEFC Public Realm Plan is required.

- (ix) provide a conceptual signage plan that confirms design intent for general precinct related signage aspirations, retail frontages, anchor tenancies, individual buildings and addressing.

Note to applicant: The conceptual signage package should carefully consider the overall design intent established in the Council-approved SEFC Public Realm Plan with respect to character.

- (x) design development to all loading zone, utility enclosure and underground parking ramp opening locations to ensure optimal integration, high quality visual screening, ground surface/public realm quality and public safety.

Note to applicant: Careful attention to ramp opening bulkhead design, and related parking garage ceiling treatment is required.

- (xi) design development to maximise privacy between residential suites and commercial uses/activities including careful attention towards entry door locations, window openings and the provision of properly located, and visually effective, privacy screening.

- (xii) provide substantive weather protection in the form of fixed canopies for all retail, or future potential retail, frontages.

Note to applicant: Careful integration of canopy systems with storefront system, entries, signage, lighting and drainage is required. Opportunities to distinguish between anchor tenancies and small CRUs should be pursued.

- (xiii) design development to provide a retail storefront design strategy that ensures maximum transparency/display/visual interest and opportunities to optimize sidewalk activity and "openness" to the exterior utilizing high quality building systems and detailing.

- (xiv) design development to minimize the size, carefully integrate and screen all mechanical equipment, and related systems, that do not visually convey sustainable principles into the overall massing, form and architectural response for each building.

- (xv) design development to optimize the architectural expression of vertical circulation systems, including common stairways and elevators, as a design response to sustainability expression and as a form of social animation. Careful attention to enclosure systems, and related lighting is required.
- (xvi) design development to fully integrate the design intent of the Council-approved SEFC Public Realm Plan for all parcels, blocks, buildings and respective courtyards.

Note to applicant: Further design development, in consultation with the SEFC/OV Project Office and their consultants, to ensure a seamless, innovative and expressive public realm is required.

Note: Refer to heritage conditions for related requirements of the Council-approved SEFC Interpretive Plan.

- (xvii) design development to ensure a seamless integration, and transition, of private realm landscaping with public realm design intent. Further design development to maximize opportunities to integrate sustainable landscape systems at grade with public realm requirements is also required.
- (xviii) design development to provide adequate on-site communal open space, including opportunities for communal gardening, for each parcel.
- (xix) design development to green roof systems to ensure optimal stormwater management performance and long term viability while clarifying active and passive programming opportunities.
- (xx) provide a Green Roof Management Plan to clarify requirements that will ensure usage and longevity.

Note to applicant: The plan should outline roles and responsibilities of the owner and future strata(s) with respect to green roof system opportunities, constraints and related maintenance performance requirements.

Site Specific Conditions applying to individual parcels and further to Condition (b)(i).

Parcel 3

- (xxi) design development to Salt Avenue fronting units to achieve more direct ground-oriented access, and related entry and porch expression.
- (xxii) design development to more clearly express 3-storey scale for street and lane front units.

Parcel 4

- (xxiii) design development to express the overall massing as three distinct components.

- (xxiv) design development to extend and express the north-south corridor as a 2-storey volume in alignment with sites immediately south.

Parcel 5

- (xxv) design development to consider opportunities to introduce relocated affordable housing floor area immediately adjacent to the Salt Building while respecting the eave height and ensuring a proper transition to building scale adjacent to the public plaza.

Parcel 6

- (xxvi) design development to improve the scale relationship of the adjoining façade to the public plaza, noting that this can probably be done without loss of floor area.

Note to applicant: This can be achieved by refinements to articulation, vertical proportioning, and related architectural expression. French balconies or similar projections from the façade to improve the scale relationship will be considered.

- (xxvii) design development to reduce the visual impact of loading requirements including the provision of high quality surface treatment.
- (xxviii) liquor store entry on Manitoba Street to be located at south corner to maximize distance from community centre.

Note to applicant: This is to better ensure compliance with City guidelines related to proximity of liquor stores and community centres.

Parcel 7 (Salt Building)

- (xxix) design development to the north end of the building to achieve maximum pedestrian interest in a manner compatible with accepted heritage practices.

Note to applicant: Provision of food service tenant(s), and related outdoor seating, is strongly encouraged. A more contemporary, transparent architectural expression should be considered.

- (xxx) design development to introduce a north-south public passage through the centre of the building to connect the future streetcar stop to the public plaza.

Note to applicant: A means of providing this passage will have to be worked out with the selected operator/tenant.

- (xxxi) design development to optimize pedestrian interest, including the consideration of additional wall openings, for the east and west frontage of the existing structure in a manner compatible with accepted heritage practices.
- (xxxii) design development to identify anticipated programmatic requirements for building tenancy, including mezzanine opportunities and storage, and to ensure inherent flexibility for future users yet to be determined.

Note to applicant: Consideration should be given to full, or partial, cost effective basement storage potential given the close proximity to the public plaza which will have related storage needs.

Parcel 9

- (xxxiii) design development to relocate the anchor food store tenant to this site while maximizing opportunities to animate the Slipway Street frontage.

Note to applicant: Further design development to increase CRU frontage on Slipway Street and partially on 1st Avenue, while ensuring commercial viability for the south corner is required. In order to ensure maximum animation on the plaza and as a consequence of support for locating the grocery store on Parcel 9 instead of Parcel 10, the primary entrance for the food store is to be at the northwest corner, oriented toward the public plaza. A specific signage strategy for 1st Avenue is required to properly announce the food store, however no entry on the northwest corner of 1st Avenue will be permitted.

- (xxxiv) design development to consider opportunities to introduce relocated affordable housing and modest market housing floor area immediately adjacent to the Salt Building while respecting the eave height and ensuring a proper transition to building scale adjacent to the public plaza.
- (xxxv) design development to reduce the visual impact of loading requirements including the provision of high quality surface treatment.
- (xxxvi) design development to maximize the passive design performance of the affordable housing component (e.g. passive space heating, daylighting and natural ventilation) through enhanced orientation, corridor design, and envelop in order to meet net-zero energy, greenhouse gas (GHG), water, and waste minimization goals.

Parcel 10

- (xxxvii) design development to improve the scale relationship of the adjoining façade to the public plaza, noting that this can probably be done without loss of floor area.

Note to applicant: This can be achieved by refinements to articulation, vertical proportioning, and related architectural expression. French balconies or similar projections from the façade to improve the scale relationship will be considered.

- (xxxviii) design development to relocate the second anchor drug store tenant on to this parcel while maximizing opportunities to animate the Slipway Street and the public plaza frontage.

Note to applicant: Further design development to increase CRU frontage on Slipway Street and partially on Shipyard Avenue, while ensuring commercial viability for the north corner, is required.

- (xxxix) design development to reduce the visual impact of loading requirements including the provision of high quality surface treatment.

Parcels 8 and 11 (Vancouver Park Board sites)

- (xl) design development to substantively increase overall building scale at the easterly edge to achieve a better transitional relationship to adjacent building massing.
- (xli) design development to more clearly define programmatic requirements, requisite massing and architectural expression.
- (xlii) design development to maximize commercial frontage for food operations onto the public plaza and Shipyard Avenue.
- (xliii) design development to optimize building envelope transparency, balanced with sustainable performance, to more clearly announce internal recreational activities as a strategy to activate the water frontage, park/plaza and Shipyard Avenue adjacencies.
- (xliv) design development to the north building frontage, related internal spaces/activities and ground plane to enhance the seawall pedestrian experience.
- (xlv) design development to ensure high architectural quality appropriate for public facilities on the waterfront.
- (xlvi) design development to adjacent open spaces (north and east sides) to ensure opportunities for recreational programming/outdoor expansion of internal activities and to maximise outdoor seating onto the public plaza (west side for Parcel 8/east and north sides for Parcel 11).
- (xlvii) design development to include a licensed 69-space childcare centre as part of the community centre, in accordance with the Community Care Facilities requirements and the City's Childcare Design Guidelines (1993) and to the satisfaction of the Director of Social Planning, Facilities Development, and Community Care Facilities Licensing;

LANDSCAPE DESIGN

Environmental Sustainability

- (xlviii) provide, at time of development permit, a detailed rationale and supporting documents for fulfillment of "Landscape Design Requirements", Chapter 11 of Rezoning Submission, Aug.10, 2006, and additional landscape related conditions, including related LEED™ scorecard sections.

Open Space and Landscape Treatment

- (xlix) provide, at time of development permit application, a detailed rationale outlining intent for the specific programming of individual outdoor spaces and landscape elements, including overall use, pedestrian capacity, storage (for example, compost,

gardening tools), access, security, sustainable design requirements (planting, water, waste, soil, habitat); provision of continuous soil trough to establish climbing plants on walls and structures; provision of durable landscape materials and structures such as plant specific soils, durable planters, wall trellis structures;

Note to Applicant: written submission should include a summary reference "Handbook for Maintenance and Stewardship of Sustainable Systems" which could assist various stakeholders with routine monitoring and upkeep of landscape systems and any special requirements of sustainable technologies. Strong consideration should be given to outlining the maintenance expectations of the following sustainable systems: on-site storm water management, green roof, urban agriculture, soil quality (mulching), compost, pruning, edible food harvesting, successional plant/tree management, habitat and Integrated Pest Management. Documents should include brand specifications, where applicable (for example, cistern and rainwater harvesting manufacturer specifications).

Technical

- (l) provide, at time of development permit application, a detailed Landscape Plan;

Note to Applicant: The Landscape Plan should be at minimum scale 1:100 (1/8" = 1'-0"). Aspects to include: public realm, plants, trees, grading, special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, permanent site furniture, trees, storm water retention, rain gardens, public art, demonstration projects, urban agriculture, weather protection, utilities, garbage storage, recycling and loading facilities. Grades, retaining walls, walkways and structural elements, such as underground parking, to be designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard). Where applicable, reconfigure underground parking design to increase soil depth to angle downward at the corner (3 feet across and 4 feet down) to increase planting depth for inner boulevard trees/planters. Planted areas adjacent to structures and on slab to contain continuous soil volumes; provision of large scale partial plans, elevations and sections illustrating the detailed treatment of the public realm interface at the streets and lanes; including planters, retaining walls, stairs, planting, soil depth, underground structures, patios and privacy screens;

Trees

- (li) protect lane edge trees and planting from vehicular impacts by providing metal tree surrounds, bollards or low curbs as needed. Modify or stagger overhead canopies, where necessary, if trees can be provided to inner boulevard;

Green Roofs

- (lii) provide 50% roofscape area to be surfaced in growing medium and appropriate vegetation. Roofscapes should be highly programmed, useable and accessible (noting that extensive green roofs are often access-limited). Urban agriculture, intensive and extensive green roofs are encouraged and should respond to functional needs, particularly microclimate conditions;

Note to Applicant: Where green roof cover is prohibitive due to architectural constraints, roofing material should be high reflective following the EPA Energy Star roofing requirements.

- (liii) provide premium standard green roof membrane for chosen brand technology, including an electronic leak detection system and root protection. Details and sections to be submitted at time of development permit application. At time of building permit application provision of technical details, sections and specifications. Provide a letter of assurance that a roofing consultant has been hired to oversee the roofing process.

Water Efficiency and Stormwater Management

- (liv) provide best current practices for managing water conservation including high efficiency irrigation, moisture sensoring, special soils, aspects of xeriscaping including drought-tolerant plant selection and mulching;
- (lv) design development to meet the LEED™ Canada 1.0 stormwater management credits (Sustainable Sites Credits 6.1 and 6.2). Stormwater treatment/storage facilities should be integral to the open space design, detailed technical drawings to be submitted at time of development permit application;
- (lvi) design development to significantly limit the use of potable water for irrigation through the provision of a stormwater cistern(s) system;

Note to Applicant: Provide a cistern(s) separated from the potable water system (dual system) sized properly to reduce annual overall building water use for the irrigation of the ground-level common open spaces and public realm landscaping to be sized for the summer drought periods. Strong consideration should be given to maximizing the function of the cistern by using cistern water for landscape irrigation purposes in the water-deficit periods and for toilet flushing during the water-surplus periods, allowing the cistern to circulate supply regularly. Where it is prohibitive to service outdoor patios with stored cistern water, the potable water system should be directed to required patio hose bibs. This system to be designed in coordination with Building/Plumbing Code Processing.

- (lvii) provide details and arrangements to meet the SEFC Stormwater Management Plan;

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- (lviii) design development to take into consideration the principles of CPTED having particular regard for:
 - maximizing surveillance provided by ground level residential units to the pedestrian mews,
 - providing clear definition between public to private spaces,
 - providing secure access to services such as residential mail and garbage without using public property,
 - providing convenient and secure access if residential parking is proposed off

- site,
- reducing the scale of large areas of underground parking to serve specific buildings where possible,
- reducing opportunities for crime in underground parking areas including full separation between user groups and improving visibility,
- reducing opportunities for break and enter,
- reducing opportunities for mail theft, and
- reducing opportunities for graffiti and skateboarding where not programmed in open spaces.

SOCIAL PLANNING

- (lix) design development of the amenity spaces provided in Parcel 2, to meet or exceed the minimum area required under the High Density Housing for Families with Children Guidelines (section 3.7), to the satisfaction of the Director of Social Planning. Staff recommend a space of at least 37 m² (400 sq. ft.).
- (lx) design development to ensure that the internal courtyards for each parcel provide a covered outdoor area or amenity space adjacent to the children's outdoor play areas for adult supervision and with a fully accessible amenity washroom within close proximity. Design of the outdoor areas should meet the High Density Housing for Families with Children Guidelines (sections 3.2, 3.3 and 3.4), to the satisfaction of the Director of Social Planning.

ENGINEERING

- (lxi) provide a detailed transportation study, which provides information on vehicular access, volumes, and circulation to and from all developments (both cars and trucks) for the rezoning site, and shows how street/walkway/bikeway connections are proposed. The report should address impacts at the p.m. peak hour, identify conflicts of concern, and recommend design changes and mitigation measures (whether already planned or additional) both within Sub-Area 2A and extending to intersections of 1st Avenue from Quebec to Columbia, and intersections along 2nd Avenue from Quebec to Columbia. Sites of uncertain development or use within Sub-Area 2A (e.g. Salt Building, Parcels 5ii and 8, plus the seawall) should be assessed with assumed programs, trip generation, etc. Statements on the mode-split sensitivity as to whether or not the Downtown Streetcar is in operation in the short term (2010 vs. 2020), provisions for on-street parking and loading, and accommodation of the ferry landing should also be included;
- (lxii) access to parking and loading should adhere to the SEFC ODP;
- (lxiii) design development on all parcels to finalize parking and loading locations and required curb cuts to enable streetscape design work to proceed;

Note to applicant: This may entail completing parking level design well in advance of development permit submission for some parcels.

- (Ixiv) design development to provide bicycle parking spaces meeting Parking By-law requirements;
- (Ixv) provide three streams of waste removal for the development (regular garbage, recyclable materials and organics). The development site is to provide adequate space to accommodate three streams of waste removal include fully outfitted areas that can be made active upon implementation of organics collection system;
- (Ixvi) building design is to include provision for connections to, and be compatible with, the "False Creek Neighbourhood Energy Utility";
- (Ixvii) design development to delete portions of buildings (underground parking) encroaching into the corner-cuts established as road by Plan BCP24394 adjacent to lots 316, 317 and 319;
- (Ixviii) design development on Parcel 9 (grocery store location) to allow for truck access from the west (via Manitoba Street) or east (via Ontario Street) along Salt Avenue;
- (Ixix) design development on Parcel 9 to examine the private rear lane to optimize loading bay configuration for truck movements (this may include re-locating the residential parking entry) while minimizing pedestrian impacts along Salt Avenue and 1st Avenue, and not compromising the operation of the Downtown Streetcar;

ENVIRONMENTAL SUSTAINABILITY

- (Ixx) for all buildings in the City Lands of Sub-Area 2A, achieve the SEFC Green Building Strategy and meet a minimum LEED™ Gold Canada Certified standard (with a target of no less than 42 points, including City of Vancouver prerequisites) (with full LEED™ registration and documentation) or equivalency. Registration with the Canada Green Building Council (CaGBC) is required for all buildings. The applicant must submit full documentation, including initial certified design credits, required for LEED™ certification to the City for verification prior to issuance of a long-term occupancy permit.

Note to applicant: The City encourages the applicant to complete full LEED™ certification for LEED Gold with the CaGBC.

Energy

- (Ixxi) provide energy efficient design and modelling results to meet or exceed the CBIP (Commercial Buildings Incentive Program) standard for energy efficiency.
- (Ixxii) provide full building design to meet ASHRAE 90.1 2004 in its entirety (with the exception of outright energy efficiency, which is covered under provision "Ixx", above, including:
 - improved envelope options such as "continuous insulation", increased r-values, and thermal breaks for balconies and slab extensions;
 - energy efficient lighting;

- air exchange effectiveness;
- full best practice building systems commissioning;
- daylighting; and
- provision of vestibules where necessary;

Note to Applicant: A letter, from a professional engineer trained in building commissioning, outlining provision for this service to be submitted at the time of application for Building Permit.

- (Ixxiii) provide compatible, energy efficient design and details of the in-building heating and domestic hot water for the referenced connection to the False Creek Neighbourhood Energy Utility proposed for the area;
- (Ixxiv) provide vertical glazing to a maximum of 40 percent or provide additional thermal measure such as low-e glass to compensate for the additional heat loss;
- (Ixxv) provide roughed-in capacity for future individual suite metering for energy and water use;
- (Ixxvi) provide climate zone control for residential and live-work units that is compatible with the False Creek Neighbourhood Energy Utility;
- (Ixxvii) no natural gas fireplaces are to be installed within dwelling units. Ornamental non-combustion fireplaces are permitted if they are not heat producing.

Note to Applicant: All fireplaces are discouraged. A letter from a professional engineer outlining any provision for ornamental fireplaces is to be submitted at the time of application for Building Permit.

Stormwater Management and Green Roofs

- (Ixxviii) provide a green roof (including a useable, intensive roof and/or inaccessible, extensive roof) on principle building roofs;
- (Ixxix) provide an effective impervious area of no more than 60 percent of total site area with 30 percent of useable intensive green roof area in soft landscape (this includes drop off areas, walkways rooftops and plazas);
- (Ixxx) provide details and arrangements for connection and flow rates to meet the SEFC Stormwater Management Plan;
- (Ixxxi) provide a green roof design to meet structural load, soil depths, and access and egress conditions necessary for an intensive green roof/urban agriculture (regardless of initial roof design – intensive or extensive);

Note to Applicant: A letter from a professional engineer outlining provision for these features to be submitted at the time of application for Building Permit.

In-Building Water Efficiency

- (lxxxii) provide low-water-use plumbing fixtures at or below 1.8 gpm for faucets and showerheads and 6L/3L dual flush toilets. Specify in-suite water conserving appliances and building equipment (meet Energy Star requirements);

Note to Applicant: A letter from a professional engineer outlining provision for these features to be submitted at the time of application for Building Permit.

Urban Agriculture

- (lxxxiii) design development to provide wheelchair accessible garden plots for use by people with disabilities, where possible.
- (lxxxiv) design development for the larger rooftop gardens that have designated garden plot sections to provide a small adjacent indoor amenity area with a fully accessible washroom.
- (lxxxv) design development to provide a small children's play area and/or specifically designated children's gardens within sight range of any rooftop garden plots so that adults may engage in their own activities while supervising their children's play for a maximum synergy of uses, where possible.
- (lxxxvi) design development to incorporate the objectives of urban agriculture including provision of garden plots of an adequate size and number to be productive and viable. The total amount of gardening spaces should be appropriate for the size of development. Locate gardening plots to maximize sunlight and respond to programming requirements such as providing an area for composting, non-potable water/irrigation systems, and suitable soil volumes;

Note to Applicant: Explore opportunities to expand the area designated for garden plots, e.g. by using the green roof panels on the tower roof, so that a minimum of 30% of the units without private garden space (not balconies) have access to a private garden plot. Note that the existing garden plots of approximately 4 by 12 ft. can be counted as 2 plots, if needed, to reach the 30% goal. Regarding the relationship between the proposed play areas and the proposed garden plots on Landscape level 1, explore opportunities to further integrate these areas in order to facilitate children's involvement in gardening and to support parent's ability to garden and monitor children's activities.

Building Durability

- (lxxxvii) provide high quality, durable architectural materials and detailing to meet or exceed CSA Guidelines on Durability in Buildings;

Waste Management

- (lxxxviii) provide a Construction and Demolition Waste Management Plan at the time of application for Building Permit ensuring that a minimum of 75 percent landfill diversion through the construction process;

Note to Applicant: Submit a Construction and Demolition Waste Management Plan. Follow the waste management requirements in LEED Canada 1.0 Materials and Resource Credit 2.

UNIVERSAL DESIGN

- (lxxxix) applicant to work with a Universal Design consultant to achieve the objectives for Universal Design in reference to "The Safer Home Certification Criteria" as outlined in Appendix H.

AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, each of the registered owners shall, at no cost to the City make arrangements for the following, on terms and conditions satisfactory to the Director of Legal Services:

ENGINEERING

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, in consultation with the Director of Planning, for:
- a. the provision, operation, and maintenance of co-operative vehicles and the provision and maintenance of parking spaces for use exclusively by such co-operative vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law and;
 - b. designation of visitor or surplus parking spaces which are publicly accessible for future use by co-operative vehicles, with such spaces not to be in addition to required parking for residents or visitors;

all as outlined in the table below:

| Dwelling Units | Co-operative Vehicle | Co-operative Vehicle Parking Space | Future Converted Co-operative Parking Space |
|--------------------------------------|----------------------|------------------------------------|---|
| 1 - 49 | None | None | 1 |
| 50 - 149 | 1 | 1 | 1 |
| 150 - 249 | 2 | 2 | 2 |
| 250 - 349 | 2 | 2 | 3 |
| Each additional 100 units or portion | +0 | +0 | +1 |

| | | | |
|---------|--|--|--|
| thereof | | | |
|---------|--|--|--|

- (ii) provision of a single operator for garbage pickup and recycling pick up within the City Lands of Sub-Area 2A.
- (iii) reconfiguration of Lot 321, Lot 314 and a portion of Lot 302, Plan BCP17012, and adjacent road to accommodate the relocated community centre. Note: delete all portions of the proposed community centre building overhanging the ultimate, re-defined property line for Lot 321.
- (iv) statutory rights-of-way and option-to-purchase agreements over the southerly 4 metres of Lots 316, 318 and 319 for public access and use, and for utility purposes. Note: if the final building designs move the proposed underground parking out of this area, the City may seek to establish these portions as road.
- (v) dedication as road of a 12-metre wide portion of Lot 320 in alignment with the road between Lots 318 and 319, as a northerly extension of such road.
- (vi) creation of a legal lot for the proposed school measuring 50 by 54 metres, fronting on Columbia Street, and sited immediately to the west of and parallel to Lot 315.
- (vii) surface statutory right-of-way over the west one metre of Lot 319 and Lot 320 for public access purposes. Note: the one-metre wide portion of Lot 320 is immediately east of the 12-metre wide road dedication described above in subparagraph (c)(v).
- (viii) blanket statutory rights-of-way over Lots 314, 315, 316, 318, 319, 320 and 321 for public access purposes, the rights-of-way are to be modified at a later date to reflect final approved designs.
- (ix) blanket statutory rights of way and options to purchase over Lots 312 and 313 for public access and use, and for utility purposes.
- (x) release of any redundant charges on titles of all lots.

SOILS

- (xi) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (xii) execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance have been provided to the City by the Ministry of Environment;

HOUSING

- (xiii) execute agreements, satisfactory to the City Manager and the Director of Legal Services, ensuring development of a total of at least 19,788 m² (213,000 sq. ft.) of floor area on Parcels 2, 5 and 9 for Affordable Housing as defined in the South East False Creek Official Development Plan, such proposed floor space to be sufficient to accommodate 250 Affordable Housing units of which 125 must be designed for families with children.
- (xiv) execute agreements, satisfactory to the City Manager and the Director of Legal Services ensuring the development of a total of at least 8,342 m² (89,800 sq. ft.) of floor area on Parcels 3, 6 and 9 for Modest Market Housing as defined in the South East False Creek Official Development Plan.

PUBLIC ART

- (xv) execute an agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs, for the provision of public art in accordance with the City's Public Art Policy and the SEFC Public Art Plan, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and
- (xvi) submit a preliminary public art plan, to the satisfaction of the Managing Director of Cultural Services, setting out the proposed public art program aims, the artist terms of reference, the site and artist selection methods, the project budget, the implementation plan and a schedule consistent with the objectives and intent of the SEFC Public Art Plan.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject 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; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, 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, 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 the necessary amendments to the Southeast False Creek Official Development Plan By-law generally in accordance with Appendix C of the Policy

Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006, be approved.

- C. THAT the consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)) as set out in Appendix C of the Policy Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006, be approved.
- D. THAT the Noise Control By-law be amended to include this CD-1 in Schedule B as set out in Appendix C of the Policy Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006.
- E. THAT the draft by-law entitled "A by-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1", contained in the Public Hearing agenda of October 17, 2006 be amended as follows:

Section 6.8(e) to read

"structures such as elevator enclosures, stairwells, pergolas, trellises and tool sheds which support the use of intensive green roofs and urban agriculture"

Section 7.5 to read

"Despite section 7.1, 7.2, 7.3 and 7.4, maximum building height does not include elevator enclosures and stairwells, or garden structures such as pergolas, trellises and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

CARRIED
(Councillor Cadman opposed)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Chow

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

The Special Council adjourned at 10:52 p.m.

* * * * *