

SPECIAL COUNCIL MEETING MINUTES

MAY 14, 2012

A Special Meeting of the Council of the City of Vancouver was held on Monday, May 14, 2012, at 6:05 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the zoning, heritage and sign by-laws.

PRESENT: Councillor Elizabeth Ball, Acting Chair
Councillor George Affleck
Councillor Adriane Carr
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tony Tang

ABSENT: Mayor Gregor Robertson
Councillor Tim Stevenson

CITY CLERK'S OFFICE: Bonnie Kennett, Meeting Coordinator (Minutes)
Nicole Ludwig, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

**1. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT:
2435 West 5th Avenue (The Northey Residence)**

An application by Vasko Pavlov, Vasko Pavlov Design, was considered as follows:

Summary: To designate the existing building as a protected heritage property and to approve a Heritage Revitalization Agreement (HRA). The HRA would permit density in excess of that permitted in the RT-8 zoning, in exchange for heritage rehabilitation and conservation. The application proposes a new infill building at the rear of the site.

The Director of Planning recommended approval subject to the conditions as set out in the Summary and Recommendations of the public hearing agenda.

Summary of Correspondence

No correspondence had been received on this application.

Speakers

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

Council Decision

MOVED by Councillor Deal

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate as a protected heritage property the heritage building at 2435 West 5th Avenue (*PID: 006-355-633; Lot 14, Block 241, District Lot 526, Plan 1058 - "the Lands"*), which is known as "The Northey Residence" and listed in the "B" evaluation category on the Vancouver Heritage Register ("the heritage building").
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for the City to enter into a Heritage Revitalization Agreement in respect of the heritage building at 2435 West 5th Avenue (*PID: 006-355-633; Lot 14, Block 241, District Lot 526, Plan 1058 - "the Lands"*) to:
 - (a) secure the rehabilitation and long-term preservation of the heritage building; and
 - (b) vary the Zoning and Development By-law in respect of the Lands so to permit the rehabilitation of the heritage building and the construction of a new Infill One-Family Dwelling thereon as proposed under Development Permit Application DE415201 and as more particularly described in this report.
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered and given priority on title to the Lands to the satisfaction of the Director of Legal Services and the Director of Planning.
- D. THAT A to C be adopted on the following conditions:
 - (a) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is

at the risk of the person making the expenditure or incurring the cost;
and

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

CARRIED UNANIMOUSLY

2. REZONING: 960-982 Howe Street

An application by John Scott, CEI Architecture, was considered as follows:

Summary: To rezone from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 16-storey office building with retail uses on the ground floor. The proposed floor space ratio (FSR) is 11.2 (268,908 sq. ft.), with a maximum building height of 202 ft. The proposal also includes 217 underground parking spaces, accessed from the lane.

The Director of Planning recommended approval subject to the conditions as set out in the Summary and Recommendations of the public hearing agenda.

Staff Opening Comments

Ian Cooper, Senior Rezoning Planner, Rezoning Centre, introduced the application and responded to questions.

Applicant Comments

Peter Mitchell, MKT Arkle Development Management Inc., introduced the application and responded to questions.

Summary of Correspondence

No correspondence had been received on this application since referral to public hearing.

Speakers

The Chair called for speakers in favour and opposed to the application.

Darry Major, Tom Lee Music Co. Ltd., provided other comments, noting concerns about traffic and parking.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by CEI Architecture Planning Interiors on behalf of The Manufacturer's Life Insurance Company Inc. to rezone 960-982 Howe Street (*PIDs: 015-456-021, 015-456-064, 015-456-099, 015-456-170, 005-407-133, 005-407-532, 005-407-613 and 005-725-291; Lots 12-19, Block 72, District Lot 541, Plan 210*) from DD (Downtown District) to CD-1 (Comprehensive Development) to permit a 16-storey office building with retail uses on the ground floor, generally as presented in Appendix A of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe 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 CEI Architecture Planning Interiors and Endall Elliot Associates and stamped "Received City Planning Department, February 21, 2012", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development

1. Provision of a 5.5 m (18 ft.) setback from the curb to the face of building at the first and second floors.

Note to Applicant: Intent is to provide sufficient space to support pedestrian travel as a transportation priority in the downtown, and to provide sidewalk space to accommodate future active uses such as retail and restaurant. To avoid reducing the amount of commercial floor area, an offsetting extension into the corner plaza will be considered.

2. Relocation of the public washroom from the Nelson Street sidewalk to the site, in consultation with the General Manager of Engineering Services.

Note to Applicant: Intent is to remove the washroom housing as an impediment to pedestrian travel on Nelson Street, while retaining the facility in the immediate area.

3. Design development to the exterior finish of the building to create visual variety and interest on the larger expanses of wall that will be visible from the public realm.

Note to Applicant: Given current height limits on Granville Street, the lane elevation will likely be more visible than usual for a downtown building. Consider the integration of visible shading devices as way to decrease solar gain and increase building articulation. Given the unusually good solar exposure, consider the integration of an energy producing system on the lane façade.

4. Design development to mitigate the privacy impact to the adjacent residential units at 1010 Howe Street.

Note to Applicant: While the basic form and height may be permitted, some refinement of the south façade to reduce the potential for overlook from the office space to residential units that are directly across from this side of the building is to be considered.

Engineering

5. Provision of improved parking and loading design including, but not limited to the following:

- 5.1 Provision of additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 1.22 m (4 ft.) from the end of the stall as per the Parking By-law;

- 5.2 Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for encroaching columns between parking stalls;

- 5.3 Provision of adequate stall length;

Note to Applicant: The regular stalls along gridline 4 are required to be a minimum of 5.5 m (18 ft.) in length.

- 5.4 Provision of an improved plan showing the design elevations on both sides of the parkade ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls;

- 5.5 Provision of a section drawing showing elevations and the minimum unobstructed 2.3 m (7 ft. 6 in.) of vertical clearance, and the location of all security gates for the main ramp;

- 5.6 Provision of an improved plan showing the turning swaths for the 3 Class B loading spaces;

Note to Applicant: Please refer to the City of Vancouver's Parking and Loading Design Supplement and Bicycle Parking Design supplement where appropriate during design development.

6. Provide a traffic study to assess the impacts and traffic volumes of allowing traffic to enter the laneway from Nelson Street. The traffic study should include truck counts/turning movements (for a typical day and daily peak hour) to record the size and frequency of deliveries for the entire lane block and record all instances of traffic congestion in the lane. It should also note where the vehicles stopped and for what duration, where possible. The study should consider a bicycle facility on Nelson Street and alternate vehicle routing to the site. For more information, contact Dave Kim at 604.871.6279.
7. Provide a complete technical table with required parking, loading, bicycle space calculations and the number of spaces being provided.
8. Provision of an additional Class A loading space (5 in total).
Note to Applicant: 4 Class B loading spaces are required and 3 are being provided. 2 Class A spaces can be used to substitute for a Class B space.
Note to Applicant: The pole in the lane may require relocation and loading throats and additional bay widths may be required. Consultation with a transportation engineer is encouraged.
9. Provision of door openers on the bicycle room doors to hold the door open and facilitate greater ease of entry/exit for cyclists.
10. Delete all non-standard sidewalk treatments adjacent the site on public property and show standard 4 ft. exposed aggregate band at the curb and broomed finished saw cut sidewalk to the property line.
11. Show four-piece street tree surrounds at all new street tree locations.
12. Proposed bike racks on public property are to be typically shown adjacent the curb. A separate application is required to the General Manager of Engineering Services.
Note to Applicant: Class B bicycle parking (bike racks) supplied on public property do not count against your development

permit class B bicycle parking requirement which must be met on site.

13. A canopy application is required.

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage systems.

14. All plaza surface drainage is to remain on-site and not to be drained over property lines to public property.

15. Provision of separated garbage storage and pick up facilities for each use is required. Please clarify locations and pick up operations.

Landscape

16. Design development to the 16th floor terrace to group the modular planting trays in a hierarchy of spaces, such that some open space is provided for social gatherings by users of the adjacent meeting room. Seating should be incorporated into the terrace design.

17. Provision of a clearer walking route from the public sidewalk at the south corner of the plaza on a diagonal line to the public sidewalk at the north corner of the plaza.

Note to Applicant: The raised basalt slabs will need to be reconfigured in order to allow this pedestrian desire line to function.

18. Consideration to integrate the plaza paving design into the ground floor commercial space as well as the lobby.

Note to Applicant: The plaza paving design (including materials) could extend from the plaza through the commercial space and interior lobby. The same pattern and materials could continue on both sides of the glass walls in order to clearly express the transparency of the plaza and building design.

19. Provision at the time of full development permit of architectural and landscape details illustrating the rainwater collection system. A written description of the rainwater management plan should be included.

20. Provision, at the time of development permit application, of a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should

be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

21. Provision at the time of full development permit application of large scale sections (1/4"=1' or 1:50) illustrating the soil depths of all proposed planters. The planter depth should meet the criteria of the BCNLA Landscape Standard for Planting on Slab.

Sustainability

22. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including a minimum of 63 points in the LEED® rating system selected for this project, six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project are also required under the policy.

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 Director of Planning, the Manager of Environmental Protection and the General Manager of Engineering Services, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 12 to 19, Block 72, DL 541, Plan 210 to create a single parcel.
2. Provision of a site 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.

- 2.1 Provision of improved sidewalks adjacent the site to meet the current standards at the time of construction;

Note: This site is not located within the Downtown South specialty treatment area, standard commercial sidewalk treatments of exposed aggregate, broomed finished sidewalks with sawcut panels with standard 4 piece tree surrounds are to be installed around the site.

- 2.2 Provision of standard concrete lane entry on the north side of Nelson Street at the lane entry east of Howe Street;
- 2.3 Provision of public amenities in the proposed corner plaza including a drinking fountain, bicycle air pump and comfortable seating which incorporates skateboard resistant design features;
- 2.4 Relocation of the public toilet structure from the Nelson Street sidewalk onto the site including adequate lighting and electrical energy for the toilet's operation. (There is currently a pedestrian scale light and transformer kiosk located adjacent the toilet facility to allow for its operation). Arrangements are to include consultation with BC Hydro and Engineering Services;
- 2.5 Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground;
- 2.6 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 as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be

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

- 2.7 Provision of pedestrian countdown timers at the Howe Street/Nelson Street intersection to support improved pedestrian movements at this intersection.
3. Provision of a statutory right-of-way over the corner plaza area to allow for public access and use of the space and features;
4. Provision of statutory rights-of-way over the setback areas to achieve a 5.5 m (18 ft.) boulevard width on both Howe Street and Nelson Street frontages to be measured from the curb.
5. Provision of legal agreements and statutory rights-of-way to accommodate the relocated toilet facility with all costs for the relocation to be fully at the Owners expense.

Soil and Water Contamination

6. That the property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
7. Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated there from on terms and conditions satisfactory to the Manager of Environmental Protection, 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 a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Public Art

8. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the

satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

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

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

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

- B. THAT the application to amend the Sign By-law to establish regulations for this CD-1 and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street".

carried

AMENDMENT MOVED by Councillor Carr

THAT the following be added as section 5.7 to the Engineering Conditions of Approval:

Add "Provision of public parking onsite with one on one replacement of current parking onsite."

LOST

(Councillors Affleck, Ball, Carr, Deal, Jang, Louie, Meggs and Reimer opposed)

The amendment having lost, the motion was put and CARRIED UNANIMOUSLY.

3. REZONING: 5761-5775 St. George Street

An application by Chris Bardon, Silk St. George Development Ltd. was considered as follows:

Summary: To rezone from RS-1 (One-Family Dwelling District) to CD-1 (Comprehensive Development) District, to permit the development of a Housing Demonstration Project (HDP). The project would consist of 16 strata-titled, ground-oriented, two-storey row houses with a partial third floor. Parking for 22 cars and 29 bicycles will be provided in the underground. A total of 22,566 sq. ft. (2 032 m²) of floor space is proposed at a floor space ratio (FSR) of 1.03.

The Director of Planning recommended approval subject to the conditions as set out in the Summary and Recommendations of the public hearing agenda.

Staff Opening Comments

Farhad Mawani, Rezoning Planner, Rezoning Centre, introduced the application.

Applicant Comments

Chris Bardon, Silk St. George Development and Stuart Howard, Stuart Howard Architects, provided an overview of the application and responded to questions.

Summary of Correspondence

The following correspondence had been received on this application since referral to public hearing:

- 1 letter in support
- 1 letter opposed
- 1 letter dealing with other matters related to the application.

Speakers

The Chair called for speakers in favour and opposed to the application.

The following spoke in favour of the application:

William Reeve
Katherine Ruffen
Wendy Waters
Ashley Judd
Max Kettler
Wilson Wong
Caroline Lohrisch
Ryan Lalonde

The following spoke in opposition to the application:

Jean Allan
Mike Sagarbavria
Anneliese Plett
Andrew Allan
Sandra Banks
Orson Woo

Staff Closing Comments

Farhad Mawani, Rezoning Planner, Rezoning Centre, along with Brent Dozzi, Neighbourhood Parking and Transportation, Engineering Services, responded to questions.

Applicant Closing Comments

Chris Bardon, Silk St. George Development, responded to questions.

Council Decision

MOVED by Councillor Carr

- A. THAT the application, by Silk St. George Development Ltd., to rezone 5761-5775 St. George Street (*Lots 6 and 7, District Lot 642 Plan 1521, PIDs: 011-806-478 and 014-580-543, respectively*), from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit a multi-family residential development under the Housing Demonstration Program, generally as presented in Appendix A of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning - 5761-5775 St. George 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 Stuart Howard Architects, on behalf of Silk St. George Development, and stamped "Received City Planning Department, October 14, 2011", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below;
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Urban Design

Crime Prevention Through Environmental Design (CPTED)

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

Note to Applicant: As with any large development, the applicant must consider and design against uncommon but potential risks such as break and enter to property or vehicles, the perceived safety of underground parking areas, mischief and vandalism.

Provide a strategy that identifies the particular risks that may arise on this site and proposes specific features to mitigate them. Show on the plans where these features should be located, and provide an indicative design for them. Of particular interest are the underground parking ramp and courtyard areas, as well as provision of a conceptual lighting strategy to ensure appropriate lighting levels and CPTED performance, while minimizing glare for nearby residents. Careful attention to public realm lighting, including all street frontages and lanes, is required.

Landscape

- 2. Design development to maximize the retention of trees.

Note to Applicant: The rezoning documents indicate that perimeter trees have been integrated into the proposal. Detailed plans at the development permit stage should demonstrate due care and attention to avoid encroachments into the critical root

zones. A comprehensive arborist report [referenced but not provided at time of rezoning] should be submitted. Any tree proposed for removal on a shared property line will need to be retained safely. Where a 'shared' tree is in conflict with an excavation, a neighbour consent letter should accompany the tree removal application.

3. Integration of urban agriculture or edible landscape opportunities into the open space plan.
4. Design development to integrate utilities into the building, wherever possible.

Note to Applicant: Advanced planning will be needed to integrate utilities and access into structures and behind lockable, decorative gates or screened with landscaping. Avoid the awkward placement of utilities (pad-mounted transformers, "Vista" junctions, underground venting) in the public realm or visible to primary walkways and entrances.

5. At time of development permit application, provision of:
 - (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
 - (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures.
 - (iii) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
6. A Landscape Lighting Plan to be provided for security purposes.
Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

Engineering

7. The following are to be addressed at the development application stage.

- (i) Provision of a traffic warning light system for the proposed 12-foot wide one-way ramp is required.
- (ii) Redesign the parking ramp and manoeuvring aisle to improve access to stalls 8-15.

Note to Applicant: A minimum 24-foot (7.3 m) separation between the east-west ramp and the drive aisle is required. Consult a qualified transportation engineer to improve the access to stalls 8-15 and provide turning swaths to show the manoeuvring to and from the ramps and stalls. Details of the signal design and warning system is to be provided with the location of all lights and detection devices to be clearly noted on the plans.

- (iii) Provision of a 1'-0" (0.3 m) setback from the drive aisle for the encroaching columns between the parking spaces.
- (iv) Provision of a minimum 21'-8" (6.6 m) manoeuvring aisle width for regular parking stalls.
- (v) Provision of additional parking stall width for stalls adjacent to walls.

Note to applicant: Stalls 8 and 9 require an 8'-6" (2.6 m) stall width.

- (vi) Provision of an improved plan showing the design elevations on both sides of the parking ramp at all breakpoints and within the parking areas clearly indicating all slopes and cross falls.
- (vii) Confirmation of the garbage pick-up operator and operation. Please confirm if you are seeking City of Vancouver garbage and recycling pick up or will be using a private operator for this purpose. Please provide details of the garbage pick up operations and that storage and pick up can take place on site and without any prolonged storage of bins on public property.
- (viii) Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Note to Applicant: The legal description for Lot 6 on page 1.06 should be corrected to read "Lot 6, DL 642, Plan 1521" - there are no block numbers in the current legal description."

Note to Plan Checker: A bicycle wheel ramp should be provided at the easterly stairs closest to the Class A bicycle spaces as an alternate exit for cyclists without having to use the 12' vehicle ramp.

Sustainability - Green Building

8. Compliance with all of the following conditions must be demonstrated at each stage of permitting:
 - (i) The project must be certified Built Green® Gold 2011.
 - (ii) The project must achieve an EnerGuide for New Houses (EGNH) rating of 82 or higher. If the building permit is issued following the enactment of the 2012 Vancouver Building Bylaw, the project will be required to achieve an EGNH rating of 84. The EGNH audit report ("P-file") must be submitted prior to issuance of Development Permit; and
 - (iii) The project must meet the intent of all of the prerequisites under LEED® for Homes 2009.

Note to Applicant: Provide a Built Green® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for Certification of the project are also required under the policy.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Consolidation of Lots 6 and 7, DL 642, Plan 1521 to create a single parcel.
2. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the services are provided. No development permit for the site will be issued until the security for the services is provided.
 - (i) Provision of 1.83 m wide standard concrete sidewalk adjacent the site.

- (ii) Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
- (iii) 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 as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

Housing

3. Pay the amount of \$80,000 to the City, prior to enactment of the CD-1 by-law, as a contribution toward the Affordable Housing Fund, to the satisfaction of the Managing Director of Social Development, and on terms and conditions satisfactory to the Director of Legal Services.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning - 5761-5775 St. George Street".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the necessary amendments to the Parking Bylaw, generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning - 5761-5775 St. George Street".

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Meggs
SECONDED by Councillor Louie

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 7:54 pm.

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