



PUBLIC HEARING MEETING MINUTES

MARCH 14, 2013

A Public Hearing of the City of Vancouver was held on Thursday, March 14, 2013, at 6:09 pm, in the Council Chamber, Third Floor, City Hall, to consider proposed heritage and zoning by-law amendments.

PRESENT: Mayor Gregor Robertson
Councillor George Affleck
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Heather Deal
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Tony Tang

ABSENT: Councillor Kerry Jang (Leave of Absence)

CITY CLERK'S OFFICE: Barbara Pearce, Deputy City Clerk
Pat Boomhower, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Carr
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

1. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA) - 1017 Keefer Street

An application by Michael Lemon, Birmingham and Wood Architects, was considered as follows:

Summary: To designate the existing heritage building as a protected heritage property, approve a Heritage Revitalization Agreement (HRA), and construct a new infill dwelling. The application proposes variances to the Zoning and Development By-law.

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

Applicant Opening Comments

James Burton, Principal, Birmingham and Wood Architects, was present to respond to questions.

Summary of Correspondence

No correspondence had been received since the application was scheduled for public hearing and prior to the close of the speakers list.

Speakers

The Mayor 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 residential building at 1017 Keefer Street [PID 015-573-851; Lot 12, Block 79, District Lot 181, Plan 196] (the "Lands") known as the "Bates House" (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 to authorize the City to enter into a Heritage Revitalization Agreement to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building; and
 - (ii) vary the *Zoning and Development By-law* in respect of the Lands to permit the rehabilitation of the heritage building and the construction of a new infill dwelling thereon as proposed under Development Permit Application Number DE415631 and as described in the Policy Report dated November 5, 2012, entitled "1017 Keefer Street - 'Bates House' - Heritage Designation and Heritage Revitalization Agreement".
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, noted 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 above, be adopted on the following conditions:
 - a. THAT the passage of the above resolution creates no legal rights for the applicant or any other person nor any 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. TEXT AMENDMENT - 108 East 1st Avenue

An application by Jason Turcotte, Cressey Quebec Street Holdings Ltd., was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (522) By-law No. 10425, to allow for the addition of 500 m² (5,382 sq. ft.) of light industrial floor area to the Quebec Street frontage of this approved residential development for a total floor area of 12,292 m² (132,314 sq. ft.). Residential floor area displaced from the Quebec Street frontage would be relocated to a new 13th floor, increasing the building height from 38.1 m (125.0 ft.) to 41.1 m (134.8 ft.). The proposal includes a floor space ratio (FSR) of 3.65.

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

Staff Opening Comments

Michael Naylor, Senior Rezoning Planner, Planning and Development Services, responded to questions.

Applicant Opening Comments

Jason Turcotte, Project Manager, Cressey Quebec Street Holdings Ltd, was present to respond to questions.

Summary of Correspondence

Council received the following correspondence since the application was referred to public hearing:

- 1 letter in support

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 Cressey Quebec Street Holdings Ltd. to amend the text of CD-1 (522) By-law No. 10425 for 108 East 1st Avenue [*PID: 028-767-659, Lot B Block 7 District Lot 200A Group 1 New Westminster District Plan BCP50146*] to add 500 m² (5,382 sq. ft.) of light industrial floor area to the residential development approved for this site to accommodate a custom-built motor vehicle manufacturer, generally as presented in Appendix A of the Policy Report dated January 29, 2013, entitled "108 East 1st Avenue: CD-1 Text Amendment", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) THAT the proposed revised form of development be approved by Council in principle, generally as prepared by Rafii Architects Inc. and stamped "Received Planning Department, August 15, 2012", provided that the General Manager of Planning and Development Services 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 revised form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services or Development Permit Board, who shall consider the following conditions:

Design Development

1. Clarification on the submitted report entitled "Building Requirements for Combining Industrial and Residential Use", to address health and safety issues such as noxious gases, heavy particulates and other environmental toxins that result from manufacturing activities in conjunction with residential uses.

Note to Applicant: The report dated June 4, 2012 does not specifically address these life-safety and health issues. Air exhaust directly onto the lane at ground level is not supported. Exhaust air is to be vented at roof level and treated to be cleansed of all environmental toxins. Indicate on drawings and in a detailed report how this is achieved.

2. Provide an updated acoustical report to reflect changes in use.

Note to Applicant: Indicate mitigation strategies to attenuate noise resulting from manufacturing activity that will negatively impact surrounding residential uses. Ambient noise levels to meet city-wide standards for residential uses.

3. Design development to provide continuous weather protection along the industrial/commercial frontage, minimum 2.4 m (8 ft.) in depth.

4. Confirmation on the drawings, deleting any bollards in the public realm.

Note to Applicant: As previously indicated on related presentation material.

5. Confirmation on the drawings, providing double-height glazing along the industrial/commercial frontage.

6. Confirmation on the drawings, providing an updated landscape plan, with further enhancements to the public realm with specialty paving and additional trees.

Note to Applicant: Provide a double row of trees in a continuous trench of native soil, or alternatively in a soil-cell growing medium.

Landscape

7. Design development to add a greener edge to the Quebec Street setback area.

Note to Applicant: This can be accomplished by adding two or three additional trees and rectangular planting areas to the setback between the west property line and the edge of the underground slab. In order to allow adequate views to the showroom, the trees should be narrow and under planting should be low shrubs.

8. Provision of a large-scale sections (1/4"=1' or 1:50) illustrating:

- (i) the planting depths for the trees in the area between the building façade and Quebec Street curb, and

- (ii) the planting depths for the proposed rooftop intensive green roofs.

Engineering

9. Address, to the satisfaction of the General Manager of Planning and Development Services in consultation with the General Manager of Engineering Services, the breach of residential security which occurs when accessing the proposed four light industrial/commercial parking spaces located after the residential security gate and clarify the intended uses for the parking spaces.

10. Provision of the applicant's operations plan to form an integral part of the development permit approval.

Note to P.C.: Please ensure the final version of the plan is correctly identified on the face of the development permit.

11. Clarify where the garbage and recycling for this proposed light industrial/ commercial space will be located and that it addresses the needs of this use.
12. Delete pavers from public property that are not part of the Southeast False Creek public realm plan and show only treatments consistent with the Southeast False Creek Public Realm Plan.
13. The design of the bicycle lockers as proposed is not supported by Engineering Services.

Note to Applicant: The proposed style of locker with two bicycles sharing a locker is only acceptable if there is a required access aisle on both sides of the locker. There is meant to be a door on either end of the locker from which the bike can be put into the locker or removed. It is not possible to remove a bike from the narrow end of the locker.

Note to P.C.: There are an excessive number of bicycle spaces shown, most of which do not work.

- B. THAT a consequential amendment to the Southeast False Creek Official Development Plan, to replace Figure 5 with an amended Figure 5, be approved.
- C. THAT an application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 (522) in accordance with Schedule B to the Sign By-law [assigning Schedule B (DD)], generally as set out in Appendix C of the Policy Report dated January 29, 2013, entitled "108 East 1st Avenue: CD-1 Text Amendment", be approved.
- D. THAT A to C above, be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

3. REZONING - 4533-4591 Cambie Street and 510 West 29th Avenue

An application by Doug Ramsay, Ramsay Worden Architects, was considered as follows:

Summary: To rezone 4533-4591 Cambie Street and 510 West 29th Avenue from RS-1 (Family Residential) District to CD-1 (Comprehensive Development) District. The proposal is for three 6-storey residential buildings containing 175 dwelling units. A height of 21.0 m (68.9 ft.), combined floor space ratio (FSR) of 2.50, and total floor area of 15,298 m² (164,667 sq. ft.) are proposed.

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

Staff Opening Comments

Dwayne Drobot, Rezoning Planner, Planning and Development Services, presented the application.

Applicant Opening Comments

Doug Ramsay, Ramsay Worden Architects, provided opening comments and responded to questions.

Summary of Correspondence

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

- 13 letters opposed

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns related to building mass, height, length, FSR, vehicle entrance off 29th Avenue, interpretation of the Cambie Corridor Plan, and parking issues.

Monique Choptuik
Frank Jameson
Karen Jackson
Dominique Robeyns
Carey Murphy
Fran MacLean
John Liket

The speakers list closed at 7:10 pm.

Applicant Closing Comments

Richard White, Senior Development Manager, Intergulf Development Group, provided closing comments and responded to questions.

Staff Closing Comments

Mr. Drobot, along with Kent Munro, Assistant Director, Current Planning, Salien Black, Planner, Urban Design and Development Planning Centre, and Jerry Evans, Associate Director, Development, Real Estate Services, responded to questions.

Council Decision

MOVED by Councillor Reimer

- A. THAT the application by Ramsay Worden Architects, on behalf of Intergulf Development (QE Park) Corp, to rezone 4533-4591 Cambie Street [*Lots 8 to 13, Block 760, District Lot 526, Plan 7131; PIDs: 011-491-825, 011-491-833, 011-465-077, 011-491-841, 011-491-868 and 011-491-876 respectively*] and 510 West 29th Avenue [*PID: 010-821-015; Lot 7, Block 760 District Lot 526, Plan 6960*], from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to provide for a combined floor space ratio of 2.50, to permit the development of three six-storey residential buildings containing 175 dwelling units, generally as presented in Appendix A of the Policy Report dated January 29, 2013, entitled "CD-1 Rezoning - 4533-4591 Cambie Street and 510 West 29th Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Ramsay Worden Architects, on behalf of Intergulf Development Group, and stamped "Received City Planning Department, October 5, 2012", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to create open spaces suitable for children's play with adjacent common amenity rooms.

Note to Applicant: Staff commend the applicants for providing a wide range of units, and recommend that the various amenity areas and open spaces be rearranged to improve the functionality of these common areas for families with children. See the High-

Density Housing for Families with Children Guidelines for more information.

2. Reduction in the height of Building B facing the lane to four storeys for that portion adjacent to the opening between buildings.

Note to Applicant: The floor area may be relocated so long as the design principles for this part of the Cambie Corridor are respected.

3. Design development to increase the amount of permeable surface on grade.

Note to Applicant: Loading and other hard surface areas that are not subject to daily truck turning should have permeable surface systems specified and shown in detail on the drawings.

4. Design development to dwelling units to ensure the delineation of the public and private realm, to accommodate a front entrance area or patio, and to avoid a blank wall condition at the front or rear of the site.

Note to Applicant: In general, this can be accomplished by locating the entry door approximately three feet above the sidewalk grade, or approximately two feet above the lane grade. Where significant sloping conditions or retained walls affect this general solution, adjustment of individual dwelling unit levels or the vertical dimension may be needed, to the satisfaction of the Director of Planning.

5. Design development to ensure that the main level of dwelling units are located no more than 18 inches below grade to allow for better access to light, ventilation and open space.

Crime Prevention Through Environmental Design (CPTED)

6. Design development to consider the principles of CPTED, having particular regard for security in the underground parking.

Note to Applicant: Show how lighting and glazing will be used to improve perceived safety in underground areas. Residents and operators should be consulted to determine whether any other risks exist in the area, and specific design response noted on the plans. Design features that address CPTED principles should be noted in the development permit application.

Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings Policy for Rezoning, including a minimum of 63 points in the LEED® rating system, including at least 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.

Landscape Review

8. Retention of two trees identified as #3 and #5 in the arborist report dated May 22, 2012. These two large Sawara Cypresses are in good health and are located outside the building envelope.

Note to Applicant: A more detailed arborist assessment is required about methods of safe retention for these trees.

9. Design development to the mid-block walkways to achieve a distinctive high quality landscape treatment. Downlighting, seating and signage at both ends of the walkway will improve way finding and will encourage the use of this link by the public.

Note to Applicant: Larger scale drawings of the walkway will be required at the time of development permit application to demonstrate a fine grained approach to the walkway.

10. Provision of a pedestrian friendly experience at the lane edge through the use of downlighting and planting at grade.
11. Provision of urban agriculture in the form of planters or plots that are suitable for agriculture activities. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should reference the Urban Agriculture Guidelines for the Private Realm and should maximize sunlight, integrate into the overall design and be universally accessible.
12. Provision of a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention, and treatment.

Note to Applicant: Strategies could include high efficiency irrigation, use of drought tolerant plants and mulching.

13. Provision of adequate soil depths within planters on slab, to meet the BCSLA latest standard.
14. Provision of a separate Lighting Plan at the time of development permit application to ensure pedestrian safety and security.
15. Provision of a full Landscape Plan at the time of development permit application. The Landscape Plan should illustrate proposed plant materials, paving, walls, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum of 1/8"=1' or 1:100 in scale.
16. Provision of large scale sections (1/4"=1' or 1:50) at the time of development permit. The sections should illustrate the townhouse to public realm interface for Cambie Street, 30th Avenue, and for the lane. The sections should include details of retaining walls, guardrails and soil depths for planters. The location of the underground slab should be included in the sections.

Sustainability

17. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future District Energy System to supply all heating and domestic hot water requirements. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

18. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.

19. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.
20. Provide a deconstruction strategy relating to demolition waste for the existing buildings on site.

Engineering

21. Deletion of the rainwater management system showed meandering over the property line on Cambie Street and on 29th Avenue.
22. Provide a complete tech table with required parking, loading, bicycle space calculations and the number of spaces being provided.
23. Provision of the following improvements to the parkade design consistent with the parking and loading design supplement.
 - i) Provision of an improved plan showing the design elevations on both sides of all ramps and breakpoints to be able to calculate slopes and cross falls. Provide elevations on sections drawings.

Note to Applicant: Clarify the parking ramp slope as 10% is indicated on drawing DP 2.01 and 12% is shown on DP 4.02.
 - ii) Recess garbage/recycling room doors to be clear of the drive aisle.
 - iii) Provide a larger corner cut to the west side of the main ramp at the garbage/recycling room to provide improved 2-way flow.

Note to Applicant: To clarify this condition, please call Dave Kim at 604-871-6279.
 - iv) Consider providing a 9' x 9' (3 m x 3 m) corner cut at the top of the ramp from P2 to P1 to provide improved 2-way traffic flow.
24. Provision of Class B bicycle storage on 29th Avenue to be visible from the street.
25. Property line dimensions must be added to the site plan

Note: on the site plan the city lanes scale much wider than their 20 ft. widths.

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 General Manager of Planning and Development Services, 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 Lot 7, Plan 6960, and Lots 8 to 13, Plan 7131; all of Block 760, DL 526 to form a single parcel.
2. Release of Restrictive Covenant 25375M prior to building occupancy.
3. Release of Restrictive Covenant 25462M by way of cancellation by effluxion of time.
4. 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 applicant's 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.
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 with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
6. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided.

No development permit for the site will be issued until the security for the services are provided.

- i) Provision of upgrades to the existing combined storm/sewer main from 29th Avenue to King Edward Avenue to manage the proposed storm and sanitary flows projected for the site.
- ii) Provision of an on-street bicycle/pedestrian plaza at the corner of 29th Avenue and Cambie Street which should include a seating wall, 6 chairs or bench equivalents, special paving where possible within the plaza area, a drinking fountain, bicycle racks, a bicycle pump, lighting and landscaping.
- iii) Provision of pedestrian scale lighting along 29th Avenue adjacent the site consistent with bikeway treatments throughout the City.
- iv) Provision of curb and gutter and asphalt pavement to centerline on 30th Avenue from Cambie Street to the lane west of Cambie Street.
- v) Provision of intersection improvements identified through the additional traffic analysis and review sought prior to development permit application.
- vi) Provision of standard concrete lane crossings at the lane entry at 29th Avenue and the lane west of Cambie Street and 30th Avenue and the lane west of Cambie Street.
- vii) Provision of Street trees adjacent the site where space permits.
- viii) Should construction damage to the existing sidewalks around the site be significant and warrant replacement the existing sidewalks are to be upgraded to a minimum of 2.1 m in width.

Sustainability

7. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a District Energy System, if and when the opportunity is available and in accordance with the City's policy for District Energy Connectivity Standards and the Cambie Corridor Plan, which may include but are not limited to agreements which:
 - i) require buildings on site to connect to a District Energy System at such time that one becomes available.
 - ii) grant the operator of the District Energy System access to the building mechanical system and thermal energy system-

related infrastructure within the development for the purpose of enabling District Energy System connection and operation, on such terms and conditions as may be reasonably required by the Applicant.

- iii) provide for adequate and appropriate space to be utilized for an energy transfer station (to be secured either through a long-term lease or through an assignable option to purchase agreement).

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: Public art application and fulfillment options can be discussed with the Public Art Program Manager.

Soils

- 9. Submit a site profile to the Environmental Protection Branch (EPB).
- 10. If 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.
- 11. If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer 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.

Community Amenity Contribution (CAC)

- 12. Pay to the City the Community Amenity Contribution of \$6,500,000 which the applicant has offered to the City, to the satisfaction of 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 necessary amendments to the Parking By-law, generally as set out in Appendix C of the Policy Report dated January 29, 2013, entitled "CD-1 Rezoning - 4533-4591 Cambie Street and 510 West 29th Avenue".
- 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 Subdivision By-law, generally as set out in Appendix C of the Policy Report dated January 29, 2013, entitled "CD-1 Rezoning - 4533-4591 Cambie Street and 510 West 29th Avenue".
- D. THAT A through C above, be adopted on the following conditions:
 - i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED
(Councillors Affleck, Ball and Carr opposed)

4. REZONING - 6361-6385 Cambie Street

An application by Stu Lyon, GBL Architects, was considered as follows:

Summary: To rezone 6361-6385 Cambie Street from RT-1 (Residential) District to CD-1 (Comprehensive Development) District. The proposal is for an eight-storey mixed-use building containing 63 dwelling units and main-floor commercial uses. A height of 27.5 m (90 ft.), a floor space ratio (FSR) of 3.30, and total floor area of 5,630 m² (60,600 sq. ft.) are proposed.

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

Staff Opening Comments

Dwayne Drobot, Rezoning Planner, Planning and Development Services, presented the application.

Applicant Opening Comments

Stu Lyon, GBL Architects, provided opening comments.

Summary of Correspondence

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

- 3 letters in support
- 2 letters opposed
- 2 letters on other related matters.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and expressed concerns related to interpretation of the Cambie Corridor Plan regarding height, community input, land use, townhouses facing the alley, parking ratio, and not fitting the character of the neighbourhood.

Tracey Moir, Oakridge Langara Area Residents (OLAR)
Frank Jameson
Karen Jackson
Fran MacLean

The speakers list closed at 8:24 pm.

Applicant Closing Comments

Mr. Lyon provided closing comments.

Staff Closing Comments

Kent Munro, Assistant Director, Current Planning, provided closing comments and responded to questions.

Council Decision

MOVED by Councillor Meggs

- A. THAT the application by GBL Architects, on behalf of Wanson (Oakridge) Development Ltd., to rezone 6361-6385 Cambie Street [*Lots 11 and 12 of Lot B Block 1008 District Lot 526 Plan 10803; PIDs: 009-301-089 and 007-578-962 respectively*] from RT-1 (Residential) District to CD-1 (Comprehensive Development) District to provide for a floor space ratio of 3.30 to permit the development of an eight-storey mixed-use building containing 63 dwelling units and main-floor commercial uses, among other things, generally as presented in Appendix A of the Policy Report dated January 29, 2013, entitled "CD-1 Rezoning: 6361-6385 Cambie Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architects, on behalf of Wanson (Oakridge) Development Ltd., and stamped "Received City Planning Department, October 17, 2012", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below;
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Provision of more substantial weather protection around the building.

Note to Applicant: Canopies should be continuous along the commercial façade and over the residential entryway and extend at least ten feet from the face of the building.

2. Design development to make open spaces more suitable for children.

Note to Applicant: The applicant is commended on providing an amenity room near to open space. Intent is to improve the functionality of this space. See the High-Density Housing for Families with Children Guidelines for more information.

3. Design development to provide optimal access to natural light, in balance with privacy, for new, approved and existing residential units.

Note to Applicant: The optimal balance of liveability and privacy for residents will depend on an evaluation of suite and window layouts. Plans and elevations should be included in the application to show the proposed relationship among units facing the lane, courtyard, or north property line. Design strategies may include translucent glazing, screens, and planting, and these should be drawn and noted on the plans and elevations along with the reflected building.

4. Extension of a distinctive surface treatment from the on-site pedestrian connection into the lane and towards 48th Avenue, together with signage and other design features, to create an inviting and notable passage for the public.

Note to Applicant: Coordination with the General Manager of Engineering will be required. Consider any public realm plans that may be available. Provide enlarged details and locations for signage, lighting and similar features. Design should be visually separate from that of the private residential areas.

5. Confirmation that the building does not exceed the gross areas stated in the rezoning application.
6. Provision of a schematic design to illustrate the opportunity for a wider, combined public passage when the south property is developed.

Landscape Design

7. Design development to expand programming and improve sustainability by including opportunities for urban agriculture and expanded common green amenity areas.

Note to Applicant: Shared gardening areas could be on rooftops as intensive green roofs and should be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

8. Design development to improve public realm and encourage connectivity with context. Streetscape improvements should include a double row of street trees, coordinated with a row of smaller, private space trees for the CRU entries. There should be clear visual and wayfinding pedestrian connections to Cambie Street shopping, plazas and Canada Line Station, bike trails, playgrounds and other neighbourhood amenities.

9. Design development to insure achievability of design intent and future viability of trees and shrubs by increasing the depth of soil (growing medium) over the garage structure to at least (preferably more) that of the standard industry practice of effective depth. Refer to current edition of the BCSLA/BCNTA Landscape Standard.
10. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
11. 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.
12. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details to be dimensioned to confirm depth of proposed growing medium on structures is deep enough to accommodate actual rootballs of proposed trees well into the future.
13. Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street and courtyard, confirming a delineated and appropriate private to public transition of spaces.

Note to Applicant: : The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.
14. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Amit Gandha (604-257-8587) of Park Board regarding tree species.
15. 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.
16. 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.

17. Trellis and vines to be provided over the underground garage access ramp.

Engineering Services

18. Provision of a means of separation for the pedestrian walkway from the adjacent Class A loading space. Bollards or other feature to separate the two uses are recommended.
19. Provision of automatic door opener devices on all bike storage rooms. Clarify and improve the garbage and recycling pick up process. Pick up process should not rely on any extended storage of bins on the City lane. Please provide written confirmation of the expected pick up process from a waste hauler and confirmation that the bins can be hauled up the proposed ramps grades.
20. The proposed special treatments in the lane require a separate application to the General Manager of Engineering Services.
21. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Notes to Applicant: The following items are required to meet provisions of the Parking By-law and the parking and loading design supplement:

- Provision of in-floor heat tracing for exposed portions of the parking ramp is required.
Note to Applicant: Parking entry ramps which exceed 12.5% slope and are exposed to air must be heated.
- Provision of an overhead gate separating the commercial and visitor parking from the residential parking.
- Provision of all bicycle storage to be on the P1 parking level.
- Provision of a maximum 12.5% grade for parking ramps after the first 20' section of ramp measured from the property line at the lane.

Crime Prevention Through Environmental Design (CPTED)

22. Design development to consider the principles of CPTED, having particular regard for security in the underground parking.

Note to Applicant: Show how lighting and glazing will be used to improve perceived safety in underground areas. Residents and operators should be consulted to determine whether any other risks exist in the area, and specific design response noted on the plans. Design features that address CPTED principles should be noted in the development permit application.

Sustainability

23. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings Policy for Rezonings, including a minimum of 63 points in the LEED® rating system, including at least 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.

24. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future District Energy System to supply all heating and domestic hot water requirements. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

25. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
26. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.
27. Provide a deconstruction strategy relating to demolition waste for the existing buildings on site.

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 General Manager of Planning and Development Services, 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 11 & 12 of Lot B, Block 1008, DL 526, Plan 10803 to create a single parcel.
2. Provision of a statutory right of way, having a minimum width of 2.5 m, for a public pedestrian walkway along the entire length of the site's southerly property line from Cambie Street to the lane.

Note to Applicant: This statutory right of way is intended to generally reserve a pedestrian corridor, recognizing that this statutory right of way can be refined at the development permit stage when the detailed building designs are finalized.
3. 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 with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
4. 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 applicant's 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.

Note to Applicant: This project will require an interconnected water service (2 separate services) Please contact engineering water design branch at 604-873-7325 for details.

5. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - a. Should sidewalk damage during construction result in more than 50% of the sidewalk requiring reconstruction then the sidewalk is to be reconstructed at a minimum width of 2.5 m;
 - b. Provision of street trees adjacent the site and where space permits; and
 - c. Provision pedestrian countdown timers at the intersection of 49th Avenue and Cambie Street.

Sustainability

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a District Energy System, if and when the opportunity is available and in accordance with the City's policy for District Energy Connectivity Standards and the Cambie Corridor Plan, which may include but are not limited to agreements which:
 - a. require buildings on site to connect to a District Energy System at such time that one becomes available;
 - b. grant the operator of the District Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling District Energy System connection and operation, on such terms and conditions as may be reasonably required by the Applicant; and
 - c. provide for adequate and appropriate space to be utilized for an energy transfer station (to be secured either through a long-term lease or through an assignable option to purchase agreement).

Soils

7. Submit a site profile to the Environmental Protection Branch (EPB).
8. If 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.

9. If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer 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.

Community Amenity Contribution (CAC)

10. Pay to the City, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$2,664,000 which the applicant has offered to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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 to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated January 29, 2013, entitled "CD-1 Rezoning: 6361-6385 Cambie 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 January 29, 2013, entitled "CD-1 Rezoning: 6361-6385 Cambie Street".
- D. 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 By-law, generally as set out in Appendix C of the Policy Report dated January 29, 2013, entitled "CD-1 Rezoning: 6361-6385 Cambie Street".

- E. THAT A through D above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Tang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ball
SECONDED by Councillor Tang

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 regarding Items 1 to 4.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Councillor Carr
SECONDED by Councillor Tang

THAT this meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:35 pm.

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