



PUBLIC HEARING MINUTES

OCTOBER 24 AND 29, 2013

A Public Hearing was held on Thursday, October 24, 2013, at 6:04 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development and Sign By-laws. Subsequently, the Public Hearing reconvened on Tuesday, October 29, 2013, at 6:05 pm. The minutes are consolidated for ease of reference.

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

ABSENT: Mayor Gregor Robertson (October 29, 2013)
Councillor Tim Stevenson (October 29, 2013)

CITY CLERK'S OFFICE: Janice MacKenzie, City Clerk (October 24, 2013)
Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Reimer

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

CARRIED UNANIMOUSLY

1. **REZONING:** (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street

An application by DIALOG was considered as follows:

Summary: To rezone a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street from FCCDD (False Creek Comprehensive Development) to CD-1 (Comprehensive Development) District to permit two mixed-use buildings with 407 market strata units, 98 secured market rental units and retail, service, and office uses. A floor area of 60,645.7 m² (652,806 sq. ft.) and a maximum height of 151.5 m (497 ft.) are proposed.

To rezone b) 1410 Granville Street from BCPED (B.C. Place/Expo) to CD-1 (Comprehensive Development) District to permit a commercial building containing retail, service and office uses. A floor area of 5,264.7 m² (56,671 sq. ft.) and a maximum height of 26.2 m (86 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.

Council also had before it a memorandum dated October 22, 2013, from Kent Munro, Assistant Director of Planning, that provided updates related to the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street", and recommended that the following condition of enactment be added to the recommendations:

Recommendation Regarding the CAC Condition for 1410 Granville Street:

THAT the conditions of By-law enactment as presented in Appendix B2 of the Policy Report dated September 13, 2013, titled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street", be amended to include the following:

"Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$4 million which the developer has offered to the City, to be allocated as follows:

- \$1 million towards Granville Street Greenway;
- \$1 million towards Davie Street Village public realm improvements; and
- \$2 million towards completion of the Southeast False Creek theatre production space at 162 West 1st Avenue."

Staff Opening Comments

Karen Hoesel, Planning and Development Services, presented the application. Following the presentation staff responded to questions.

Applicant Comments

Bruce Hadden, DIALOG, reviewed the application.

Summary of Correspondence

Council received the following since the application was referred to Public Hearing and up to 15 minutes after the close of the speakers list:

- 59 letters or emails in support;
- 8 letters or emails opposed;
- 2 letters or emails addressing other matters.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application; some expressed concerns or offered additional suggestions about specific aspects of the application:

Dean Mailey
Peter Odegaard
Stephen Regan, West End Business Improvement Association
Brian Wakelin, Architect, Public: Architecture + Communication
Maurice Ouellette
Ron Bijok, Architect, Radiant City Architecture
Dean Malone
Adam Chatburn, President, CAMRA BC - Vancouver Branch
Tanya Paz
Jamie Forrest
Aaron Sangster
Mike Porter
Alysia Baldwin
Emad Yacoub, Glowbal Restaurant Group
Steve Savitt
Avery Tseshovski
Christopher Erdman
Amin Shevaz
James Todd

The following spoke in opposition to the application:

Alex Holm
David Church
Stephen Bohus
Ross Lam
Frank Jameson
Rebecca Brown
Deborah Rooney

The speakers list closed at 8:30 pm.

Staff Closing Comments

Planning and Development staff provided closing comments. Following closing comments, staff responded to questions.

Applicant Closing Comments

Bruce Hadden, DIALOG, provided closing comments.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by DIALOG, on behalf of Howe Street Ventures Ltd.:
- (i) to rezone the following lands (the "Howe Street Lands") from False Creek Comprehensive Development District (FCCDD) to CD-1 (Comprehensive Development) District:
 - (a) 1412 Howe Street;
 - (b) 1420-1450 Howe Street;
 - (c) 1460 Howe Street;
 - (d) 1480 Howe Street;
 - (e) 1429 Granville Street;
 - (f) 710 Pacific Street; and
 - (g) that portion of lane, adjacent to 1412-1480 Howe Street (if closed and conveyed to the registered owner the above lands);

[Lot G, Block 122, District Lot 541, Plan 15118, PID: 007-687-915; Lots 4 to 12, Block 122, District Lot 541, Plan 210, PIDs: 015-505-162, 015-505-189, 015-505-201, 015-505-219, 015-505-235, 015-505-278, 015-505-286, 009-422-111 and 009-422-129 respectively; Lot A, Block 122, District Lot 541, Plan 8486, PID: 010-068-091; Lot H, Block 122, District Lot 541, Plan 20641, PID: 002-647-214; and Lot D, Block 122, District Lot 541, Plan 12338, PID: 008-907-251]

to permit two mixed-use buildings containing market strata and rental residential units, retail, service and office uses, with a floor area of 60,090.7 m² (646,832 sq. ft.) and a maximum height of 151.5 m (497 ft.); and
 - (ii) to rezone 1410 Granville Street *[Lots 1 to 3, Block 123, District Lot 541, Plan 9597, PIDs: 009-625-101, 009-625-119 and 009-625-135 respectively]* from BC Place/Expo District (BCPED) to CD-1 (Comprehensive Development) District to permit a commercial building containing retail, service and office uses, with a floor area of 5,264.7 m² (56,671 sq. ft.) and a maximum height of 26.2 m (86 ft.),

generally as presented in Appendices A1 and A2 of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street", be approved subject to the following conditions:

For (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DIALOG in conjunction with Bjarke Ingels Group, and stamped "Received City Planning Department, December 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 - Public Realm

1. Design development to provide a more direct and enhanced pedestrian connection (vertical elevators/stairs and horizontal bridge) between the upper Granville Bridge deck sidewalks and Granville Street below, integrated within both sub-areas A and B.

Note to applicant: In addition to the elevator access required, pedestrian access through the terraced semi-public courtyards to Pacific Street should also be maintained. Public access through the vertical circulation will be secured through a SRW. See also Engineering condition (c)2.

2. Design development to provide an enhanced public realm treatment that contributes to the unique environment under the Granville Bridge and ramps.

Note to applicant: High quality material treatment that balances the needs of pedestrians and vehicle movements while offering flexibility for potential programming of the space under the bridge and bridge ramps should be provided. Material treatments should consider variations of concrete finishes, with limited accent pavers and a design approach that minimizes the use of bollards. Other public realm features, such as landscaping, seating opportunities, patio spaces and kiosks, need to be considered. Features that are on City streets require a separate application to Engineering.

3. Design development and provision of a conceptual lighting strategy and implementation plan for pedestrian scale lighting and feature lighting to enhance the unique under the bridge/ramp environment.

Note to applicant: Public realm lighting needs to be coordinated to meet Engineering standards and requirements.

4. Provision of an animation strategy and implementation plan demonstrating the proposed use of City streets and structures, and provision of basic infrastructure, to support public realm programming.

Note to applicant: Basic infrastructure should be provided to facilitate event programming, including electricity, water, storage, and accessibility to public washrooms, including arrangements to secure public access.

Urban Design - Sub-area A

5. Design development to maintain the high quality materials indicated for the residential tower (zinc cladding, triple glazing, thermally enhanced slab construction and glazed balustrades) and for the internal semi-private courtyards (sandstone paving, ipe wood decking, triple glazing), and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.
6. Design development to maintain the high quality materials indicated (zinc cladding, stainless steel channeling, triple glazing, thermally enhanced slab construction and glazed balustrades) for the sloped facades for the podium building and the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.

Urban Design - Sub-area B

7. Design development to maintain the high quality materials indicated (zinc cladding, stainless steel channeling, triple glazing, thermally enhanced slab construction and glazed balustrades) for the sloped facades and for the internal semi-public courtyards (wood beams and decking, basalt steps and triple glazing), and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.
8. Design development at the building corners where canted over the sidewalk to ensure a pedestrian clearance of 3.1 m (10 ft.).

Note to applicant: Height clearance is to be provided above a minimum 2.4 m (8 ft.) wide sidewalk.

9. Design development to maximize the amount of retail frontage along the new west diagonal street under the Howe on-ramp (sub-area B) by relocating the parking to sub-area A or 1410 Granville Street.
10. Design development to the loading areas to improve the public realm interface, and pedestrian and grade conflicts.

Note to applicant: Consideration may be given to on-street loading, subject to an approved Loading Management plan (LMP). Also see Engineering condition 33.

Urban Design - Sub-areas A and B

11. Design development to maintain and enhance the green roof treatments indicated on the canted roof slope(s).
12. Design development to the public realm interface to ensure an active, engaged interface between the sidewalk elevations and retail activities, implementing stepped slabs within the buildings.

Note to applicant: Design development should configure the public realm to accommodate level areas for active outdoor use. Depressed entries located within the public realm are to be avoided as these entries should be configured and located within the building.

13. Design development to provide weather protection at major entry points.

Note to applicant: Employ glass canopies or similar devices to ensure maximum daylight reaches the street levels.

14. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.
15. Provision of a conceptual signage strategy to ensure a well-conceived and disciplined approach to announcing tenancy.

Note to applicant: The strategy should confirm general signage hierarchy, location and type. Back-lit box signs are not supported.

Sustainability

16. Identification on the plans and elevations of the built elements contributing to the buildings' sustainability performance as required by the Green Buildings Policy for Rezoning for LEED® Gold including six optimize energy performance points, one water efficiency point, and one storm water point.

Note to applicant: Provide a LEED® checklist confirming the above and 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 is also required under the policy.

17. Confirmation that the proposed buildings will achieve a maximum energy use intensity of 115 kWhr/m²/year for the residential portion and 122 kWhr/m²/year for the office portion of the development.

Crime Prevention Through Environmental Design (CPTED)

18. Design development to respond to CPTED principles, having particular regards for:
 - (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Note to applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

Landscape

19. Provision of a diversity of landscape experiences and spaces to improve the livability of building occupants and benefit the pedestrian experience.

Note to applicant: This landscape experience could include a variety of outdoor spaces on the roof decks of the three low-rise buildings (i.e. the buildings in sub-area B and 1410 Granville Street, and the podium of the sub-area A building). In addition to the extensive green roof cover, areas of intensive green roof space should be included, including opportunities for urban agriculture and outdoor amenity decks for social gatherings.

20. Provision of a Rainwater Management Plan that utilizes sustainable strategies, such as infiltration, retention, treatment and utilization of rainwater.

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

21. Design development of the landscaping to provide a replication of natural systems to utilize sustainable land practices on the development site.

Note to applicant: This could include the use of native plants, the creation of habitat for birds and/or the recycling of green waste.

22. Provision of a full landscape plan at the time of development permit application. 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.
23. Provision of large scale sections (1/4"=1' or 1:50) at the time of full development permit application. The sections should illustrate the public realm lanes, including lighting, bollard location, sidewalk width, curbs and any street furniture.

Engineering

24. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for the release of the Easement & Indemnity Agreements 141833M & 499823M (both commercial crossing agreements).
25. Confirmation that all proposed canopies are fully demountable. A separate application to the General Manager of Engineering Services is required.
26. Provision of a shoring plan from a Geotechnical Engineer detailing how the bridge footings will be protected during excavation and construction.

Note to applicant: All shoring, shotcrete walls, soil anchors, piles, etc. shall be installed to provide temporary support for City streets and the bridge structure during the period of excavation and construction, and shall be fully decommissioned at the end of the project.

27. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for a Bridge Monitoring Strategy.

Note to applicant: The Applicant is to develop a monitoring strategy for the bridge to track movements during excavation and construction, establish reporting thresholds and slopwork thresholds. A \$10,000 deposit will be required for the City to retain the Engineer of Record to review the monitoring strategy and the results of the monitoring during the critical phases of construction.

28. Provision of protection measures surrounding the bridge piers.

Note to applicant: Two-metre clear zones, curbs, bollards, barriers or similar protection measures are required to protect the bridge piers from vehicle impact.

29. Deletion of any attachments to the bridge structure without approval of the General Manager of Engineering Services.

30. Provision of a report from a Transportation Consultant recommending improvements to enable safe vehicle movement within all levels of the residential tower's parkade to the satisfaction of the General Manager of Engineering Services.

Note to applicant: Inbound and outbound vehicle paths cross, due to the sharp turns which create potential vehicle conflicts.

31. Provision on the Development Permit plans of public realm reflecting the approved geometric designs for Pacific Street, Howe Street, Beach Avenue, Granville Street and for the new diagonal streets under the Granville Bridge ramps.

Note to applicant: This will include changes based on City-generated plans, including:

- deletion of several loading spaces and parking spaces, including spaces too close to intersections for safe maneuvering and in order to facilitate direct pedestrian circulation; and
- bicycle facilities on Pacific Street and on the new east diagonal street under the Seymour off-ramp.

32. Provision of revised landscape plans to the satisfaction of the General Manager of Engineering Services.

Note to applicant: Pursuant to the applicable policies and guidelines the public realm should achieve a high quality design while meeting requirements for safety and accessibility. Landscape plans must consider the following:

- (a) Sidewalks should be constructed of smooth materials such as concrete that meet City standard widths respective to the adjacent use. Extended lengths of pavers create uncomfortable surfaces for some pedestrians however use of unit pavers may be appropriate in accent areas that are not within the primary sidewalk. The use of decorative concrete including coloured, saw-cut or stamped concrete is encouraged to achieve high quality design and meet accessibility requirements while minimizing maintenance costs.

- (b) A curb and gutter system should be used to separate the driving and walking surfaces. The use of lower 10 cm (4 in.) standard curb may be a suitable alternative. The proposed flush treatment and amount of bollards in lieu of curbs is not supportable.
- (c) Driving and parking surfaces must be constructed of durable materials, such as concrete or asphalt, that are able to accommodate the anticipated vehicle and truck movements. Unit pavers are not supportable. Decorative concrete may extend into the driving areas to achieve a cohesive plaza design.
- (d) Standard curb ramps at all pedestrian crossings to facilitate and clarify safe crossing points for pedestrians of all ages and abilities.
- (e) Public realm street-lighting including bridge/pier up-lighting is supportable subject to review of further information.
- (f) Trench drains should be replaced with grading and standard catch basins to collect storm water runoff. Runoff should be directed away from bridge piers.
- (g) More detail is required prior to accepting plantings around the bridge piers. Any plantings must be planted in shallow soil depth, to not interfere with the bridge piers. If climbing ivy is desirable, it may be planted on screens that are offset from the piers and are easily removable for maintenance and cleaning.

33. Provision of a Loading Management Plan, to the satisfaction of the General Manager of Engineering Services, to ensure safe operation and effective management of all loading spaces.

Note to applicant: The current plans show that trucks back across sidewalks and down significant grades to access the loading bays in sub-areas B and C. The plan must resolve any issues with this, including pedestrian safety. The supply of loading spaces does not meet the Parking By-law and the plan must be clear how the loading will be managed to ensure it functions well.

34. Provision of appropriate measures for the office/commercial sites that warn drivers of vehicles that the parking ramp may be occupied by only one vehicle at a time.

Note to applicant: A warning light or other device will likely be required. This configuration is not supported for transient parking.

35. Provision of the required number of Class A commercial/office bike storage, including lockers in all buildings.

36. Provision of ramps to the underground parking to a maximum slope of 12.5%.

37. Provision of bicycle spaces as per the Parking By-law.

Note to applicant: The Parking By-law requires that all bicycle storage be located on the first floor of parking or have direct elevator access to the outside. Any proposal which does not have bicycle storage on the first parking level must locate it to be convenient and be available 24/7. Each building should contain its own bicycle storage and end-of-trip facilities.

38. Provision of a Green Mobility Strategy and all identified improvements under the strategy.

Note to applicant: Key improvements for the site could include construction of bicycle facilities to connect the new Pacific Street and east diagonal street facilities to the Hornby and Richards bicycle facilities, and provision of car-share vehicles.

39. Provision of a Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

Note to applicant: The Plan should demonstrate that the volume of post-development runoff does not exceed that of the former use of the site, and that it is treated for 85% TSS removal before discharging into the City stormwater infrastructure.

40. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid-waste generating activities within the complex.

Note to applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services.

District Energy

41. Provide for any further feasibility studies and/or technical investigations required to confirm the economic and technical viability of the preferred approach(es) to providing low-carbon energy supply to the development to the satisfaction of the General Manager of Engineering Services.

Note to applicant: If results of the further analysis do not support the preferred system development to the satisfaction of the General Manager of Engineering Services, then a suitable low-carbon alternative shall be selected from screened options, where available, and implemented. Such options may include development of a low-carbon

energy supply system on site, development of and/or connection to a low-carbon energy system off site, and/or district energy design compatibility to accommodate connection to a future low-carbon district energy system serving the neighbourhood. Where district energy design compatibility is warranted, the applicant shall refer to the District Energy Connectivity Standards for specific design requirements.

42. Implement, where feasible and approved by the General Manager of Engineering Services, a low-carbon energy supply strategy for the development which reduces greenhouse gas emissions by a minimum of 50% compared to a business-as-usual (or reference scenario) approach to heating and cooling.
43. Any on- or off-site low-carbon energy supply system implemented by the proponent, where applicable, shall be designed in such a way as to enable energy metering and the monitoring of performance metrics during system operation, for the purpose of optimizing system performance and preparing system performance reports. The applicant shall refer to the Performance Monitoring and Reporting Requirements for Renewable Energy Systems for a summary of the minimum requirements.
44. 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.
45. No heat-producing fireplaces are to be installed within residential suites.
46. Detailed design of the HVAC and mechanical heating system, including any provisions for waste heat recovery and reuse, must be acceptable to the General Manager of Engineering Services.

Social Infrastructure

47. Design development to provide a target of 10 % of the proposed rental units to be suitable for families with children.

For (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, Howe Street Ventures Ltd., as authorized by 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 Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of Howe Street Ventures Ltd., make arrangements for the following:

Engineering

1. In order to create sub-area A and sub-area B of this rezoning site:
 - (a) The stopping up, closure and conveyance of that portion of the lane west of Granville Street lying between the ultimate north property lines of Lots G and D and the southerly production of Lot A, Plan 8486. An application to the City Surveyor is required to initiate the lane closure and purchase.
 - (b) Dedication for road purposes of the area under the Granville Bridge ramps extending to 3 m outside the ramp drip-lines.

Note to applicant: An SRW in favour of the City over all or a portion of the area 3 m west of the westerly on-ramp drip-line ("3 m buffer area") for bridge maintenance and inspections may be approved by the General Manager of Engineering Services in order to reduce the dedication area and to accommodate portions of the below-grade parkade shown within the 3 m buffer area, if 24/7 access is provided and it can be demonstrated that there is no below-grade conflict with the City structures, piles and footings (a minimum 3 m offset from the footings will be required) and that the below-grade structure meets surface loading specifications (Truck CL-625 standards). Clarification is required that no underground structures are proposed inside the ramp drip-lines and that no above-grade structures, including trees and elevated landscaping or storage of hazardous or combustible materials, are proposed. Additional engineering evaluation is to be provided by the applicant.

- (c) Dedication for road purposes of those portions of Lots G, D and 2 lying north of a line drawn from the northwest corner of Lot 259, False Creek, Plan LMP43682 to the southerly extent of the truncation located at the northwest corner of Lot G, Block 122, DL 541, Plan 15118.
- (d) Dedication for road purposes of the easterly 10-ft. wide jogged-out portions of Lots D and H.
- (e) Consolidation of portions of closed lane with the remainder of the site to create a separate parcel for each of sub-area A and sub-area B.

Note to applicant: A subdivision application will be required to complete the above-noted dedications and consolidations to create separate parcels for each of sub-area A and sub-area B. Further property dedications or rights-of-way may be required upon review of the final geometric design for City streets.

2. Arrangements are to be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for an SRW agreement to secure barrier-free public access for use of the pedestrian connection (elevator/stairs/walkway) connecting the Granville Bridge deck elevation with the Granville Street elevation below.
3. Arrangements are to be made, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for the necessary SRW and encroachment agreements to secure access for use and maintenance purposes of any proposed bridge attachments.
4. Arrangements are to be made for the relocation of all utilities within the lane west of Granville Street. Letters of consent from all impacted utility companies are required. BC Hydro, Fortis BC, Telus and Shaw Cable currently have utilities within the lane to be closed.
5. Deletion of any structure proposed within the portion of City lane adjacent to Lots B and C (other than acceptable surface treatments). Arrangements are to be made, to the satisfaction of the Director of Legal Services and General Manager of Engineering Services, for SRW agreements for public access, with or without vehicles, as if dedicated street for those portions of Lots G, D, H and 2 north of the bridge ramps, which are productions of Rolston and Continental Streets. The agreements will not permit structures below grade and may permit structures overhead at an acceptable height, satisfactory to the General Manager of Engineering Services to allow for maintenance access of the street and adequate sidewalk clearance.

Note to applicant: Generally, portions of buildings within 25 feet above grade are not acceptable.

6. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, to decommission the sidewalk areaway on Howe Street, as described in Indemnity Agreement 479265M.
7. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for a Bridge Proximity Agreement.
8. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for the release of SRW M65627 (Lot 2) prior to enactment of the rezoning.
9. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for the release of Easement 241649M (Lot 1) prior to enactment of the rezoning.

10. 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) Provision of design and reconstruction of Pacific Street including a cycling facility along the frontage of the site. The applicant is to fund 100% of all construction costs including, without limitation, pavement, grading, curbs, gutters, separated bicycle facilities, sidewalks, boulevards, street trees, landscaping, line painting and other pavement markings, signage, lighting, pedestrian-level lighting, signals, bicycle counters, utility adjustments, and electrical connections for public bike share.

Note to applicant: The City will provide a geometric design for all new roads – it is expected that the design will include a 3.5 to 4.0 m two-way separated cycling facility along the south side of Pacific Street.

- (b) Provision of design and construction of the newly created diagonal streets under the Granville Bridge ramps, including a cycling facility planned along the east side of the street under the Seymour off-ramp, south of Pacific Street. The applicant is to fund at 100%, all costs of the works including, without limitation, pavement, grading, curbs, gutters, sidewalks, boulevards, street trees, landscaping, line painting and other pavement markings, signage, lighting, pedestrian-level lighting, signals, bicycle counters, utility adjustments, and electrical connections for public bike share.
- (c) Provision of design and reconstruction of Granville Street under the bridge from Pacific Street to Beach Avenue. The applicant is to fund at 100%, all costs of the works including, without limitation, pavement, grading, curbs, gutters, sidewalks, boulevards, street trees, landscaping, line painting and other pavement markings, signage, lighting, pedestrian level lighting, signals, bicycle counters, utility adjustments and electrical connections for public bike share.
- (d) Provision of modifications to Beach Avenue, near Granville Street, to address development impacts and facilitate bicycle and pedestrian crossings.

Note to applicant: Modifications may include, but are not limited to, new pedestrian/cyclist ramps and modifications to the existing traffic-calming measures, curb alignments, paint markings and traffic control measures.

- (e) Provision of a full traffic signal at the intersection of Pacific Street and the diagonal street under the Seymour off-ramp. The applicant is to fund 100% of the total costs.
- (f) Provision of traffic signal modifications, at the intersection of Pacific Street and Howe Street, which may include but are not limited to countdown timers, audible signals, bike signals, advanced turn signals, intersection lighting and related infrastructure. The applicant is to fund 100% of the total costs.
- (g) Payment of \$100,000 to the City prior to enactment of the rezoning by-law to be used to modify the new streets should operational issues arise within 5 years of occupancy.
- (h) 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: Additional street dedications and rights-of-way to provide for the services above may be required once the final geometric is approved.

- 11. Provision of adequate sewer services for the sites. The sanitary and storm sewers between Pacific Street and Beach Avenue are currently within the lane east of Howe Street and are required to be relocated. Relocation to Granville Street is preferred pending a full utility review. The applicant is to provide further details on the project to determine the size of sewer mains required. Preliminary review shows a need to upgrade the sanitary sewer to a 450 mm sewer. The developer is to be responsible for 100% of the construction costs and arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services may be required to secure payment for the upgrading.
- 12. 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.

District Energy

13. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary to implement and operate a Low Carbon Energy Supply System or connect to a future Low Carbon District Energy System, which may include but are not limited to agreements which:
 - (a) require the implementation and operation of the Low Carbon Energy Supply System for the development that meets the greenhouse gas reduction targets detailed in condition (b) 42;
 - (b) require buildings on the sites to connect to:
 - i. the Low Carbon Energy Supply System serving the development at the time of occupancy; or
 - ii. a future low carbon District Energy System through a deferred services agreement, or otherwise, at such time that one becomes available;
 - (c) require provision of a minimum 93 m² suitable location on the rezoning site to be utilized for a steam to hot water converter station and any associated equipment;
 - (d) grant the operator access to the Low Carbon Energy Supply System or mechanical equipment and infrastructure associated with the connection to and operation of a District Energy System; and
 - (e) require the delivery to the City of detailed performance reporting on the Low Carbon Energy Supply System on a schedule, containing information, and prepared in a form required by the General Manager of Engineering Services.

Housing Agreement

14. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement securing 98 residential units in sub-area A with a minimum total area of 5,910 m² (63,616 sq. ft.), and related parking and other amenity space, for 60 years or the life of the building, whichever is greater, as rental housing, and subject to the following additional conditions in respect of those units:
 - (a) that all such units will be contained within a separate air space parcel;
 - (b) that such air space parcel may not be subdivided by deposit of a strata plan;

- (c) that none of such units may be separately sold;
- (d) that none of such units will be rented for less than one month at a time;
- (e) that the number of units may be varied at the discretion of the Managing Director of Social Development to provide for more family units; and
- (f) on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

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

Community Amenity Contribution (CAC)

15. Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$4 million which the developer has offered to the City, to be allocated as follows:
 - \$1 million towards Granville Street Greenway;
 - \$1 million towards Davie Street Village public realm improvements; and
 - \$2 million towards completion of the Southeast False Creek theatre production space at 162 West 1st Avenue.

Heritage Density Transfer

16. Secure the purchase and transfer of 2,859 m² (30,770 sq. ft.) of heritage density (which has a value of \$2 million) from a suitable donor site.

Note to applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Public Art

17. 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

Soils Agreement

18. If applicable:

- (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
- (b) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (c) If required by the Manager of Environmental Planning 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 Planning, the General Manager of Engineering Services and the 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 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-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.

For (b) 1410 Granville Street

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DIALOG in conjunction with Bjarke Ingels Group, and stamped "Received City Planning Department, December 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 - Public Realm

1. Design development to provide a more direct and enhanced pedestrian connection (vertical elevators/stairs and horizontal bridge) between the upper Granville Bridge deck sidewalks and Granville Street below, integrated within both sub-areas A and B.

Note to applicant: In addition to the elevator access required, pedestrian access through the terraced semi-public courtyards to Pacific Street should also be maintained. Public access through the vertical circulation will be secured through a SRW. See also Engineering condition (c)2.

2. Design development to provide an enhanced public realm treatment that contributes to the unique environment under the Granville Bridge and ramps.

Note to applicant: High quality material treatment that balances the needs of pedestrians and vehicle movements while offering flexibility for potential programming of the space under the bridge and bridge ramps should be provided. Material treatments should consider variations of concrete finishes, with limited accent pavers and a design approach that minimizes the use of bollards. Other public realm features, such as landscaping, seating opportunities, patio spaces and kiosks, need to be considered. Features that are on City streets require a separate application to Engineering.

3. Design development and provision of a conceptual lighting strategy and implementation plan for pedestrian scale lighting and feature lighting to enhance the unique under the bridge/ramp environment.

Note to applicant: Public realm lighting needs to be coordinated to meet Engineering standards and requirements.

4. Provision of an animation strategy and implementation plan demonstrating the proposed use of City streets and structures, and provision of basic infrastructure, to support public realm programming.

Note to applicant: Basic infrastructure should be provided to facilitate event programming, including electricity, water, storage, and accessibility to public washrooms, including arrangements to secure public access.

Urban Design

5. Design development to maintain the high quality materials indicated (zinc cladding, stainless steel channeling, triple glazing, thermally enhanced slab construction and glazed balustrades), for the sloped facades and for the internal semi-public courtyards (wood beams and decking, basalt steps and triple glazing), and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.

6. Design development at the building corners where canted over the sidewalk to ensure a pedestrian clearance of 3.1 m (10 ft.).

Note to applicant: Height clearance is to be provided above a minimum 2.4 m (8 ft.) wide sidewalk.

7. Design development to maximize the amount of retail frontage along the new west diagonal street under the Howe Street on-ramp (sub-area B) by relocating the parking to sub-area or 1410 Granville Street.

8. Design development to the loading areas to improve the public realm interface, and pedestrian and grade conflicts.

Note to applicant: Consideration may be given to on-street loading, subject to an approved Loading Management plan (LMP). Also see Engineering condition 31.

9. Design development to maintain and enhance the green roof treatments indicated on the canted roof slope(s).

10. Design development to the public realm interface to ensure an active, engaged interface between the sidewalk elevations and retail activities, implementing stepped slabs within the buildings.

Note to applicant: Design development should configure the public realm to accommodate level areas for active outdoor use. Depressed entries located within the public realm are to be avoided as these entries should be configured and located within the building.

11. Design development to provide weather protection at major entry points.

Note to applicant: Employ glass canopies or similar devices to ensure maximum daylight reaches the street levels.

12. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.
13. Provision of a conceptual signage strategy to ensure a well-conceived and disciplined approach to announcing tenancy.

Note to applicant: The strategy should confirm general signage hierarchy, location and type. Back-lit box signs are not supported.

Sustainability

14. Identification on the plans and elevations of the built elements contributing to the buildings' sustainability performance as required by the Green Buildings Policy for Rezonings for LEED® Gold including six optimize energy performance points, one water efficiency point, and one storm water point.

Note to applicant: Provide a LEED® checklist confirming the above and 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 is also required under the policy.

15. Confirmation that the proposed buildings will achieve a maximum energy use intensity of 115 kWhr/m²/year for the residential portion and 122 kWhr/m²/year for the office portion of the development.

Crime Prevention Through Environmental Design (CPTED)

16. Design development to respond to CPTED principles, having particular regards for:
 - (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Note to applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

Landscape

17. Provision of a diversity of landscape experiences and spaces to improve the livability of building occupants and benefit the pedestrian experience.

Note to applicant: This landscape experience could include a variety of outdoor spaces on the roof decks of the three low-rise buildings (i.e. the buildings in sub-area B and 1410 Granville Street, and the podium of the sub-area A building). In addition to the extensive green roof cover, areas of intensive green roof space should be included, including opportunities for urban agriculture and outdoor amenity decks for social gatherings.

18. Provision of a Rainwater Management Plan that utilizes sustainable strategies, such as infiltration, retention, treatment and utilization of rainwater.

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

19. Design development of the landscaping to provide a replication of natural systems to utilize sustainable land practices on the development site.

Note to applicant: This could include the use of native plants, the creation of habitat for birds and/or the recycling of green waste.

20. Provision of a full landscape plan at the time of development permit application. 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 of large scale sections (1/4"=1' or 1:50) at the time of full development permit application. The sections should illustrate the public realm lanes, including lighting, bollard location, sidewalk width, curbs and any street furniture.

Engineering

22. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for the release of the Easement & Indemnity Agreements 141833M & 499823M (both commercial crossing agreements).
23. Confirmation that all proposed canopies are fully demountable. A separate application to the General Manager of Engineering Services is required.

24. Provision of a shoring plan from a Geotechnical Engineer detailing how the bridge footings will be protected during excavation and construction.

Note to applicant: All shoring, shotcrete walls, soil anchors, piles, etc. shall be installed to provide temporary support for City streets and the bridge structure during the period of excavation and construction, and shall be fully decommissioned at the end of the project.

25. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for a Bridge Monitoring Strategy.

Note to applicant: The Applicant is to develop a monitoring strategy for the bridge to track movements during excavation and construction, establish reporting thresholds and slopwork thresholds. A \$10,000 deposit will be required for the City to retain the Engineer of Record to review the monitoring strategy and the results of the monitoring during the critical phases of construction.

26. Provision of protection measures surrounding the bridge piers.

Note to applicant: Two-metre clear zones, curbs, bollards, barriers or similar protection measures are required to protect the bridge piers from vehicle impact.

27. Deletion of any attachments to the bridge structure without approval of the General Manager of Engineering Services.

28. Provision of a report from a Transportation Consultant recommending improvements to enable safe vehicle movement within all levels of the residential tower's parkade to the satisfaction of the General Manager of Engineering Services.

Note to applicant: Inbound and outbound vehicle paths cross, due to the sharp turns which create potential vehicle conflicts.

29. Provision on the Development Permit plans of public realm reflecting the approved geometric designs for Pacific Street, Howe Street, Beach Avenue, Granville Street and for the new diagonal streets under the Granville Bridge ramps.

Note to applicant: This will include changes based on City-generated plans, including:

- deletion of several loading spaces and parking spaces, including spaces too close to intersections for safe maneuvering and in order to facilitate direct pedestrian circulation; and
- bicycle facilities on Pacific Street and on the new east diagonal street under the Seymour off-ramp.

30. Provision of revised landscape plans to the satisfaction of the General Manager of Engineering Services.

Note to applicant: Pursuant to the applicable policies and guidelines the public realm should achieve a high quality design while meeting requirements for safety and accessibility. Landscape plans must consider the following:

- (a) Sidewalks should be constructed of smooth materials such as concrete that meet City standard widths respective to the adjacent use. Extended lengths of pavers create uncomfortable surfaces for some pedestrians however use of unit pavers may be appropriate in accent areas that are not within the primary sidewalk. The use of decorative concrete including coloured, saw-cut or stamped concrete is encouraged to achieve high quality design and meet accessibility requirements while minimizing maintenance costs.
- (b) A curb and gutter system should be used to separate the driving and walking surfaces. The use of lower 10 cm (4 in.) standard curb may be a suitable alternative. The proposed flush treatment and amount of bollards in lieu of curbs is not supportable.
- (c) Driving and parking surfaces must be constructed of durable materials, such as concrete or asphalt, that are able to accommodate the anticipated vehicle and truck movements. Unit pavers are not supportable. Decorative concrete may extend into the driving areas to achieve a cohesive plaza design.
- (d) Standard curb ramps at all pedestrian crossings to facilitate and clarify safe crossing points for pedestrians of all ages and abilities.
- (e) Public realm street-lighting including bridge/pier up-lighting is supportable subject to review of further information.
- (f) Trench drains should be replaced with grading and standard catch basins to collect storm water runoff. Runoff should be directed away from bridge piers.
- (g) More detail is required prior to accepting plantings around the bridge piers. Any plantings must be planted in shallow soil depth, not interfere with the bridge piers. If climbing ivy is desirable, it may be planted on screens that are offset from the piers and are easily removable for maintenance and cleaning.

31. Provision of a Loading Management Plan, to the satisfaction of the General Manager of Engineering Services, to ensure safe operation and effective management of all loading spaces.

Note to applicant: The current plans show that trucks back across sidewalks and down significant grades to access the loading bays in sub-areas B and C. The plan must resolve any issues with this, including pedestrian safety. The supply of loading spaces does not meet the Parking By-law and the plan must be clear how the loading will be managed to ensure it functions well.

32. Provision of appropriate measures for the office/commercial sites that warn drivers of vehicles that the parking ramp may be occupied by only one vehicle at a time.

Note to applicant: A warning light or other device will likely be required. This configuration is not supported for transient parking.

33. Provision of the required number of Class A commercial/office bike storage, including lockers in all buildings.
34. Provision of ramps to the underground parking to a maximum slope of 12.5%.
35. Provision of bicycle spaces as per the Parking By-law.

Note to applicant: The Parking By-law requires that all bicycle storage be located on the first floor of parking or have direct elevator access to the outside. Any proposal which does not have bicycle storage on the first parking level must locate it to be convenient and be available 24/7. Each building should contain its own bicycle storage and end-of-trip facilities.

36. Provision of a Green Mobility Strategy and all identified improvements under the strategy.

Note to applicant: Key improvements for the site could include construction of bicycle facilities to connect the new Pacific Street and east diagonal street facilities to the Hornby and Richards bicycle facilities, and provision of car-share vehicles.

37. Provision of a Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.

Note to applicant: The Plan should demonstrate that the volume of post-development runoff does not exceed that of the former use of the site, and that it is treated for 85% TSS removal before discharging into the City stormwater infrastructure.

38. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid-waste generating activities within the complex.

Note to applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and

recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services.

District Energy

39. Provide for any further feasibility studies and/or technical investigations required to confirm the economic and technical viability of the preferred approach(es) to providing low-carbon energy supply to the development to the satisfaction of the General Manager of Engineering Services.

Note to applicant: If results of the further analysis do not support the preferred system development to the satisfaction of the General Manager of Engineering Services, then a suitable low-carbon alternative shall be selected from screened options, where available, and implemented. Such options may include development of a low-carbon energy supply system on site, development of and/or connection to a low-carbon energy system off site, and/or district energy design compatibility to accommodate connection to a future low-carbon district energy system serving the neighbourhood. Where district energy design compatibility is warranted, the applicant shall refer to the District Energy Connectivity Standards for specific design requirements.

40. Implement, where feasible and approved by the General Manager of Engineering Services, a low-carbon energy supply strategy for the development which reduces greenhouse gas emissions by a minimum of 50% compared to a business-as-usual (or reference scenario) approach to heating and cooling.
41. Any on- or off-site low-carbon energy supply system implemented by the proponent, where applicable, shall be designed in such a way as to enable energy metering and the monitoring of performance metrics during system operation, for the purpose of optimizing system performance and preparing system performance reports. The applicant shall refer to the Performance Monitoring and Reporting Requirements for Renewable Energy Systems for a summary of the minimum requirements.
42. 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.
43. No heat-producing fireplaces are to be installed within residential suites.
44. Detailed design of the HVAC and mechanical heating system, including any provisions for waste heat recovery and reuse, must be acceptable to the General Manager of Engineering Services.

For (b) 1410 Granville Street

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, Howe Street Ventures Ltd., as authorized by 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 Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of Howe Street Ventures Ltd., make arrangements for the following:

Engineering

1. Dedication for road purposes of Lots 1 and 3, Block 123, DL 541, Plan 9597.
2. Arrangements are to be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for an SRW agreement to secure barrier-free public access for use of the pedestrian connection (elevator/stairs/walkway) connecting the Granville Bridge deck elevation with the Granville Street elevation below.
3. Arrangements are to be made, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for the necessary SRW and encroachment agreements to secure access for use and maintenance purposes of any proposed bridge attachments.
4. Arrangements are to be made, to the satisfaction of the Director of Legal Services and General Manager of Engineering Services, for SRW agreements for public access, with or without vehicles, as if dedicated street for those portions of Lots G, D, H and 2 north of the bridge ramps, which are productions of Rolston and Continental Streets. The agreements will not permit structures below grade and may permit structures overhead at an acceptable height, satisfactory to the General Manager of Engineering Services to allow for maintenance access of the street and adequate sidewalk clearance.

Note to applicant: Generally, portions of buildings within 25 feet above grade are not acceptable.
5. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for a Bridge Proximity Agreement.
6. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for the release of SRW M65627 (Lot 2) prior to enactment of the rezoning.

7. Arrangements are to be made, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services, for the release of Easement 241649M (Lot 1) prior to enactment of the rezoning.
8. 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) Provision of design and reconstruction of Pacific Street including a cycling facility along the frontage of the site. The applicant is to fund 100% of all construction costs including, without limitation, pavement, grading, curbs, gutters, separated bicycle facilities, sidewalks, boulevards, street trees, landscaping, line painting and other pavement markings, signage, lighting, pedestrian-level lighting, signals, bicycle counters, utility adjustments, and electrical connections for public bike share.

Note to applicant: The City will provide a geometric design for all new roads — it is expected that the design will include a 3.5 to 4.0 m two-way separated cycling facility along the south side of Pacific Street.

- (b) Provision of design and construction of the newly created diagonal streets under the Granville Bridge ramps, including a cycling facility planned along the east side of the street under the Seymour off-ramp, south of Pacific Street. The applicant is to fund at 100%, all costs of the works including, without limitation, pavement, grading, curbs, gutters, sidewalks, boulevards, street trees, landscaping, line painting and other pavement markings, signage, lighting, pedestrian-level lighting, signals, bicycle counters, utility adjustments, and electrical connections for public bike share.
- (c) Provision of design and reconstruction of Granville Street under the bridge from Pacific Street to Beach Avenue. The applicant is to fund at 100%, all costs of the works including, without limitation, pavement, grading, curbs, gutters, sidewalks, boulevards, street trees, landscaping, line painting and other pavement markings, signage, lighting, pedestrian level lighting, signals, bicycle counters, utility adjustments and electrical connections for public bike share..
- (d) Provision of modifications to Beach Avenue, near Granville Street, to address development impacts and facilitate bicycle and pedestrian crossings.

Note to applicant: Modifications may include, but are not limited to, new pedestrian/cyclist ramps and modifications to the existing traffic-calming measures, curb alignments, paint markings and traffic control measures.

- (e) Provision of a full traffic signal at the intersection of Pacific Street and the diagonal street under the Seymour off-ramp. The applicant is to fund 100% of the total costs.
- (f) Provision of traffic signal modifications, at the intersection of Pacific Street and Howe Street, which may include but are not limited to countdown timers, audible signals, bike signals, advanced turn signals, intersection lighting and related infrastructure. The applicant is to fund 100% of the total costs.
- (g) Payment of \$100,000 to the City prior to enactment of the rezoning by-law to be used to modify the new streets should operational issues arise within 5 years of occupancy.
- (h) 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: Additional street dedications and rights-of-way to provide for the services above may be required once the final geometric is approved.

- 9. Provision of adequate sewer services for the sites. The sanitary and storm sewers between Pacific Street and Beach Avenue are currently within the lane east of Howe Street and are required to be relocated. Relocation to Granville Street is preferred pending a full utility review. The applicant is to provide further details on the project to determine the size of sewer mains required. Preliminary review shows a need to upgrade the sanitary sewer to a 450 mm sewer. The developer is to be responsible for 100% of the construction costs and arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services may be required to secure payment for the upgrading.

10. 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.

District Energy

11. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary to implement and operate a Low Carbon Energy Supply System or connect to a future Low Carbon District Energy System, which may include but are not limited to agreements which:
 - (a) require the implementation and operation of the Low Carbon Energy Supply System for the development that meets the greenhouse gas reduction targets detailed in condition (b) 42;
 - (b) require buildings on the sites to connect to:
 - i. the Low Carbon Energy Supply System serving the development at the time of occupancy; or
 - ii. a future low carbon District Energy System through a deferred services agreement, or otherwise, at such time that one becomes available;
 - (c) require provision of a minimum 93 m² suitable location on the rezoning site to be utilized for a steam to hot water converter station and any associated equipment;
 - (d) grant the operator access to the Low Carbon Energy Supply System or mechanical equipment and infrastructure associated with the connection to and operation of a District Energy System; and
 - (e) require the delivery to the City of detailed performance reporting on the Low Carbon Energy Supply System on a schedule, containing information, and prepared in a form required by the General Manager of Engineering Services.

Public Art

12. 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

Soils Agreement

13. If applicable:
 - (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (b) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (c) If required by the Manager of Environmental Planning 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 Planning, the General Manager of Engineering Services and the 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 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-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 Schedule E of the Sign By-law to establish regulations for these CD-1s in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville 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 September 13, 2013, entitled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville 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 September 13, 2013, entitled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street".
- E. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B1 of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the CD-1 By-law for the Howe Street Lands contemplated by the above-noted report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- F. THAT A through E above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 any by-law rezoning the properties, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of Howe Street Ventures Ltd.;

(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.

G. THAT the conditions of By-law enactment as presented in Appendix B2 of the Policy Report dated September 13, 2013, titled "CD-1 Rezoning: (a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and (b) 1410 Granville Street", be amended to include the following condition regarding the CAC condition for 1410 Granville Street:

Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$4 million which the developer has offered to the City, to be allocated as follows:

- \$1 million towards Granville Street Greenway;
- \$1 million towards Davie Street Village public realm improvements; and
- \$2 million towards completion of the Southeast False Creek theatre production space at 162 West 1st Avenue.

CARRIED UNANIMOUSLY

2. REZONING: 2290 Main Street

An application by Arno Matis Architecture was considered as follows:

Summary: To rezone 2290 Main Street from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit a 9-storey mixed-use building with a partial mezzanine in the ground floor, 85 residential units and ground-floor commercial spaces. A height of 30.0 m (98.5 ft.), a floor space ratio (FSR) of 4.92, a commercial floor area of 701 m² (7,548 sq. ft.) and a residential floor area of 7,268 m² (78,241 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

Yan Zeng, Planning and Development Services, presented the application.

Applicant Comments

Arno Matis, Architect, presented the application.

RISE FROM COMMITTEE OF WHOLE

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

SECONDED by Councillor Deal

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 related to Item 1.

CARRIED UNANIMOUSLY

* * * * *

Council recessed at 10:04 pm and reconvened on October 29, 2013, at 6:05 pm, with Councillors Ball and Reimer not in the Chamber, Councillor Stevenson and Mayor Robertson absent from the meeting, and Councillor Deal in the Chair.

* * * * *

COMMITTEE OF THE WHOLE

MOVED by Councillor Tang

SECONDED by Councillor Affleck

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

CARRIED UNANIMOUSLY

(Councillors Ball and Reimer absent for the vote)

2. REZONING: 2290 Main Street (continued)

Summary of Correspondence

Council received the following since the application was referred to Public Hearing and prior to the close of the speakers list:

- 16 letters and emails in support;
- 18 letters and emails opposed.

Speakers

Councillor Deal called for speakers for and against the application.

The following spoke in support of the application:

Lucas Berube
Christopher Vollan
Eva Ross
Scott Plear
Reilly Wood
Tavis MacCallum
James Livingstone Buskard
Julian Pattison
Olga Haralabous

The following spoke in opposition or expressed concerns regarding specific aspects of the application:

Brendan Caron
Stephen Bohus
Danielle Peacock
Don Gardner
Barbara Wallin
Leona Rothney

The speakers list closed at 7:11 pm.

Staff Closing Comments

Staff responded to questions.

Council Decision

* * * * *

Councillor Ball arrived during debate on the motion but was ineligible to vote under Section 18.25 of the Procedure By-law.

* * * * *

MOVED by Councillor Louie

- A. THAT the application by Arno Matis Architecture on behalf of Main Street Commercial Holdings Inc., to rezone 2290 Main Street [Lots 4, 5 and 6, Block 38, District Lot 200A, Plan 197;, PIDs: 005-626-153, 005-626-277 and 005-626-285 respectively] from IC-2 (Light Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 4.92 and the building height from 18.3 m (60 feet) to 30.0 m (98.5 feet) in order to permit the development of a nine-storey mixed-use building containing

commercial spaces and market residential units, generally as presented in Appendix A of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 2290 Main 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 Arno Matis Architecture, and stamped "Received City Planning Department, December 24, 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 reduce the building height by two feet.
- 2. Design development to delete live-work units at the mezzanine level facing the lane and to convert the ground floor live-work units facing the lane into two-level units with the second floors set back a minimum 10 feet from the face of the building.

Note to Applicant: these units shall be served by a primary entrance connected to the residential lobby.

- 3. Design development of the townhouse entries to provide a minimum setback of 8 ft. from the property line and to raise the floor elevation a minimum of 2.5 ft. above the nearest building grade elevation at the sidewalk.
- 4. Design development of the level 2 amenity room to provide a related outdoor terrace space.

Note to Applicant: Provide and clarify that the outdoor amenity space provides adequate screening and separation to maintain the privacy of the adjacent residential unit. Landscape strategies should provide some screening for privacy and overlook concerns towards adjacent neighbouring sites.

- 5. Design development to provide common support space in support of the proposed roof top garden plots

Note to Applicant: The support space within this condition cannot be located on the roof due to height reasons. A location may be located elsewhere in the proposal with convenient proximity to the elevator service.

6. Design development to delete benches shown on West elevation along Main Street.

Note to Applicant: this will enhance flexibility of opportunities for the design of public realm space.

7. Provision of high quality and durable exterior finishes.

Note to Applicant: As this project continues through the development application process, the overall proposed quality of materials, articulation, and expression will be maintained.

8. Design development to create open spaces suitable for children's play with adjacent common amenity room. Refer to the *High-Density Housing for Families with Children Guidelines* for more information

9. Design development to meet the *Mount Pleasant Draft Public Realm Plan* including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

Sustainability

10. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

Note to applicant: Provide a LEED® checklist confirming the above and 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 certification of the project is also required under the policy.

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

Note to Applicant: The applicant shall refer to the *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.

12. 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.
13. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.
14. A suitable space of not less than 50 m² (538 sq. ft.) shall be provided within the parkade level P1 and designated for energy system operations equipment as deemed necessary by the General Manager of Engineering.

Crime Prevention Through Environmental Design (CPTED)

15. Design development to respond to CPTED principles, having particular regards for:
 - a. theft in the underground parking;
 - b. residential break and enter;
 - c. mail theft; and
 - d. mischief in alcove and vandalism, such as graffiti.

Landscape

16. Design development to activate the lane edge by creating a pedestrian walkway on private property setback adjacent to the lane.

Note to Applicant: This can be achieved by deleting the private patios and by paving the setback area. The entire area of the setback should be raised six inches, with a curb edge at the property line. Fastigate trees should be provided in concrete tree surrounds along with small areas of shrub planting adjacent to the entry doors.

17. Provision of a greener edge between the 2nd floor deck facing the lane and the condominiums to the east. The lane edge deck planters should consist of low shrubs, small trees and plants capable of draping over the edge of the planter.

Note to Applicant: The 2nd floor amenity deck area should be separated from the private deck to the south by a privacy screen or by planting.

18. Provision a more detailed Landscape Plan for the roof deck, including some areas (planters or plots) suitable for urban agriculture activity. 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 provide universal access.

19. Provision of a public realm treatment in accordance with the Draft Public Realm Plan for Mount Pleasant. The details of the public realm should be taken from the "Main Street - 2nd to 8th Avenue" design.

Note to applicant: A note should be added to the Landscape Plan as follows: "All public realm design to the approval of the General Manager of Engineering and in accordance with the Mount Pleasant Public Realm Plan".

20. Provision of a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, retaining 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 of large scale sections (1/4"=1' or 1:50) illustrating the town house to public realm interface of the townhouses facing East 7th Avenue as well as those townhouses facing the lane.

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

22. Provision of a separate Lighting Plan. The Lighting Plan should include details of lane edge lighting as well as the pedestrian level lighting along Main Street.
23. Provision of a high efficiency irrigation system for all planters, including the roof deck and all private decks with planters. Notations to that effect should be added to the drawings.

Note to Applicant: The irrigation system design and installation system shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

Engineering

24. Design development related to public realm and landscape:
 - 7th Avenue treatments are to include a minimum 1.8 m wide smooth broom finished concrete sidewalks with saw cut joints, public seating (benches) and Mount Pleasant style pedestrian lighting. Note: There is an opportunity to widen the sidewalk to 2.1 m to accommodate the proposed commercial uses for the section between Main St and the residential building entry.
 - The following note is to be placed on the landscape plan; "This plan is Not For Construction of any public property facilities. A minimum of 8 weeks prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services for review. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details."
 - Patio tables shown on public property should be identified as reference only and as not being approved by this application. A separate application to the General Manager of Engineering Services is required.
 - Delete what appears to be a small planter encroachment adjacent the patio table on drawing L1.
 - Delete or reorient bike racks shown in the notches along Main Street as when in use they will not obstruct the pedestrian SRW.
 - Delete specialty paving on public property along the 7th Avenue frontage. (Wellness walkway standards are to apply).

- Delete reference to special lane treatments. A separate application to the General Manager of Engineering Services is required.

25. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- Provision of the required Class B bicycle spaces to be located on private property at street level.

Note to Applicant: where bicycle racks are desired on public property a separate application to the General Manager of Engineering Services is required. Bicycle parking shown on public property cannot be counted toward the class B bicycle parking requirements.

- Provision of a direct fully accessible connection between the Class A bicycle spaces and the lane without stairs.
- Provision of an improved plan showing the design elevations on both sides of the parking ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls. The improved plan should also show maneuvering for the largest trucks accessing the two Class B loading spaces on P1 and to and from the lane.
- Provision of a section drawing of the ramp and P1 showing 3.8 m (12.5 ft.) of vertical clearance for the area required by trucks for maneuvering and show design elevations throughout the loading/manoeuvring area to clearly indicate vertical clearance is available.
- Provision of double throat widths for the loading bays.

26. Provision of a statutory right of way along a portion of the lane frontage adjacent the live-work units to allow for placement of traffic regulatory signs to ensure parking does not take place in front of the townhome exit doors.

27. Clarify garbage pick-up operations. Confirmation from a waste hauler that they can access and pick up from the location shown on P1 is required.

28. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure

supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56mm in thickness. (VBBL section 1A.9.8).

29. Clarification is required if a built-in bench is proposed to encroach over the south property line, as indicated on page A.204; or if this is actually meant to be a narrow grass strip, as indicated on page L1.00. Delete any portions of bench encroaching onto City property.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management 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 4, 5 and 6, Block 38, DL 200A, Plan 197 to create a single parcel.
2. Provision of a building setback along the Main St. frontage to achieve a 5.5 meter width from the curb to the building face. A surface statutory right of way for public pedestrian use of the setback area is required.

Note: The applicants' Land Surveyor is to provide confirmation of the existing back of curb to property line distance so that the width of the setback and SRW can be established.

3. Release of Easement & Indemnity Agreement 323962M (commercial crossing) and Easement & Indemnity Agreement BL71473, Statutory Right of Way BL71474, and Equitable Charge BL71475 (all pertaining to a private communications conduit across East 7th Avenue and into the lane) prior to occupancy. A letter of undertaking is required prior to zoning enactment with full discharge prior to occupancy.

Note: Written confirmation that the communication conduit has been decommissioned will be required prior to building occupancy.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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.

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) 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.
 - (b) Provision of curb realignment on the north side of 7th Avenue from Main Street to the lane east of Main Street to align and normalize the width of the street with the portion to the east of the lane. Work to include all curb, gutter, pavement, landscaping and related utility work necessary to accommodate the realignment.
 - (c) Provision of new sidewalks and boulevards along the 7th Avenue frontage of the site to be consistent with the wellness walkway treatment pattern and to include benches and pedestrian scaled lighting.
 - (d) Provision of new concrete sidewalks along the Main Street frontage consistent with commercial sidewalk standards.
 - (e) Provision of street trees adjacent the site where space permits.

- (f) Provision of a standard concrete lane crossing at the lane entry east of Main Street on the north side of 7th Avenue. The entry is to include the upgrading of the curb returns and curb ramps on both sides of the lane to current standards.

Note to Applicant: All public realm improvements are to be subject to the Mount Pleasant Public Realm Plan currently being finalized and may involve the delivery of other public realm treatments and features than those listed in this report.

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 Neighbourhood Energy System, if and when the opportunity is available and in accordance with the Council approved Neighbourhood Energy Strategy and Energy Centre Guidelines, and corresponding District Energy Connectivity Standards, which may include but are not limited to agreements which:
 - (a) require buildings on site to connect to a Neighbourhood Energy System, once available;
 - (b) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation; and
 - (c) grant access to and use of suitable space required for the purposes of neighbourhood energy system operation equipment, to the satisfaction of the General Manager of Engineering Services.

Soils Agreement

- 7. If applicable:
 - (a) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team).
 - (b) As required by the Manager of Environmental Planning 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.

- (c) If required by the Manager of Environmental Planning 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 Planning, the General Manager of Engineering Services and the 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 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)

- 8. Pay to the City the Community Amenity Contribution of \$3,044,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

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 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-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 Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (C-3A)], generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 2290 Main 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 September 10, 2013, entitled "CD-1 Rezoning: 2290 Main Street".
- D. THAT A through C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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
(Councillor Carr opposed)
(Councillor Ball ineligible to vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Jang

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 related to Item 2.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:54 pm on October 29, 2013.

* * * * *