



## PUBLIC HEARING MINUTES

DECEMBER 17, 2013

A Public Hearing was held on Tuesday, December 17, 2013, at 6:11 pm, in the Council Chamber, Third Floor, City Hall, to consider proposed amendments to zoning and heritage by-laws.

**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\*

**CITY CLERK'S OFFICE:** Janice MacKenzie, City Clerk  
Tina Hildebrandt, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

### COMMITTEE OF THE WHOLE

MOVED by Councillor Deal  
SECONDED by Councillor Tang

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

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote)

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### VARY AGENDA

MOVED by Councillor Louie

*THAT Council vary the order of the agenda to hear items 2, 3 and 4, in that order, prior to item 1.*

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote)

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*NOTE: For clarity, the minutes are recorded in chronological order.*

## 2. REZONING: 516 West 50th Avenue and 6629-6709 Cambie Street

An application by Mosaic Avenue Lands Ltd. was considered as follows:

**Summary:** To rezone 516 West 50th Avenue and 6629-6709 Cambie Street from RS-1 (One Family Dwelling) District to CD-1 (Comprehensive Development) District to permit two six-storey apartment buildings as well as two-storey townhouses and amenity buildings along the rear lane, with a total of 128 dwelling units. A height of 21.0 m (69 ft.), a floor space ratio (FSR) of 2.49 and a residential floor area of 10,797.2 m<sup>2</sup> (116,224 sq. ft.) are proposed.

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

Council also had before it a memorandum dated December 9, 2013, from the Assistant Director of Planning which provided an update to the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 516 West 50<sup>th</sup> Avenue and 6629-6709 Cambie Street" regarding a minor change to the CD-1 By-law to achieve higher sustainability standards. The draft CD-1 By-law posted for this item as well as the Summary and Recommendation of the Public Hearing agenda were revised to reflect this amendment and that no Council action was required.

### Staff Opening Comments

Michelle McGuire, Planner, Rezoning Centre, presented the application and advised Council of typographical errors in the referral report which were corrected in the draft CD-1 By-law posted for this item and the Summary and Recommendation of the Public Hearing agenda. Ms. McGuire, along with Sailen Black, Planner, Urban Design and Development Planning Centre, also responded to questions.

### Summary of Correspondence

Council received the following correspondence since the application was referred to public hearing and up to 15 minutes after the close of the speakers list:

- 8 in support.

### Speakers

The Mayor called for speakers for and against the application.

Millie Wong spoke in opposition to the application and raised concerns regarding declining property values, increased traffic, parking challenges, shadowing and safety. She requested Phase 3 of the development be completed prior to approval of this application to reduce the negative impacts to neighbouring properties.

The speakers list closed at 6:32 pm.

## Staff Closing Comments

Kent Munro, Assistant Director, Current Planning Division, along with Brent Dozzi, Neighbourhood Parking and Transportation, and Jerry Evans, Associate Director of Development, Real Estate Services, responded to questions in relation to concerns raised by the foregoing speaker.

## Council Decision

MOVED by Councillor Deal

- A. THAT the application by Mosaic Avenue Lands Ltd. on behalf of the registered owners, Kitty Siu-Wei Chan, James Cha and Kazuko Kemanai Cha, Oscar Hanks and Ai Fung Toh, Brent Shi-Lin Chen and Amy Ming-Chun Chang, Kenden Marr Foo, and Bill Yui-Chi Wong and Anna Ngan-Sheung Wong, to rezone 516 West 50th Avenue and 6629-6709 Cambie Street [*Lots 36 to 41, Block 896, District Lot 526, Plan 10198; PIDs: 009-593-012, 009-593-021, 009-593-047, 008-224-749, 009-593-055 and 006-739-059 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.49 and the building height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of two six-storey residential buildings as well as two two-storey townhouses and amenity buildings along the rear lane, containing a total of 128 residential units, generally as presented in Appendix A of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 516 West 50th Avenue and 6629-6709 Cambie Street", be approved subject to the following conditions:

### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Ramsay Worden Architects Ltd., on behalf of Mosaic Avenue Lands Ltd., and stamped "Received City Planning Department, June 14, 2013", 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. Elevation of the below-grade spaces proposed between 50<sup>th</sup> Avenue and the building.

Note to Applicant: Intent is to create more livable space and a better street interface by reducing the amount of outdoor space below the sidewalk and lane around the north end of the site,

and to avoid the guard rails and retaining walls that would be required. Consider raising the main floor at the north end by two to three feet to improve this relationship. The building entry may be relocated northward to follow the rise in Cambie Street and minimize the length of ramps for disabled access.

2. Provision of a 1.2 m (4 ft.) rear yard for the majority of the lane to better accommodate landscaping, pathways, and a transition to the residential units.

Note to Applicant: Setback should be increased around building entries in particular to accommodate hand rails, steps, landings, and similar features; and to provide on-site access between the various amenities. The site design should consider pedestrian safety along this service lane. See also condition 4.

3. Provision of a more gradual transition from Cambie Street to the residential units facing east.

Note to Applicant: Given the site depth of 39.6 m (130 ft.), natural grades should be continued across the property line and continue approximately half way into the setback to avoid retaining walls and similar structures close to the public sidewalk. See section 6.4.1 of the *Cambie Corridor Plan* for more information.

4. Provision of outdoor, on-grade access paths through the site to enable residents and visitors to enjoy better access between the proposed bicycle facilities, outdoor common spaces, townhouses, Cambie Street, and the lane.

Note to Applicant: This can be accomplished with a 1.2 m (4 ft.) wide path from east to west through the middle of this 108.5 m (356 ft.) wide site, and a similar path from north to south.

5. Design development to provide more openness between the two principal buildings.

Note to Applicant: Intent is to improve the real and perceived open area between buildings as intended in the *Cambie Corridor Plan*, and to improve livability and access to natural light for units facing into the aperture. This can be accomplished by continuing the shoulder line above the fourth storey around the building, by providing a similarly scaled step in plan, or some combination thereof.

6. Consideration for providing more variety in the exterior visual expression between the two main buildings.

Note to Applicant: While individual buildings should have a unified architectural expression, variety between buildings is

encouraged to avoid repetition and create an interesting streetscape. See section 5.1.11 of the *Cambie Corridor Plan*.

7. Design development to vary the exterior design of each Cambie Street façade from the proposed flat plane of grid openings through changes in plane, composition and expression.

Note to Applicant: Consideration should also be given to the comments of the Urban Design Panel.

8. Design development to meet the *Cambie Corridor 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.

9. Design development to limit the maximum depth of dwelling units and extent of deep balconies to be comparable to the rezoning application.

Note to Applicant: Intent is to ensure that residents' access to natural light is maintained.

10. Design development to mitigate privacy and overlook issues for new and existing residents.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features needed to balance access to natural light with privacy concerns.

11. Design development to create open spaces suitable for children's play, located next to the common amenity rooms.

Note to Applicant: Staff commend the applicant for providing a wide range of units, and recommend that the various amenity areas and open spaces be rearranged to improve the functionality of these common areas for families with children. See the *High-Density Housing for Families with Children Guidelines* for more information.

12. Provision of high quality and durable exterior finishes.

Note to Applicant: Intent is to maintain the proposed architectural quality including the use and extent of brick.

13. Revision of the exterior framing elements to meet the permitted floor area.

Note to Applicant: Exterior spaces that are substantially covered or enclosed by columns should be measured to the outer limits of the building and included in the calculation of total floor area. Open balconies that meet balcony guidelines and patio spaces may be excluded from this total depending on their performance in terms of natural light, open space, and massing.

14. Revision of the residential storage area to provide individual spaces for each dwelling unit.

Note to Applicant: See the *Bulk Storage - Residential Developments* bulletin for more information. There is a requirement for 128 Bulk Storage rooms and 33 are currently provided. Areas identified as "Unit Storage" on level P1 in the North and South buildings should be divided into individual storage lockers. Some parking stalls in the North and South buildings could be converted into additional storage if required.

15. Revision of the bicycle storage area;

Note to Applicant: See Section 6.3. of the Parking By-law. Preliminary review indicates that at least 32 bicycle lockers are required; lockers must follow Section 6.3.19. of the Parking By-law, and the number of vertical bicycle spaces can be a maximum of 48.

16. Provision of Class B Loading Space as per Section 5.2 of the Parking By-law.

#### **Crime Prevention Through Environmental Design (CPTED)**

17. Design development to respond to CPTED principles, having particular regards for:
- (i) theft in the underground parking;
  - (ii) residential break and enter;
  - (iii) mail theft; and
  - (iv) mischief in alcoves and vandalism, such as graffiti.

#### **Sustainability**

18. Provision of a deconstruction strategy for demolition of existing buildings on site to divert at least 75 percent of demolition waste (excluding materials banned from disposal) from the landfill.

Note to Applicant: The deconstruction strategy should be provided at the time of development permit application.

19. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under LEED® Canada for Homes with a minimum of twelve energy and atmosphere points.

Note to Applicant: Provide a LEED® Canada for Homes checklist confirming that the project will achieve Gold level and a detailed written description of how the minimum target points will be achieved. Both checklist and description should be incorporated into the drawing set and significant LEED® features detailed on the plans.

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

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

21. 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.
22. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

#### Landscape Review

23. Provision of a high quality public realm adjacent the site, including a double row of street trees along the Cambie Street frontage.
24. Design development to the Cambie Street frontage to set back exterior walls from the property line (refer to Urban Design condition 3) and resolve grade changes using a terraced, landscape approach.

Note to Applicant: Any necessary transition to raised patios should be done in planted terraces, avoiding walls higher than three feet. Walls should have high quality surfacing and be softened with planting.

25. Design development to locate site utilities and vents on private property and integrate them discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: While the pad mounted transformer (PMT) is integrated with the parkade access and outside of landscaped areas, further detailed design is needed. By way of its location on a corner section of the building, the PMT's should not create an awkward, unfinished alcove. Vehicular turning impacts should also be considered and mitigated.

26. Provision of urban agriculture in the form of edible landscaping and 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.
27. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 9.3 m<sup>2</sup> (100 sq. ft.).
28. Grades, retaining walls, walkways and structural elements, such as underground parking, designed to provide maximum plant growing depth [exceed British Columbia Landscape and Nursery Association (BCLNA) Landscape Standard].

Note to Applicant: Public and private trees will need to be planted at grade and not placed in above grade planters to achieve soil depth. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking should angle downward at the corner [1 m (3.3 ft.) across and 1.2 m (3.9 ft.) downward].

29. Responsible resolution of any conflict with neighbour trees and vegetation in proximity to proposed excavation.

Note to Applicant: There may be trees and plants that are either owned or co-owned by the south neighbor at 6729 Cambie Street that could be affected by proposed excavation near the property line. All neighbor and co-owned trees should be safely retained with the necessary arborist services and/or design development. Alternatively a tree permit application will need to be submitted



to remove/replace the trees, accompanied by the adjacent owner(s) consent in writing.

30. At time of development permit application:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a Tree Plan.

Note to Applicant: Provide a tree plan that is separate from the landscape plan and consistent with the arborist report, dated Dec. 19, 2012 (Michael Mills Consulting) and legal survey. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including offsite trees and any tree protection barriers. An arborist report addendum may be necessary for offsite trees and vegetation. Tree replacements can be shown on the proposed phased landscape planting plans.

- (iii) Provision of large scale landscape sections [typical] through planted areas, including the slab-patio-planter relationship, the lane interface, common areas and upper levels.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball.

- (iv) Provision of new street trees to be provided adjacent to the development site, to be shown on the development permit plans and confirmed prior to the issuance of the building permit.

Note to Applicant: Contact Eileen Curran, Engineering Services (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers,

tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion.”

### Engineering

31. Clarification is required of the dashed box around PMTs shown projecting into the lane (Page A5.04). Delete this item.
32. Clarification of the projections above the first floor level of the townhouses shown encroaching into the lane (Page A3.01, North and South Elevations). Delete these features.
33. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: Pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.

34. Clarify tree and planting locations along the lane property line. It appears that the trees and planting are straddling or beyond the property line. Please ensure all landscaping treatments are fully within the property lines along the lane.

Note to Applicant: The partial westerly dimension of 360'-8 1/2" on the Parkade Key Plan is actually the overall dimension (Page A2.00).

35. Delete portion of retaining wall on south pedestrian ramp along Cambie Street that appears to extend over the property line (A5.04).
36. Update the landscape plan to reflect the off-site improvements proposed through the rezoning and submit a copy directly to Engineering Services for review.
37. 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:

- (i) Wheel stops are required for parking spaces perpendicular to one another.
- (ii) Parking ramps with a slope greater than 12.5 percent which are exposed to open air must be heat-traced.

- (iii) The slope of the parking ramp from the lane to P1 is not to exceed 12 percent for improved ingress and egress by cyclists.
- (iv) Provision of the required Class B loading space to be provided on the southerly half of the site.
- (v) Tandem parking spaces cannot be counted toward the required parking.
- (vi) Disability parking spaces can only be counted as 2 spaces when they are required to make up the minimum required parking for the development.

#### CONDITIONS OF BY-LAW ENACTMENT

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

##### Engineering

1. Consolidation of Lots 36 to 41, Block 896, DL 526, Plan 10198 to create a single parcel.
2. Release of Easement & Indemnity Agreement 290203M (utilities) prior to building occupancy. The applicant is to confirm with the user of the right-of-way that it is no longer required and provide a copy of the response to Engineering Services.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

3. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

Size: A station with a size of 16 m x 4 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property while still clearly visible to the public with 24/7 public access.

Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3 percent and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5 percent. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

4. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (i) Provision of new concrete sidewalks adjacent the site.
    - a. **Cambie St (west side)** Provision of a minimum sidewalk width of 2.1 m.
    - b. **50th Avenue (south side)** Provision of a minimum sidewalk width of 1.8 m.
  - (ii) Provision of street trees adjacent the site where space permits.
  - (iii) Provision of a standard concrete lane entry at the lane west of Cambie Street on the south side of 50th Avenue.
  - (iv) 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 percent of any water system upgrading that may be required.

Note to Applicant: An interconnected water service will be required for this development. There are water mains available on Cambie Street and 50th Avenue for servicing.

- (v) There is no City sewer available to serve this location, written confirmation from Metro Vancouver that they will allow this site to be connected to their sewer line is required. If Metro Vancouver service is not available then arrangements to the satisfaction of the General Manager of Engineering Services for provision of adequate sewer services will be required.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

### Sustainability

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a District Energy System, if and when the opportunity is available and in accordance with the City's policy for *District Energy Connectivity Standards* and the *Cambie Corridor Plan*, which may include but are not limited to agreements which:
- (i) require buildings on site to connect to a District Energy System, once available;
  - (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling District Energy System connection and operation; and

- (iii) grant access to and use of suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

### Soils

- 7. If applicable:
  - (i) Submit a site profile to the Environmental Protection Branch (EPB);
  - (ii) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

### Public Art

- 8. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

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

### Community Amenity Contribution (CAC)

- 9. Pay to the City the Community Amenity Contribution of \$4,597,874 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. The CAC is to be allocated as follows:

- (i) \$2,298,937 to the Affordable Housing Reserve.
- (ii) \$1,298,937 to childcare facilities in the Cambie Corridor area; and
- (iii) \$1,000,000 towards social/cultural spaces for non-profit organizations, to be located in or near the Cambie Corridor Plan area.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 516 West 50<sup>th</sup> Avenue and 6629-6709 Cambie Street".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 516 West 50<sup>th</sup> Avenue and 6629-6709 Cambie Street".
- D. THAT A to C above be adopted on the following conditions:
  - (i) That the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) That any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) That the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

**3. REZONING: 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street**

An application by IBI Group was considered as follows:

Summary: To rezone 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit two six-storey residential buildings with a total of 114 dwelling units. A height of 22.3 m (73 ft.), a floor space ratio (FSR) of 2.87 and a residential floor area of 9,475 m<sup>2</sup> (101,987 sq. ft.) are proposed.

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

**Staff Opening Comments**

Dwayne Drobot, Planner, Rezoning Centre, presented the application and advised Council of a typographical error in the referral report on page 4 in the second paragraph under Form of Development which states that the Urban Design Panel reviewed and supported the application on March 27, 2013; however, the date should read August 1, 2012. Mr. Drobot, along with Jerry Evans, Associate Director of Development, Real Estate Services, also responded to questions.

**Summary of Correspondence**

Council received the following correspondence since the application was referred to public hearing and up to 15 minutes after the close of the speakers list:

- 2 opposed.

**Speakers**

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

The speakers list closed at 6:48 pm.



## Council Decision

MOVED by Councillor Louie

- A. THAT the application by IBI Group, on behalf of Feng Yun Shao, to rezone 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street [*Lots 1 to 5, Block 872, District Lot 526, Plan 8313; PIDs: 008-636-923, 010-166-033, 010-166-050, 010-166-068 and 010-166-076 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.60 to 2.87 and the building height from 10.6 m (35 ft.) to 22.3 m (73 ft.) to permit the development of two six-storey residential buildings containing a total of 114 dwelling units, generally as presented in Appendix A of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street", be approved subject to the following conditions:

### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by IBI Group., on behalf of Feng Yun Shao), and stamped "Received City Planning Department, October 4, 2013", 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 provide a more consistent and notable step back above the fourth storey.

Note to Applicant: Intent is to better support the Cambie Corridor Plan in creating a clear street wall at this height for all six storey developments. For example, the fifth storey projection on the east building must be set farther back.

2. Design Development to provide a reduction in the three-storey portion of the building nearest to the lane to two storeys;

Note to Applicant: Building forms along the lane can be up to storeys in height and generally consider design conditions for overlook and privacy.

3. Design development to provide an open area with pedestrian access through the middle of the site of at least 7.3 m (24 ft.) to maximize the openness between buildings and allow for better on-grade amenity space.

Note to Applicant: Intent is to augment the visual and physical openness of the site created by the physical building separation. Projecting slabs, guard rails and other structures should be avoided in the central 7.3 m wide space for residents that connects West 41<sup>st</sup> Avenue with the lane from north to south. Public access is not required.

4. Design development to mitigate privacy and overlook issues to nearby residents.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features needed to balance access to natural light with privacy concerns.

5. Design development to avoid shadowing on the neighbours to the north that is attributable to trelliswork, guard rails, balconies, overhangs, and decorative features on the north side of the building.

Note to Applicant: Intent is to create a better transition to the low scale of neighbours to the north. Similar features facing toward the south and Oakridge Centre are not included in this condition.

6. Design development to meet the *Cambie Corridor 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.

7. Design development to create open spaces suitable for children's play, located adjacent to common amenity rooms.

Note to Applicant: Amenity areas and open spaces should be arranged to improve the functionality of these common areas for families with children. See the *High-Density Housing for Families with Children Guidelines* for more information.

8. Provision of high quality and durable exterior finishes.
9. Design development to improve the amount of open space along the front and rear of the site.

Note to Applicant: Front setbacks should provide at least 3.6 m (12 ft.) and rear setbacks should provide at least 4.5 m (15 ft.) of open space for the residents at the ground level along the majority of each façade.

10. Notation on the floor plans to show the previous building outline.

Note to Applicant: The form of development may not extend beyond the design in the rezoning application.

#### CPTED

11. Design development to respond to CPTED principles, having particular regards for:

- (i) theft in the underground parking;
- (ii) residential break and enter;
- (iii) mail theft; and
- (iv) mischief in alcoves and vandalism, such as graffiti.

#### Sustainability

12. Provision of a deconstruction strategy for demolition of existing buildings on site to divert at least 75 percent of demolition waste (excluding materials banned from disposal) from the landfill.

Note to Applicant: The deconstruction strategy should be provided at the time of development permit application.

13. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in meeting the Green Buildings Policy for Rezoning, including a minimum of 63 points in the LEED® rating system, at least six optimize energy performance points, one water efficiency point, and one storm water point.

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

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

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room,

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

15. 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.
16. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

#### Landscape Review

17. Provide intensive and extensive green roof areas on the roof tops of new buildings;

18. Provide infrastructure for Urban Agriculture on common roof decks;

Note to Applicant: The spaces should include areas for tool storage, composting, and seating. At least two hose bibs should be provided in each Urban Agriculture area.

19. Design Development to improve the central at-grade south-facing landscaped courtyard;

Note to Applicant: Incorporate a secure secondary pedestrian access path to the lane. Reconfigure the balance of hard and soft landscape forms to improve pedestrian flow around a central sunny gathering space with green surround;

20. provision of more substantial greenery and amenities for pedestrians at the street and lane;

Note to Applicant: Intent is to create a safe, interesting and high quality pedestrian experience throughout the public realm interface. Provide a double row of street trees where space permits. New trees within landscape setbacks along street frontages should have direct access to the natural water table wherever possible.

21. Design development to provide maximized growing medium for tree and shrub planters to ensure long term health;

Note to Applicant: Structures such as underground parking slabs and retaining wall may need to be altered to provide adequate depth and continuous soil volumes. Growing medium should be better than BCLNA

standards. Trees planted on structures and with pavement surrounds should be consolidated within a trench to maximize soil volume. Individual trees should have approximately 30 cubic metres of soil if not consolidated.

22. Provide a landscape design and lighting plan consistent with the Cambie Corridor Public Realm Plan;

Note to Applicant: The lighting plan must address all common pedestrian routes, courtyards and the lane edge. Ensure that light levels are achieved for CPTED performance while minimizing glare for residents;

23. Design development to integrate utilities into the building, where possible;

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

24. Provide best current practices for irrigation and managing water conservation including high-efficiency irrigation, aspects of xeriscaping making use of drought tolerant plant selection and mulching;

25. Provide hose bibs for all patios greater than 100 sq. ft. in area;

26. Submission of a fully labelled Landscape Plan, Sections and Details at the Development Permit Stage;

27. Provide large-scale sections ( 1/4"=1'-0" or 1:50) illustrating the townhouse to public realm interface at the street, lane, and common courtyard areas, and

Note to Applicant: The sections should include planters, retaining walls, guardrails, patios, privacy screens, stairs and tree planting depths, and

28. Provide an ISA Certified Arborist tree assessment report for all tree proposed to be removed and retained, as noted on the survey, to the satisfaction of the Director of Planning;

### Engineering

29. Parking, loading and bicycle parking are to be provided as per the Vancouver Parking By-law.

30. Property line dimensions must be added to the site plan.

31. Provision of all Class A bicycle parking on level P1.

32. Deletion of what appears to be a sidewalk or specialty paving beyond the property line in the lane.
33. Clarification of garbage pick-up operations. Please confirm that a waste hauler can access and pick up from the location shown without reliance for storage of bins on public property.
34. Provide details of space usage within the garbage room. Please show garbage and recycling bins. Note; for the 114 units proposed 4- 5'x8' bin spaces are required with additional space for recycling. A compactor is recommended for this development.
35. Clarification of garbage pick-up operation. Confirmation from a waste hauler that they can access and pick up from the location shown without reliance on storage of bins on public 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 and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Cultural Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

#### Engineering

1. Consolidation of Lots 1 to 5, Block 872, DL 526, Plan 8313 to create a single parcel and subdivision of that parcel to result in the dedication of a southerly 1.8 meter portion of the site on 41<sup>st</sup> Avenue for road purposes.
2. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services 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 percent of any water system upgrading that may be required.
- b. Provision of greenways standard concrete sidewalks on Heather St. adjacent the site. (minimum 6' wide or wider with saw cut control joints)
  - c. Provision of standard concrete lane entries on Heather St. and Manson St lane entries to the site.
  - d. Provision of street trees adjacent the site where space permits.
  - e. Payment to the City of \$60,000 towards signal improvements at Heather Street and West 41<sup>st</sup> Avenue. Works will include but are not limited to the installation of countdown timers and audible pedestrian signals, and installation of an additional signal head on the island signal mast to serve eastbound motorists.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

### Sustainability

4. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a District Energy System, if and when the opportunity is available and in accordance with the City's policy for *District Energy Connectivity Standards* and the *Cambie Corridor Plan*, which may include but are not limited to agreements which:
- a. require buildings on site to connect to a District Energy System, once available;
  - b. grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling District Energy System connection and operation; and
  - c. grant access to and use of suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

## Soils

5. 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; 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 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.

## Public Art

6. 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

## Heritage Density Transfer

7. Secure the purchase and transfer of 1,336 m<sup>2</sup> (14,385 sq. ft.) of heritage density (which has a value of \$935,025) 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(s) of the subject site, also referred to as



the receiver site, and the owner of the donor(s) 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.

Note to Applicant: In the event that Letter "B" submitted following rezoning and prior to enactment does not effect the transfer of the full amount of 1,336 m<sup>2</sup> (14,385 sq. ft.) of heritage density submitted referred to in the letter "A" and submitted prior to rezoning Public Hearing, then a cash payment in lieu (Valued at \$65 per square foot of un-transferred heritage density) must be made prior to enactment.

### Community Amenity Contribution (CAC)

8. Pay to the City the Community Amenity Contribution of \$3,304,980 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 to be allocated as follows:
  - a. \$2,120,000 to the Affordable Housing Reserve;
  - b. \$934,980 to social and cultural office space in the Cambie Corridor area; and
  - c. \$250,000 to construct a portion of the future walking and cycling infrastructure on West 41st Avenue.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41<sup>st</sup> Avenue and 5688 Heather Street".

- 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 Parking By-law, generally as set out in Appendix C of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41<sup>st</sup> Avenue and 5688 Heather Street".
- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

\* \* \* \* \*

**VARY AGENDA**

*MOVED by Councillor Stevenson*

*THAT Council vary the order of the agenda to deal with item 1 prior to item 4.*

CARRIED UNANIMOUSLY

\* \* \* \* \*

**1. REZONING: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street**

An application by Jim Pattison Developments Ltd. and Reliance Properties Ltd. was considered as follows:

Summary: To rezone a) 1262-1290 Burrard Street from DD (Downtown District) to CD-1 (Comprehensive Development) District to permit a mixed-use building with retail, service and office uses. A floor area of 19,715.4 m<sup>2</sup> (212,222 sq. ft.) and a maximum height of 55.5 m (182 ft.) are proposed.

To rezone b) 1229-1281 Hornby Street from DD (Downtown District) to CD-1 (Comprehensive Development) District to permit a mixed-use development including two residential towers connected by a podium, with market strata and rental residential units and office, retail and service uses. A floor area of 67,430 m<sup>2</sup> (725,837 sq. ft.) and a maximum height of 167.6 m (550 ft.) are proposed.

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

### Staff Opening Comments

Anita Molaro, Assistant Director, Urban Design and Development Planning Centre, and Karen Hoese, Planner, Rezoning Centre, presented the application and, along with Brent Dozzi, Neighbourhood Parking and Transportation, responded to questions.

### Applicant Comments

Jon Stovell, President, Reliance Properties, provided brief opening comments.

### Summary of Correspondence

Council received the following correspondence since the application was referred to public hearing and up to 15 minutes after the close of the speakers list:

- 17 in support;
- 9 in opposition; and
- 2 regarding other aspects in relation to the application.

### Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Dean Malone  
Dara Parker, Executive Director, QMUNITY  
Sam, Sung, QMUNITY  
Danielle Jarvis, QMUNITY  
Drew Dennis  
Ted Mildon  
Kathy Murphy, St. Andrew's Wesley United Church  
Ron Paviglianiti  
Nanci Blu, QMUNITY  
Adriaan De Vries, QMUNITY  
Maury D. Dubuque  
Vicki Chan  
Lara Hutter  
Tyler Klassen, QMUNITY  
Richard Engelhardt  
Dino Kaurtessis  
James Tod  
Carl Bodnar  
Alan Herbert  
Janet Altshool  
Dan Griffin

The following spoke in general support but raised concerns with various aspects of the application. Concerns raised included a lack of affordable family housing, the office tower setback and construction impacts on nearby residents:

John Yano  
Igor Babichev  
Ivan Bern

The following spoke in opposition to the application and raised concerns which included the parking ratio proposed, the accuracy of the applicant's renderings, view impacts and increased congestion:

Frank Jameson  
Stephen Bohus  
Hugh

The speakers list closed at 9:29 pm.

#### **Applicant Closing Comments**

Mr. Stovell responded to questions regarding concerns raised by some of the foregoing speakers.

#### **Staff Closing Comments**

Ms. Molaro and Mr. Dozzi, along with Jerry Evans, Associate Director of Development, Real Estate Services, and Vickie Morris, Social Planner, Social Infrastructure, responded to questions.

\* \* \* \* \*

*At 10:04 pm it was*

*MOVED by Councillor Deal*

*THAT the meeting be extended to complete the business on the agenda.*

*CARRIED UNANIMOUSLY*

\* \* \* \* \*

#### **Council Decision**

MOVED by Councillor Stevenson

- A. THAT the application by Jim Pattison Developments Ltd. and Reliance Properties Ltd. on behalf of Reliance Properties (Burrard) Ltd., Reliance Properties Ltd., 0785687 B.C. Ltd. and Rattenbury Enterprises Ltd.:

- (i) to rezone 1262-1290 Burrard Street [015-480-038, Lot 13, Block 100, DL 541, Plan 210; 015-480-097, North ½ of Lot 14, Block 100, DL 541, Plan 210; 011-182-547, Lot 11, Block 100, DL 541, Plan 210; 011-182-571; Lot 12, Block 100, DL 541, Plan 210; 015-480-836, Lot A (Reference Plan 241) of Lots 14 and 15, Block 100, DL 541, Plan 210; 015-480-861, Lot B (Reference Plan 66) of Lots 15 and 16, Block 100, DL 541, Plan 210; 015-480-143, Lot 17, Block 100, DL 541, Plan 210; 015-480-178, Lot 18, Block 100, DL 541, Plan 210; 015-480-216, Lot 19, Block 100, DL 541, Plan 210] from Downtown District (DD) to CD-1 (Comprehensive Development) District to permit a building containing retail, service and office uses, with a floor area of 19,715.4 m<sup>2</sup> (212,222 sq. ft.) and a maximum height of 55.5 m (182 ft.); and
- (ii) to rezone 1229-1281 Hornby Street [015-480-429, Lot 33, Block 100, DL 541, Plan 210; 003-741-788, Lot 31, Block 100, DL 541, Plan 210; 003-741-818, Lot 32, Block 100, DL 541, Plan 210, 015-480-372, Lot 30, Block 100, DL 541, Plan 210; 008-897-565, Lot 29, Block 100, DL 541, Plan 210; 015-480-348, Lot 28, Block 100, DL 541, Plan 210; 015-480-305, Lot 27, Block 100, DL 541, Plan 210; 007-718-390, Lot 26, Block 100, DL 541, Plan 210; 025-841-572, Lot E, Block 100, DL 541, Gp1 NWD, Plan BCP9288; 014-994-836, Lot A, Block 100, DL 541, Plan 1072; 014-994-852, Lot B, Block 100, DL 541, Plan 1072; 014-994-887, Lot C, Block 100, DL 541, Plan 1072, 015-480-224, Lot 22, Block 100, DL 541, Plan 210; 015-480-259, Lot 23, Block 100, DL 541, Plan 210] from Downtown District (DD) to CD-1 (Comprehensive Development) District to permit a mixed-use development comprised of two residential towers connected by a podium and containing market strata and rental residential units, and office, retail, and service uses, with a floor area of 67,430 m<sup>2</sup> (725,837 sq. ft.) and a maximum height of 167.6 m (550 ft.),

generally as presented in Appendices A1 and A2 of the Policy Report dated November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street", be approved subject to the following conditions:

For a) 1262-1290 Burrard 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 IBI/HB Architects and Bing Thom Architects, and stamped "Received City Planning Department, March 13, 2013", 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 an enhanced public realm treatment, with emphasis on pedestrian movement, that contributes to the lane and midblock pedestrian connection(s) including the provision of the enhanced visual and green wall landscape treatment of the blank wall with the adjacent property to the north.

Note to applicant: High quality public realm treatments that balance the needs of pedestrians and vehicular movements 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 need to be considered. Location of ventilation grates in key public realm areas are to be avoided. Features that are on City streets and lanes require a separate application to Engineering.

2. Design development to the Burrard/Drake corner plaza area to further strengthen the pedestrian amenity of the plaza including the provision of public seating and landscaping treatments.

Note to applicant: The plaza design needs to be considered as an extension of the public realm, rather than as an opportunity for vehicle display. Location of ventilation grates in key public realm areas are to be avoided.

3. Design development to ensure a seamless transition from the public to private realm.

Note to applicant: High quality, special paving is encouraged on private property, the strategy should anticipate a seamless and compatible material transition from standard paving on city sidewalks. Special paving on private property should be constructed to ensure long term stability and respect the principles of universal design. Location of ventilation grates in key public realm areas are to be avoided.

4. Design development and provision of a conceptual lighting strategy and implementation plan to enhance the proposed public realm environment.

### Urban Design - Tower B - Commercial Building - Burrard Street Site

5. Design development to maintain and further refine the high quality materials indicated for the office tower (curved non-faceted curtain wall with both fritted and highly transparent 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 confirm and demonstrate the role and purpose of the enclosed bridge connection as a key component in delivering the building(s) energy performance requirements.

Note to applicant: In order to transfer energy between the two development sites, other locations such as a below grade should be also considered. If the enclosed elevated bridge connection between Tower A and Tower C is pursued, design development is required to enhance its architectural expression combined with a high degree of transparency.

7. Design development to ensure service equipment including window washing infrastructure, cell tower and antennae elements do not incur into the public view cone.
8. Design development to enhance and maintain the green roof treatments.
9. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.
10. 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

11. 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.

12. Confirmation that the proposed buildings will achieve a maximum energy use intensity of 115 kWhr/m<sup>2</sup>/year for the residential portion and 122 kWhr/m<sup>2</sup>/year for the office portion of the development.

### Crime Prevention Through Environmental Design (CPTED)

13. 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

14. Design development of the public realm landscape treatment to provide high-quality and welcoming outdoor open spaces with substantial greenery and amenities around the perimeter and into the interior of the block to benefit the pedestrian experience.
15. Provision of a high-efficiency (drip) irrigation system for all planted rooftops, at common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.
16. Maximize green roof plantings on structures.
17. Provision of maximum growing medium depth (to exceed BCLNA standards) for all landscaped planters on structures to maximize rooting potential of trees, shrubs and other plant material.
18. Utilities to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
19. Proposed plantings consistent with the City of Vancouver Waterwise Planting Guidelines.
20. Provision of a legal survey.
21. Provision of a fully labelled landscape plan, sections and details at the development permit submission stage.
22. Illustration of all trees with their root ball circumference located with dashed lines on the P1 plan with note saying "Proposed tree above: refer to Ground Floor Plan and Landscape Plan and Section". The section should detail how the parkade roof slab is depressed/angled back to accommodate 3 to 4 feet of tree soil



depth. The info must be on the architectural drawings as well as the landscape drawings.

23. New street trees to be provided adjacent to the development site and illustrated on the landscape plan, to be confirmed prior to issuance of the building permit.

Note to applicant: Provide a notation on the Landscape Plan, " Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311".

Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Cabot Lyford, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

### Engineering

24. Clarification if canopies are proposed over public property and, if so, 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 0.56 mm in thickness (VBBL section 1A.9.8).

25. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to applicant: Pick up operations should not rely on bins being stored on the street or lane for pick-up – bins are to be returned to storage areas immediately after emptying.

### Public property landscape comments

26. Provision of smooth broom finish concrete saw cut sidewalk on all surrounding street frontages on City property. Patterning and widths as per the Downtown South "Hornby Slopes" design guidelines for the area.

Note to applicant: The widths should be expanded to 5.5 metres adjacent the grocery store and residential area.

27. Provision of pedestrian scale lighting as per the Downtown South "Hornby Slopes" design guidelines for the area.
28. Provision of street furnishings consistent with the Downtown South "Hornby Slopes" design guidelines.

29. Please place the following note on the landscape plans:  
"A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. 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."
30. 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:

- a) Provision of a loading and operations plan covering the Toyota and Scion vehicle dealerships and all associated service center facilities prior to the issuance of a development permit.

Note to applicant: The plans must provide a detailed explanation of the on-site vehicle service center operations, vehicle deliveries, parts deliveries, the size of delivery vehicles used, and details and confirmation that new vehicles are stored off-site and brought to the dealership only for new vehicle preparation and customer pick-up.

- b) Provision of redesigned parking and loading access and circulation on both sites to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The work must include improved loading and better separation of the parking ramp points of access within the site.

- c) Provision of truck turning movement diagrams for all loading spaces.
- d) Provide written acceptance that the maximum size truck that will serve the buildings on either site is a tractor-trailer with dimensions not to exceed a WB-12 design vehicle, and this truck size limit will form the basis for any loading management plans.
- e) Provision of an updated Transportation Study to address any changes made to the parking, loading and access as the building design evolves through the development permit stage.

- f) Clarification of the number of class A bicycle spaces proposed on each level is required.
- g) Provision of all class B bicycle spaces to be provided on-site. Should there be a desire to supply additional class B bicycle spaces on public property a separate application to the City Engineer is required and those approved spaces on public property do not apply toward the required on-site bicycle parking.

**Notes to Applicant:**

- On pages RZ4.01, 02 and 04 some of the representations of the property lines appear to have been misplotted.
- The application does not appear to provide adequate loading to meet the parking by-law requirements.

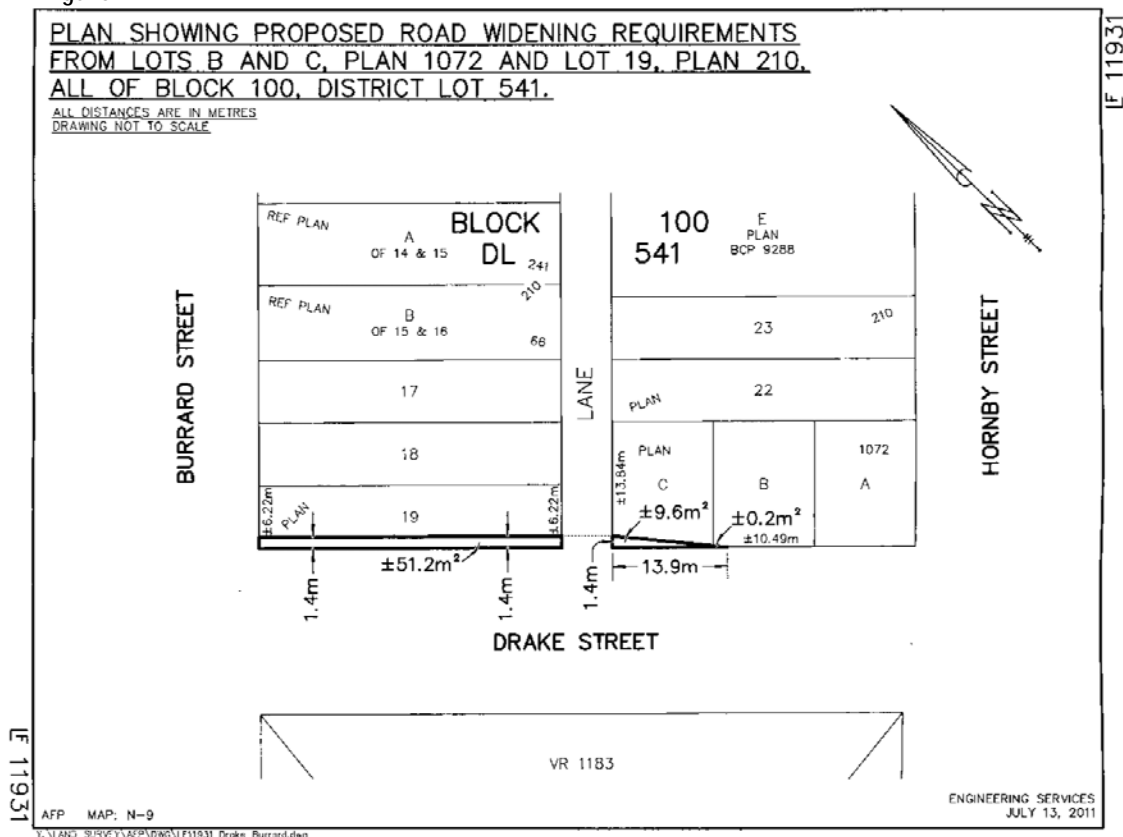
**CONDITIONS OF BY-LAW ENACTMENT**

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the 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 11 to 13, N1/2 of 14, A (Reference Plan 241) of Lots 14 and 15, B (Reference Plan 66) of Lots 15 and 16, and Lots 17 to 19, all of Block 100, DL 541, Plan 210 to create a single parcel.
2. Provision of surface statutory rights of way for public access and road purposes over the southwesterly 1.4 metres of the site from Burrard St. to the lane, adjacent to Drake St; and over the southwesterly part of the site defined by a point measured 1.4 metres along the existing northwesterly property line from Drake street, and a point measured 13.9 metres along the southwesterly property line from the lane (see Figure 1).

Figure 1



3. Provision of a separate application to General Manager of Engineering Services, to the attention of the City Surveyor, for the proposed bridge over the lane west of Hornby Street and north of Drake Street which connects the two buildings. The application is to include drawings that detail the bridge location and elevation above the lane and must clearly indicate that the bridge will be fully demountable and not be required for any code or by-law compliance needs. Written confirmations accepting the proposal from all affected utility companies is required.

Note to applicant: For an example of a typical bridge agreement please see Land Title Office registered agreement BB453624-629.

4. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

Size: A station with a size of 28 m x 4 m or 13 m x 7.5 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property while still clearly visible to the public with 24/7 public access.

Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3 percent and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5 percent. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

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. The Services Agreement is to include a provision for delivery of the necessary works for each phase of the development to ensure proper building operations.
  - (a) Provision of modifications to the lane radii at the Drake Street and Davie Street lane entries to the block. A review of the turning radii of the largest trucks expected to serve the site is required with modification of the turning radii to accommodate the vehicles is required. Work to include all utility relocations and infrastructure adjustments necessary to achieve the desired radii including wood poles and utility facilities within the lane right of way where required.
  - (b) Provision of improvements to the intersection of Drake Street and Burrard Street to accommodate two-way traffic flow on Drake Street. Works shall include but are not limited to the conversion of the existing signal to a full traffic signal, the installation of countdown timers, curb and pavement adjustments to accommodate two-way traffic on Drake Street and traffic calming along the lane south of Burnaby Street west of Burrard Street.
  - (c) Provision of improvements to the intersection of Drake Street and Hornby Street. Works may include but are not limited to the installation of countdown timers and audible

- signals, and adjustments to accommodate two-way traffic on Drake Street.
- (d) Provision of a review of the existing street lighting surrounding the site to determine if they meet current lighting standards and upgrading of the lighting should it not meet standards.
  - (e) Provision of Burrard Street ceremonial treatments and standard commercial sidewalk treatments adjacent the Burrard Street site.
  - (f) 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 percent of any water system upgrading that may be required.
  - (g) Provision of adequate sewer service to meet the drainage demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including gross floor area and expected fixture counts determined by the applicants' mechanical consultant to determine if sewer 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 percent of any sewer system upgrading that may be required.
  - (h) Provision of relocated wood poles in the lane east of Burrard Street between Davie and Drake Streets to accommodate all vehicular operations and access to and from the lane. Should pole relocation result in elimination of lane lighting then provision of lane lighting is also required.
6. 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.

### **Public Art**

7. 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**

8. 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.

### Community Amenity Contribution (CAC)

9. Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$15,815,550 which the developer has offered to the City, to be allocated as follows:
  - \$7 million towards the funding of the future Qmunity Centre;
  - \$4 million towards public realm improvements including the Comox-Helmcken Greenway and improved bicycle/pedestrian facilities over the Burrard Bridge and/or connections to improved bicycle/pedestrian facilities over the Granville Bridge; and
  - \$2 million towards the completion of cultural facilities; and
  - \$2,815,550 contribution towards park acquisition in Downtown South.

For b) 1229-1281 Hornby 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 IBI/HB Architects and Bing Thom Architects, and stamped "Received City Planning Department, March 13, 2013", 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 an enhanced public realm treatment, with emphasis on pedestrian movement, that contributes to the lane and midblock pedestrian connection(s) including the provision of the enhanced visual and green wall landscape treatment of the blank wall with the adjacent property to the north.

Note to applicant: High quality public realm treatments that balance the needs of pedestrians and vehicular movements 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 need to be considered. Location of ventilation grates in key public realm areas are to be avoided. Features that are on City streets and lanes require a separate application to Engineering.



2. Design development to ensure a seamless transition from the public to private realm.

Note to Applicant: High quality, special paving is encouraged on private property. The strategy should anticipate a seamless and compatible material transition from standard paving on city sidewalks. Special paving on private property should be constructed to ensure long term stability and respect the principles of universal design. Location of ventilation grates in key public realm areas are to be avoided.

3. Design development and provision of a conceptual lighting strategy and implementation plan to enhance the proposed public realm environment.

#### **Urban Design – Hornby Street Site – Mixed-Use Buildings**

4. Design development to maintain and further refine the high quality materials indicated for the residential towers and podium (integrated white concrete grid, fritted and transparent glazing, horizontal and vertical fins, thermally enhanced slab construction, glazed balustrades) and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.
5. Design development to the upper portion of the building (tower in sub-area A) to further refine and enhance its architectural contribution to the city skyline and the public view cone.
6. Design development to ensure service equipment including window washing infrastructure, cell tower and antennae elements do not incur into the public view cone(s).
7. Design development to the covered breezeway connection to enhance its function as a pedestrian connection by minimizing the amount of loading and parking access provided directly off the breezeway, through the relocation of loading and parking access to the lane.

Note to applicant: In addition, enhanced soffit and lighting treatments should be provided.

8. Design development to confirm and demonstrate the role and purpose of the enclosed bridge connection as a key component in delivering the building(s) energy performance requirements.

Note to applicant: In order to transfer energy between the two development sites, other locations such as a below grade should be also considered. If the enclosed elevated bridge connection between the tower in sub-area A and the tower on the Burrard

Street site is pursued, design development is required to enhance its architectural expression combined with a high degree of transparency.

9. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.
10. 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.

11. Design development to provide a 1.8 m (6 ft.) public realm setback along the Hornby Street frontage.

Note to applicant: The Downtown South Guidelines for the Hornby slopes calls for a 1.8 m (6 ft.) enhanced public realm setback. Building mass should be setback above the required setback so that the building mass does not overwhelm the public realm. Consideration can be given to accommodate the slanting glass feature of the podium.

### **Sustainability**

12. 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.

13. Confirmation that the proposed buildings will achieve a maximum energy use intensity of 115 kWhr/m<sup>2</sup>/year for the residential portion and 122 kWhr/m<sup>2</sup>/year for the office portion of the development.

### **Crime Prevention Through Environmental Design (CPTED)**

14. 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

- 15. Design development of the public realm landscape treatment to provide high-quality and welcoming outdoor open spaces with substantial greenery and amenities around the perimeter and into the interior of the block to benefit the pedestrian experience.
- 16. Provision of a high-efficiency (drip) irrigation system for all planted rooftops, at common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.
- 17. Provision of opportunities and infrastructure to support urban agriculture on common amenity roof decks.

Note to applicant: This includes garden plots, social gathering space, on-site composting, tool storage, hose bibs and potting benches which support urban agricultural activity in accordance with the "Urban Agriculture Guidelines for the Private Realm." Consideration should be given to a rainwater collection system to assist with irrigation.

- 18. Maximize green roof plantings on structures.
- 19. Provision of maximum growing medium depth (to exceed BCLNA standards) for all landscaped planters on structures to maximize rooting potential of trees, shrubs and other plant material.
- 20. Utilities to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
- 21. Proposed plantings consistent with the *City of Vancouver Waterwise Planting Guidelines*.
- 22. Provision of a legal survey.
- 23. Provision of a fully labelled landscape plan, sections and details at the development permit submission stage.

24. Illustration of all trees with their root ball circumference located with dashed lines on the P1 plan with note saying "Proposed tree above: refer to Ground Floor Plan and Landscape Plan and Section". The section should detail how the parkade roof slab is depressed/ angled back to accommodate 3 to 4 feet of tree soil depth. The info must be on the architectural drawings as well as the landscape drawings.
25. New street trees to be provided adjacent to the development site and illustrated on the landscape plan, to be confirmed prior to issuance of the building permit.

Note to applicant: Provide a notation on the landscape plan, " Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311".

Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Cabot Lyford, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

### Engineering

26. Clarification if any of the proposed car share vehicles are being used to meet the parking by-law requirements; if so, arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for a standard car share agreement are required.

Note to applicant: A letter of intent from a car share company indicating they are agreeable to supplying the stated number of car share vehicles at occupancy is required.

27. Clarification if canopies are proposed over public property and if so 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).
28. Confirmation that there is adequate garbage storage and recycling space for the grocery store is required.
29. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to applicant: Pick up operations should not rely on bins being stored on the street or lane for pick-up – bins are to be returned to storage areas immediately after emptying.

30. Provision of a standard concrete boulevard crossing at the Hornby Street access.

Note to applicant: A crossing application is required.

#### Public property landscape comments

31. Provision of smooth broom finish concrete saw cut sidewalk on all surrounding street frontages on City property. Patterning and widths as per the Downtown South "Hornby Slopes" design guidelines for the area.

Note to applicant: The widths should be expanded to 5.5 metres adjacent the grocery store and residential area.

32. Provision of pedestrian scale lighting as per the Downtown South "Hornby Slopes" design guidelines for the area.

33. Provision of street furnishings consistent with the Downtown South "Hornby Slopes" design guidelines.

34. Please place the following note on the landscape plans: "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. 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."

35. 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:

- a) Provision of a loading and operations plan covering the Toyota and Scion vehicle dealerships and all associated service center facilities prior to the issuance of a development permit.

Note to applicant: The plans must provide a detailed explanation of the on-site vehicle service center operations, vehicle deliveries, parts deliveries, the size of delivery vehicles used, and details and confirmation that new

vehicles are stored off-site and brought to the dealership only for new vehicle prep & customer pick-up.

- b) Provision of a loading management plan to the satisfaction of the General Manager of Engineering Services for the proposed grocery store use prior to issuance of a development permit. The loading management plan must address but not be limited to a timetable for truck delivery, truck routing, and loading management practices and procedures.

Note to applicant: A Class C (semi-trailer) truck proposed by the applicant is not required based upon the loading requirements for a 1,669 m<sup>2</sup> grocery store in the Parking By-Law.

- c) Provision of redesigned parking and loading access and circulation on both sites to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The work must include improved loading and better separation of the parking ramp points of access within the site.

- d) Provision of truck turning movement diagrams for all loading spaces.
- e) Provide written acceptance that the maximum size truck that will serve the buildings on either site is a tractor-trailer with dimensions not to exceed a WB-12 design vehicle, and this truck size limit will form the basis for any loading management plans.
- f) Provision of an updated transportation study to address any changes made to the parking, loading and access as the building design evolves through the development permit stage.
- g) Provision of Class A bicycle storage as per the Parking By-law. The applicant has proposed that bicycle storage for Towers A and C be divided between 5 parking levels with the bulk of the storage on the P1 Mezzanine. In order to make this work effectively the applicant will need to provide a dedicated bicycle elevator for each tower with direct access to the street, lane or interior mews.
- h) Clarification of the number of class A bicycle spaces proposed on each level is required.
- i) Provision of all class B bicycle spaces to be provided on-site. Should there be a desire to supply additional class B bicycle

spaces on public property a separate application to the City Engineer is required and those approved spaces on public property do not apply toward the required on-site bicycle parking.

### Notes to Applicant

- On page R Z1.00 the legal description for some of the Hornby Street Lots is incorrect: only Lots A, B and C are under Plan 1072: the legal description for Lot E must include Plan BCP9288, and that for Lots 22,23, and 26 to 33 must include Plan 210.
- On pages RZ4.01, 02 and 04 some of the representations of the property lines appear to have been misplotted.
- The application does not appear to provide adequate loading to meet the parking by-law requirements.

### Heritage

36. Provision of an "as-built" set of drawings with photo analysis of the existing houses at 1241 and 1253 Hornby Street for archival records.
37. Provision of a letter, signed by the property owner, which states that an application to demolish the houses at 1243 and 1251 Street will not be submitted until necessary for construction of the new development.
38. Provision of a letter, signed by the property owner, which states that they will seek opportunities to allow for relocation, or salvage and/or deconstruction of the houses at 1243 and 1251 Hornby Street.

### CONDITIONS OF BY-LAW ENACTMENT

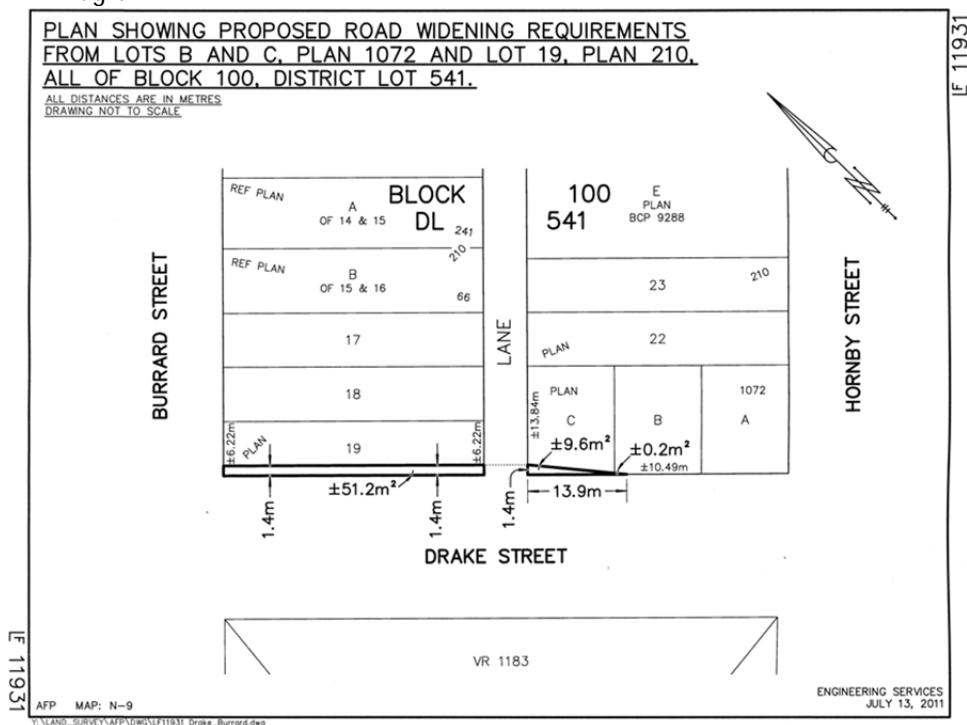
- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, 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 22, 23, and 26 to 33, Plan 210; Lots A, B, and C, Plan 1072; and Lot E, Plan BCP9288; all of Block 100, DL 541 to create a single parcel.
2. Provision of surface statutory rights of way for public access and road purposes over the southwesterly 1.4 metres of the site from Burrard St. to the lane, adjacent to Drake St; and over the

southwesterly part of the site defined by a point measured 1.4 metres along the existing northwesterly property line from Drake Street, and a point measured 13.9 metres along the southwesterly property line from the lane (see Diagram 1)

Diagram 1



3. Provision of a separate application to General Manager of Engineering Services, to the attention of the City Surveyor, for the proposed bridge over the lane west of Hornby Street and north of Drake Street which connects the two buildings. The application is to include drawings that detail the bridge location and elevation above the lane and must clearly indicate that the bridge will be fully demountable and not be required for any code or by-law compliance needs. Written confirmations accepting the proposal from all affected utility companies is required.

Note to applicant: For an example of a typical bridge agreement please see Land Title Office registered agreement BB453624-629.

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Grades: The surface must be leveled with a maximum cross slope of 3 percent and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5 percent. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

5. Release of Easement & Indemnity Agreement 421528M (for a commercial crossing) prior to building occupancy. Arrangements are to be made prior to zoning enactment with discharge prior to building occupancy. (A simple letter of undertaking to discharge will address this condition for enactment).
6. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The Services Agreement is to include a provision for delivery of the necessary works for each phase of the development to ensure proper building operations.
  - (a) Provision of modifications to the lane radii at the Drake Street and Davie Street lane entries to the block. A review of the turning radii of the largest trucks expected to serve the site is required with modification of the turning radii to accommodate the vehicles is required. Work to include all utility relocations and infrastructure adjustments necessary to achieve the desired radii including wood poles and utility facilities within the lane right of way where required.
  - (b) Provision of improvements to the intersection of Drake Street and Burrard Street to accommodate two-way traffic flow on Drake Street. Works shall include but are not limited to the conversion of the existing signal to a full traffic

- signal, the installation of countdown timers, curb and pavement adjustments to accommodate two-way traffic on Drake Street and traffic calming along the lane south of Burnaby Street west of Burrard Street.
- (c) Provision of improvements to the intersection of Drake Street and Hornby Street. Works may include but are not limited to the installation of countdown timers and audible signals, and adjustments to accommodate two-way traffic on Drake Street.
  - (d) Provision of a review of the existing street lighting surrounding the site to determine if they meet current lighting standards and upgrading of the lighting should it not meet standards.
  - (e) Provision of Downtown South sidewalk treatments adjacent the Hornby Street site.
  - (f) 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 percent of any water system upgrading that may be required.
  - (g) Provision of adequate sewer service to meet the drainage demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including gross floor area and expected fixture counts determined by the applicants' mechanical consultant to determine if sewer 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 percent of any sewer system upgrading that may be required.
  - (h) Provision of relocated wood poles in the lane east of Burrard between Davie Street and Drake Street to accommodate all vehicular operations and access to and from the lane. Should pole relocation result in elimination of lane lighting then provision of lane lighting is also required.

7. 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.

### Housing Agreement

8. 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 87 residential units, with a minimum total net area of 4,578.7 m<sup>2</sup> (49,286 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.

### Heritage Density Transfer

9. Secure the purchase and transfer of 9,823.25 m<sup>2</sup> (105,740 sq. ft.) of heritage density (which has a value of \$6,873,100) from a suitable donor site.

Note to applicant: Given the stipulated value that the City attributes to transferable heritage 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.

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owners of the subject site, also referred to as the receiver site, and the owner(s) of the donor site(s), 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.

Note to applicant: In the event that Letter "B" submitted following rezoning and prior to enactment does not effect the transfer of the full amount of 9,823.25 m<sup>2</sup> (105,740 sq. ft.) of heritage density referred to in the Letter "A" and submitted prior to rezoning Public Hearing, then a cash payment in lieu (valued at \$65.00 per square foot of un-transferred heritage density) must be made prior to enactment, subject to the applicant being required to purchase a minimum of 6,478.9 m<sup>2</sup> (69,740 sq. ft.) of heritage density as a condition of development.

#### Public Art

10. 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

11. 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.

### Community Amenity Contribution (CAC)

12. Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$15,815,550 which the developer has offered to the City, to be allocated as follows:
  - \$7 million towards the funding of the future Community Centre;
  - \$4 million towards public realm improvements including the Comox-Helmcken Greenway and improved bicycle/pedestrian facilities over the Burrard Bridge and/or connections to improved bicycle/pedestrian facilities over the Granville Bridge; and
  - \$2 million towards the completion of cultural facilities; and
  - \$2,815,550 contribution towards park acquisition in Downtown South.

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 November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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 November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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 November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street".
- E. THAT, subject to approval in principle of the rezoning application contemplated in A(ii) above and the Housing Agreement described in section (c) of Appendix B2 of the Policy Report dated November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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 contemplated by the above-noted Policy 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(s) 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 the applicants.; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY  
(Councillor Tang absent for the vote)

**4. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):  
304 East 28th Avenue (Walden House)**

An application by Marina Lok was considered as follows:

Summary: To add the existing building to the Vancouver Heritage Register, designate it as a protected heritage property, and approve a Heritage Revitalization Agreement (HRA) for the site. This application proposes variances to the Zoning and Development and Subdivision by-laws to allow for the creation of two new parcels for the site, one which is to contain the heritage building and one which is to contain a new One-Family Dwelling with Secondary Suite.

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

### **Staff Opening Comments**

James Boldt, Heritage Planner, Heritage Group, reviewed the application.

### **Summary of Correspondence**

Council received the following correspondence since the application was referred to public hearing and up to 15 minutes after the close of the speakers list:

- 7 opposed.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application and raised concerns in regard to the heritage designation component, proposed density, laneway easement and community consultation:

William Edbrooke  
Jo Ann Turner  
Andrew Krumins  
Janet Alschool

The speakers list closed at 10:51 pm.

### **Applicant Closing Comments**

Michael Hambrook, property owner, provided closing comments.

### **Staff Closing Comments**

Mr. Boldt, along with Kent Munro, Assistant Director, Current Planning Division, responded to questions in relation to concerns expressed by the foregoing speakers.

## Council Decision

REFERRAL MOVED by Councillor Deal

THAT Council refer discussion and decision on the application for a Heritage Designation/Heritage Revitalization Agreement for 304 East 28<sup>th</sup> Avenue (Walden House) to the Regular Council meeting on January 21, 2014, as Unfinished Business in order to receive further detail on the property from staff.

CARRIED  
(Councillors Affleck and Ball opposed)  
(Councillors Louie, Reimer and Tang absent for the vote)

## RISE FROM COMMITTEE OF THE 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 Deal  
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 for Items 1, 2 and 3.

CARRIED UNANIMOUSLY

## ADJOURNMENT

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 11:14 pm.

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