

SUMMARY AND RECOMMENDATION

4. **REZONING:** (a) 706-774 West 13th Avenue and (b) 725-799 West 14th Avenue (Heather Place)

Summary: To rezone 706-774 West 13th Avenue and 725-799 West 14th Avenue from CD-1 (Comprehensive Development) District 147 to two new CD-1 (Comprehensive Development) districts. At 725-799 West 14th Avenue, one building of five storeys, with a floor space ratio (FSR) of 1.60 and 67 units of social housing, is proposed. At 706-774 West 13th Avenue, two buildings of six and 10 storeys, with an FSR of 2.84 and 163 units of social housing, are proposed. A seventh level rooftop garden is proposed for the six storey building.

Applicant: NSDA Architects Inc., on behalf of Metro Vancouver Housing Corporation

Referral: This item was referred to Public Hearing at the Regular Council Meeting of March 11, 2014.

Recommended Approval: By the General Manager of Planning and Development Services in consultation with the Chief Housing Officer, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by NSDA Architects Inc., on behalf of Metro Vancouver Housing Corporation, to rezone:
- (i) 706-774 West 13th Avenue [*PID: 007-043-881; Lot B, Block 438, District Lot 526, Plan 19390*] (the "north lot") from CD-1 (Comprehensive Development) District 147 to a new CD-1 District to allow for development of a seven-storey residential building and a 10-storey residential building containing a total of 163 units of social housing and at a maximum floor space ratio (FSR) of 2.84; and
 - (ii) 725-799 West 14th Avenue [*PID: 007-043-899; Lot C, Block 438, District Lot 526, Plan 19390*] (the "south lot") from CD-1 (Comprehensive Development) District 147 to a new CD-1 District to allow for development of a five-storey residential building containing a total of 67 units of social housing at a maximum floor space ratio (FSR) of 1.60,

generally as presented in Appendices A1 and A2 of the Policy Report dated February 25, 2014, entitled "CD-1 Rezoning: (a) 706-774 West 13th Avenue and (b) 755-799 West 14th Avenue (Heather Place)", be approved subject to the following conditions:

For (a) 706-774 West 13th Avenue (Heather Place - North Lot)

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Neale Staniskis Doll Adams Architects, and stamped

“Received City Planning Department, June 12, 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 reduce the apparent scale of Building C, facing Heather Street and the two houses to the south addressed as 2975 Heather Street.

Note to Applicant: Intent is to create a better transition from the taller building form on the north side of 13th Avenue to the scale of nearby apartment buildings. This can be accomplished by lowering the shoulder line of Building C in part or whole; by providing more substantial setbacks to upper levels, or some combination thereof. Changes of exterior finish, colour and material can be used to reinforce a lower visual scale, and consideration given to the comments of the Urban Design Panel regarding variation around the tower form. Consideration will be given to relocation of upper level massing to lower parts of the project.

2. Reduction in the shadowing during the winter months of the outdoor area to the north that serves the childcare facility.

Note to Applicant: Proposed rooftop features that create shadowing such as greenhouses, stairways and north-facing overhangs on Building B should be relocated or substantially reduced. The depth or width of individual units may require adjustment, depending on their contribution to any incremental increase in shadowing after considering the effects of the existing landscape along 13th Avenue.

3. Design development to the proposed treatment of the City lane to achieve an appropriate balance of improved pedestrian amenity with transportation, safety, maintenance and service requirements. (See Engineering conditions also.)

Note to Applicant: Staff support the proposed goals of improving the amenity of this space for nearby residents, and look forward to developing a sustainable design that meets the range of needs noted above.

4. Provision of high quality and durable materials with well resolved detailing.

Note to Applicant: Elevation drawings and enlarged details should be provided to develop the design that was proposed in preliminary form at the rezoning stage.

5. Consideration of locating bicycle facilities at grade.

Note to Applicant: Consider moving some or all of the proposed below-grade amenities, to be more prominent and easily accessible for users of all abilities.

Crime Prevention through Environmental Design (CPTED)

6. Design development to respond to CPTED principles, having particular regard 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.

Sustainability - LEED Rating

7. 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, including at a minimum 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point, and one storm water point. At minimum, the applicant is expected to obtain 60 points, LEED Gold Certification, with the remainder connect to VGH.

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.

Landscape

8. Additional requirements that address specific components of the "Rezoning Policy for Sustainable Large Developments" including, but not limited to:
 - (a) reduction of lawn cover (to reduce chemical use and energy inputs associated with maintenance);
 - (b) creation of habitat (access to nature) by adding pockets of native and adapted plants that specifically attract birds and insects;
 - (c) additional tree planting or contributions toward planting trees offsite;
 - (d) financial bonding to ensure tree retention success;
 - (e) a rainwater management plan, in whole, or in part (for example, cistern details);
 - (f) reduction of impervious paving; and
 - (g) expansion of details and functioning of the urban agriculture and food systems program.

Note to Applicant: These requirements are listed here as advanced notice of possible future conditions of development permit, subject to review by the Director of Planning. Refer to administration bulletin, "Rezoning Policy for Sustainable Large Developments".

9. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and plants.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1.0 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

10. Design development to maximize the retention of trees, especially near the perimeter edge, where possible.

Note to Applicant: Pursuant to urban forest objectives, alterations to slab design or form of development may be necessary. While the proposal indicates that existing trees have been retained and integrated, there may be further comments at the development permit stage, including arborist reporting. Measures may be needed to mitigate impacts to offsite and co-owned trees. Special attention should be given to the retention of a neighbor tree (OS1). Trees or tree groupings that are owned or co-owned with the City will require coordination with Engineering Services and Park Board.

11. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad-mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

12. At time of first development permit, provision of:

- (a) a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be 1/8 in.: 1 ft. scale at minimum. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all

existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (b) a "Tree Removal/Protection/Replacement Plan" in coordination with arboricultural services, including the assessment of existing trees, retention value rating, retention feasibility, remediation recommendations, site supervision and letters of undertaking;

Note to Applicant: Given the size and complexity of the site, provide a large-scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

- (c) a "Construction Management Plan" outlining methods for the retention of existing trees during construction; and

Note to Applicant: The Plan should include, but not limited to, the location of construction materials, temporary structures, utilities, site access, development phasing, neighbour impact reduction methods, to the satisfaction of Planning and Development Services staff. Special construction methods such as applying "shotcrete" to excavation walls near retained trees may be necessary and a watering program.

- (d) provision of detailed cross sections (minimum 1/4" in. scale) through all proposed common open spaces and semi-private patio areas (typical).

Note to Applicant: The sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the residential unit.

- 13. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

Note to Applicant: Special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along streets and shared walkways.

- 14. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.

- 15. Provision of high efficiency irrigation for all planted areas, including urban agriculture areas, and hose bibs for all private patios of 9.29 m² (100 sq. ft.).

Engineering

16. Deletion of the portions of trellises shown encroaching into the lane.
17. Clarification is required for the dashed line shown encroaching into the lane from the southwest corner of Lot B (north lot) (A-005). This line appears to correlate with the underground parking extents. Delete any portion of structure proposed within City lane.
18. Clarification regarding estimated Peak Flow in Section 5.2 of the Sustainable Large Development Strategy provided as part of the rezoning application.
19. Provision of a lane treatment to the satisfaction of the General Manager of Planning and Development Services in consultation with the General Manager Engineering Services. (See Urban Design conditions also.)
20. Make arrangements to the satisfaction of the General Manager Engineering Services for the provision of items identified in the Green Mobility Strategy submitted with the Heather Place Rezoning Transportation Assessment Study dated May 20, 2013, generally to include the following:
 - (a) Cycling Improvements (additional bicycle parking, bike hub rooms, bike stop station at grade, and resident bicycle-sharing program);
 - (b) Pedestrian Improvements (pedestrian lighting, way-finding kiosks, electric scooter storage); and
 - (c) Transportation Demand Management (ride-sharing, TDM co-ordinator, Multi-Modal Access Guide, car share vehicles and membership fees, ride share program, targets and monitoring).
21. Garbage room located under Building B west of the parking ramp has a single door as access that will make this room appropriate for wheeled bins only rather than larger commercial-sized containers. If possible, this room should have double doors with a minimum 2.0 m opening.
22. Provision of heat tracing within the parking ramp where the slope of the ramp exceeds 12.5% and it is exposed to open air.
23. Provision of a parking ramp slope not to exceed 12.5% after the first 6.1 m (20.0 ft.) from the property line.

Note to Applicant: This will assist cyclists using the ramp.

24. Provision of on-site signage and markings to identify clearly the Class A loading spaces.
25. Clarify passenger-loading requirements and provide any necessary loading on site.

Note to Applicant: The Transportation Study suggests on-street passenger loading. If such loading is required, it is to be provided on site.

26. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note: Pick up operations should not rely on bins being stored on the street or lane for pick-up, and bins are to be returned to storage areas immediately after emptying. Each building's garbage room should be conveniently located as close as possible to the elevator and where ease of pick-up of the containers is possible.
27. Provide for any further feasibility studies and/or technical investigations required to confirm the economic and technical viability of the preferred approach(es) to providing low carbon energy supply to the development to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: If results of the further analysis do not support the preferred system development to the satisfaction of the General Manager of Engineering Services, then a suitable low carbon alternative shall be selected from screened options and shall be implemented.
28. Implement, where feasible and approved by the General Manager of Engineering Services, a low carbon energy supply strategy for the development which reduces greenhouse gas emissions by a minimum of 50% compared to a business as usual (or reference scenario) approach to heating and cooling.
29. Space heating and ventilation make-up air shall be provided by hydronic systems (with heat provided via connection to the VGH Energy Centre, as per the preferred option in the Low Carbon Energy Supply Feasibility Screening Study), without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
30. No heat producing fireplaces are to be installed within residential suites.
31. Detailed design of the Low Carbon Energy supply strategy must be to the satisfaction of the General Manager of Engineering Services.

Social Development

32. Submission, with each Development Permit application, of a Finalized Tenant Relocation Plan, to the satisfaction of the Managing Director of Social Development.
33. Design development of rooftop greenhouse should consider elements related to weight bearing loads, and ability of greenhouse to withstand wind, rain and snow, with consideration of winds at roof height.
34. Design development and siting of composting should consider ways to minimize odors and pests.

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 and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Provision of a statutory right of way to accommodate a bicycle maintenance station and associated seating at Heather Street.
2. Provision of a statutory right of way to accommodate a Public Bike Share (PBS) Station, if not provided on Lot C (south lot).

Size: At minimum, a 19.0 m x 4.0 m sized station must be accommodated. The physical station with docked bicycles is 2.0 m wide and has a required bicycle maneuvering zone of 2.0 m for a total width of 4.0 m. The 2.0 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. The preferred location is near the intersection of Willow Street and 13th Avenue or 14th Avenue, to allow easy access to the street.

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% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. 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 5 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 ongoing supply and cost of electricity to the PBS station

3. Provision of a statutory right of way to accommodate public pedestrian passage through, and public use of fixed seating associated with, the mid-block walkway on Lot B (north lot).

4. If not provided by Lot C (south lot), payment to the City, prior to enactment of the rezoning by-law, of \$10,000 toward nearby transit improvements.
5. Provision of a Services Agreement to detail the on-site 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 improved pedestrian amenities along Willow Street, Heather Street, 13th Avenue and 14th Avenue adjacent the sites, including but not limited to sidewalks, boulevard strips, concrete lane crossings, raised crosswalks, curb ramps, speed hump(s), benches, drinking fountain, bike racks, pedestrian lighting and features in keeping with the city-wide greenways and bikeways standards.
 - (b) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (c) Provision of storm sewer upgrades to serve this site and the south lot. A new City storm sewer lateral along the lane south of 13th Avenue is required to tie into existing Metro Vancouver Trunk located on Willow Street at 100% the developer's expense. Metro Vancouver tie-in approval is required for storm servicing.

Note to Applicant: Storm connections for Lots B and C are to connect to this new City storm sewer lateral. The estimate for the new lateral is \$50,000, at the cost of the developer. Pursuant to Metro Vancouver tie-in approval, no additional storm sewer upgrades will be 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.

Sustainability

7. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to the Neighbourhood Energy System serving VGH in accordance with the City's policy for low carbon neighbourhood energy, which may include but are not limited to agreements which:
 - (a) Require buildings within the development to connect to a Neighbourhood Energy System prior to occupancy if connection is deemed available and appropriate at the time of issuance of development permit, or post occupancy if immediate connection is not deemed viable;
 - (b) Grant the operator of the Neighbourhood Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the Applicant; and
 - (c) Provide for adequate and appropriate space within the development to be dedicated and utilized for neighbourhood energy system operations equipment.

Housing Agreement

8. Execute a Housing Agreement in respect of all dwelling units in the development on both sites combined:
 - (a) with a term of 60 years or the life of the building, whichever is longer;
 - (b) requiring such units to be used for "social housing";
 - (c) requiring that no less than 51% of the total number of units (on the north lot and the south lot combined) be suitable for families as per the *City's Guidelines for High Density Housing for Families with Children*;
 - (d) requiring that no less than five percent of the total number of units (on the north lot and the south lot combined) be suitable as disabled housing as defined by the Vancouver Building By-law;
 - (e) containing no-separate-sales and no-stratification covenants;
 - (f) requiring all such units to be made available for rental for a term of not less than one month, and
 - (g) requiring a Tenant Relocation Plan for existing tenants that meets the Residential Tenancy Act requirements and the City's Rate of Change Guidelines that includes the following requirements:
 - (i) provide each tenant with two months free rent;
 - (ii) reimburse tenants for receipted moving expenses; and

- (iii) provide a first-right-of-refusal for tenants to relocate into a replacement rental unit on the site;
- (iv) or the opportunity to move to another rental unit off site or other form of agreed affordable housing;
- (h) at initial occupancy requiring a minimum of 23% of the units (52 units) to be subsidized, with minimum of 11.5% (26 units) of the units where the maximum rents are affordable, to households with an income of no more than the BC Housing Income Limits;
- (i) achieving a minimum of 30% of the units (69 units) where the maximum rents are affordable to households with an income of no more than the BC Housing Income Limits, within five years of project occupancy of Buildings A and B comprising of 163 units;
- (j) requiring an annual review of the operating budget (including reasonable operating costs), in order to secure reinvestment of any surplus rental revenue from this development, back into deepening and/or widening the affordability of units on site;
- (k) if MVHC are unable to achieve a minimum of 30% of the units where the maximum rents are affordable to households with an income of no more than the BC Housing Income Limits within five years of occupancy of Buildings A and B comprising of 163 units, that the Housing Agreement will be subject to a review by Council, and
- (l) including such other terms and condition as the Director of Legal Services and the Managing Director of Social Development may require.

Note to Applicant: This Housing Agreement will be entered into by the City by by-law enacted pursuant to Section 595.2 of the *Vancouver Charter*.

Soils Agreement

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

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

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

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

For (b) 725-799 West 14th Avenue (Heather Place - South Lot)

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (d) That the proposed form of development be approved by Council in principle, generally as prepared by Neale Staniskis Doll Adams Architects, and stamped "Received City Planning Department, June 12, 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.
- (e) 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 the proposed treatment of the City lane to achieve an appropriate balance of improved pedestrian amenity with transportation, safety, maintenance and service requirements. (See Engineering conditions also.)

Note to Applicant: Staff support the proposed goals of improving the amenity of this space for nearby residents, and look forward to developing a sustainable design that meets the range of needs noted above.

2. Provision of high quality and durable materials with well resolved detailing.

Note to Applicant: Elevation drawings and enlarged details should be provided to develop the design that was proposed in preliminary form at the rezoning stage.

3. Consideration of locating bicycle facilities at grade.

Note to Applicant: Consider moving some or all of the proposed below-grade amenities to be more prominent and easily accessible for users of all abilities.

Crime Prevention through Environmental Design (CPTED)

4. 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.

Sustainability - LEED Rating

5. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point, and one storm water point. At minimum, the applicant is expected to obtain 60 points, LEED Gold Certification, with the remainder connect to VGH.

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.

Landscape

6. Additional requirements that address specific components of the Rezoning Policy for Sustainable Large Developments including, but not limited to:
 - (a) reduction of lawn cover (to reduce chemical use and energy inputs associated with maintenance);
 - (b) creation of habitat (access to nature) by adding pockets of native and adapted plants that specifically attract birds and insects;
 - (c) additional tree planting or contributions toward planting trees offsite;
 - (d) financial bonding to ensure tree retention success;
 - (e) a rainwater management plan, in whole, or in part (for example, cistern details);
 - (f) reduction of impervious paving; and
 - (g) expansion of details and functioning of the urban agriculture and food systems program.

Note to Applicant: These requirements are listed here as advanced notice of possible future conditions of development permit, subject to review by the Director of Planning. Refer to administration bulletin, "Rezoning Policy for Sustainable Large Developments".

7. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and plants.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1.0 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

8. Design development to maximize the retention of trees, especially near the perimeter edge, where possible.

Note to Applicant: Pursuant to urban forest objectives, alterations to slab design or form of development may be necessary. While the proposal indicates that existing trees have been retained and integrated, there may be further comments at the development permit stage, including arborist reporting. Measures may be needed to mitigate impacts to offsite and co-owned trees. Special attention should be given to the retention of a neighbor tree (OS1). Trees or tree groupings that owned or co-owned with the City will require coordination with Engineering Services and Park Board.

9. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

10. At time of first development permit, provision of:

- (a) a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be 1/8 in.: 1 ft. scale at minimum. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface

materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (b) a "Tree Removal/Protection/Replacement Plan" in coordination with arboricultural services, including the assessment of existing trees, retention value rating, retention feasibility, remediation recommendations, site supervision and letters of undertaking;

Note to Applicant: Given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

- (c) a "Construction Management Plan" outlining methods for the retention of existing trees during construction; and

Note to Applicant: The Plan should include, but not limited to, the location of construction materials, temporary structures, utilities, site access, development phasing, neighbor impact reduction methods, to the satisfaction of Planning Staff. Special construction methods such as applying "shotcrete" to excavation walls near retained trees may be necessary and a watering program.

- (d) provision of detailed cross sections (minimum 1/4" inch scale) through all proposed common open spaces and semi-private patio areas (typical).

Note to Applicant: The sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the residential unit.

- 11. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

Note to Applicant: Special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along streets and shared walkways.

- 12. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.

- 13. Provision of high efficiency irrigation for all planted areas, including urban agriculture areas, and hose bibs for all private patios of 9.29 m² (100 sq. ft.).

Engineering

14. Deletion of the portions of trellises shown encroaching into the lane from both lots, and the project signage shown encroaching onto City street in the southwest corner of Lot C (south lot) (A-005).
15. Clarification regarding estimated Peak Flow in Section 5.2 of the Sustainable Large Development Strategy provided as part of the rezoning application.
16. Provision of a lane treatment to the satisfaction of the Director of Planning in consultation with the General Manager Engineering Services. (See Urban Design conditions also.)
17. Make arrangements to the satisfaction of the General Manager Engineering Services for the provision of items identified in the Green Mobility Strategy submitted with the Heather Place Rezoning Transportation Assessment Study dated May 20, 2013, generally to include the following:
 - (a) Cycling Improvements (additional bicycle parking, bike hub rooms, bike stop station at grade, and resident bicycle-sharing program);
 - (b) Pedestrian Improvements (pedestrian lighting, way-finding kiosks, electric scooter storage); and
 - (c) Transportation Demand Management (ride-sharing, TDM coordinator, Multi-Modal Access Guide, car share vehicles and membership fees, ride share program, targets and monitoring).
18. Provision of heat tracing within the parking ramp where the slope of the ramp exceeds 12.5% and it is exposed to open air.
19. Provision of a parking ramp slope not to exceed 12.5% after the first 9.1 m (20.0 ft.) from the property line.

Note to Applicant: This will assist cyclists using the ramp.
20. Provision of on-site signage and markings to identify clearly the Class A loading spaces.
21. Clarify passenger-loading requirements and provide any necessary loading on-site.

Note to Applicant: The Transportation Study suggests on-street passenger loading. If such loading is required, it is to be provided on-site.
22. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note: Pick up operations should not rely on bins being stored on the street or lane for pick-up, and bins are to be returned to storage areas immediately after emptying. Each building's garbage room should be conveniently located as close as possible to the elevator and where ease of pick-up of the containers is possible.

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

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

24. Implement, where feasible and approved by the General Manager of Engineering Services, a low carbon energy supply strategy for the development which reduces greenhouse gas emissions by a minimum of 50% compared to a business as usual (or reference scenario) approach to heating and cooling.
25. Space heating and ventilation make-up air shall be provided by hydronic systems (with heat provided via connection to the VGH Energy Centre, as per the preferred option in the Low Carbon Energy Supply Feasibility Screening Study), without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
26. No heat producing fireplaces are to be installed within residential suites.
27. Detailed design of the Low Carbon Energy supply strategy must be to the satisfaction of the General Manager of Engineering Services.

Social Development

28. Submission, with each Development Permit application, of a Finalized Tenant Relocation Plan, to the satisfaction of the Managing Director of Social Development.
29. Design development and siting of composting should consider ways to minimize odors and pests.

Parks - Public Use of Private Amenities

30. Provision of a Community Use Agreement, or other such instrument, with terms satisfactory to the General Manager - Park Board and Managing Director of Social Development to support public use of specified indoor amenity spaces by a Community Centre, Neighbourhood House or other such community organization, on a shared basis with the tenants of Heather Place and with appropriate compensation to MVHC to cover operating costs.

CONDITIONS OF BY-LAW ENACTMENT

- (f) 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 and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS), if not provided on Lot B (north lot).

Size: At minimum, a 19.0 m x 4.0 m sized station must be accommodated. The physical station with docked bicycles is 2.0 m wide and has a required bicycle maneuvering zone of 2.0 m for a total width of 4.0 m. The 2.0 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. The preferred location is near the intersection of Willow Street and 13th Avenue or 14th Avenue, to allow easy access to the street.

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% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. 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 5 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 ongoing supply and cost of electricity to the PBS station

2. Provision of a statutory right of way to accommodate public pedestrian access through the pathway network, and public use of the fixed seating and children's play area, all located on the southwestern end of Lot C (south lot).
3. If not provided by Lot B (north lot), provision of \$10,000 toward nearby transit improvements.

4. Provision of a Services Agreement to detail the on-site 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 improved pedestrian amenities along Willow Street, Heather Street, 13th Avenue and 14th Avenue adjacent the site, including but not limited to sidewalks, boulevard strips, concrete lane crossings, raised crosswalks, curb ramps, speed hump(s), benches, drinking fountain, bike racks, pedestrian lighting and features in keeping with the city-wide greenways and bikeways standards.
 - (b) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (c) Provision of storm sewer upgrades to serve this site and the north lot. A new City storm sewer lateral along the lane south of 13th Avenue is required to tie into existing Metro Vancouver Trunk located on Willow Street at 100% the developer's expense. Metro Vancouver tie-in approval is required for storm servicing.

Note to Applicant: Storm connections for Lots B and C are to connect to this new City storm sewer lateral. The estimate for the new lateral is \$50,000, at the cost of the developer. Pursuant to Metro Vancouver tie-in approval, no additional storm sewer upgrades will be required.

- (d) 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

5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to the Neighbourhood Energy System serving VGH in accordance with the City's policy for low carbon neighbourhood energy, which may include but are not limited to agreements which:
 - (a) Require buildings within the development to connect to a Neighbourhood Energy System prior to occupancy if connection is deemed available and appropriate at the time of issuance of development permit, or post occupancy if immediate connection is not deemed viable;
 - (b) Grant the operator of the Neighbourhood Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the Applicant; and
 - (c) Provide for adequate and appropriate space within the development to be dedicated and utilized for neighbourhood energy system operations equipment.

Housing Agreement

6. Execute a Housing Agreement in respect of all dwelling units in the development on both sites combined:
 - (a) with a term of 60 years or the life of the building, whichever is longer;
 - (b) requiring such units to be used for "social housing";
 - (c) requiring that no less than 51% of the total number of units (on the north lot and the south lot combined) be suitable for families as per the *City's Guidelines for High Density Housing for Families with Children*;
 - (d) requiring that no less than five percent of the total number of units (on the north lot and the south lot combined) be suitable as disabled housing as defined by the Vancouver Building By-law;
 - (e) containing no-separate-sales and no-stratification covenants;
 - (f) requiring all such units to be made available for rental for a term of not less than one month, and
 - (g) requiring a Tenant Relocation Plan for existing tenants that meets the Residential Tenancy Act requirements and the City's Rate of Change Guidelines that includes the following requirements:
 - (i) provide each tenant with two months free rent;
 - (ii) reimburse tenants for receipted moving expenses; and
 - (iii) provide a first-right-of-refusal for tenants to relocate into a replacement rental unit on the site;

- (iv) or the opportunity to move to another rental unit off site or other form of agreed affordable housing;
- (h) requiring, at the time of initial occupancy, a minimum of 23% of the units to be subsidized, and a minimum of 11.5% of the units where the maximum rents are affordable to households with an income of no more than the BC Housing Income Limits;
- (i) requiring a minimum of 30% of the units where the maximum rents are affordable to households with an income of no more than the BC Housing Income Limits, within five years of occupancy of Buildings A and B comprising a total of 163 units;
- (j) requiring an annual review of the operating budget (including reasonable operating costs), in order to secure reinvestment of any surplus rental revenue from this development, back into deepening and/or widening the affordability of units on site;
- (k) if MVHC are unable to achieve a minimum of 30% of the units where the maximum rents are affordable to households with an income of no more than the BC Housing Income Limits within five years of occupancy of Buildings A and B comprising 163 units, that the Housing Agreement will be subject to a review by Council, and
- (l) including such other terms and condition as the Director of Legal Services and the Managing Director of Social Development may require.

Note to Applicant: This Housing Agreement will be entered into by the City by by-law enacted pursuant to Section 595.2 of the *Vancouver Charter*.

Soils Agreement

- 7. If applicable:
 - (a) submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (b) as required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
 - (c) if required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and the Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT, subject to enactment of the CD-1 By-laws, the Director of Legal Services be instructed to bring forward the amendments to the Parking By-law, generally as set out in Appendix C of the Policy Report dated February 25, 2014, entitled "CD-1 Rezoning: (a) 706-774 West 13th Avenue and (b) 755-799 West 14th Avenue (Heather Place)".
- C. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendices B1 and B2 of the Policy Report dated February 25, 2014, entitled "CD-1 Rezoning: (a) 706-774 West 13th Avenue and (b) 755-799 West 14th Avenue (Heather Place)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the amending by-laws contemplated by the same 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.
- D. THAT Recommendations A through C 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 Metro Vancouver Housing Corporation; 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.

(RZ - (a) 706-774 West 13th Avenue and (b) 725-799 West 14th Avenue (Heather Place))