



PUBLIC HEARING MINUTES

FEBRUARY 17, 2015

A Public Hearing of the City of Vancouver was held on Tuesday, February 17, 2015, at 6:05 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson
Councillor George Affleck
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer*
Councillor Tim Stevenson

ABSENT: Councillor Elizabeth Ball (Sick Leave)

CITY CLERK'S OFFICE: Rosemary Hagiwara, Deputy City Clerk
Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

1. HERITAGE DESIGNATION: 1601 Comox Street (Grace Court)

An application by Ankenman Marchand Architects was considered as follows:

Summary: To add the existing building to the Vancouver Heritage Register in the 'B' evaluation category and designate it as a protected heritage property.

The General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

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

Speakers

The Chair called for speakers for and against the application.

The following expressed concerns about aspects of the application:

Ms. Ladner
Mr. Manestar

The speakers list closed at 6:19 pm.

Timothy Ankenman, Ankenman Marchand Architects, responded to questions raised by speakers.

Planning and Development Services staff also responded to questions raised by speakers.

Council Decision

MOVED by Councillor Carr

- A. THAT Council add the existing building at 1601 Comox Street [*PID: 015-755-720, Lot 28, Block 59, District Lot 185, Plan 92*] (the "site"), known as Grace Court (the "heritage building"), to the Vancouver Heritage Register in the 'B' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate the heritage building as protected heritage property.
- C. THAT A and B 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

2. HERITAGE DESIGNATION: 1546 Nelson Street (Urquhart Residence)

An application by Ankenman Marchand Architects was considered as follows:

Summary: To add the existing building to the Vancouver Heritage Register in the 'C' evaluation category and designate it as a protected heritage property.

The General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

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

Speakers

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

The speakers list closed at 6:31 pm.

Council Decision

MOVED by Councillor Carr

- A. THAT Council add the existing building at 1546 Nelson Street [*PID: 007-351-356, Lot 9, Block 47, District Lot 185 Part W 1/2, Plan 92*] (the "site"), known as Urquhart Residence (the "heritage building"), to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate the heritage building as protected heritage property.
- C. THAT A and B 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

3. HERITAGE DESIGNATION: 1010 East 21st Avenue (Wickson House)

An application by Hearth Architectural Inc. was considered as follows:

Summary: To add the existing building to the Vancouver Heritage Register in the 'C' evaluation category and designate it as a protected heritage property.

The General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

The following correspondence was received since scheduling for public hearing and prior to the close of the speakers list:

- 1 email in support

Speakers

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

The speakers list closed at 6:34 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT Council add to the Vancouver Heritage Register the existing building at 1010 East 21st Avenue [*PID: 010-937-706, Lot 1, Block 33, District Lot 301, Plan 187*] (the "site"), known as the Wickson House (the "heritage building"), to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate the heritage building as a protected heritage property.
- C. THAT A and B 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 and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

4. REZONING: 275 Kingsway (333 East 11th Avenue)

An application by Acton Ostry Architects Inc. was considered as follows:

Summary: To rezone 275 Kingsway (333 East 11th Avenue) from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use commercial and residential building, containing a total of 202 secured for-profit affordable rental housing units. A height of 42.4 m (139 ft.) and a floor space ratio (FSR) of 8.66 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

Planning and Development Services staff presented the application and, along with Housing Policy staff, responded to questions.

Applicant Comments

Mark Ostry, Acton Ostry Architects Inc., provided a presentation on the application.

Summary of Correspondence

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

- 11 emails and letters in support
- 6 emails and letters in opposition

Speakers

The Chair called for speakers for and against the application.

The following spoke in support of the application:

Samantha Potter
Robin Buntain
Miriam Trotscha
McGregor Wark
Lila Bujold
Kathryn Sharp
Graham Brewster
Emily Kaplun

The following spoke in opposition to the application:

Stephen Bohus
Ruth Cherry
Barbara Jeffery
Lonnie Delisle
Michelle Sturino
Don Gardner
Jon Petrie
Rand Chatterjee
Grace MacKenzie
Manfred Mallett
Hannes van der Merwe
Rob Groombridge

The speakers list closed at 9:37 pm.

Planning and Development Services staff, along with Housing Policy staff, responded to questions.

Following questions to staff, it was

MOVED by Councillor Jang

THAT discussion and decision on this matter be referred to the Regular Council meeting on March 3, 2015, as Unfinished Business.

CARRIED UNANIMOUSLY

* * * * *

At 10 pm, it was

MOVED by Councillor Deal

THAT the meeting be extended in order to complete the remaining items on the agenda.

*CARRIED UNANIMOUSLY
(Councillor Reimer absent for the vote)*

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5. REZONING: 5508-5542 Oak Street

An application by Listraor (West 38th) Homes Ltd. was considered as follows:

Summary: To rezone 5508-5542 Oak Street, from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of three four-storey residential buildings, containing a total of 19 dwelling units. A height of 13.1 m (43.0 ft.) and a floor space ratio (FSR) of 1.20 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

Planning and Development Services staff provided a presentation pertaining to Items 5, 6 and 7, and responded to questions.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 2 emails in opposition

Speakers

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

The speakers list closed at 10:10 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Listraor (West 38th) Homes Ltd., to rezone 5508-5542 Oak Street [*Lots 6 to 8, Block 865, District Lot 526, Plan 8170; PIDs 010-258-566, 008-021-180 and 010-258-698 respectively*] from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.20 and the building height from 10.7 m (35.1 ft.) to 13.1 m (43.0 ft.) to permit the development of three four-storey residential buildings, containing a total of 19 dwelling units, generally as presented in Appendix A of the Policy Report dated January 6, 2015, entitled "CD-1 Rezoning: 5508-5542 Oak 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 Raymond Letkeman Architects Inc. and stamped "Received Planning Department, April 11, 2014", 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:

Design Development

1. Design development to provide further variation in the roof form and architectural detailing to provide visual relief, particularly at the rear building.

Note to Applicant: This may be achieved by varying the roof height, introducing a distinct roof form and/or providing clerestory glazing and material/color changes to further distinguish the proposed central element at the rear building. Overall height to 43 ft. is supported to facilitate design development in this regard.

2. Design development to provide a clearer distinction between the public and private realm at the front entries along Oak Street.

Note to Applicant: This may be achieved by providing an elevated main floor and entry and/or a more robust fence detail. The fence should not be entirely solid, but should incorporate transparent panels to provide views through and contribute to pedestrian visual interest. Fence height at the front yard is limited to 4 feet.

3. Design development to provide improved animation and articulation of the lane edge by providing entries to the patios at the rear units.

Note to Applicant: The rear patio walls should be further articulated to add visual interest and a sense of scale. At-grade landscaping and planters should continue to be incorporated into the wall design. A section and elevation detail should be provided to illustrate the lane entry and wall treatment for a typical townhouse module.

4. Design development to the semi-private courtyard to provide improved opportunities for social interaction and informal children's play.

Note to Applicant: This may be achieved by creating areas of special interest and focus along common pathways as part of the overall landscape design.

Crime Prevention through Environmental Design (CPTED)

5. Design development in response 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

6. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a source of Energuide 82.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 82 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Housing Policy

7. That the proposed unit mix including 17 three-bedroom units and 2 two-bedroom units be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix shall be to the satisfaction of the Chief Housing Officer.

Landscape

8. Site utilities and vents located onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: Every effort should be made to screen pad-mount transformers that are open to the lane with lockable gates (Further coordination with BC Hydro is required).

9. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all patios and common areas greater than 100 sq. ft.

10. Provision of adequate soil depths for all planted areas.

Note to Applicant: Soil depths should meet or exceed BCLNA Landscape Standard.
11. 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.
12. 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.
13. Provision of new street trees, to be provided adjacent to the development site.

Note to Applicant: Street trees to be shown on the development permit plans and confirmed prior to the issuance of the building permit. Contact Eileen Curran, Streets Engineering (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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

Engineering

14. Clearly show first step risers a minimum of 1'-0" back from the ultimate property line on the site and landscape plans (i.e. following the dedication along Oak Street).
15. Clearly label the dedication line on the landscape plan and ensure there are no landscaping features or encroachments other than those that meet with the boulevard landscaping guidelines shown beyond the dedication line.

16. 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) Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints and within the parking area to be able to calculate slopes and cross-falls. Provision of elevations on sections drawings is required.
- (ii) Engineering recommends the security gate be relocated to the top of the parkade ramp.
- (iii) Consider providing a 22 ft. wide overhead gate as a 22 ft. wide ramp is being provided.
- (iv) Provision of a 2 ft. column setback from the end of the stall.

Note to Applicant: A column 2 ft. in length must be set back 2 ft. from either the opening to or the end of the parking space.

- (v) Number all parking stalls.

Note to Applicant: The location of the proposed wall-mounted bike racks, encroaching into the parking stalls, is not approvable under the Parking By-law. They should be relocated.

Note to Applicant: A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

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

Engineering

- 1. Consolidation of Lots 6, 7 and 8, Block 865, DL 526, Plan 8170 to create a single parcel and subdivision of that site to result in the dedication of the west 2.5 feet for road purposes. Delete the structures shown within the west 2.5 feet of the site to be dedicated as road, as shown on pages SK.04.3 and SK.04.4.

2. Provision of a 6 ft. (1.82 m) wide SRW along the north boundary of the consolidated site to provide for a future pedestrian connection/pathway between Oak Street and the Oakridge Transit Centre site to the east. The SRW is to be free and clear of all structures and the walkway is to be designed to the satisfaction of the General Manger of Engineering Services in consultation with the General Manager of Planning and Development Services.
3. 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:
 - (i) Provision of a new 2.0 m wide concrete sidewalk adjacent the Oak Street frontage of the site.
 - (ii) Provision of new asphalt lane paving for the lane east of Oak Street from 93 m south of 38th Avenue to 183 m south of 38th Avenue. Improvements to include drainage and speed humps where necessary. Note: Speed hump installation is subject neighbourhood notification.
 - (iii) Provision of street trees adjacent the site where space permits.
 - (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% of any water system upgrading that may be required.
 - (v) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer 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% of any sewer system upgrading that may be required.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Soils

5. If applicable:
 - (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) 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
 - (iii) 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, including all dedicated lands, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated January 6, 2015, entitled "CD-1 Rezoning: 5508-5542 Oak Street".
- C. THAT A and B 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; and expenditure of funds or incurred 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

6. REZONING: 5430-5450 Oak Street

An application by Listraor (West 38th) Homes Ltd. was considered as follows:

Summary: To rezone 5430-5450 Oak Street, from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of two four-storey residential buildings containing a total of 12 dwelling units. A height of 12.2 m (40 ft.) and a floor space ratio (FSR) of 1.20 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.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 2 emails in opposition

Speakers

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

The speakers list closed at 10:13 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Listraor (West 38th) Homes Ltd., to rezone 5430-5450 Oak Street [*Lots 2 and 3, Block 865, District Lot 526, Plan 8170; PIDs 006-445-454 and 009-432-566 respectively*] from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.20 and the building height from 10.7 m (35.1 ft.) to 12.2 m (40 ft.) to permit the development of two four-storey residential buildings, containing a total of 12 dwelling units, generally as presented in Appendix A of the Policy Report dated January 6, 2015, entitled "CD-1 Rezoning: 5430-5450 Oak 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 Raymond Letkeman Architects Inc. and stamped "Received Planning Department, April 11, 2014", 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:

Design Development

1. Design development to provide a clearer distinction between the public and private realm at the front entries along Oak Street.

Note to Applicant: This may be achieved by providing an elevated main floor and entry and/or a more robust fence detail. The fence should not be entirely solid, but should incorporate transparent panels to provide views through and contribute to pedestrian visual interest. Fence height at the front yard is limited to 4 feet.

2. Design development to provide improved animation and articulation of the lane edge by providing entries to the patios at the rear units.

Note to Applicant: The rear patio walls should be further articulated to add visual interest and a sense of scale. At-grade landscaping and planters should continue to be incorporated into the wall design. A section and elevation detail should be provided to illustrate the lane entry and wall treatment for a typical townhouse module.

3. Design development to the semi-private courtyard to provide improved opportunities for social interaction and informal children's play.

Note to Applicant: This may be achieved by creating areas of special interest and focus along common pathways as part of the overall landscape design.

Crime Prevention through Environmental Design (CPTED)

4. Design development in response 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

5. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a source of Energuide 82.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 82 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Housing Policy

6. That the proposed unit mix including ten three-bedroom units and two two-bedroom units be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix shall be to the satisfaction of the Chief Housing Officer.

Landscape

7. Responsible resolution of any conflict with neighboring trees and vegetation which are proximate to the proposed excavation.

Note to Applicant: There are neighbour-owned tree(s) and vegetation identified in the arborist report that will likely conflict with the excavation. In order to resolve the conflict, a tree removal permit may be applied for, accompanied by a letter of neighbor consent. Where consent cannot be given, design development must ensure the safe and responsible retention of the tree or vegetation.

8. Site utilities and vents on private property and integrate them discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: Every effort should be made to screen PMT transformers that are open to the lane with lockable gates (further coordination with BC Hydro is required).

9. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all patios and common areas greater than 100 sq. ft.

10. Provision of adequate soil depths for all planted areas.

Note to Applicant: Soil depths should meet or exceed BCLNA Landscape Standard.

11. 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.

12. 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.

13. Provision of new street trees, to be provided adjacent to the development site.

Note to Applicant: Street trees to be shown on the development permit plans and confirmed prior to the issuance of the building permit. Contact Eileen Curran, Streets Engineering (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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion.*"

Engineering

14. Clearly show first step risers a minimum of 1'-0" back from the ultimate property line on the site and landscape plans (i.e. following the dedication along Oak Street).
15. Clearly show the dedication line on the landscape plan and ensure there are no landscaping features or encroachments other than those that meet with the boulevard landscaping guidelines shown beyond the dedication line and they do not interfere with the proposed sidewalk widths.
16. 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) Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints and within the parking area to be able to calculate slopes and cross-falls. Provision of elevations on sections drawings is required.
- (ii) The security gate is recommended to be relocated to the top of the parkade ramp.

(iii) Consider providing a 22 ft. wide overhead gate as a 22 ft. wide maneuvering aisle is being provided.

(iv) Provision of a 2 ft. column setback from the end of the stall.

Note to Applicant: A column 2 ft. in length must be set back 2 ft. from either the opening to or the end of the parking space.

(v) Provision of Class A bicycle spaces for Units C and C1.

(vi) Number all parking stalls.

Note to Applicant: The location of the proposed wall-mounted bike racks, encroaching into the parking stalls, is not approvable under the Parking By-law. They should be relocated.

Note to Applicant: A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

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 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 2 and 3, Block 865, DL 526, Plan 8170 to create a single parcel and subdivision of that site to result in the dedication of the west 2.5 feet for road purposes.

Note to Applicant: The dedication area is to be free and clear of all existing and proposed structures and features.

2. 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:

(i) Provision of a new 2.0 m wide concrete sidewalk adjacent the Oak Street frontage of the site.

- (ii) Provision of new asphalt lane paving for the lane east of Oak Street from 38th Avenue to 93 m south of 38th Avenue. Improvements to include drainage and speed humps where necessary. The proposed length of lane paving ties into the southerly rezoning proposal.

Note to Applicant: Speed hump installation is subject neighbourhood notification.

- (iii) Provision of street trees adjacent the site where space permits.
- (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% of any water system upgrading that may be required.
- (v) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer 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% of any sewer system upgrading that may be required.

- 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.

Soils

4. If applicable:
 - (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) 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
 - (iii) 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, including all dedicated lands, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated January 6, 2015, entitled "CD-1 Rezoning: 5430-5450 Oak Street".
- C. THAT A and B 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; and expenditure of funds or incurred 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

7. REZONING: 6070-6090 Oak Street

An application by Listraor (West 38th) Homes Ltd. was considered as follows:

Summary: To rezone 6070-6090 Oak Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of two three-storey residential buildings, containing a total of 12 dwelling units. A height of 10.7 m (35.1 ft.) and a floor space ratio (FSR) of 1.00 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.

Summary of Correspondence

No correspondence was received since the application was referred to public hearing and prior to the close of the speakers list.

Speakers

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

The speakers list closed at 10:15 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Listraor Development Corp. to rezone 6070-6090 Oak Street [*Lot 9 and Amended Lot 10 (see 442324L) Block 1 of Block 1008, District Lot 526, Plan 10897; PIDs 009-247-173 and 009-247-688 respectively*] both from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.00 to permit the development of two three-storey residential buildings, containing a total of 12 dwelling units, generally as presented in Appendix A of the Policy Report dated January 6, 2015, entitled "CD-1 Rezoning: 6070-6090 Oak 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 Raymond Letkeman Architects Inc. and stamped "Received Planning Department, April 11, 2014", 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:

Design Development

1. Design development to provide a clearer distinction between the public and private realm at the front entries along Oak Street.

Note to Applicant: This may be achieved by providing an elevated main floor and entry and/or a more robust fence detail. The fence should not be entirely solid, but should incorporate transparent panels to provide views through and contribute to pedestrian visual interest. Fence height at the front yard is limited to 4 ft.

2. Design development to provide improved animation and articulation of the lane edge by providing entries to the patios at the rear units.

Note to Applicant: The rear patio walls should be further articulated to add visual interest and a sense of scale. At-grade landscaping and planters should continue to be incorporated into the wall design. A section and elevation detail should be provided to illustrate the lane entry and wall treatment for a typical townhouse module.

3. Design development to the semi-private courtyard to provide improved opportunities for social interaction and informal children's play.

Note to Applicant: This may be achieved by creating areas of special interest and focus along common pathways as part of the overall landscape design.

Crime Prevention through Environmental Design (CPTED)

4. Design development in response 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

5. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a source of Energuide 82.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 82 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Housing Policy

6. That the proposed unit mix including 10 three-bedroom units and 2 two-bedroom units be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix shall be to the satisfaction of the Chief Housing Officer.

Landscape

7. Site utilities and vents located on private property and integrate them discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: Every effort should be made to screen PMT transformers that are open to the lane with lockable gates (further coordination with BC Hydro is required).

8. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all patios and common areas greater than 100 sq. ft.

9. Provision of adequate soil depths for all planted areas.

Note to Applicant: Soil depths should meet or exceed BCLNA Landscape Standard.

10. 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.

11. 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.

12. Provision of new street trees, to be provided adjacent to the development site.

Note to Applicant: Street trees to be shown on the development permit plans and confirmed prior to the issuance of the building permit. Contact Eileen Curran, Streets Engineering (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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion.*"

Engineering

13. Relocate the metal fence, shown over the west property lines on pages SK.01.03 and L2, which is to be inside the property line.
14. 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) Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints and within the parking area to be able to calculate slopes and cross-falls. Provision of elevations on section drawings is required.
- (ii) The security gate is recommended to be relocated to the top of the parkade ramp.
- (iii) The minimum vertical clearance required for the parking ramp and parking area is 2 m (6.6 ft.) and should be noted on plans.
- (iv) Provision of a 2 ft. column setback from the end of the stall.

Note to Applicant: A column 2 ft. in length must be set back 2 ft. from either the opening to or the end of the parking space.

- (v) Number all parking stalls.
- (vi) Provision of class A bicycle spaces for units J and J1.

Note to Applicant: A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

Note to Applicant: Disability parking requires a relaxation as none are shown. If disability spaces are required, 2.3 m of vertical clearance shall be provided.

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

Engineering

1. Consolidation of Lot 9 and Amended Lot 10 (See 442324L), Block I of Block 1008, DL 526, Plan 10897 to create a single parcel.
2. Replacement of utility SRW agreement 338982M and an increase in width of the SRW to form an ultimate width of 2.0 m (6.56 ft.). Deletion of the encroaching stairs and retaining walls within the proposed SRW area is required.
3. 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 is provided:
 - (i) Provision of a 2.0 m wide concrete sidewalk adjacent to the Oak Street frontage of the site.
 - (ii) Provision of street trees adjacent to the site where space permits.
 - (iii) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (iv) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer 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% of any sewer system upgrading that may be required.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Soils

5. If applicable:
 - (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) 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
 - (iii) 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, including all dedicated lands, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated January 6, 2015, entitled "CD-1 Rezoning: 6070-6090 Oak Street".
- C. THAT A and B 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; and expenditure of funds or incurred 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

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Meggs

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 - 3 and 5 - 7.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Councillor Reimer
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:17 pm.

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