



PUBLIC HEARING MINUTES

OCTOBER 20, 2015

A Public Hearing of the City of Vancouver was held on Tuesday, October 20, 2015, at 6:05 pm, in the Council Chamber, Third Floor, City Hall.

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

ABSENT: Councillor Kerry Jang (Leave of Absence)

CITY CLERK'S OFFICE: Janice MacKenzie, City Clerk
Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Carr

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

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: Report Back on the Arts Event License Pilot Program

An application by the General Manager of Community Services was considered as follows:

Summary: To amend the Zoning and Development By-law to change the definition of "Arts and Culture Indoor Event" to increase frequency of events from two to three days per month. If approved, Council will consider related amendments to the Licence By-law and Vancouver Building By-law.

The General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

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

Staff Opening Comments

The Managing Director of Cultural Services provided a brief overview of the application.

Speakers

Mayor Robertson called for speakers for and against the application.

The following spoke in support of the application:

Matt Troy
Katayoon Yousefbigloo
Willis Lombard
Anatolia Carrico
Nicholas Prouten
Thomas Hoff
Benjamin Woo
Paul Wong

Bijan Ahmadian spoke in support of the application, however also expressed concerns with respect to licensed events and suggested some limitations be put in place.

The speakers list and receipt of public comments closed at 7:01 pm.

Staff Closing Comments

Staff from Community Services, Fire and Rescue Services, Vancouver Police Department, and Planning and Development Services, responded to questions from Council.

Council Decision

MOVED by Councillor Deal

- A. THAT, based on the positive outcomes of the two-year pilot, the Arts and Culture Indoor Event Licence ("Arts Event Licence") be adopted as a permanent program.
- B. THAT the application to amend the Zoning and Development By-law to change the definition of "Arts and Culture Indoor Event" to increase frequency of events from two to three days per month, generally as set out in Appendix A of

the Policy Report dated September 21, 2015, entitled "Report Back on the Arts Event Licence Pilot Program", be approved.

- C. THAT, subject to enactment of the amendments to the Zoning and Development By law, the Director of Legal Services be instructed to bring forward the amendments to the Licence By-law to change the definition of "Arts and Culture Indoor Event" to increase frequency of events from two to three days per month, to add the words "series of events" to the Licence term to simplify the approval process, and to reduce the fee for event series, generally in accordance with Appendix B of the Policy Report dated September 21, 2015, entitled "Report Back on the Arts Event Licence Pilot Program" .
- D. THAT, subject to enactment of the amendments to the Zoning and Development By law, the Director of Legal Services be instructed to bring forward the amendments to the Building By-law to increase maximum site capacity to 250 people for artist studios, in alignment with other facility types, to relax the emergency lighting requirements for single-toilet washrooms, to add office spaces to the eligible spaces under this program, and to clarify accessibility requirements, generally in accordance with Appendix C of the Policy Report dated September 21, 2015, entitled "Report Back on the Arts Event Licence Pilot Program" .

CARRIED UNANIMOUSLY

2. TEXT AMENDMENT: Amendments to the Zoning and Development By-law to Remove Barriers to Building to the Certified Passive House Standard in the RS-1 District

An application by the General Manager of Planning and Development Services was considered as follows:

Summary: To amend the Zoning and Development By-law to remove barriers to the construction of homes that meet the Certified Passive House standard by relaxing the requirements for height, rear yards and building depths in the RS-1 District.

The General Manager of Planning and Development Services recommended approval.

Council also had before it a memorandum dated October 13, 2015, from the General Manager of Green Building Programs, which put forward a revised version of the "Passive House Guidelines for RS-1" for consideration, as set out below:

- 1. Added a provision in Section 4.2, Relaxation of Height to provide clarification of the height relaxation and conditions under which the Director of Planning may relax the height in the RS-1 District to achieve Passive House Objectives;
- 2. Deleted diagrams on pages 6 to 13.

Summary of Correspondence

Council received three pieces of correspondence in support of the application since the application was referred to Public Hearing and prior to the close of the speakers list.

Staff Opening Comments

The Green Building Programs Manager, Sustainability Services, responded to questions.

Speakers

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

The speakers list and receipt of public comments closed at 7:32 pm.

Council Decision

MOVED by Councillor Reimer

- A. THAT the application to amend the Zoning and Development By-law to relax requirements for height, rear yards and building depths for homes that meet the Certified Passive House standard in the RS-1 District, generally as set out in Appendix A of the Policy Report dated September 4, 2015, entitled "Amendments to the Zoning and Development By-law to Remove Barriers to Building to the Certified Passive House Standard in the RS-1 District", be approved.
- B. THAT, subject to enactment of the amendments to the Zoning and Development By law, the General Manager of Planning and Development Services be instructed to bring forward for adoption the Passive House Guidelines for RS-1, generally as set out in the Memorandum dated October 13, 2015, from the Manager of Green Building Programs, Sustainability Group, entitled "Passive House Guidelines for RS-1 - revised version".

CARRIED UNANIMOUSLY

3. HERITAGE DESIGNATION: 616 Princess Avenue (McNair House)

An application by Birmingham & Wood Architects was considered as follows:

Summary: To add the existing building at 616 Princess Avenue to the Vancouver Heritage Register in the 'C' evaluation category and to designate its exterior as protected heritage property. The application proposes variances to the Zoning and Development By-law, as set forth in Development Permit Application Number DE418896, to convert the heritage building to contain two suites with a small addition on the south side along the lane.

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

The speakers list and receipt of public comments closed at 7:37 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT Council add the existing building at 616 Princess Avenue [PID: 015-567-052; Lot A (see 441890L) of Lots 1 and 2, Block 84, District Lot 196, Plan 196], known as the McNair House, 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 exterior of 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

4. HERITAGE DESIGNATION: 523 Union Street (Paddon Residence)

An application by Shape Architecture Inc. was considered as follows:

Summary: To add the existing building at 523 Union Street to the Vancouver Heritage Register in the 'C' evaluation category and to designate its exterior as

protected heritage property. The application proposes variances to the Zoning and Development By-law, as set forth in Development Permit Application Number DE418735, to convert the heritage building to a one-family dwelling with a secondary suite and to construct a new infill building at the rear of the site.

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

The speakers list and receipt of public comments closed at 7:39 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT Council add the existing building at 523 Union Street [PID: 015-564-975; Lot 28, Block 90, District Lot 196, Plan 196], known as the Paddon Residence, 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 exterior of 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

5. HERITAGE DESIGNATION: 2836 West 14th Avenue (Beer Residence)

An application by Klondike Contracting was considered as follows:

Summary: To add the existing building at 2836 West 14th Avenue to the Vancouver Heritage Register in the 'C' evaluation category and to designate its exterior as protected heritage property. The application proposes variances to the Zoning and Development By-law, as set forth in Development Permit Application Number DE419101, to convert the heritage building to a one-family dwelling with a secondary suite and to construct an addition at the rear of the building.

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

The speakers list and receipt of public comments closed at 7:42 pm.

Council Decision

MOVED by Councillor Stevenson

- A. THAT Council add the Beer Residence at 2836 West 14th Avenue [PID: 013-719-858; Lot 7, Block 109, District Lot 540, Plan 2485] 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 as a protected heritage property the exterior of the Beer Residence.
- 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;
 - (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

6. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT: 458 East 10th Avenue (Mason House)

An application by Terra Firma Design Ltd. was considered as follows:

Summary: To designate the exterior of the existing building at 458 East 10th Avenue as protected heritage property and to approve a Heritage Revitalization Agreement (HRA) for the site. The application proposes variances to the Zoning and Development By-law, as set forth in Development Permit Application Number DE419109, to convert the heritage building into two dwelling units and to construct a new infill one-family dwelling at the rear of the site.

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

The speakers list and receipt of public comments closed at 7:44 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT Council bring forward for enactment a by-law to designate the exterior of the existing building at 458 East 10th Avenue [PID: 015-101-959; Lot 7, Block 125, District Lot 264A, Plan 830 and 1771], known as the Mason House, which is listed on 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 592 of the Vancouver Charter, a by-law authorizing the City to enter into a Heritage Revitalization Agreement in respect of the heritage building to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building; and
 - (ii) vary the Zoning and Development By-law in respect of the site to permit the construction of an infill building as proposed under Development Permit Application No. DE419109 (the "DP Application") and as more particularly described in the Policy Report dated October 6, 2015, entitled "Heritage Designation and Heritage Revitalization Agreement - 458 East 10th Avenue (Mason House)".

- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, and given priority on title to the site, to the satisfaction of the Director of Legal Services and the Director of Planning.
- D. THAT A to C above be adopted on the following conditions:
- (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

7. REZONING: 4162 and 4188 Cambie Street

An application by Pennyfarthing Cambie Properties Inc. was considered as follows:

Summary: To rezone 4162 and 4188 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.70 to 2.56 and the height from 10.6 (35 ft.) to 19.5 m (64 ft.) to permit development of a six-storey residential building fronting the rear lane, containing a total of 56 dwelling units.

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 the application was referred to Public Hearing and prior to the close of the speakers list:

- One piece of correspondence in opposition to the application;
- One piece of correspondence expressing concern with one aspect of the application.

Staff Opening Comments

Planning and Development Services staff provided an overview of the application and responded to questions.

Speakers

Mayor Robertson called for speakers for and against the application.

Todd Constant spoke in opposition to the application as long as its address and main entrance are located on West 26th Avenue. He requested the entrance and address be moved back to Cambie Street to reduce impacts on the neighbourhood.

Robert Fung noted he was in favour of the project itself, but requested Council amend the condition regarding Heritage Density Transfer to increase the percentage of CAC allocation for the purchase of heritage density from 10% of the CAC package to 50%.

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Point of Order

During questions to a speaker, Councillor Reimer rose on a Point of Order to note that discussion should be focused on the application under consideration and not on broader policy issues. The Mayor so agreed.

* * * * *

The speakers list and receipt of public comments closed at 8:28 pm.

Applicant's Comments

Michael Brown, Trillium Project Management, responded to questions regarding the rationale for having the entrance on West 26th Avenue.

Staff Closing Comments

Staff from Planning and Development Services and Engineering Services also responded to questions.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Pennyfarthing Cambie Properties Inc., to rezone 4162-4188 Cambie Street [Lots 3 and 4, Block 681, District Lot 526, Plan 6212; PIDs 010-949-038 and 010-949-046 respectively] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.56 FSR and the height from 10.6 m (35 ft.) to 19.5 m (64 ft.) to permit development of a six-storey residential building fronting Cambie Street and a building comprised of six two-storey townhouses fronting the rear lane, containing a total of 56 dwelling units, generally as presented in Appendix A of the Policy Report dated September 14, 2015, entitled "CD-1 Rezoning: 4162 and 4188 Cambie Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Raymond Letkeman Architects Inc., on behalf of Pennyfarthing Cambie Properties Inc., and stamped "Received, Planning and Development Services, February 18, 2015", 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 the approval of 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 improve the quality and functionality of the common courtyard space as follows:
 - (i) Delete the building return at the south end of the townhouse building.
 - (ii) Provide a clear 24 ft. separation for full width of the courtyard from the north to the south property line.
 - (iii) Locate the children's play space within the courtyard space, adjacent the amenity room.

Note to Applicant: Children's play space should not be located at the exterior side yard at 26th Avenue.
 - (iv) Provide additional common outdoor space at the courtyard for children's play and other outdoor activities.

Note to Applicant: The courtyard design should accommodate a variety of opportunities for common use, and not be limited to a path and private patios. Benches should be provided, and small common patio areas or 'pockets' designed to facilitate informal gathering. A more informal and less orthogonal layout for the circulation path is encouraged.
 - (v) Provide additional soft landscaping, including trees.

Note to Applicant: Trees may be located to help punctuate or define common sitting areas, as per above.

- (vi) Provide for integration of the entry lobby, amenity room and adjacent outdoor space.

Note to Applicant: Glazing and/or movable partitions may be provided from the entry lobby, to the amenity room and outdoor space, to allow for greater flexibility of use, as well as clear sight lines to facilitate the sequence of movement from one space to the other.

- 2. Design development to the townhouse building to provide an improved interface with the lane in keeping with the expectations of the Cambie Corridor Built Form Guidelines.

Note to Applicant: Laneway buildings should activate and animate the lane. The laneway building should be clearly articulated to express the finer grain of individual townhouse units. The composition of the elevations should be appropriate to the smaller scale building. While the grade conditions at the lane are challenging, the laneway building should read as a two-storey form. The 4 ft. setback proposed at the upper level at the lane (east) elevation should extend to the north elevation to reduce the apparent height of the townhouse building. The north end of the upper level should not be cantilevered as shown. Substantial planting should be provided at the lane edge to ground the building, and screen parkade walls visible above grade.

- 3. Design development to provide improved articulation of the upper massing of the six-storey building.

Note to Applicant: The elevations at Levels 5 and 6 are quite planar, and may be further articulated with windows and bay projections in-keeping with the overall design.

- 4. Design development to provide a stronger architectural expression and improved identification of the main entry to the six-storey building.

- 5. Design development to reduce potential overlook impacts on the adjacent site to the north.

Note to Applicant: A reflected elevation should be provided showing the profile and window locations for the existing building on the adjacent site to the north. New windows should not directly overlap or provide undue overlook towards existing windows.

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

7. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

8. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape

9. Design development to grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Public and private trees should be planted at grade and not placed in above grade planters to achieve soil

depth, wherever possible. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1.0 m across and 1.2 m downward), particularly at the Cambie Street elevation.

10. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.
11. Design development to resolve any conflict with neighbouring trees and vegetation in proximity to proposed work.

Note to Applicant: While the arborist report and design proposes measures to protect neighbouring trees, all neighbouring and co-owned trees should be responsibly retained with the necessary arborist services and/or design development. Special attention will be needed to tree #51. The arborist will need to carry out exploratory hand digging or air spade work at the proposed limit of excavation and submit a revised arborist report at time of development permit application. In addition, there should be further information by way of detailed photos and analysis of the anticipated canopy clearance pruning. Further comments and design development may be necessary at the development permit stage.

12. Site utilities and vents located onto private property and integrated discreetly into the building, avoiding landscaped and common areas.
13. At time of development permit application:
 - (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

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

- (ii) Provision of a Tree Plan.

Note to Applicant: provide a tree plan that is separate from the landscape plan and consistent with the survey and arborist report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including offsite trees and any tree protection barriers. An arborist report addendum will be necessary for offsite trees and vegetation. Tree replacements can be shown on the proposed landscape planting plans.

- (iii) Provision of an arborist report addendum.
- (iv) 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.

Housing and Social Policy

- 14. That the proposed unit mix of 32% one-bedroom, 61% two-bedroom units and 7% three-bedroom units are to be included in the Development Permit drawings.

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

- 15. Design development to the common amenity room to add an accessible washroom baby change table, kitchenette and storage closet.
- 16. Consideration to provide edible landscaping and/or accessible garden plots and to include, on-site composting, tool storage, hosebibs and potting bench as per the Urban Agriculture Guidelines for the Private Realm.

Engineering Services

- 17. Provision of automatic door openers on all doors providing access to the bicycle room(s).
- 18. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

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

19. Place the following statement on the landscape and site plans:

“A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact your Engineering Building Site Inspector or Kevin Cavell at 604-873-7773 for details.”

20. 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 provision of the Parking and Loading Design Guidelines:

- (i) Identify and label on plans, the intended route which cyclists are to use from the bicycle rooms to the building exterior.
- (ii) Provide confirmation of the provision of a 6.6 m (21.66 ft.) maneuvering aisle width, or provide 2.74 m (9 ft.) stall widths.

Note to Applicant: The plans scale showing a 20.5 ft. manoeuvring aisle but the plan is labeled with a 22 ft. manoeuvring aisle.

- (iii) Confirmation of the length of the ramps from the east to the west side of the parking floors which do not scale with the same length as noted on the plans.
- (iv) Provision of design elevations on both sides of the parking ramp at all breakpoints including notation of the length of the ramp at the specified slope.
- (v) Label all elevations in imperial measurement to agree when the plans are imperial scale.
- (vi) Provision of measures to improve visibility for two-way vehicle movement at turns to and from parking ramps and where visibility is obscured by walls or other structures (Section I.B & I.C).

- (vii) Provide measures to address conflicts between vehicles entering and exiting the parking ramps.

Note to Applicant: modifications to provide larger corner cuts at the top and bottom of ramps is recommended.

- (viii) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

- (ix) A column 2 ft. in length must be set back 2 ft. from either the opening to or the end of the parking space. A column 3 ft. long may be set back 1 ft.

- (x) Dimension all column encroachments into parking stalls.

21. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated Neighbourhood Energy System (NES) Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.

22. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards - Design Guidelines for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a precondition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

23. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

24. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines.
25. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the 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 Services

1. The consolidation of Lots 3 and 4, Block 681, District Lot 526, Plan 6212 to create a single parcel.
2. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) 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.
 - (ii) 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.

- (iii) Provision of a minimum 6 ft. (1.83 m) wide cast in place concrete sidewalk with broom finish and saw cut joints on 26th Avenue adjacent the site.
 - (iv) Provision of street re-construction on Cambie Street adjacent to the site consistent with the Cambie Corridor Public Realm Plan, if not yet complete include the following: new curb and gutter, 2.44 m raised protected bike lane, 1.83 m concrete sidewalk with saw cut joints with improved street and pedestrian scale lighting adjacent the site. (Note: geometric design concept to be provided by the City.)
 - (v) Provision of a standard concrete lane crossing on the north side of 26th Avenue at the lane east of Cambie Street.
 - (vi) Provision of street trees adjacent the site where space permits.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
4. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a Neighbourhood Energy System (NES), if and when the opportunity is available

and in accordance with the City's policy for Neighbourhood Energy Connectivity Standards and the Cambie Corridor Plan, which may include but are not limited to agreements which:

- (i) require buildings on site to connect to the City-designated NES, once available;
- (ii) grant access to the mechanical system and thermal energy system related infrastructure within the development for the purpose of enabling NES connection and operation; and
- (iii) grant use of and access to suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

Soils

5. If applicable:

- (i) Submit a site profile to the 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 Protection, the General Manager of Engineering Services and Director of Legal Services,

including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Heritage Density Transfer

6. Secure the purchase and transfer of 325 m² (3,503 sq. ft.) of heritage density (which has a value of \$227,678) from a suitable donor site.

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

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

Community Amenity Contribution (CAC)

1. Pay to the City the Community Amenity Contribution of \$2,049,102 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$2,049,102 is to be allocated as follows:
 - (i) \$1,138,390 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area; and
 - (ii) \$910,712 towards childcare and community facilities in and around the Cambie Corridor Plan area.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as

personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

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

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

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated September 14, 2015, entitled "CD-1 Rezoning: 4162 and 4188 Cambie Street", be approved.
- 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 is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
 - (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

8. TEXT AMENDMENT: 1768 Cook Street (201 West 2nd Avenue)

An application by GBL Architects Inc. was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (582) By-law No. 11069 for 1768 Cook Street (201 West 2nd Avenue) to increase the exclusion of floor area for open balconies from 8% to 12% of the residential floor area being provided.

The General Manager of Planning and Development Services recommended approval.

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

The Mayor called for speakers for and against the application.

Stephen Bohus spoke in opposition to the application, noting there should be increased public benefits given the increased value to the project which will result.

The speakers list and receipt of public comments closed at 8:58 pm.

Staff Comments

The Senior Rezoning Planner responded to questions concerning comments raised by the speaker.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by GBL Architects on behalf of 0910326 B.C. Ltd. (Concord Pacific Development) to amend CD-1 (582) By-law No. 11069 for 1768 Cook Street (201 West 2nd Avenue) [PID: 029-387-230; Lot 1, Block 5, District Lot 302, Group 1, New Westminster District Plan EPP42239] to increase the exclusion of floor area for open balconies from 8% to 12% of the residential floor area being provided, generally as presented in Appendix A of the Policy Report dated September 15, 2015, entitled "CD-1 Text Amendment: 1768 Cook Street (201 West 2nd Avenue)", be approved.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City; any

expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
- (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
(Councillors De Genova and Reimer absent for the vote)

9. TEXT AMENDMENT: 1601 Main Street

An application by Diamond Architectural Group Inc. was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (504) By-law No. 10264 for 1601 Main Street to permit an increase of 65 m² (700 sq. ft.) in commercial floor space to allow for expansion of a restaurant mezzanine and to add "Neighbourhood Public House" as a permitted use.

The General Manager of Planning and Development Services recommended approval.

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 and receipt of public comments was closed at 9:05 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Diamond Architectural Group Inc., on behalf of Onni Development (Main Street) Corp., to amend the text of CD-1 (Comprehensive Development) District (504) By-law No. 10264 for 1601 Main Street [PID: 028-593-472; Lot 1, District Lots 200A and 2037, Group 1 New Westminster District Plan BCP48238, Except Part in Air Space Plan EPP37728] to permit an increase

of 65 m2 (700 sq. ft.) in commercial floor space to allow for expansion of a restaurant mezzanine and to add "Neighbourhood Public House" as a permitted use, generally as presented in Appendix A of the Policy Report dated September 18, 2015, entitled "CD-1 Text Amendment: 1601 Main Street", be approved.

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

CARRIED UNANIMOUSLY
(Councillor Reimer absent for the vote)

10. TEXT AMENDMENT: 3837 Point Grey Road (Jericho Tennis Club)

An application by Proscenium Architecture + Interiors Inc. was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (421) By-law No. 8893 for 3837 Point Grey Road to allow a reduced parking requirement for the Jericho Tennis Club, from 160 spaces to 125 spaces, in exchange for provision of additional bicycle parking spaces and end-of-trip facilities.

The General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

One piece of correspondence in opposition to the application was received since the application was referred to Public Hearing and prior to the close of the speakers list.

Staff Comments

Planning and Development Services staff responded to questions concerning the proposed parking reduction.

Speakers

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

The speakers list and receipt of public comments closed at 9:08 pm.

Council Decision

MOVED by Councillor Ball

- A. THAT the application by Proscenium Architecture + Interiors Inc., on behalf of Jericho Tennis Club Inc., to amend the text of CD-1 (Comprehensive Development) District (421) By-law No. 8893 for 3837 Point Grey Road [PID: 023-913-118, Parcel A, District Lot 448, 538 and 6882, Group 1, New Westminster District, Plan LMP35211] to allow a reduced parking requirement for the Jericho Tennis Club in exchange for provision of additional bicycle parking spaces and end-of-trip facilities, generally as presented in Appendix A of the Policy Report dated September 18, 2015, entitled "CD-1 Text Amendment: 3837 Point Grey Road (Jericho Tennis Club)", be approved.
- B. THAT, subject to enactment of the by-law to amend the CD-1 By-law, the Parking By-law be amended to include this CD-1 in Schedule C and to provide parking regulations generally as set out in Appendix A of the Policy Report dated September 18, 2015, entitled "CD-1 Text Amendment: 3837 Point Grey Road (Jericho Tennis Club)".
- 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
 - (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

11. REZONING: 26 East 1st Avenue

An application by Bingham Hill Architects was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (464) By-law No. 9600 for 26 East 1st Avenue to increase the maximum permitted floor area for sub-area 3 to 11,601 m² (124,872 sq. ft.) and to increase the permitted height of sub-area 3 to 53.25 m (175 ft.), allowing for construction of an 18-storey market residential building containing 137 dwelling units.

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

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

- One piece of correspondence in opposition to the application;
- One piece of correspondence expressing concern with one aspect of the application.

Staff Opening Comments

Planning and Development Services staff responded to questions regarding shadowing.

Speakers

Mayor Robertson called for speakers for and against the application.

Robert Fung requested Council amend the conditions to increase the percentage of CAC allocation for the purchase of heritage density.

The speakers list and receipt of public comments closed at 9:20 pm.

Staff Closing Comments

The Senior Rezoning Planner responded to questions regarding comments raised by the speaker.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Bingham Hill Architects, on behalf of Pinnacle International (West First) Plaza Inc., to amend the CD-1 (Comprehensive Development) District (464) By-law No. 9600 for 26 East 1st Avenue [PID: 028-334-221, Lot D, Block 8, District Lot 200A, Group 1, New Westminster

District Plan BCP45966], to increase the maximum permitted floor area for sub-area 3 to 11,601 m² (124,876 sq. ft.) and to increase the permitted height of subarea 3 to 53.25 m (175 ft.), allowing for construction of a residential tower, generally as presented in Appendix A of the Policy Report dated September 14, 2015, entitled "CD-1 Rezoning: 26 East 1st Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Bingham Hill Architects and stamped "Received Planning & Development Services (Rezoning Centre), received on February 10, 2015", 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. Reduction in the building mass of the penthouse levels to reduce their shadow and view impacts through:
 - (i) provision of a minimum 20 ft. setback from the north property line, and
 - (i) provision of a minimum 10 ft. step back at level 17.

Note to Applicant: More substantial setbacks from the main portion of the tower are needed to reduce shadowing onto the East Park, to moderate impacts to the private views of nearby residents, and to better meet the intent of the Southeast False Creek Design Guidelines for Additional Penthouse Storeys. The size of the stair and mechanical enclosure at the uppermost level should be reduced as well.

2. Design development to provide an outdoor space for children's play that is collocated with an indoor amenity room suitable for family use.

Note to Applicant: This can be accomplished by relocating the amenity area at grade to be next to the play space on the sixth floor, with good view lines.

3. Application of universal design standards to at least 20% of the dwelling units and all common amenity areas.

Note to Applicant: Intent is to respond to Section 5.1 of the ODP. This can be accomplished by following the SAFER Home standards.

4. Notation on the elevation drawings of all materials, colours, and finishes, to be consistent in durability and quality with the previous application.

Note to Applicant: Intent is to ensure the building exterior at the development permit is consistent with the rezoning stage.

5. Design development to any enclosed balconies to ensure their exterior expression is visually distinct elements from nearby rooms.

Note to Applicant: For more information, see the Balcony Enclosure for New Buildings bulletin. For enclosed balconies on the southeast corner of Levels 2, 3, 4, and 5, please see Figure F, as it notes enclosed balconies that are inverted from open balconies are not supportable.

Landscape Design

6. Provide a variety of spaces incorporating high-quality landscaped open spaces with substantial greenery, visual interest and amenities at the pedestrian level and consistent with the SEFC Public Realm Plan.

Note to Applicant: Include special paving, including granite-size pavers. Method of installation to be consistent with the Olympic Village with respect to: lighting, planting, street trees, landscaped boulevards, driveway crossings, pathways, permanent site furniture, weather protection, garbage storage, recycling and loading facilities.

7. Provide intensive and extensive landscaped planters at the podium and roof deck levels. Incorporating greenery to create vibrant exterior courtyards to enhance the liveability of the site and views from street edges.

Note to Applicant: Design development to the proposed at-grade common garden at the lane to incorporate a hierarchy of open spaces with special feature nodes along pathways, bench seating, and intensely landscape edges to create opportunities for residents to engage, gather, and experience the open air.

8. Provision of adequate sunlit areas for Urban Agriculture activity.

Note to Applicant: Raised planters, tool storage, composting, potting bench, harvest table and hose bibs should be incorporated on the plan to enable residents to practice urban agriculture. The design should reference the Urban Agriculture Guidelines for the Private Realm and should maximize sunlight, integrate into the overall landscape design, and provide universal access.

9. Provide flexibility of design for all amenity decks containing programming for urban agriculture or children's play areas, such that the basic structure and aesthetics of these amenity areas allows for future alternative uses of the spaces.

10. Provide increased soil volumes for all landscaped planters over slab condition to ensure the long term viability of plant species.

Note to Applicant: Soil volumes for landscaped planters to exceed BCLNA standard with the goal to provide a minimum 4 ft. growing medium depth for large species trees planted with in-ground condition, and 3 ft. depth for trees over structures and consolidated within a continuous trench, where possible. Modify depth of building slab where feasible to achieve planter depth. Provide maximized planter depth. The underground parking slab should be designed to support a deeper root ball for proposed trees within the at-grade 'Common Garden' space located at the lane. Headroom for below-grade mechanical rooms may be successfully reduced without compromising function.

11. Provision of an external lighting plan for pedestrian routes and courtyards, to ensure that adequate lighting levels are achieved for CPTED performance while minimizing glare for residents.

12. Design development to incorporate the principles of the Draft City of Vancouver Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat, in addition, reduce potential threats to accommodate birds in the City.

Note to Applicant: The use of native plantings and landscape materials that have high habitat benefits is encouraged.
<http://vancouver.ca/files/cov/birdfriendly-strategy-design-guidelines-draft-2014-09-01.pdf>

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

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

14. Provision of a written design rationale outlining the programming of the outdoor spaces and landscape structures, including overall use, sustainable design features (planting, water, waste, soil, habitat), urban agriculture (e.g. compost, gardening, tool storage, access and security).
15. At the development permit stage, provision of a:
 - (i) legal survey confirming the location of existing on- and off-site trees;
 - (ii) fully labelled Landscape Plan and Plant List, Sections and Details; and
 - (ii) written landscape rationale.
16. Provide large-scale section drawings at 1/4"=1'-0" /1:50 or better, to illustrate the public realm interface landscape treatment from the building face to the street edge, including the slab-patio-planter relationship, lane interface, and common areas.

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

17. Provision of hose bibs for all patios greater than 100 sq. ft. in area.

Crime Prevention through Environmental Design (CPTED)

18. Design development to take into consideration the principles of CPTED, having particular regard for reducing opportunities for:
 - (i) theft in the underground parking,
 - (ii) residential break and enter,
 - (iii) mail theft, and
 - (iii) mischief in alcoves and vandalism, such as graffiti.

Sustainability

19. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning's, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Neighbourhood Energy

20. The proposed plan for site heating and cooling, developed in consultation with the City, shall be provided prior to the issuance of development permit, to the satisfaction of the General Manager of Engineering Services.
21. The building(s) heating and domestic hot water system shall be designed to be compatible with the SEFC NEU system to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Energy Utility System By-law (9552) and SEFC NEU Developer Document (2014) for specific design requirements, which include provisions related to the location of the mechanical room(s), centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with staff to ensure adequate provisions for NEU compatibility are provided for in the mechanical design. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

22. The building mechanical system must utilize the energy transfer station for all of its space heating and domestic hot water requirements, and the building mechanical system must not incorporate any additional heat production equipment including, but not limited to, boilers, water source heat pumps, air source heat pumps, furnaces, hot water heaters, geo-exchange systems, electric baseboards, or heat producing fire places except that:
 - (i) a building may incorporate a solar system to generate heat energy,

- (ii) a building may incorporate hybrid heat pumps for space cooling, provided the compressor cannot operate in heating mode, and
- (iii) a building may incorporate heat recovery ventilation (air to air heat exchangers) and waste heat recovery from refrigeration or active cooling systems for the purposes of supplementing the heat energy provided:
 - a) the systems used for heat recovery from refrigeration or active cooling do not provide any supplemental heating when there is no active cooling service required,
 - b) the approach to heat recovery is consistent with this Schedule (i.e. hydronic systems with centralized mechanical equipment) and,
 - c) waste heat recovery systems do not cross property lines.

Note to Applicant: Exceptions for on-site heat production may be approved by the City Engineer, provided the total heat production produced by all exceptions does not exceed 1% of the total annual thermal energy needs of the building. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

23. Provision of a dedicated room in a location suitable for connecting to the SEFC NEU distribution piping for each Energy Transfer Station that is required for servicing the development as to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The SEFC NEU has pre-serviced this site off of Ontario Street. The NEU room is to be in close alignment with the pre-service location.

Engineering

The following are to be addressed at the Development Permit stage:

24. Provision of a letter of commitment from a car share company indicating their willingness to supply the required vehicles at building occupancy.

25. Provision of the car share vehicle space to be located within the visitor parking area and the width of the car share vehicle parking stall to be a minimum 2.9 m wide.
26. Indicate an additional visitor parking stall to be "future car share vehicle parking" and ensure it is a minimum 2.9 m in width.

Note: This is not an additional visitor stall; please indicate 1 of the proposed stalls as this future car share vehicle parking space.

27. 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. Please note these comments are applicable to the current central access ramp design, and although they will not apply to the new ramp design the principles indicated in these comments are to be incorporated into the revised parkade design.

28. Modify the east side of the parking entrance and adjacent garden/planter as needed to facilitate vehicle turning movement onto the parking ramp for vehicles travelling westbound in the lane.

Note to Applicant: Provision of a corner-cut is recommended.

29. Provision of design elevations at the front and rear of the loading space and notation of the slope and cross fall of the loading space.

Note to Applicant: The slope and cross fall should not exceed 5%.

30. Provision of an increased ramp width to 24 ft. through the curved portion of the Parking ramp.

Note to Applicant: This will allow adequate room for two vehicles to pass unobstructed on the Parking ramp.

31. Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.

Note to Applicant: Where there is a curved ramp, provide grades two feet from the wall on the inside radius (Section I.A). The

slope and length of the ramp section at the specified slope must be shown on the submitted drawings.

32. Improve visibility for two-way vehicle movement at turns within the parkade.

Note to Applicant: Refer to Engineering Parking and Loading Design Supplement Section I.B and I.C. This is of concern especially where walls obscure visibility of oncoming cars on the ramp.

33. Provision of a landscape plan clearly indicating proposed plantings for public property that includes plants that grow to a maximum mature height of 600 mm and that do not encroach onto the sidewalk.
34. Provision of updated landscape drawings which reflect the City-approved geometric design and the off-site improvements required of this rezoning.
35. Provision of a direct means of stair-free bicycle access to grade which does not require the use of a parking ramp with a slope that exceeds 12.5%. Label with a line the intended route to be used by cyclists to bring a bicycle from the bicycle room to the street or lane and vice-versa.
36. Provision of automatic door openers on all bicycle room doors, and on doors along the travel path from the bicycle room(s) to outside.
37. Clarify garbage storage and pick-up space. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins. Pick-up operations should not rely on bins being stored on the street or lane. Bins are to be returned to storage areas immediately after emptying.
38. Provision of the required letters of credit to secure the car share vehicle and site servicing requirements as indicated in the related legal agreements.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of

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

Engineering

1. Release of Easement & Indemnity Agreement 444597M (commercial crossing) prior to building occupancy.

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

2. Provision of a shared access agreement with the development site to the east allowing for use of this developments driveway for access to the westerly site with the City being a party to the agreement to prevent the modification or release of the agreement without City consent. This is set out in the no development Covenant BB1185859-60 currently registered to the property.
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. Requirements as follows:
 - (i) Provision of a \$50,000.00 contribution towards the recently completed neighbourhood sewer upgrades that will service the site.
 - (ii) Reconstruction of the public realm (property line to existing curb) on 1st Avenue and Ontario Street and the south half of the 1st Avenue median adjacent the development site to accommodate the construction of protected bicycle lanes and improved walking facilities for the public on both site frontages. Work is to include the following:
 - a) Removal of the proposed curb bulges for consistency with the City geometric design for 1st Avenue between Quebec Street and Ontario Street. Provision of standard laneway crossing at

the lane south of 1st Avenue on the east side of Ontario Street.

- b) Provision of improved street lighting on both frontages of the site to meet the SEFC standards and the SEFC public realm and enrichment guidelines.
 - c) Provision of new sidewalks, curb, pavement, street trees and street furniture adjacent the site in keeping with the SEFC Public Realm Plan and Enrichment Guidelines.
 - d) Improvements to the lane south of 1st Avenue from Ontario east generally to the east property line of the site consistent with the SEFC Public Realm Plan and Enrichment Guidelines. (Granite setts, SEFC lane lighting, and full-width lane re-pavement are to be included.)
 - e) All public realm improvements are to include adjustment, relocation or replacement of any utility or street infrastructure impacted by the proposed improvements.
- (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 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.
4. Provision of all existing utility poles and services adjacent to the site and all new services to the site 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) 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. 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 underground services.

Neighbourhood Energy

5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connecting to and securing adequate space for the SEFC NEU, which may include but are not limited to agreements which:
 - (i) Grant the operator of the SEFC NEU access to the buildings mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation, on such terms and conditions as may be reasonably required by the Applicant.

Heritage Density Transfer

6. Secure the purchase and transfer of 987 m² (10,629 sq. ft.) of heritage density (which has a value of \$690,894) from a suitable donor site.

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

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

No Development Covenant

7. Pay to the City the outstanding financial obligation related to the Community Amenity contribution, approved in conjunction with City Council's enactment of CD-1 (464) By-law in 2006, in

accordance with the terms of the No Development Covenant BB1185859.

Community Amenity Contribution (CAC)

8. In addition to the transfer of heritage density (\$690,885), that represents 10% of the overall CAC package, pay to the City a Community Amenity Contribution of \$ 6,218,053 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$ 6,218,053 is to be allocated as follows:

- (i) \$1,000,000 towards affordable housing intended for SEFC; and
- (ii) \$5,218,053 towards childcare intended to serve residents and workers in or near the SEFC area.

Subject to payment of the Community Amenity Contribution, confirm whether Development Limit Covenant No. BB1185853-54, may be discharged as it relates to the purchase of heritage floor area.

Public Art

9. Amend the existing Public Art agreement to the satisfaction of the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy. An additional Public Art Contribution will be required in the amount of \$95,829. The agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

Soils

10. Revisit the Remediation Agreement and as required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or amend such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

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 there from 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(s) / Final Determination (to state that the site is not a contaminated site) 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 A above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning, are at the risk of the property owner; and

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

CARRIED UNANIMOUSLY

12. REZONING: 2312-2328 Galt Street

An application by Bruce Carscadden Architect Inc. was considered as follows:

Summary: To rezone 2312-2328 Galt Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a four-storey residential building with 28 secured for-profit affordable rental housing units. A height of 13.6 m (44.54 ft.) and a floor space ratio (FSR) of 2.2 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

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

- one piece of correspondence that expressed concerns regarding the lack of sidewalks adjacent the proposed development.

Staff Comments

Planning and Development Services staff responded to questions.

Speakers

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

The speakers list and receipt of public comments closed at 9:38 pm.

Council Decision

MOVED by Councillor Stevenson

- A. THAT the application by Bruce Carscadden Architect Inc. on behalf of 0997647 B.C. Ltd., to rezone 2312-2328 Galt Street [Lots 2 to 4 of Lot B, Blocks 6 to 8 of Block 8, District Lot 393, Plan 2201; PIDs: 011-163-160, 007-043-724 and 008-172-412 respectively] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.6 to 2.2 and the height from 9.5 m (31.16 ft.) to 13.6 m (44.54 ft.) to permit

the development of a four-storey building with 28 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated September 21, 2015, entitled "CD 1 Rezoning: 2312-2328 Galt 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 Bruce Carscadden Architect Inc. and stamped "Received City of Vancouver Community Services Development Services, February 10, 2015", subject to the following conditions, 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. Significant design development to achieve an openable window, to be located along the outside elevation walls of the building, for every habitable room.

Note to Applicant: The proposed bedrooms with windows facing the proposed circulation corridor are not an acceptable response to the Horizontal Angle of Daylight requirements of the contemplated CD-1 zoning. This redesign of each floorplate may result in the in the relocation of these bedrooms and a deletion of the proposed open-air circulation corridor. Conversely, these dwelling units may be converted into one-bedroom units.

2. Significant design development to express the front balconies as elements that protrude out from the main front elevation wall, which should be visibly legible as a wall set back 12 ft. from the front property line.

Note to Applicant: The current proposal shows a continuous expression of the balconies as a major wall element located 6.0 ft. from the front property line. These balconies should be expressed as physically separate from each other.

3. Design development to introduce variations in colour and exterior building materials for the overall building, in order for the building to be better perceived as a residential building.

Note to Applicant: While the employment of durable materials for this long-term rental building is desired, the current proposal shows an overly consistent use of grey tones, metal cladding and steel grating. Introducing warmer materials that evoke a residential feel such as brick, pebble-dashed stucco and glass, while also employing some brighter colours will help in evoking the building's image as a family-friendly apartment building.

Sustainability

4. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Crime Prevention Through Environmental Design (CPTED)

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

Landscape Design

6. Provision of new street trees, where applicable, to be provided adjacent to the development site, to be shown on the development permit plans and confirmed prior to the issuance of the building permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering, (604.871.6131) to confirm tree planting locations and Park Board for tree species selection and planting requirements.

7. Design development of the public realm interface to maximize greenery at property edges.
8. Provision of in-ground planting opportunities for new trees within private landscape setbacks along street frontages, where possible.
9. Provision of a common roof deck with access and open, programmable space to accommodate a flexible children's play area, urban agriculture and social gathering space for use by building residents.

Engineering

10. Provision of an improved landscape plan showing the Class B bicycle racks on private property at the front entrance.
11. 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 design elevations on both sides of the parking ramp at all breakpoints, within the parking area, and at all entrances.

Note to Applicant: The slope and cross fall must not exceed 5% for the parking stalls and maneuvering aisle.

- (ii) Provision of a consistent ramp design and elevations to calculate the ramp slope.

Note to Applicant: The ramp slopes and designs shown on drawings A2.2 and A2.3 are different.

- (iii) Provision of additional length for small car stalls as 14'-1" is shown.

Note to Applicant: The minimum required length for a small car stall is 15'-1" (4.6 m). Small car spaces 10, 17, 18 and 19 require additional length.

- (iv) Provide width and length dimensions for all stall types.
- (v) Provision of a minimum 20.0 ft. (6.1 m) aisle width.

Note to Applicant: The maneuvering aisle measures 19.0 ft. between the stairs and elevator core at gridline D/4 on drawing A2.2. Consider shifting the elevator core 1.0 ft. to the west to achieve the required width.

- (vi) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: A column 2.0 ft. in length must be set back 2.0 ft. from either the opening to or the end of the parking space. A column 3.0 ft. long may be set back 1.0 ft.

- (vii) Relocate the Class A bicycle spaces to grade with direct access to outside.

Note to Applicant: Switching the bike room with the storage room would achieve this.

- 12. The proposed storm and sanitary connections shall connect to the combined sewers in the lane south of Galt Street.
- 13. Deletion of pavers shown on public property.
- 14. Provision of additional design grades adjacent all entries and adjacent the garbage loading area clearly showing the locations will meet City building grades.

Housing Policy

- 15. That the proposed unit mix for family units: 96% two-bedroom and 4% three-bedroom units, be included in the Development Permit drawings.

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

CONDITIONS OF BY-LAW ENACTMENT

- (c) That prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services and the Chief Housing 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, 3 and 4, All of Lot B, Blocks 6 to 8 of Block 8, DL 393, Plan 2201 to create a single parcel.
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 1.53 m (5 ft.) broom-finished concrete sidewalk complete with saw-cut joints and a 1.22 m (4 ft.) sodded lawn front boulevard on Galt Street from the east property line of the site to the east edge of the westerly lane including replacement of the portion of existing sidewalk at the lane should correct alignment not be achievable.
 - (ii) Relocation of the fire hydrant adjacent the site, should it be required to ensure it is not in the new sidewalk alignment.
 - (iii) Provision of one post-top acorn street light adjacent the site should existing street light spacing be able to accommodate the installation of the additional street light.
 - (iv) Provision of curb ramps to cross Galt Street at the T-intersection with Baldwin Street to line up with existing and future curb ramps.
 - (v) Provision of additional street trees adjacent the site, should space permit.
 - (vi) 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.

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.

Housing

4. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy Bylaw for the longer of 60 years and life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant.
 - (ii) A no stratification covenant.
 - (iii) That none of such units will be rented for less than one month at a time.
 - (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance;
 - (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents, subject to any increases allowed by the Vancouver Development Cost Levy By-law:

Unit Type	2312-2328 Galt Street Proposed Average Starting Rents
2-bedroom	\$1,691
3-bedroom	\$2,338

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of Chief Housing Officer and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.
- (vii) Such other terms and conditions as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

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

Soils

- 5. If applicable:
 - (i) Submit a site profile to the 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 Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 site as are 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 2312-2328 Galt Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by the above-noted report.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 2312-2328 Galt Street".
- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
 - (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

13. REZONING: 3063-3091 West Broadway

An application by Yamamoto Architecture Inc., on behalf of Orr Development Corp., was considered as follows:

Summary: To rezone 3063-3091 West Broadway from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a five-storey mixed-use building with at-grade commercial uses and 70 secured for-profit affordable rental housing units. A height of 18.2 m (59.7 ft.) and a floor space ratio (FSR) of 3.39 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 the application was referred to Public Hearing and prior to the close of the speakers list:

- Six pieces of correspondence in support of the application;
- Four pieces of correspondence in opposition to the application.

Staff Opening Comments

Planning and Development Services staff provided an overview of the application.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Michelle Barile, Manager, West Broadway Business Improvement Association
Derick Fluker
Larry Benge, West Kits Residents Association

Donald Cyr spoke in opposition to the application, noting concerns with the height of the project and the noise that will be generated by having the entrance on BalACLava Street.

The speakers list and receipt of public comments closed at 10:01 pm.

* * * * *

At 10:01 pm, it was

MOVED by Councillor Affleck

THAT the meeting be extended in order to complete the agenda.

CARRIED UNANIMOUSLY

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Staff Closing Comments

Staff from Planning and Development Services and Engineering Services responded to questions.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Yamamoto Architecture Inc., on behalf of Orr Development (1980) Corp., to rezone 3063-3075 West Broadway [Lots 15 and 16, except the north 10 feet now lane and part in Plan 4166 of Lot 3, Block 31, District Lot 192, Plan 1461; PIDs: 014-611-236 and 014-611-287 respectively] and 3083-3091 West Broadway [Lots 13 and 14, except portions in explanatory Plan 5765 and Plan 4166 now highways, of Lot 3, Block 31, District Lot 192, Plan 1461; PIDs: 005-722-713 and 005-723-027 respectively] from C-2C (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 3.39 and the building height from 13.8 m (45.3 ft.) to 18.2 m (59.7 ft.) to permit the development of a five-storey mixed-use building with at-grade commercial uses and 70 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 3063-3091 West Broadway", 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 Yamamoto Architecture Inc. and stamped "Received City Planning Department, May 20, 2015", subject to the following conditions, 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 the configuration of the main-level setbacks on West Broadway to improve the level of visibility of retail units while still providing a level of pedestrian amenity.

Note to Applicant: Provide sufficient width of public realm from curb to building face to facilitate the outdoor display of goods, and provide opportunities for extensions of cafes and restaurants without interrupting pedestrian travel. The pedestrian amenity should provide continuous retail frontage and the depth of front yard setback at the main level should consider compatibility with future development to the east. The expression of the main level should appear to be a natural fit to the architectural design of the building of the floors above without requiring significant second storey overhangs.

2. Design development to rationalize the upper level setback along the westerly elevation.

Note to Applicant: The west setback on the upper floor should be a minimum of 8.0 ft.

3. Design development to soften the building's expression at the lane.

Note to Applicant: Reduce the height and extent of blank wall at the lane. Introduce vertical landscaping and employ changes in material and scale of expression of walls on the lane to add interest. Also, consider introducing residential use at the lower level facing the lane.

4. Design development to the residential entry on Balaclava to appear more distinguished, and clearly identifiable.
5. Design development to the configuration of outdoor spaces on the Level 2 patio to make them more usable.
6. Design development to delete the pocket park at the northwest corner of the site.
7. Consideration to provide shading elements on the south elevation.

8. Consideration for design development to increase stepping in the massing at the northwest corner of the building site on upper floors to create terraced outdoor spaces.

Crime Prevention through Environmental Design (CPTED)

9. Design development to consider the principles of CPTED, having particular regard 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

10. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape Design

11. Site utilities and vents located onto private property and integrated discreetly into the building, avoiding landscaped and common areas.
12. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: The hose bib condition is intended to encourage patio gardening. Staff are aware of the applicant's concerns for hose bibs located on "private" patios and are

prepared to coordinate further to explore options at the development permit stage.

13. Grades, retaining walls, walkways and structural elements, such as underground parking, designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Where applicable, grade-oriented trees should be planted at grade and not placed in above-grade planters to achieve soil depth. Lane planting will require sufficient soil and irrigation to ensure plant health. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous wherever possible. Planters on slab located on upper levels should exceed BCLNA planting depths and strive to maximize soil volumes and planter widths.

14. Delete reference to boulevard planting and provide lawn on the front boulevard on Balaclava Street.

Engineering

15. Provision of the required additional parking to meet the requirements of the parking covenant or arrangements to the satisfaction of the Director of Planning and the Director of Legal Services for alternate parking arrangements for 3035 West Broadway. There is currently a registered parking covenant on title obligating the provision of 20 parking stalls for the adjacent site at 3035 West Broadway that this development does not appear to account for.
16. Provision of loading spaces large enough to accommodate the largest sized truck that will service this site. If a grocery store use is proposed that requires a MSU sized truck for loading, a Class B loading space with an overall length of at minimum 33 ft. and an overhead vertical clearance of at minimum 4.0 m shall be required.

Note to Applicant: All loading is to be accommodated on site. Loading management measures may be needed to fulfill this requirement.

17. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).

18. Provide automatic door openers on the doors providing access to the bicycle room(s).
19. Bicycle room(s) must not contain more than 40 bicycle spaces except where the additional bicycle spaces are comprised of lockers.
20. Provision of required Class B bicycle spaces to be located on private property.
21. Identify on the plans, the route(s) from the bicycle room to the building exterior to which residents with bicycles are expected to use. Please draw a clear line along the route.
22. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. Please refer to the Parking and Loading Design Guidelines.
 - (i) Clearly note the stall number and dimensions for all types of parking and loading spaces.
 - (ii) Clearly identify the location of the 20 covenanted parking spaces to be supplied for the site at 3035 West Broadway unless alternate arrangements are made for this parking. (Note these are in addition to any required parking for this development.)
 - (iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.
 - (iv) Modify the building adjacent to the parking ramp to provide visibility of oncoming pedestrians, cyclists and vehicles travelling from either direction in the lane.
 - (v) Provide a 10 ft x 10 ft corner-cut through the inside radius at the top of the parking ramp at the lane and at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.

Note to Applicant: This will allow for two vehicles travelling in opposite directions to pass each other at these critical locations.
 - (vi) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

- (vii) A column 2 ft. in length must be set back 2 ft. from the opening or the end of the parking space. A column 32 inches long may be set back 1 ft.
- (viii) Dimension all columns encroaching into parking stalls.

Social Development

- 23. Design development to the outdoor amenity common area to increase the size of the space and inclusion of landscape elements that create opportunities for creative play.

Note to Applicant: Play equipment is neither necessary nor encouraged; however, landscape features which foster creative play and motor-skills development, such as boulders, logs, pathways, water-play elements, sand-play etc., are encouraged.

- 24. Design development to the planters on the outdoor amenity common area to create opportunities for urban agriculture and integrate edible planting into the overall landscaping plan.

Housing

- 25. That the proposed unit mix, 50% 1-bedroom and studio, and 50% 2-bedroom and 3-bedroom units, be included in the development permit drawings.

Note to Applicant: Any changes in unit mix from that set out in the rezoning application must be to the satisfaction of the Chief Housing Officer.

- 26. Provision of a Final Tenant Relocation Plan to the satisfaction of the Chief Housing officer, which in addition to the terms already agreed to will include an updated list of tenants and rents, current as of the time of Development Permit application.
- 27. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property that: indicates the number of units occupied on the date of the notice; includes information of posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change guidelines; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
- 28. Provision of a final Tenant Relocation Report which: outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value

given to each tenant (moving costs, rents, any other compensation); and includes a summary of all communication provided to the tenants.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Consolidation of Lots 13 and 14 Except Portions in Explanatory Plan 5765 and Plan 4166, Now Highways; Lots 15 and 16 Except the North 10 feet Now Lane and Part in Plan 4166; All of Lot 3, Block 31, DL 192, Plan 1461 to create a single parcel.
2. Discharge of Easement and Indemnity 299705M (crossing agreement) prior to occupancy of the building.

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

3. Provision of a 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) Addition of audible signals to the existing traffic signal at the intersection of Balaclava Street and West Broadway.
 - (ii) Provision of upgraded street and pedestrian level lighting at the intersection of Balaclava Street and West Broadway and along the frontage of the site on West Broadway, to LED lighting.
 - (iii) Relocation or replacement of the existing speed humps in the lane to avoid conflict with the parking entry. Should design development to the building avoid the speed humps then this condition would not apply.

- (iv) Provision of a standard concrete lane crossing, new curb returns and curb ramps at the lane north of West Broadway on the east side of Balaclava Street.
 - (v) Provision of new concrete sidewalks with saw cut joints adjacent the site in keeping with standards for the area.
 - (vi) Provision of street trees adjacent the site where space permits.
 - (vii) 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.
 - (viii) 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.

Note to Applicant: Relocation of the existing wood pole in the lane that conflicts with parking and loading access. Provision of written confirmation from all Utility companies that use the pole confirming that the pole can be satisfactorily relocated.

Housing

5. Make arrangements to the satisfaction of Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all 70 residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant;
 - (ii) A no stratification covenant;
 - (iii) That none of such units will be rented for less than one month at a time;
 - (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance;
 - (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents, subject to any increases allowed by the Vancouver Development Cost Levy By-law:

Unit Type	3063-3091 West Broadway Proposed Average Starting Rents
Studio	\$1,270
1-bedroom	\$1,438
2-bedroom	\$1,974
3-bedroom	\$2,443

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of Chief Housing Officer and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order

to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.

- (vii) Compliance with the Tenant Relocation Plan attached to Appendix G of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 3063-3091 West Broadway".
- (viii) Such other terms and conditions as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

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

Soils

- 6. If applicable:
 - (i) Submit a site profile to the 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 Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 are 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 3063-3091 West Broadway", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by the above-noted report.
- C. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign By-law [assigned Schedule B (C-2C)], generally as set out in Appendix C of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 3063-3091 West Broadway", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 21, 2015, entitled "CD-1 Rezoning: 3063-3091 West Broadway".
- E. THAT A through D above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;

- (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 Louie
SECONDED by Councillor Deal

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Councillor Stevenson
SECONDED by Councillor Meggs

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:15 pm.

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