



PUBLIC HEARING MINUTES

OCTOBER 20, 2016

A Public Hearing of the City of Vancouver was held on Thursday, October 20, 2016, at 6:06 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Heather Deal
Councillor Kerry Jang
Councillor Geoff Meggs
Councillor Tim Stevenson

ABSENT: Councillor George Affleck (Leave of Absence)
Councillor Raymond Louie (Leave of Absence - Civic Business)
Councillor Andrea Reimer (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Rosemary Hagiwara, Deputy City Clerk
Maria Castro, Meeting Coordinator

WELCOME

Mayor Robertson acknowledged that the City of Vancouver is on the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh First Nations.

COMMITTEE OF THE WHOLE

The Mayor reminded Council that, based on advice from the City Clerk, it is not necessary for Council to sit as Committee of the Whole during a Public Hearing; however, in order to comply with the Procedure By-law, a motion to go into Committee of the Whole should be put to a vote and failed by Council.

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

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

LOST

(Councillors Ball, Carr, De Genova, Deal, Jang, Meggs, Stevenson and Mayor Robertson opposed)

1. REZONING: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)

An application by Binnie Associates, on behalf of the Provincial Rental Housing Corporation ("BC Housing") and the New Chelsea Society was considered as follows:

Summary: To rezone the Ray-Cam Co-operative Community Centre site, comprising 920 East Hastings Street and the northern portion of 400 Campbell Avenue, to allow subdivision of the community centre site from the Stamps Place social housing site. After rezoning and subdivision, BC Housing will own the community centre site and the New Chelsea Housing Society will own the social housing site. No changes to the existing land uses or buildings on these sites are proposed as part of the application.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Staff Opening Comments

Wesley Joe, Planner, Vancouver Downtown Division, presented the application and, along with Karen Hoese, Acting Assistant Director, Vancouver - Downtown, and Michael Naylor, Senior Planner, Vancouver - Downtown, responded to questions.

Summary of Correspondence

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

Speakers

The Mayor called for speakers for and against the application.

The following individuals spoke in support of the application:

Guy Wakeman
Walker Wakeman
Pete Fry
Colleen Johnson
Donald Berg
Majid Alemi Jr.

Sean McEwen offered suggestions regarding the future development permit application.

The speakers list and receipt of public comments closed at 6:47 pm.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Carr

- A. THAT the application by Binnie Associates, on behalf of the Provincial Rental Housing Corporation ("BC Housing") and the New Chelsea Society, to rezone the Ray-Cam Co-operative Community Centre site at 920 East Hastings Street

[Lots 1 to 6, Block 65, District Lot 181, Plan 196; PIDs: 015-579-042, 015-579-077, 015-579-085, 015-579-093, 015-579-107 and 015-579-123, respectively] from M-1 (Industrial) District and the northern portion of 400 Campbell Avenue [PID: 008-962-057; Lot 3, Block 120, District Lots 181 and 2037, Plan 12081] from CD-1 (Comprehensive Development) District (33) By-law No. 4143, both to a new CD-1 (Comprehensive Development) District, to provide zoning regulation for the existing uses and development on the Ray-Cam Co-operative Community Centre site, enabling subdivision of that site from the Stamps Place Housing development site, generally as presented in Appendix A of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)", be approved subject to the following conditions:

CONDITIONS OF BY-LAW ENACTMENT

- (a) That prior to enactment of the new CD-1 By-law for 920 East Hastings Street (Ray-Cam Co-operative Community Centre), the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services, the Managing Director of Social Development and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Subdivision, conveyance and consolidation as follows (and generally as shown in Diagram 1):
 - (i) Subdivision of Lot 3, Block 120, DL. 181 and 2037, Plan 12081 to create the southerly proposed Lot 2 containing the Stamps Place Housing development and a remaining northerly lot containing the easterly portion of the Ray-Cam Co-operative Community Centre site.
 - (ii) Conveyance of the remaining northerly lot from the New Chelsea Society to the Provincial Rental Housing Corporation ("BC Housing").
 - (iii) Consolidation of Lots 1 to 6, Block 65, DL 181, Plan 196; and the remaining northerly lot to create the proposed Lot 1.
2. Provision of:
 - (i) an SRW for lane purposes and an Option to Purchase over the lane proposed to straddle the new common property line, 3.048 meters on each side;
 - (ii) a support agreement over the new Lot 1, and the release of the existing support agreement registered as 342010M.

- (iii) the discharge of crossing agreement 97551M (the crossing no longer exists).

Soils

3. 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 registerable charges pursuant to 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 and at no cost to the City.

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

- B. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)".
- D. THAT, subject to the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward a consequential plan amendment to CD-1 District (33) By-law No. 4143 to remove the northern portion that is to be consolidated with the Ray-Cam Co-operative Community Centre site, generally as set out in Appendix C of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 920 East Hastings Street (Ray-Cam Co-operative Community Centre)".
- 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 01531)

2. REZONING: 305 West 41st Avenue (Oakridge United Church)

An application by ZGF Cotter Architects Inc. was considered as follows:

Summary: To rezone 305 West 41st Avenue (Oakridge United Church) from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with church use at grade, containing 49 dwelling units. A height of 20.7 m (68 ft.) and a floor space ratio (FSR) of 2.91 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Applicant Comments

Lillian Hunt, Oakridge United Church, thanked the developer and staff, and noted that this development will create a visible and viable community presence for the church. Ms. Hunt also responded to questions.

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 and receipt of public comments:

- 4 emails in support of the application;
- 1 email in opposition to the application; and
- 1 email relating to other aspects of the application.

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 7:03 pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Ball

- A. THAT the application by ZGF Cotter Architects Inc., on behalf of the British Columbia Conference Property Development Council of the United Church of Canada, the registered owner, to rezone 305 West 41st Avenue [*Lots 12 to 14, Block 849, District Lot 526, Plan 7240; PIDs: 010-685-553, 010-685-588 and 010-685-600 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.91 and the height from 10.7 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey mixed-use building with church use at grade and a total of 49 dwelling units, generally as presented in Appendix A of the Policy Report dated September 6, 2016 entitled "CD-1 Rezoning: 305 West 41st Avenue (Oakridge United Church)", 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 ZGF Cotter Architects Inc., on behalf of the BC Conference Property Development Council of the United Church of Canada Inc. and Townline Homes Inc., and stamped "Received Planning Department, March 17, 2016", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development of the church design to include or incorporate the following:
 - (i) design details of salvaged and reclaimed materials from the existing church and indicate on the plans for the proposed church space; and
 - (ii) design details of re-purposed items, such as leaded windows and hanging lanterns, and indicate on the plans for the proposed church, or outside space.

Note to Applicant: In view of the significance of the existing church, confirmation of the extent of reclaimed and re-purposed items is required to ensure they are incorporated into the proposed drawings.

2. Design development of the church, and its architecture to be substantially improved to enhance and make notable the presence of the church.

Note to Applicant: The current design of the south elevation expresses the church only at the sanctuary and fellowship hall. The entire area of the church, including the administrative areas, should be expressed in the elevation. The idea for the bell tower, a significant element of the existing church, has been lost. Reconsidering the design idea is strongly encouraged in order to strengthen the identity of the church and how it is expressed through the architecture.

3. Design development of the building massing and depth of the building to substantially reduce the bulky appearance of the building, particularly in the north-south dimension.

Note to Applicant: This is to improve the urban design performance of the project, the transition of scale to adjacent neighbouring sites, and shadow performance, to be compatible with adjacent sites. The revisions of the design may include optimizing the floor plans, reducing roof projections or balconies, or similar considerations to reduce the perceived bulk of the building.

4. Design development of the overall project to maintain the use of high-quality materials through all subsequent phases of approval.

5. The proposed unit mix, including 19 one-bedroom units (39%), 21 two-bedroom units (43%) and 9 three-bedroom units (18%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

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.

Landscape Design

7. Design development to provide a more conservative tree removal strategy, by enabling the safe retention and protection of a minimum of one healthy existing tree, i.e. Tree #102 referenced on the Arborist Report as a European Ash is in good condition.

Note to Applicant: The current scheme proposes the removal of all twelve site trees. This is in conflict with Council mandate for retention and protection of as many healthy trees as possible, while still allowing for a viable development. The retention of Tree #102, as a minimum requirement, will require revisions to the underground parking and building footprint, to allow sufficient clearance for the Critical Root Zone of this tree.

8. Design development to the common outdoor spaces, to achieve the following:
 - (i) better connection between the formal passive seating area and the children's play area;
 - (ii) increase in children's play area, in order to provide a more active and viable space;
 - (iii) access to sunny areas for all outdoor spaces;
 - (iv) ensure a visual connection exists between indoor amenity area and children's play area; and

(v) location of outdoor spaces to be away from conflicting loading zone.

9. Design development to expand programming to include urban agriculture plots in common spaces for resident use.

Note to Applicant: This should be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

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

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

11. Design development to location of utilities.

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

12. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression, open space and public realm.

13. Provision of further arboricultural information, as follows:

(i) A Letter of Assurance for arborist supervision during any excavation into the Critical Root Zones of retained trees, or any work in proximity to retained trees which may cause root damage to retained trees. The letter should be signed and dated by arborist, owner and contractor.

(ii) An updated arborist report, to discuss in detail methods of safe protection, for retained trees, in context of proposed footprint,

grades and other site constraints. Report to include a scaled and dimensioned tree protection plan and Critical Root Zones. Confirmation of safe tree protection is required.

14. Consideration to explore design options that respect the *Bird Friendly Design Guidelines*.

Note to Applicant: Please refer to the following documents:

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

15. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8 in. high curb.

16. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

17. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

18. At time of development permit application:

- (i) Provision of a full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) Provision of section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must

confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.

- (iii) Provision of sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
- (vii) Provision of Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings and all existing light poles should be shown.

- (viii) Trellis and vines to be provided over the underground garage access ramp.

Sustainability

- 19. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for the 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.

- 20. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of 63 points (LEED®)

Gold rating), with 1 point for water efficiency and stormwater management; or LEED Gold if using LEED for Homes midrise or another LEED Rating System and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

Housing Policy

21. Design development to ensure that a minimum of 25% of the proposed market strata units are designed to be suitable for families with children, including some three bedroom units.

Engineering Services

22. Provision of an updated Transportation Study (Bunt & Associates, April 8, 2015) to reflect changes made to the location of the parking ramp and loading space. Revise the maneuvering shown for the Class B loading space. Ensure that all parking numbers and Class A bicycle spaces are updated as this report does not reflect the numbers in the tech table included in the architectural drawings. The description of the intersection of Elizabeth Street and 41st Avenue on Page 10 should read 'UN SIGNALIZED'.
23. Provision of garbage and recycling facilities for the church, daycare and residential units. Please refer to the garbage and recycling guidelines for space and bin allocation recommendations.
24. 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, both sides of the loading bay, and at all entrances.

Note to Applicant: This is to calculate the slope and crossfall.

- (ii) Provision of consistent drawings showing the Class B loading space.

Note to Applicant: The location of the Class B loading space and configuration of the stairs within the building are different on drawing A2.03 and L1.

- (iii) Provision minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

- (iv) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (v) Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

- (vi) Relocate the Class B bicycle parking on drawing L2 for the bikes using the rack to be clear of the residential entrance.

Note to Applicant: Consider shifting the Class B bicycle spaces by the entrance further north. Drawing A2.03 notes 12 bicycle spaces but only 6 are shown on drawing L2.

Note to Applicant: If additional columns are required within the parking levels, ensure that they comply with the requirements of the Engineering Parking and Loading Design Supplement. No columns are shown for the N-S stalls on P1 and P2.

Note to Applicant: As parking or pick-up/drop-off will not be available on 41st Avenue, consider removing the sidewalk off the lane and providing a lay-by on private property for passenger pick-up and drop-off.

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

26. 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 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.

27. 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.
28. 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, at development permit.
29. 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.
30. Delete proposed trees/shrubs shown in the back boulevard on the site plan.
31. Update the landscape and site plans to reflect the street improvements proposed for this rezoning application.

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 Director of Planning, 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. Consolidation of Lots 12 to 14, Block 849, District Lot 526, Plan 7240 to create a single parcel.
2. Provision of building setback and a surface Statutory Right-of-Way (SRW) to achieve a 4.8 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.

Note: The width of the SRW will vary due to the curb alignment.

3. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a shared access agreement between the development site and the adjacent property at 325 West 41st Avenue (Lot 11, Block 849, DL 526, Plan 7240) to secure access to underground parking within the future development on Lot 11.

Note to Applicant: Provision of knockout panels, grading details and aisle widths that comply with the Parking and Loading Design Supplement are required.

4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Confirmation that the site run-off and post development flows will not increase beyond existing run-off and flows. Should confirmation not be achievable then upgrading of the City sewer system (storm and sanitary) will be required to the extent that the downstream sewer system can handle the post run-off and flows.
 - (ii) Provision of street re-construction adjacent to the site on 41st Avenue including the following:
 - (a) new curb and gutter.
 - (b) adjusted, relocating or installed catch basins where required.
 - (c) 8'3" . raised asphalt protected bike lane.
 - (d) Grass boulevard with street trees.

- (e) 7'-0" CIP concrete sidewalk with saw cut joints.
- (f) Re-location or replacement of existing street trees as required to the satisfaction of the General Manager of Parks and Recreation to achieve the improvements noted above.

Note to Applicant: geometric design concept to be provided by the City. Specific Public Realm improvements are subject to completion and adoption of the Cambie Corridor Plan.

- (iii) Provision of LED street lighting and LED pedestrian scale lighting adjacent the site.
 - (iv) Provision of a 6 ft. CIP concrete sidewalk on Elizabeth Street adjacent the site.
 - (v) Provision of standard curb ramps at the northwest corner of 41st Avenue and Elizabeth Street including reconstruction of the curb return.
 - (vi) Provision of a standard concrete lane crossing and new curb returns on both sides of the lane entry at the lane north of 41st Avenue on the west side of Elizabeth Street.
 - (vii) Provision of street trees adjacent to the site where space permits.
 - (viii) 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.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate

this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and the Cambie Corridor Plan that may include but are not limited to agreements which:
 - (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes 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:

- (i) Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.
- (ii) The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
- (iii) 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

7. 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.
 - (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.

Community Amenity Contribution

8. Pay to the City a Community Amenity Contribution of \$2,300,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$2,300,000 is to be allocated as follows:
 - (i) \$1,150,000 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
 - (ii) \$920,000 towards childcare facilities serving the community in and around the Cambie Corridor Plan area; and
 - (iii) \$230,000 towards the Heritage Conservation Reserve to increase heritage conservation in the City of Vancouver.

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 registerable charges pursuant to 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 and at no cost to the City.

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 the enactment of the CD-1 By-law, the Subdivision By-law be amended generally as presented in Appendix A of the Policy Report dated September 6, 2016 entitled "CD-1 Rezoning: 305 West 41st Avenue (Oakridge United Church)".
- 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 the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures 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 sole 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 (Vote No. 01532)

3. REZONING: 512 West King Edward Avenue

An application by Arno Matis Architecture was considered as follows:

Summary: To rezone 512 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building, containing 50 secured market rental housing units. A height of 20.7 m (68 ft.) and a floor space ratio (FSR) of 3.00 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Staff Opening Comments

Zak Bennett, Planner, Vancouver – South, reviewed the application and, along with John Turecki, Parking Management, responded to questions.

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 and receipt of public comments:

- 7 emails in support of the application; and
- 2 emails in opposition to the application.

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 7:13 pm.

MOVED by Councillor De Genova

SECONDED by Councillor Jang

- A. THAT the application by Arno Matis Architecture, on behalf of S Benjamin Holdings Ltd., the registered owner, to rezone 512 West King Edward Avenue [PID 010-870-903; Lot 8, Block 680, District Lot 526, Plan 6539] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 3.00 and the building height from 10.7 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey residential building with 50 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 512 West King Edward 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 Arno Matis Architecture, on behalf of S Benjamin Holdings Ltd. and stamped "Received Planning Department, December 18, 2015", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

1. Reduction in the vertical height of retaining walls immediately adjacent to the public sidewalks and bicycle paths along both street edges.

Note to Applicant: This can be achieved through a variety of techniques, including, but not limited to, lowering the main floor elevation by 8 to 20 inches. This will allow for more green and planted landscape area by reducing the length of stairs and ramps required to reach the front door. Alternately, or in combination with a floor level reduction, portions of the wall above 1.5 m can be stepped back by a minimum of 1.2 m to provide planting. This may require alterations to the ground floor level to ensure adequate outdoor space for the dwelling units.

2. Provision of a high-quality finish to the building plinth that reflects the area history and provides visual interest and texture at the pedestrian scale along both edges.

Note to Applicant: Given the extent and prominence of this element, additional quality is sought. This can be achieved by providing a robust, quarried granite or basalt masonry wall. Enlarged details should be provided at the time of application. Note that this will require additional set back of the wall to clear the statutory right-of-way (SRW) required in condition (c)1.

3. Design development to the building entry sequence to improve its visibility, convenience, and generosity.

Note to Applicant: This can be accomplished by locating the entry lobby on Cambie Street where it is easily visible to visitors and provides an active use on the street. Pathways including stairways should be at least 7 ft. wide throughout. Consider locating the main floor amenity room adjacent to the lobby to facilitate social connections.

4. Design development to the main floor amenity room to improve its usefulness to all residents, including families and children.

Note to Applicant: This can be accomplished by improving the proportions and size of the room, as well as the amenity of the outdoor space.

5. Design development to the public realm interface along King Edward Avenue to support pedestrian and bicycle routes to the satisfaction of Engineering Services.

Note to Applicant: The proposed interface, including the bermed landscaping structure in the requested SRW is not feasible and an on-site solution will be required.

6. Design development to better reflect the architectural themes in the landscape design.
7. Design development to mitigate privacy and overlook toward nearby residential units.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features proposed to balance the amenity of future and existing residents.

8. Design development to meet the Cambie Corridor Draft Public Realm Plan including lane, side yard and front yard treatments.

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

9. Provision of high-quality and durable exterior finishes.

Note to Applicant: Intent is to maintain the proposed architectural quality including the use and extent of brick. Material choices should reflect a residential character and avoid an institutional character.

10. Submission of a bird-friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Refer to the Bird-Friendly Design Guidelines for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

11. The proposed unit mix including 26 one-bedroom units (52%) and 24 two-bedroom units (48%) is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the

Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

12. 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.

Landscape

13. A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
14. Section details at a minimum scale of 1/4"=1' scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
15. Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.
16. Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
17. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity.

Contact Cabot Lyford (604-257-8587) of the Park Board regarding tree species.

18. A high-efficiency automatic irrigation system is to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.

19. A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings. All existing lighting poles should be shown.

20. Design development to provide a more conservative tree removal strategy, enabling the retention and protection of as many healthy existing mature trees as possible.

Note to Applicant: It is expected that all developments will adhere to Council's Urban Forest Canopy Strategy by retaining a maximum of viable trees at the site edges, thereby still allowing development. It is understood that this may require revisions to the building footprint or parkade. A revised Arborist Report should also document and make recommendations for the choices of trees to be retained.

21. Design development to add significant landscape buffering at ground level (see also conditions (b) 1, (b) 5, (b) 6, and (b) 7, as follows:

- (i) Fronting Cambie Street - to improve the relationship to architecture and orientation to the street;

- (ii) Fronting West King Edward Avenue - to improve the relationship to architecture; and

- (iii) Adjacent to neighbouring properties - to increase privacy buffering.

22. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8" high curb.

23. Provision of maximized tree-growing medium and planting depths for tree and shrub planters to ensure the long-term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and

continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

24. Provision of improved sustainability by the provision of confirmed urban agriculture plots and the addition of edible plants to the Plant Palette.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

25. Design development to ensure locations of hydro kiosk areas screened by soft landscape or in an internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

Sustainability

26. 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.

27. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the

application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

Engineering

28. Provision of City of Vancouver building grades and corresponding design grades are required at all entries along the property lines.
29. Provision of an improved Landscape Concept drawing L.1.
30. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

- (i) Provide measures to address conflicts between vehicles on the ramps.
- (ii) Provision of parabolic mirrors are recommended at the bottom of the main ramp at the southeast corner on drawing A.202 and at the bottom of the ramp from P1 to P2 at the southeast corner on drawing A.201.
- (iii) Provide improved sightlines at the north edge of the parkade entry ramp at the lane. See Section A1 and 2 on drawing A.203.

Note to Applicant: The wall with landscape should not exceed 2 ft. in height from grade. Consider a corner cut to improve sightlines.

- (iv) Show all overhead security gates on plans.
- (v) Provide a section drawing through the disability parking spaces shown on P1 parking level confirming that the 7' 6½" vertical clearance is maintained for the length of the stall.
- (vi) Confirm vertical clearance of all overhead obstructions in parkade levels P1 and P2.

Note: The minimum vertical clearance line steps down to the outside walls of the parkade on the section drawings. All projections into a stall must comply with Section B of the Parking and Loading Design Guidelines.

- (vii) Clearly show and label all stall projections on drawings A.201 and A.202.
- (viii) Provide Class A bicycle parking spaces as per the Parking By-law.

Note to Applicant: The By-law does not recognize a stacking bicycle rack to count as two bicycle spaces towards meeting the minimum bicycle parking requirements. As per Section 6.3.13, bicycle parking spaces shall provide for the bicycle parking to be placed horizontally on the floor or ground.

- (ix) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp or elevator, if required.

- (x) Provide automatic door openers on the two doors providing access to the bicycle room(s).

Neighbourhood Energy Utility

- 31. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 32. 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 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.

33. 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.
34. 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, at development permit.
35. 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.

Housing

36. Design development to ensure that a minimum of 25% of the proposed secured market rental units are designed to be suitable for families with children.
37. The building is to comply with the High-Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette and accessible washroom.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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, Director of Planning the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Provision of building setback and a surface SRW along the King Edward Avenue frontage of the site to achieve a 4.5 m distance from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the existing City curb to the existing property line is required to determine the final setback and SRW dimension.

Note to Applicant: Removal of all landscaping and structure from grade and above within the proposed SRW along King Edward is required.

2. Should the existing sidewalks on Cambie Street adjacent to the site be damaged during construction activities then the sidewalk is to be replaced to current City standards and consistent with the Cambie Corridor Public Realm Plan consisting of a minimum 2.1 m wide concrete sidewalks with light broom finish and saw cut joints. Replacement is to be determined at the sole discretion of the General Manager of Engineering Services.
3. Provision of a Services Agreement to detail 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 all utility services 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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 for road re-construction on King Edward Avenue adjacent to the site to generally include:
 - (a) New concrete curb and gutter;

- (b) 2.35 m (7.75 ft.) raised cycle track;
- (c) 1.22 m (4 ft.) concrete boulevard with new street trees where space permits;
- (d) 2.14 m (7 ft.) concrete sidewalk with saw cut joints; and
- (e) 0.3 m (1 ft.) concrete building strip.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

- (iv) Provision for reconstruction of a portion of the center median on King Edward Avenue to accommodate the new road geometry including the removal or reduction of existing street trees. The City will provide a geometric for the design and confirm all dimensions.
 - (v) Provision of improved street lighting and additional pedestrian LED lighting adjacent the site.
 - (vi) Provision of a standard concrete lane crossing including adjustment of the two curb returns if required at the lane west of Cambie Street on the south side of King Edward Avenue.
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 mount transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and the Cambie Corridor Plan, that may include but are not limited to agreements which:

- (i) Require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes 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 third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.

The development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.

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.

Housing

- 6. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as rental housing units for the longer of 60 years or the life of the building, and subject to the following additional conditions:
 - (i) A no separate-sales covenant.
 - (ii) A non-stratification covenant.
 - (iii) None of such units will be rented for less than one month at a time.

- (iv) Such other terms and conditions as the General Manager of Community Services 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

7. 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 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-law and at no cost to the City.

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, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 512 West King Edward Avenue", 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) prior to enactment of the CD-1 By-law contemplated by this report.
- C. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as presented in Appendix C of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 512 West King Edward Avenue".
- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as presented in Appendix C of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 512 West King Edward Avenue".
- E. THAT A to 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 the 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 sole 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 (Vote No. 01533)

4. REZONING: 725-747 Southeast Marine Drive

An application by Serra Holdings (No. 2) Ltd was considered as follows:

Summary: To amend CD-1 (21) (Comprehensive Development) District for 725-747 Southeast Marine Drive to permit the development of a mixed-use development with 368 dwelling units, commercial uses, a child care facility and a neighbourhood house annex. A height of 63.1 metres (207 feet) and a floor space ratio (FSR) of 3.98 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Staff Opening Comments

Cynthia Lau, Planner, Vancouver South Division, presented the application and, along with John Turecki, Parking Management, and John Conicella, Serracan Properties Ltd., responded to questions.

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 and receipt of public comments:

- 9 emails in support of the application

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Pall Beesla
Dal Mahal
Angie Au
Charlotte Hayes

The speakers list and receipt of public comments closed at 7:30 pm.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor De Genova

- A. THAT the application by Serra Holdings (No. 2) Ltd., the registered owner, to amend CD-1(21) (Comprehensive Development) District for 725-747 Southeast Marine Drive [*PID 011-543-183; Lot 13 of Lot A, District Lot 327, Plan 11499*] to permit a floor space ratio (FSR) of 3.98, a building height of 63.1 m (207 ft.) to allow construction of a mixed-use development with 368 dwelling units, commercial uses, a child care facility and a neighbourhood house annex, generally as presented in Appendix A of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 725-747 Southeast Marine Drive", 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 Francl Architecture on behalf of Serracan Properties Ltd., and stamped "Received Planning Department, November 25, 2015", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

- 1. Design development to generally maintain building heights as proposed in the rezoning application.
- 2. Design development to better transition between proposed building massing and residential scale of development to the north.

Note to Applicant: A shoulder setback at the fourth storey should be included, consider a minimum setback of 2.4 m (8 ft.).

- 3. Design development to enhance livability of residential units.
 - (i) Enhance separation of residential space at Level 2 along south property line to mitigate visual and acoustic impact of vehicular traffic along Marine Drive. Consider over-height retail spaces to increase vertical separation between residential space and street below.
 - (ii) Consider substituting commercial use for Level 2 residential unit in the southeast corner of the tower.
 - (iii) Ensure appropriate orientation of primary living spaces in units facing the east/west mews so as to prevent overlook and comply with Horizontal/Vertical Angles of Daylighting.
- 4. Design development to the public open space and auto-court to achieve a safe, welcoming and useful place for the general public and residents, by providing clear sight lines from adjacent residential and commercial uses and a variety of activities and reasons for people to visit.
 - (i) Improve connections between the open space and the adjacent residential, childcare facility, neighbourhood

house annex and commercial uses that would permit visual and/or physical porosity.

- (ii) Reconfigure auto-court and enhance/increase buffer landscaping against podium townhouse units to improve privacy separation. (see Landscape Condition 12).
 - (iii) Consider reducing the hard surface area and ensure high quality paving treatment.
 - (iv) Reduce the number of auto-court parking stalls to the minimum required for drop-off function to minimize impact of vehicular traffic.
 - (v) Primary outdoor seating in the form of park benches located in a variety of areas.
5. Design development to the lane edge along the north property line.

Note to Applicant: Improve the interface along the pedestrian walkway by reducing retaining walls and increasing landscape measures to substantially reduce the appearance of the below grade parking structure.

6. Design development to the overall composition and proportion of buildings to minimize apparent bulkiness.
7. Design development to ensure that the expression of the various massing components achieve architectural excellence while remaining distinguished from each other.
8. Design development of the overall project to maintain the use of high-quality materials through all subsequent phases of approval.
9. Design development to architecturally integrate rooftop mechanical penthouse and elevator override service volumes into the overall form of each massing component.
10. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

Note to Applicant: Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

11. The proposed unit mix, including 57% one-bedroom units, 38% two-bedroom units and 5% three-bedroom units, is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board.

Crime Prevention through Environmental Design (CPTED)

12. 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.

Landscape Design

13. Design development to provide a more substantial landscape buffer between auto court and townhouse units, allowing for a transitional hierarchy of spaces between private, semi-private and public spaces. The buffer area should be expanded to minimum 10 ft. wide, in order to achieve this transition and should include low planter walls, gates and layers of planting. The design strategy should be in keeping with safety and CPTED principles.

14. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be sloped or altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

15. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8 in. high curb.

16. At time of development permit application:
 - (i) Provision of a full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical

names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- (ii) Provision of section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- (iii) Provision of sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade.
- (vii) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- 17. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

Social Policy

18. Design development to ensure that the childcare is licensable by Community Care Facilities Licensing and meets the intent of the *City's Childcare Design Guidelines and Childcare Technical Guidelines*. A minimum gross indoor area of 4618 sq. ft. and not less than 5,597 sq. ft. of outdoor area, with adequate space for each program, is required.
19. Design development to ensure that the indoor and outdoor spaces of the childcare are designed to maximize opportunities for healthy child development while ensuring an operationally sustainable facility for the non-profit operator.
20. Design development of the outdoor childcare space should maximize solar access, and must ensure that where outdoor space wraps around building corners, the wraparound radius is large enough for the full outdoor area to be supervisable and licensable. Storage must be accommodated on site for program equipment and strollers (parent and program).

Note to Applicant: All work for design, construction, fit, furnish, equip and supply for the childcare centre will be to the satisfaction of the City's Managing Director of Social Development, the City's Director of Facilities Planning and Development, and to the Regional Manager of Community Care Facilities Licensing.

21. Design development of a neighbourhood house annex on the ground level, fronting onto Fraser Street and adjoining outdoor patio space and the child care facility, comprising not less than 139 m² (1500 sq. ft.) of aggregate floor area. The facility should be designed to address the programming needs of a Neighbourhood House Annex, with access to adjacent ground floor patio area, together with associated parking and loading, garbage, recycling and bicycle parking as per the Parking By-Law. The facility should be designed together with the adjoining childcare centre for flexible use by a single operator, including consideration of a shared entrance or other connection between the facilities.

Note to Applicant: All work for design, construction, fit, furnish, equip and supply for the neighbourhood house annex will be to the satisfaction of the City's Managing Director of Social Development and to the City's Director of Facilities Planning and Development. Also, refer to the *Social Amenity Technical Guidelines*.

Sustainability

22. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management; or LEED Gold if using LEED for Homes midrise or another LEED Rating System and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

Engineering Services

23. Provision of revised building grades reflecting the dedication is required.
24. Provision of additional design elevations along the property line adjacent all entries, ramps and points of access clearly meeting City building grades.
25. Provision of crossing design to the satisfaction of the General Manager of Engineering Services.
26. Please review the City's Street Restoration Manual and show typical commercial crossing design on the plans and indicate if any existing street furniture, poles, street trees or underground utility is impacted by the crossing design and location. The final crossing design is to be clearly noted on the plans prior to development permit issuance.

27. Clarification of garbage pick-up operations, confirmation that a waste hauler can access and pick up from the locations shown.
28. Clarification that the garbage storage areas provide adequate space. Please review the City of Vancouver's garbage and recycle design supplement and indicate numbers of bins, recycling totters and dimensions for all items.
29. Clarification of any required BC Hydro power services. Please confirm if a vista switch, system vista or PMT are required for the site and clearly indicate the space on the plans.
30. Clarification of the water meter room location. Clearly identify the room on the plans.
31. Provision of crossing design to the satisfaction of the General Manager of Engineering Services.
32. Provision of an updated landscape plan that reflects the off-site improvements sought by this rezoning application.
33. Provision of a minimum 2.44 m (8 ft.) CIP concrete walk with saw cut joints along the north edge of the site between Fraser Street and Chester Street. The intent is to provide access to Chester Street for pedestrians and cyclists.
34. Provision of a minimum 1.22 m (4 ft.) landscape buffer with trees between the concrete walk and adjacent lane to the north, providing the request for trees does not conflict with the existing or future statutory right of way for sewers.
35. Removal of the existing wall between the site and the lane to the north.
36. Provision of the same hours of operation as the public park for the elevator providing universal access from Level 1 on Marine Drive to the plaza on Level 2.
37. Provision of additional building setback at the entrance on Fraser Street at elevation 37.20 to ensure that the doors do not swing into the ramp which provides universal access to the plaza.
38. Provision of improved pedestrian circulation for park access for people of all ages and abilities between the intersection of Marine Drive and Fraser Street and the public park. A family arriving at the plaza will need to pass through the courtyard/parking lot/loading area to have stairs free access to the park.

39. Design improvements to the loading operation and truck maneuvering to improve pedestrian safety in and around the loading operation. The current loading access design is nose-in, trucks will need to make multiple manoeuvres within the courtyard which is used by pedestrians for access to the park.
40. Provision of a Loading Management Plan to the satisfaction of the General Manager of Engineering Services, including the following:
 - (i) How the loading facility will operate.
 - (ii) Management of the facility, including on-site loading manager.
 - (iii) Size of the largest delivery vehicle delivering to the site and the expected frequency of all of the deliveries.
 - (iv) Specify routing of the trucks from the arterial streets to and from the loading space.
 - (v) Clarify the largest truck that the loading space(s) are designed to accommodate and provide all vehicle dimensions.
41. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.
 - (i) Provide additional detail for the loading bay design:
 - a maximum 5% slope and crossfall within the loading bays.
 - double loading bay throats for the Class B loading spaces.
 - additional loading bay width for the second and subsequent loading spaces (each additional space must be 3.8 m wide)
 - Provision of minimum 1.8 m wide walkways connecting loading spaces to all retail units including the walkways that pass in front of the residential units along the way.

Note to Applicant: The walkways are shared between residential access, public access, as well as loading.

(ii) Provision of a section drawing showing elevations, vertical clearances, and security gates for the main ramp and throughout the loading bay.

(iii) Indicate location of security gates on the drawings.

Note to Applicant: Security gates are required to separate the commercial parking area from residential parking areas.

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

(v) Provision of additional detail for the parking ramps.

Note to Applicant: The following must be addressed:

- The slope must not exceed 10% for the first 20 ft. from the property line.
- The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.
- Ramps which have a 15% slope and are exposed to the weather must be heated.
- Provide a 10 ft. x 10 ft. corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.
- Provide measures to address conflicts between vehicles on the ramp, parabolic mirrors are recommended.

(vi) Provision of additional detail for the parking areas in order to confirm the requirement of the bylaw are met, including:

- Maneuvering/drive aisle widths.
- Parking space dimensions.
- Column encroachment dimensions.
- Additional setbacks of parking spaces from walls.

- Overhead height clearance (2.3 m of vertical clearance is required for access and maneuvering to all disability spaces).
 - Location and dimensions of accessibility spaces.
 - Grades within the parking areas for drive aisles, parking spaces, and ramps.
 - Elevations at break points within the parking area.
- (vii) Provision of an improved plan showing bicycle parking layouts including lockers, bicycle parking spaces, and partition walls.
- (viii) Indicate the proposed access and egress route for bicycles from the Class A bicycle parking on the plans to the outside.
- (ix) Indicate the required Class B Bicycle parking on drawings.
- (x) Provision of automatic door openers on the doors providing access to the bicycle room(s).
- (xi) Provision of an alcove for the bike room access off the parking ramp and maneuvering aisle.
- (xii) Label the commercial and residential shared loading spaces as 'Residential and Commercial Shared Loading'.

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 Director of Planning, 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:

Planning

1. Arrangements to the satisfaction of the Director of Planning and Director of Legal Services in consultation with the General Manager of Engineering Services for a surface statutory right of way over the plaza, park and neighbourhood passageway.

Engineering Services

2. Provision of a 1.0 m dedication and an additional statutory right of way to achieve a 7.2 m dimension from the back of the

existing curb along the Marine Drive frontage of the site to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.

Note to Applicant: The setback is to be kept clear of door swings, encroachments and objects unless identified and approved in the related development permit for the site. Where a right of way is provided for there may be structure below grade and structure above grade at an elevation determined by the General Manager of Engineering Services in consultation with the Director of Planning. Where a dedication is provided for there is to be no structure above or below grade.

3. Provision of a minimum 2.44 m (8 ft.) statutory right of way along the north edge of the site to provide a bicycle and pedestrian connection (concrete sidewalk) between Fraser Street and Chester Street.
4. Provision of building setback and a surface SRW to achieve a 5.5.m distance from the back of the City curb to the building face along the Fraser Street frontage of the site. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.
5. Release of Easement & Indemnity Agreement 378402M (commercial crossings) 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.

6. Arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for a Right of Way for the provision of space to accommodate a Public Bike Share (PBS) Station.
 - (i) Size: At minimum, a 19 m x 4 m station should be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m.
 - (ii) Location: The station should be located on private property while still clearly visible to the public with 24/7 public access.
 - (iii) Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces

include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

- (iv) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
- (v) Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. There must be a minimum of 5 m vertical clearance. Ideally the station should receive 5 hours of direct sunlight a day.
- (vi) Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.

Note to Applicant: The size (19 m x 4 m) and location of the PBS space as shown on drawing A204 at the northwest corner of the site in the mews west of Fraser Street is acceptable provided that this location meets the grade requirements for PBS placement. (Item (iv) above).

- 7. Provision of a shared use loading agreement for the Class B loading spaces between the residential and commercial uses and label the spaces as 'Residential and Commercial Loading'.

Note to Applicant: The shared use agreement should specify allocated time periods for shared use by residential and commercial spaces.

- 8. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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 storm water connection into the existing 375 mm combined sewer on Fraser Street, approximately 10 m north from the combined manhole at the intersection of Marine Drive and Fraser Street. Should an extension of any existing main or construction of a new storm main be required the cost is to be funded 100% by the applicant. (Standard service connections are addressed at the building permit stage and are in addition to any sewer main upgrading that may be required.)
- (iii) Provision of sanitary connection to the existing 375 mm sanitary sewer along Marine Drive, west of Fraser Street. Construction of approximately 10 m of 200 mm sanitary sewer east from the existing sanitary manhole at the intersection of Fraser Street and Marine Drive the site must then connect into the proposed sanitary sewer along Marine Drive.
- (iv) Provision of a widened Statutory Right of Way 372114M (contains an existing storm sewer) to 20 ft. The SRW location is to be centered over the existing sewer pipe or as near as design issues will provide for or alternately arrangements to the satisfaction of the General Manager of Engineering Services for construction of a new sewer in the lane north of 700 Southeast Marine Drive from Chester Street to the lane west of Chester Street in place of a widened SRW. Confirmation that the alternate drainage is achievable will be required. Discharge of existing SRW 372114M will be required following commissioning of the new sewer should the alternate plan be preferred.
- (v) Provision of a bus shelter along the Marine Drive frontage of the site. The applicant is to pay all costs associated with installation of a bus shelter, foundations, drainage, electrical if required and the shelter itself will be supplied and installed by the City's street furniture contractor.
- (vi) Upgrading of the intersection lighting at Fraser Street and Marine Drive to LED lighting.
- (vii) Provision of 5.5 m (18 ft.) CIP concrete sidewalk on Fraser Street adjacent the site, clear of any encroachments including the future PBS station and the

- landscape and trees proposed at the north end of the site.
- (viii) Provision of new curb ramps and curb returns where necessary at the north east corner of Fraser Street and Marine Drive, north west corner of Chester Street and Marine Drive and both sides of the lane entry on the west side of Chester Street at the lane north of Marine Drive.
 - (ix) Provision of a concrete lane crossing at the lane entry on the west side of Chester Street at the lane north of Marine Drive.
 - (x) Provision of improved street lighting adjacent to the site to current standards. A lighting study is required to determine the extent of upgrading.
 - (xi) Provision of Accessible Pedestrian Signals (APS) at the intersection of Fraser Street and Marine Drive.
 - (xii) Provision of street trees adjacent the site where space permits.
 - (xiii) Provision of a letter of credit in the amount of \$100,000 towards traffic calming in the neighbourhood; the letter of credit will be cashed by the City within 5 years of the last occupancy permit being issued for the site. A base line traffic study is required to be in place prior to the start of construction with follow up studies as needed and determined by the General Manager of Engineering Services, for assessment of traffic impacts in the neighbourhood.
9. 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.

Social Policy

10. Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the Director of Real Estate, Managing Director of Social Development and Director of Facility Planning and Development, for the provision of an air space parcel with improvements of no less than 6,118 sq. ft. of indoor space on one level for the childcare facility, an adjacent outdoor space of not less than 5,597 sq. ft. of dedicated childcare outdoor area, a neighbourhood house annex and access to outdoor patio area for use by neighbourhood house annex, comprising a fully fit, finished, equipped, and supplied childcare facility and a fully fit, finished, and furnished multi-purpose facility suitable for neighbourhood house annex programming as part of the development at this site, along with dedicated parking stalls.

Public Art

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

Note to Applicant: Please contact the program manager at 604-871-6002, to discuss your application.

Soils

12. 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.
 - (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.

Community Amenity Contribution

13. Pay to the City the cash component of the Community Amenity Contribution of \$916,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$916,000 is to be allocated as follows:
 - (i) \$170,000 to be dedicated to childcare facility start-up costs;
 - (ii) \$65,000 to be dedicated to neighbourhood house start-up costs; and
 - (iii) \$681,000 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Sunset Community 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 registerable charges pursuant to 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 and at no cost to the City.

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 Parking By-law be amended to include this CD-1 and to provide parking regulations generally as presented in Appendix A of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 725-747 Southeast Marine Drive".

- C. THAT A and B 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 and the expenditures of funds of incurring of costs is at the sole risk of the person making the expenditures 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 sole 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 (Vote No. 01534)

5. REZONING: 1550 Alberni Street

An application by Merrick Architecture in conjunction with Kengo Kuma and Associates was considered as follows:

Summary: To rezone 1550 Alberni Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a 43-storey mixed-use building, comprised of market residential with commercial uses at grade, all over eight levels of underground parking. A height of 132.35 m (434 ft.) and an FSR of 14.15 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Staff Opening Comments

Linda Gillan, Rezoning Planner, Vancouver Downtown Division, presented the application and, along with Patrick O'Sullivan, Development Planner, Urban Development, Michael Gordon, Senior Planner, Vancouver - Downtown, and Alina Cheng, Parking Management, responded to questions.

Applicant Comments

Gregory Borowski, Merrick Architecture, provided opening comments.

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 and receipt of public comments:

- 22 emails in support of the application;
- 9 email in opposition to the application; and
- 1 email relating to other aspects of the application.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Bill Aube
Charles Gauthier
Kirk McLardie
Matthew Yoshitake
Ian Haywood-Farmer
Anthony Kupferschmidt
Nitin Madhvani
Dean Malone

The speakers list and receipt of public comments closed at 8:27 pm.

MOVED by Councillor Jang
SECONDED by Councillor Stevenson

- A. THAT the application by Merrick Architecture in conjunction with Kengo Kuma and Associates, on behalf of 1550 Alberni Property Inc. , to rezone 1550 Alberni Street [Lots A to E of Lots 11 to 13, Block 43, District Lot 185, Plan 1354; PIDs 014-829-410, 014-829-428, 014-829-444, 014-829-461 and 014-829-487 respectively] from DD (Downtown) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 6.00 to 14.15 to allow for the construction of a 43-storey mixed-use building, comprised of market residential with commercial uses at grade, generally as presented in Appendix A of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 1550 Alberni 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 Merrick Architecture in conjunction with Kengo Kuma and Associates, and stamped "Received City Planning Department, May 3, 2016", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development to further reduce the average floorplate of the tower above a height of 18.3 m (60 ft.) to meet the floorplate size objective of 603.9 m² (6,500 sq. ft.) as set out in the *West End Plan*.

Note to Applicant: The intent of the floorplate control is to limit building bulk in order to preserve views and maintain access to light to public areas. As such, the technical measure of floorplate should include areas of a floor that are open to below, structure, and storage; and should only exclude exterior balcony areas. The degree of visual porosity of the full-height parapet walls at the perimeter of Level 43 (transparency of glass, design of supporting structural members, and translucency of aluminum panels) will determine whether the roof deck areas of that level will be included into the computation of floorplate. Refer also to Condition 4.

2. Design development to maintain the general building form, balconies and architectural expression as illustrated.

Note to Applicant: Balcony area in excess of 12% will be included in the calculation of FSR, but shall not be captured in or converted to enclosed floor area or otherwise cause an increase in building bulk.

3. Design development to maintain the high quality materials and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic (this includes the minimal and flush detail conditions at floors, columns, soffits, guards, wedge-shaped floor extrusions, the layering of shingle panels, perforated metal panels and the domed lattice work at the forecourt).

Note to Applicant: Particular attention should be applied to the effects of weathering of architectural elements that are exposed contrasted to similar elements that are covered, such as exterior concrete columns. The proposed materials (aluminum shingle panels, domed lattice wood grid structure, butt glazing at commercial frontage, structural glass with glass fins on levels two through six, clear glazing in concealed aluminum frames on residential levels) and detailing are to be carried forward and remain through the development permit process

4. Retention of the unique architectural design and resulting low-efficiency floor layout of the building.

Note to Applicant: These were key factors in the pro forma analysis and resolution of the community benefits offering. The

City has acknowledged several premium cost components in the pro forma reviewed as part of the rezoning application, including the significantly reduced floor layout efficiency rate at 69%. If the applicant chooses to make alterations to the elements of the building design, which result in the removal of such premium cost items or in increasing the efficiency above 69%, Council approval must be sought through an application to change the form of development under Schedule 1, Section 16 of the Zoning and Development Fee By-law. Any implications this would have for the Community Amenity Contribution would be reported to Council at that time.

5. Design development to the physical composition and positioning of perforated aluminum screens at balcony locations to provide a high degree of visual porosity and to ensure the openness of these outdoor spaces.

Note to Applicant: The intent is to ensure good access to daylight for residents and to reduce the impression of solidity at balcony locations as viewed from public areas. Sufficient visual porosity of the panels as viewed both directly through and at an angle is required to 1) satisfy the technical requirement of Horizontal Angle of Daylight; and 2) to exclude the affected exterior balconies from the floorplate calculation. Details of perforated screens indicating material, finish and dimensions of components will be required. Screens at balconies should be noted as open to air flow and include dimensions to show that the screens occupy less than half of the balcony width, or in the case of a corner location, less than half of the balcony perimeter.

6. Design development to provide an enhanced public realm on Cardero Street consistent with the *Triangle West Streetscape Design Details* (see also Engineering enactment condition 4 (c)).
7. Design development to enhance the laneway interface.

Note to Applicant: Explore opportunities to improve and activate the laneway with active land uses. Consider pedestrian lighting, landscaping and gardens, seating, and other public realm improvements (see also Landscape condition 19).

8. Clarification of the intent of the use of the area on the roof of the loading area.

Note to Applicant: Further study and review of the neighbouring context is required to determine suitability of any use at that area. Any proposed structure located on the roof of the loading bay must not compromise the horizontal angle of adjacent residential units.

9. Provision of confirmation that the open domed garden and forecourt will not be enclosed at any time in the future;

Note to Applicant: This condition will be carried forward through to the development permit stage.

10. Design development to the landscaping and proposed use along Alberni Street to:
 - (a) Provide improved visibility to the ground level commercial space as viewed from the sidewalk;
 - (b) Imply that the forecourt area is for private use;
 - (c) Clearly identify entry locations; and
 - (d) Respond to Crime Prevention Through Environmental Design (CPTED) principles.

Note to Applicant: See also CPTED condition 15.

11. Provision of a vertical vent space to accommodate future exhaust from the commercial level.

Note to Applicant: Intent is to allow for a wider range of uses, including restaurants, without requiring the retrofitting of exhaust ducting on the outside of the building.

12. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

13. Design development to improve the circulation to the exterior children's play area.

Note to Applicant: The play area should be both handicap accessible and more conveniently accessed. Refer also to Urban Design condition 13.

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

15. Design development to comply with the Horizontal Angle of Daylight provision of the CD-1 By-law.

Note to Applicant: Ensure that exterior perforated aluminum panels are sufficiently porous to permit the required visual access to daylight from habitable spaces. Details of panels will be required at the development permit stage to meet the satisfaction of staff. Refer also to Condition 4.

Design development is also required to provide Horizontal Angle of Daylight to habitable spaces of units 302 and 303 if the area on top of the loading area is to be developed. Refer also to Condition 7.

Crime Prevention Through Environmental Design (CPTED)

16. 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.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

Sustainability

17. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The design strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

Landscape

18. Design development to the covered landscaped forecourt area to allow transparent visibility into the plaza from Alberni Street, while ensuring the plaza functions as a private space for private use only;

Note to Applicant: Confirmation is required that the planting will maintain visual access over time. The taller bamboo should be replaced with another plant for safe visual access from the street. The public to private transition should clearly indicate the plaza as a private space. The children's play area should be visible from all angles, rather than completely screened by planting. See also Urban Design conditions 12 and 13.

19. Design development to improve sustainability and expand programming to include urban agriculture plots if possible, as well as edible plants.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

20. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by a 0.2 m (8 in.) high curb.

21. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

22. Arrangements to be made for the City Engineer and Vancouver Board of Parks to review all existing City-owned trees, including along Alberni and Cardero streets, as well as the six trees along the lane.

Note to Applicant: Tree locations noted on the survey. Please call 311 for referral to Cabot Lyford, Urban Forestry, Park Board, and Kevin Cavell, Engineering Services. See also Engineering enactment condition 4 (i).

23. A full Landscape Plan to be provided at the development permit submission stage.
- (a) The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
 - (b) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
 - (c) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.
 - (d) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
 - (e) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
 - (f) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
 - (g) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- (h) Please place the following notes on the landscape plans;
 - (i) All plant material within the same continuous planting area which is located on street right-of-way within 10 m (32.8 ft.), measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m (2 ft.), measured from the sidewalk.
 - (ii) All plant material within the street right-of-way which is located outside of the areas described above shall not exceed 1 m (3.3 ft.) in height, measured from the sidewalk. Exceptions will be approved on a case-by-case basis by the City of Vancouver's Street Activities Branch.
 - (iii) All plant material shall be planted in such a way that it does not encroach on the adjacent roadway, sidewalk, bike lane or lane.
 - (iv) Planting proposed on street right-of-way should take into consideration parking and boulevard access requirements.

Engineering

- 24. Clarification is required that no portion of the building will encroach over the property lines.

Note to Applicant: Based on the grid-line locations, some building elements appear to be shown over the property lines on the elevation drawings (pages A310 - A313).

- 25. Clarification if any canopies or awnings are proposed to extend over the property lines (future property lines or SRW areas); if so a separate application to the General Manager of Engineering Services is required.
- 26. Clarify garbage pick-up operations. Confirm whether all bins are to be pulled out through the loading bays for pick up.
- 27. Delete the proposed curbing shown in the lane on drawing A206. The existing rollover curb is to remain.

28. Provision of two Class B loading spaces with double loading throats, to accommodate MSU trucks and provide 4.1 m (13.5 ft.) of vertical clearance.

Note to Applicant: The dimensions for the 2 Class B spaces shown on drawing A204 would meet this requirement. Confirm 4.1 m (13.5 ft.) of vertical clearance and the required loading throats are being provided and note on plans.

29. Provision of a Loading Management Plan outlining the following:
- (a) How the loading facility will operate, as two Class B spaces are proposed to be shared. Provide the framework for the detailed shared loading agreement.
 - (b) Management of the facility, including the name, phone number and email of the on-site loading manager.
 - (c) Provision of a sign outlining the loading procedure and site contact information to be posted on-site.
 - (d) Specify routing of the trucks from the arterial streets to and from the loading space and show maneuvering for the largest truck to identify any required geometric changes at the lane entrance/exit that are required. The truck routing should avoid using the Cardero Street Bikeway, if possible.
 - (e) Show the access route from the Class B loading spaces to reach the commercial and residential uses. The route must be 'stairs free' and confirm the use of an elevator, if required.

30. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

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

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

- (a) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the parking area, 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 sections

must be shown on the submitted drawings. The slope and crossfall of the loading bay must not exceed 5%.

32. Modification of the parking ramp design to the satisfaction of the General Manager of Engineering Services. The following must be addressed:
- (a) The slope must not exceed 10% for the first 6.1 m (20 ft.) from the property line. Additional design elevations are required along the outside radius of the ramp to confirm the slope and crossfall.
 - (b) The crossfall must not exceed 5%.
 - (c) The slope must not exceed 12.5% after the first 6.1 m (20 ft.) from the property line. Slopes of 15% may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m (13.1 ft.) in length.
 - (d) Provision of two-way traffic flow in the main ramp (Section I.B) - the current ramp design and column placements on the ramp does not allow for opposing vehicles to pass and affects maneuvering.
 - (e) Provision of 6.1m (20 ft.) of ramp width as 5.7 m (18.7 ft.) and 5.8 m (19.0 ft.) ramp widths are shown on drawing A205 and A206.
 - (f) Parking ramps must be designed to position vehicles perpendicular to the lane to facilitate ease of vehicle ingress and egress from either direction of travel in the lane.
 - (g) Provide corner cuts through the inside radiuses of the main parking ramp to enable two vehicles to pass each other unobstructed. Corner cuts are required at the top and bottom of ramps to provide adequate radii for continuous two-way traffic flow where 200 or more vehicles are being served. A standard 6m (20 ft.) ramp width would require a 2.7 m by 2.7m (9 ft. by 9 ft.) corner cut. Reduced corner cuts would be acceptable for wider ramps upon review.
 - (h) Provide increased width through the curved section of the parking ramp to enable two vehicles to pass unobstructed.
 - (i) Provision of additional maneuvering analysis for the parking ramp and parking levels. Exhibit 2 in the Bunt analysis dated March 22, 2016 is missing column locations

on the ramp, walls adjacent to the maneuvering aisle, and the maneuvering for the exiting vehicles from P1. Further analysis is required showing two-way flow on the ramp where 200 or more vehicles are being served with the necessary corner cuts and column adjustments. Confirm two-way flow is being provided by the bicycle elevator on drawing A203.

Note to Applicant: Explore providing two separate 3.7 m (12 ft.) wide ramps (inbound and outbound) with corner cuts and different ramp slopes. The existing slopes and crossfalls for the site may not work with a single ramp. Consultation with a Transportation Engineer is recommended.

- (j) Consider relocating the maneuvering aisle at the bottom of the ramp on P1 to be along the north property line to create greater separation between the maneuvering aisle and the revised drop-off space.
- (k) Remove the column encroachment into the maneuvering aisle at gridline A/3 on P1 and P2 to provide and improve 2-way flow.

Note to Applicant: The large column along the south wall encroaches into the maneuvering aisle.

- (l) Dimension all parking stalls and column encroachments and label all types of parking and loading spaces on the drawings as commercial or residential spaces.

Note to Applicant: A column 0.61 m (2 ft.) in length must be set back 0.61 m (2 ft.) from either the opening to or the end of the parking space. A column 0.91 m (3 ft.) long may be set back 0.1 m (1 ft.). Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 1.2 m from the end of the stall. Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns.

- (m) Provision of minimum vertical clearances for the main ramp, security gates, and loading bays.

Note to applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. A minimum vertical clearance of 2.3 m (7.5 ft.) is required for access and maneuvering to all disability spaces. A minimum vertical clearance of 4.1 m (13.5 ft.) is required for Class B loading spaces and maneuvering.

- (n) Provision of a bicycle elevator to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The minimum dimensions for a bicycle elevator are 2 m (6.6 ft.) in length and 2.1 m (6.9 ft.) in width with doors on either end. Provide additional detailed information for the bike lift and swinging doors shown on drawing A205.

- (o) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

Neighbourhood Energy Utility

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

- 34. 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 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.

- 35. 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.
- 36. Provide for 21 m² (226 sq. ft.) of 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*, at development permit.

37. Provide for up to 93 m² (1001 sq. ft.) of suitably located dedicated Neighbourhood Energy Room and design provisions to accommodate the City-designated NES, as outlined in the *Neighbourhood Energy Connectivity Standards - Design Guidelines*, to the satisfaction of the General Manager of Engineering Services.
38. 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 and to the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:
Engineering

1. Consolidation of Lots A, B, C, D & E, All of Lots 11 to 13, Block 43, DL 185, Plan 1354 to create a single parcel.
2. Provision of a building setback and a surface Statutory Right of Way (SRW) on Alberni Street to achieve a 4.5 m (14.8 ft.) distance from the back of the existing City curb to the proposed building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing and plantings at grade but the encroaching building portions shown below grade and at the 3rd storey and above will be accommodated within the SRW agreement.
3. Release of Easement & Indemnity Agreement 535278M (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 for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of

the documents along with executable discharge documents to affect the releases.

4. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided:

- (a) Provision of a standard concrete pedestrian lane crossing and new curb returns at the lane entrance south of Alberni Street on the east side of Cardero Street.
- (b) Provision of a new curb return and curb ramps at the south east corner of Alberni Street and Cardero Street (adjacent to the site).
- (c) Provision of Triangle West sidewalk treatments on the Cardero Street frontage of the site.
- (d) Relocation of the exiting utility kiosk mid-block on the Cardero Street frontage of the site so that it is out of the future sidewalk planned for this street frontage.

Note to Applicant: Should an acceptable location not be found on public property then the site is to provide on-site space to accommodate this kiosk including any legal arrangements (rights of way) to accommodate placement onto the site.

- (e) Provision of new 3.15 m (10.3 ft.) concrete sidewalks and 1.35 m (4.4 ft.) exposed aggregate front filler sidewalk with saw cut joints adjacent to the Alberni Street frontage of the site.
- (f) Provision of upgraded street lighting adjacent the site and new pedestrian scale lighting on Cardero Street adjacent to the site. A review of the existing lighting is required to determine its adequacy and upgraded lighting is to be provided where required.
- (g) Provision of geometric changes and street re-construction at the Cardero Street and Alberni Street intersection to allow for a fully protected bicycle and pedestrian friendly intersection adjacent to the site. Work to include adjustment of all utilities and services to accommodate the proposed geometric changes.

- (h) Provision of street reconstruction on Cardero Street adjacent to the site to allow for new curb and gutter, 2.5 m (8.2 ft.) raised protected bicycle lane, grass boulevard with street trees, CIP broomed finished sidewalks with saw cut joints and new curb ramps where required. Work to include adjustment of all utilities and services to accommodate the proposed geometric changes.
 - (i) Provision for removal and/or relocation of the street trees on Cardero Street adjacent to the site to accommodate the proposed geometric changes and new street trees adjacent the site where space permits.
 - (j) 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.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Neighbourhood Energy Utility

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and the *West End Plan*, that may include but are not limited to agreements which:

- (a) Require buildings within the development to connect to the City-designated NES at such time that a system becomes available;
- (b) Grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation;
- (c) Grant use of and access to suitable space required for the purposes of an energy transfer station as established in the *Neighbourhood Energy Connectivity Standards - Design Guidelines*, to the satisfaction of the General Manager of Engineering Services; and
- (d) Grant use of and access to the Neighbourhood Energy Room for the purposes of infrastructure and distribution equipment to the satisfaction of the General Manager of Engineering Services.

Note to Applicant:

- (i) A City-designated NES utility provider has been identified, and the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.
- (ii) The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
- (iii) 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.
- (iv) Design shall provide suitable space for the installation of NES equipment with adequate provisions for connection to outside NES distribution piping and communications conduit. Neighbourhood energy equipment may include,

but is not limited to; a steam to hot water converter station sized for neighbourhood service provision, an energy plant sized for neighbourhood service, energy transfer stations (ETS), and/or boiler equipment. 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.

Heritage Density Transfer

7. Secure the purchase and transfer of a total of 6,916 m² (74,444 sq. ft.) of heritage density (which has a total value of \$6,258,590) as follows:
- (a) A purchase of 6,274 m² (67,529 sq. ft.) of heritage density valued at \$5,739,965 from 101 West Hasting Street (Woodwards).

Note to applicant: The stipulated value for this heritage density is \$85.00 per buildable square foot.

- (b) A purchase of 642 m² (6,915 sq. ft.) of heritage density valued at \$518,625 from 71-77 East Hastings Street.

Note to applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$75.00 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 \$75.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

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

Amenity Bonus Density Transfer

8. Secure the purchase and transfer of a total of 3,586 m² (38,600 sq. ft.) of amenity bonus density (which has a total value of \$3,281,000) from 101 West Hastings Street (Woodwards).

Note to applicant: The stipulated value for this transferrable amenity bonus density is \$85.00 per buildable square foot.

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

Community Amenity Contribution (CAC) - Cash Payments

9. Pay to the City the cash component of the Community Amenity Contribution of \$22,460,450 which the applicant has offered to the City and is allocated as follows:
 - (a) \$8,250,000 toward public realm improvements in the West End area, which could include improvements to the Cardero Stroll, Alberni Street, Georgia Gateway, and Robson Village areas, including a new public plaza at Bute Street.
 - (b) \$10,657,838 toward renewal and expansion of community facilities serving the West End area, which could include the West End Community Centre complex, childcare, library, seniors' centre, and/or cultural space.
 - (c) \$3,552,613 toward affordable housing in the West End area.

10. Payment of the cash portion of the CAC is to be made as outlined below, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services:
 - (a) \$10,460,450 must be paid in cash prior to enactment of the CD-1 By-law; and
 - (b) The balance of \$12,000,000 must be paid in cash on the following milestones:
 - (i) \$3,000,000 to be paid upon the earlier of: (i) the date of issuance of the first Development Permit; and (ii) the date that is 12 months (measured in calendar days) following the date of rezoning enactment, with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date that is 12 months following the date of

rezoning enactment until the date that such amount is fully paid; and

- (ii) \$9,000,000 to be paid at or before the date that is 18 months (measured in calendar days) following the date of rezoning enactment, with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date that is 18 months following the date of rezoning enactment until the date that such amount is fully paid.
- (c) The deferral of \$12,000,000 of the cash CAC will be secured by a mortgage registered as a first charge against the Rezoning Lands in the Land Title Office (LTO) in priority over all other financial charges and any other charges as required by the City's Director of Legal Services or by such other security acceptable to the Director of Legal Services (the "City Security"). The City will be entitled to realize on the City Security if the required payments are not made to the City in the amounts and at the times set out above.

Public Art

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

Note to applicant: Please call 311 to be directed to the Public Art Program Manager to discuss your application.

Soils

12. If applicable:
 - (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (b) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

- (c) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and the Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 1550 Alberni Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 1550 Alberni Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated, September 6, 2016, entitled "CD-1 Rezoning: 1550 Alberni Street".

- 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 01535)

ADJOURNMENT

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:54 pm.

* * * * *