



PUBLIC HEARING MINUTES

JUNE 13, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, June 13, 2017, at 6:03 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Acting Mayor Raymond Louie
Councillor George Affleck
Councillor Elizabeth Ball*
Councillor Adriane Carr
Councillor Heather Deal
Councillor Kerry Jang
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tim Stevenson

ABSENT: Mayor Gregor Robertson
Councillor Melissa De Genova (Sick Leave)

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager

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

*Denotes absence for a portion of the meeting.

WELCOME

The Acting Mayor acknowledged we are on the unceded traditional territory of the Musqueam, Squamish, and Tsleil-Waututh First Nations.

COMMITTEE OF THE WHOLE

The Acting 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 Deal
SECONDED by Councillor Jang

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

LOST

(Councillors Affleck, Ball, Carr, Deal, Jang, Meggs, Reimer, Stevenson and Acting Mayor Louie opposed)

1. **TEXT AMENDMENT: 620 Cardero Street (formerly 1575 West Georgia Street) - WITHDRAWN**

2. **TEXT AMENDMENT: 955 East Hastings Street**

An application by GBL Architects was considered as follows:

Summary: To amend the text of Comprehensive Development (CD-1) District (561) By-law for 955 East Hastings Street to increase the maximum floor area for office uses from 1,150 sq. m to 1,318 sq. m.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

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

Speakers

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

The speakers list and receipt of public comments closed at 6:06 pm.

Council Decision

MOVED by Councillor Deal

SECONDED by Councillor Jang

- A. THAT the application by GBL Architects, on behalf of 900 H.S. Holdings Ltd. (Wall Financial Corporation), to amend CD-1 (561) By-law No. 10872 for 955 East Hastings Street [*PID: 029-260-558, Lot 1, Block 62, District Lot 181, Group 1, New Westminster District Plan EPP26162*] to increase the maximum floor area for office uses from 1,150 sq. m to 1,318 sq. m, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Text Amendment: 955 East Hastings Street", be approved.

- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; 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. 02021)

3. REZONING: 469-485 West 59th Avenue

An application by Francl Architects was considered as follows:

Summary: To rezone 469-485 West 59th Avenue from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 43 dwelling units. A height of 21 metres (69 feet) and a floor space ratio of 2.50 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

John Chapman, Planner, Vancouver South Division, reviewed the application.

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:

- 1 piece of correspondence in support of the application; and
- 2 pieces of correspondence in opposition to the application.

Speakers

The Acting Mayor called for speakers for and against the application.

Enrico Diano expressed concerns regarding various aspects of the application.

The speakers list and receipt of public comments closed at 6:22 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Carr

- A. THAT the application by Francl Architects on behalf of Vantac (W58th and W59th Ave) Properties Ltd., the registered owner, to rezone 469-485 West 59th Avenue [*Lots 8, 7, and 6, Block 1005, District Lot 526, Plan 9489; PIDs: 008-172-480, 009-671-901, and 007-473-630, respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.50 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing 43 units, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 469-485 West 59th 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 Francl Architects on behalf of Vantac (W58th and W59th Ave) Properties Ltd, and stamped "Received, Planning and Development Services, October 31, 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 the approval of 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 provide clearly identifiable pedestrian access to the building's main entry from 59th Avenue.
2. Design development to reduce apparent building bulk and reduce potential overlook by reducing the length of balconies on level six.
3. Design development to reduce overlook impacts from level five balconies.
4. Design development to each building façade to address and respond to the specific orientation and urban condition that it faces.

5. Design development to provide smooth transitions in site grading from building grades at site edges to building face.

Note to Applicant: Ensure that the parking level structure does not protrude above grade. Refer also to landscape condition 17.

6. Design development to provide visual interest and variation to the building's exterior by introducing individual entrances to ground level units facing the street.
7. Design development to improve the configuration of the outdoor amenity area.

Note to Applicant: To accommodate a variety of functions, the outdoor space should be scaled such that no side is less than 20 ft. Children's play space should be provided consistent with the expectations of the *High-Density Housing for Families with Children Guidelines*.

Crime Prevention through Environmental Design (CPTED)

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

Landscape Design

9. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

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

10. Provision of a Tree Plan.

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

11. Illustration of any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should be provided to describe the approach to rainwater management.

12. Provision of large scale, dimensioned, landscape sections [typical] through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

13. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 sq. m) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

14. Provision of written neighbor consent for the removal of tree # 101.

Note to Applicant: Legal ownership will need to be verified by legal survey. The arborist report tree plan indicates the tree is located on a neighboring property. In the event that a letter of consent cannot be obtained from the adjacent owner, design development and further arborist consultation will need to demonstrate retention of the tree.

15. Design development to avoid tall retaining walls along the front residential interface of 59th Avenue.

Note to Applicant: Grades and patio layout should be resolved to ensure that retaining wall heights are presented at a pedestrian scale of approximately 0.6 m. Higher walls may be needed where severe site constraints exist.

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

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal

plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

17. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

18. Consideration to incorporate the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City. 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>.

Sustainability

19. 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.

20. 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: 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.

Neighbourhood Energy Utility

21. 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.
22. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a 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.

23. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces,

distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

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

Engineering

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

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

27. Delete curbing shown in the lane.
28. Provision of a landscape plan that reflects the off-site improvements sought by this rezoning.
29. Existing wood power pole in lane conflicts with access to the main parkade ramp. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation are required. Written confirmation that the pole can be relocated is required.
30. First risers of all stairways must be at least 1 ft. from the property line.
31. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Increase the width of the knock out panel to align it with the east-west manoeuver aisle and the corner cut.
 - (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, throughout the parking levels, and at all entrances. The slope and length of the ramp sections to be shown on the submitted drawings.

- (iii) Reduce conflicts for the opposing parking ramps proposed in the lane.

Note to Applicant: Explore providing a reduced slope at the lane for improved sightlines.

- (iv) Provision of section drawings showing elevations and vertical clearances for the main ramp and for all security gates in the parking levels.

Note to Applicant: Minimum 2.3 m clearance is required for disability spaces.

- (v) Show all columns in the parking levels and dimension all column encroachments.

- (vi) Dimension the manoeuvre aisle on the P2 parking level.

- (vii) Provision of 8.5 ft. stall width for small car stall 62 next to a wall.

- (viii) Clarify if there is an overhead projection at small car stall 51.

Note to Applicant: Stall 51 should be set back to provide access to the residential storage. All overhead projections to be shown on parking level plans.

- (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, if required.

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

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, 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 6-8, Block 1005, District Lot 526, Plan 9489 to create a single parcel.

2. Provision of a shared access agreement (legal agreements) to secure access to underground parking within future development on the adjacent property at 463 West 59th Avenue (Lot 9, Block 1005, District Lot 526, Plan 9489) are required. Note: provision of a knockout panel (as alluded to on the applicant's drawing A-202) at the appropriate location along the vehicular entry ramp is required.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services 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 either:
 - a. A stormwater management plan that controls site flows such that pre- and post-development flows are equal for the 1 in 5 year storm. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems; or
 - b. Twinning of the existing combined sewer main in 59th Avenue from the lane east of Cambie Street to Alberta Street fully at the applicant's expense.

Note to Applicant: It may be possible to reuse the existing combined main as the sanitary sewer. The developer's Engineer to confirm.
 - (iii) Provision of street re-construction on 59th Avenue adjacent to the site to generally include the following:

- a. Provision of a "T intersection" curb bulge on the north side of 59th Avenue at the extension of Yukon Street, including adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: Engineering will provide the road geometry.

- b. Upgrading of the traffic signal at Cambie Street and 59th Avenue to provide a south bound to eastbound left turn arrow. Work to include adjustment of all existing infrastructure necessary to accommodate the signal upgrade.

Note to applicant: Traffic signal upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

- c. Provision of new 1.8 m CIP concrete sidewalk with saw cut joints adjacent the site.
- d. Provision of standard concrete lane crossing on the north side of 59th Avenue at the lane east of Cambie Street.
- e. Provision of street trees adjacent the site where space permits.
- f. Provision of street lighting upgrading to LED standard and pedestrian scale lighting adjacent the site.
- g. Provision of speed humps in the lane east of Cambie Street between 58th Avenue and 59th Avenue.

Note to applicant: Speed hump costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include

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

Neighbourhood Energy Utility

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 Marpole Community 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:

- a. 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.
- b. 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.

- c. 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.

Environmental Contamination

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

Community Amenity Contribution (CAC)

7. Pay to the City the Community Amenity Contribution of \$1,920,780 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 \$1,920,780 is to be allocated as follows:
 - (i) \$960,390 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole Community Plan area;

- (ii) \$864,351 (45%) toward childcare and community facilities in and around the Marpole Community Plan area; and
- (iii) \$96,039 (5%) to the Heritage Conservation Reserve to enable 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 registered 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-laws.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 469-485 West 59th Avenue".
- C. THAT A and B above be adopted on the following conditions:
 - (a) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (b) 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
 - (c) 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. 02012)

4. REZONING: 470-486 West 58th Avenue

An application by Francl Architects was considered as follows:

Summary: To rezone 470-486 West 58th Avenue from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 43 dwelling units. A height of 21 metres (69 feet) and a floor space ratio of 2.50 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

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

- 1 piece of correspondence in support of the application.

Speakers

The Acting Mayor called for speakers for and against the application.

Enrico Diano expressed concerns regarding various aspects of the application.

The speakers list and receipt of public comments closed at 6:32 pm.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Carr

- A. THAT the application by Francl Architects on behalf of Vantac (W58th and W59th Ave) Properties Ltd., the registered owner, to rezone 470-486 West 58th Avenue [*Lots 29, 28, and 27, Block 1005, District Lot 526, Plan 9489. PIDs: 004-594-363, 009-672-346, and 009-672-303, respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.50 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing 43 units, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 470-486 West 58th 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 Francl Architects on behalf of Vantac (W58th and W59th Ave) Properties Ltd, and stamped "Received, Planning and Development Services October 31, 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.
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1. Design development to provide clearly identifiable pedestrian access to the building's main entry from 58th Avenue.
2. Design development to reduce apparent building bulk and reduce potential overlook by reducing the length of balconies on level six.
3. Design development to reduce overlook impacts from level five balconies.
4. Design development to each building façade to address and respond to the specific orientation and urban condition that it faces.
5. Design development to provide smooth transitions in site grading from building grades at site edges to building face.

Note to Applicant: Ensure that the parking level structure does not protrude above grade. Refer also to landscape condition 17.

6. Design development to provide visual interest and variation to the building's exterior by introducing individual entrances to ground level units facing the street.
7. Design development to improve the configuration of the outdoor amenity area.

Note to Applicant: To accommodate a variety of functions, the outdoor space should be scaled such that no side is less than 20 ft. Children's play space should be provided consistent with the expectations of the *High-Density Housing for Families with Children Guidelines*.

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 - (i) theft in the underground parking;
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Landscape Design

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

11. Where applicable, provision of arborist reports to demonstrate tree retention.

12. Illustration of any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should be provided to describe the approach to rainwater management.

13. Provision of large scale, dimensioned, landscape sections [typical] through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

14. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 sq. m) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

15. Provision of written neighbor consent for the removal of trees # 16 and 17.

Note to Applicant: Legal ownership will need to be verified by legal survey. The arborist report tree plan indicates the trees are located on a shared property lines with the City and the neighbor. In the event that a letter of consent cannot be obtained from other owners, including the City, design development and further arborist consultation will need to demonstrate retention of the trees.

16. Further coordination with Park Board and Engineering Services with regard to the proposed removal of three street trees and one shared fir tree # 17.

Note to Applicant: Contact 311 for Park Board inspection of the trees and Engineering Development Review at 604-871-6730. In the event that the trees cannot be removed, design development and further arborist consultation will need to demonstrate retention of the trees.

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

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

18. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

19. Consideration to incorporate the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City. 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>.

Sustainability

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

21. 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: 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.

Neighbourhood Energy Utility

22. 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.
23. 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.

24. 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.
25. 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.
26. 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.

Engineering

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

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

28. Remove the curb and radius in the lane on City right-of-way shown on drawing A105.
29. First risers of all stairways must be at least 1 ft. from the property line.
30. Provision of a landscape plan that reflects the off-site improvements sought by this rezoning.
31. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Increase the width of the knock out panel to align it with the east-west manoeuver aisle and the corner cut.
 - (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, throughout the parking levels, and at all entrances. The slope and length of the ramp sections must be shown on the submitted drawings.
 - (iii) Reduce conflicts for the opposing parking ramps proposed in the lane.

Note to Applicant: Explore providing a reduced slope at the lane for improved sightlines.
 - (iv) Provision of section drawings showing elevations and vertical clearances for the main ramp and for all security gates in the parking levels.

Note to Applicant: Minimum 2.3 m clearance is required for disability spaces.
 - (v) Show all overhead gates on the main ramp and the parking levels.

Note to Applicant: Check the slopes in the parking levels shown on section drawings A-400 and A-401.
 - (vi) Show all columns in the parking levels and dimension all column encroachments.
 - (vii) Dimension the manoeuver aisle on the P2 parking level.

(viii) Provision of 8.5 ft. stall width for small car stall 62 next to a wall.

(ix) Clarify if there is an overhead projection at small car stall 51.

Note to Applicant: Stall 51 should be set back to provide access to the residential storage. All overhead projections to be shown on parking level plans.

(x) 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.

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

CONDITIONS OF BY-LAW ENACTMENT

(c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, 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 27-29, Block 1005, District Lot 526, Plan 9489 to create a single parcel.
2. Provision of a knockout panel (as alluded to on the applicant's drawing A-202) at the appropriate location along the vehicular entry ramp and arrangements (legal agreements) to secure access to underground parking within future development on the adjacent property at 464 West 58th Avenue (Lot 26, Block 1005, District Lot 526, Plan 9489) is required.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services 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) If sewer connection is made to the existing sewer in the lane east of Cambie Street, then:
 - a. Provide a stormwater management plan that controls site flows such that pre and post development flows are equal for the 1 in 5 year storm. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems; or
 - b. Twin the existing combined sewer main in 59th Avenue from the lane east of Cambie Street to Alberta Street fully at the applicant's expense.

Note to Applicant: It may be possible to reuse the existing combined main as the sanitary sewer. The developer's Engineer to confirm.

- (iii) If sewer connection is made to 58th Avenue then:
 - a. Provide a stormwater management plan that controls site flows such that pre and post development flows are equal for the 1 in 5 year storm, and discharge stormwater to existing swale on 58th Avenue. The condition of the swale must be assessed and any required improvements must be made at the applicant's cost. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
- (iv) Provision of street re-construction on 58th Avenue adjacent to the site to generally include the following:
 - a. New concrete curb and gutter.
 - b. Pavement to the north edge of the road.
 - c. Improved street lighting and additional pedestrian scale lighting.

- d. New 1.8 m CIP concrete sidewalk with saw cut joints.
- e. A standard concrete lane crossing on the south side of 58th Avenue at the lane east of Cambie Street.
- f. Street trees adjacent the site where space permits.
- g. Provision of street lighting upgrading to LED standard and pedestrian scale lighting adjacent the site.
- h. Provision of speed humps in the lane east of Cambie Street between 58th Avenue and 59th Avenue.

Note to Applicant: Speed hump costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

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

Neighbourhood Energy Utility

- 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 Marpole Community 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:

- a. 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.
- b. 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.
- c. 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.

Environmental Contamination

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

Community Amenity Contribution (CAC)

- 7. Pay to the City the Community Amenity Contribution of \$1,908,615 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 \$1,908,615 is to be allocated as follows:
 - (i) \$954,307 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole Community Plan area;
 - (ii) \$858,877 (45%) toward childcare and community facilities in and around the Marpole Community Plan area; and
 - (iii) \$95,431 (5%) to the Heritage Conservation Reserve to enable 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 registered 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.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official

having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 470-486 West 58th Avenue".
- C. THAT A and B above be adopted on the following conditions:
- (a) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (b) 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
 - (c) 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. 02013)

5. REZONING: 5733 Alberta Street and 376-392 West 41st Avenue

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

Summary: To rezone 5733 Alberta Street and 376-392 West 41st Avenue from RS-1 (One Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 54 dwelling units. A height of 21 metres (69 feet) and a floor space ratio (FSR) of 2.63 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

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

- 1 piece of correspondence related to other aspects of the application.

Speakers

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

The speakers list and receipt of public comments closed at 6:34 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor Ball

SECONDED by Councillor Jang

- A. THAT the application by GBL Architecture Inc. on behalf of 1011066 B.C. Ltd., the registered owners, to rezone 5733 Alberta Street and 376-392 West 41st Avenue [*Amended Lot 13 (See 231390L), Amended Lot 14 (See 231389L) and Amended Lot 15 (see 337852-L), all of: Block 857, District Lot 526, Plan 7737; PIDs: 010-337-512, 010-337-521, and 004-951-883 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 2.63 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing a total of 54 dwelling units, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by GBL Architecture Inc., on behalf of iFortune Homes, and stamped "Received Planning Department and Development Services (Rezoning Centre), November 4, 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 for the following:

Urban Design

1. Design development to clearly delineate between the public and private (residential) realms.

Note to Applicant: The first floor should be raised approximately 2 ft. above finished grade and complemented with landscaping features that further enhance this transition. Care should be taken on sloped sites to ensure this relationship does not create a blank wall condition at the rear of the site.

2. Design development to ensure that secondary crossing (Alberta Street) provides moderate enhancements to help increase overall neighbourhood connectivity.

Note to Applicant: Primary and secondary crossings help identify connections and links to parks and other community amenities and can be achieved with high-quality streetscape treatments such as street trees, special paving, street furniture, etc. Refer to Diagram 6.3 and Section 6.3.3 of the Cambie Corridor Plan.

3. Design development to ensure a minimum of 2 ft. along the lane between the rear property line and private architectural elements (i.e. stairs, porches, etc.) on the subject site to improve the lanescape through enhancements such as landscaping, public benches, etc.
4. Design development to provide a significant landscaped buffer between the west property line and the parkade ramp.
5. Design development to ensure adequate screening is provided along the rooftop decks of the two-storey townhouse units along the lane to mitigate overlook onto private rear yards across the lane and improve privacy.
6. Design development to meet the requirements of the "Roof-Mounted Energy Technologies and Green Roofs" administration bulletin, including:
 - (i) Ensure the roof design incorporates the minimum percentage of green roof area as recommended by the bulletin;
 - (ii) Support resident access to rooftop amenities; and
 - (iii) Minimize projections above the roof line as much as possible (i.e. no trellises), noting that resident access is limited to roof hatch access and that elevator/stair access is supported on the condition of common resident and/or public access.
7. The proposed unit mix, including 17 one-bedroom units (31%), 23 two-bedroom units (43%), and 14 three-bedroom units (26%), 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% two-bedroom and 10% three-bedroom units.

8. 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>.

Crime Prevention through Environmental Design (CPTED)

9. 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

10. Provision of a row of trees on private property on the residential lane interface.
11. Design development to the integration of the architecture, grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (to exceed BCLNA Landscape Standard).

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planter near property lines, the underground parking should angle downward near the corner (1 m in width and 1.2 m in depth).

12. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

13. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

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

14. Provision of a Tree Plan.

Note to Applicant: Provide a Tree Plan that is separate from the Landscape Plan and consistent with the survey and Arborist Report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including off-site trees and any necessary tree protection barriers. Tree replacements can be shown on the proposed landscape planting plans.

15. Illustration of any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: This is not a performance requirement. The Integrated Rainwater Management Plan (IRMP) is an emerging policy that supports rain water management on development sites. Provide a brief written rationale to describe the approach to rainwater management.

16. Provision of large-scale, dimensioned landscape sections through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball, including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

17. Provision of high-efficiency irrigation for all planted areas and individual hose bibs for all private patios of 9.29 sq. m (100 sq. ft.) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

Sustainability

18. 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.

19. 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 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 of 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

20. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum of 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the identified project street use permissions.
21. Remove the curb in the lane from the City right-of-way.
22. Remove the landscaping shown in the lane.
23. Provision of a 1.5 ft. (0.46 m) sod grass strip between the sidewalk and any proposed planting in the back boulevard on 41st Avenue and/or Alberta Street.

24. Relocate the tree proposed in the bulge at the intersection of Alberta Street and 41st Avenue to maintain sightlines.
25. Provision of inverted U bike racks on private property located a minimum of 36 in. from each other, any wall, pole, walkway or sidewalk. Each bike rack should be located to comfortably accommodate two bicycles without the bicycles encroaching onto the SRW or sidewalk.
26. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent to the lane.
27. Compliance with the Parking By-law and the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Number and dimension all parking spaces including dimensions for all parking stalls, column dimensions and stall clearances to walls or columns.
 - (ii) Provision of design elevations on both sides of the parking ramp sections at all breakpoints, throughout the parking levels, and at all entrances. The slope and length of the ramp sections must be shown on the submitted drawings.
 - (iii) Provision of a 4 ft. x 4 ft. corner cut on the inside radius at the bottom of the main ramp to improve two-way traffic flow.
 - (iv) Provision of parabolic mirrors to be installed at the bottom of the main ramp and the ramp from P1 to P2.
 - (v) Provision of updated plans showing the width of the knockout panel.

Note to Applicant: Minimum width should be provided to align with the east-west manoeuver aisle and to accommodate a corner cut at the bottom of the ramp for maneuvering into the adjacent parcel.

- (vi) Provision of section drawings showing elevations and vertical clearances for the main ramp and for all security gates in the parking levels.

Note to Applicant: Minimum 2.3 m clearance is required for disability spaces.

- (vii) 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.

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

Neighbourhood Energy Utility

- 28. 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.

- 29. 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.

- 30. 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.
- 31. 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.

32. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, 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 Amended Lot 13 (See 231390L), Amended Lot 14 (See 231389L) and Amended Lot 15 (see 337852-L), all of: Block 857, District Lot 526, Plan 7737 to create a single parcel.

Note to Applicant: Restrictive Covenants GB25051 and GB25052 (See 201266L and 191912L) on title prescribe a minimum value of any new dwellings on the properties, and stipulate that the siting and architectural design of any such dwelling requires the approval of the CPR Company. As these charges are not in favour of the City, adherence is not a requirement for redevelopment of the properties; however the applicant may wish to pursue having these charges released from title.

2. Provision of a building setback and a surface statutory right-of-way (SRW) to achieve a 4.5 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 and SRW dimension.

Note to Applicant: The SRW is to be free of any encumbrance such as structure, stairs, door swing, landscape and bicycle parking at grade.

3. Provision of a shared access agreement for vehicular traffic onto the adjacent site via the parkade ramp, to a future development on 408 West 41st Avenue (Amended Lot 16, Block 857, District Lot 526, Plan 7737) as indicated by the knockout panel on page A-305 on the applicant's plans.
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) 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 project 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 a report or management plan by a registered professional demonstrating that post development stormwater runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
- (iii) Provisions of improvements on 41st Avenue adjacent to the site to generally include the following:
 - a. New concrete curb and gutter.
 - b. Raised protected bike lane.
 - c. New CIP concrete sidewalk.
 - d. New curb ramps at the Alberta Street/41st Avenue and Alberta Street/lane south of 41st Avenue corners of the site.
 - e. Improved/upgraded street lighting and additional pedestrian scale lighting including adjustment to all existing infrastructure to accommodate the proposed street improvements.

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

- (iv) Provision of a 7 ft. (2.13 m) wide CIP broom finish concrete sidewalk with saw cut joints and a 7 ft. (2.13 m) sod grass front boulevard on Alberta Street.

- (v) Provision of a standard concrete lane crossing on the west of Alberta Street at the lane south of 41st Avenue including new curb returns and ramps on both sides of the lane entry.
- (vi) Provision of two corner bulges on the west side of Alberta Street adjacent the site including adjustment of infrastructure required to accommodate construction of the corner bulges.

Note to Applicant: Transportation will provide a geometric for the road works.

- (vii) Provision of a "rain garden/infiltration bulge" adjacent the site. Testing of the soil adjacent the site to determine the adequacy of the soils to accommodate construction of a rain garden/infiltration bulge is required. Should testing prove the soils adequacy the applicant is to construct the garden/bulge to the satisfaction of the City Engineer.
- (viii) Provision of a cash contribution of \$150,000.00 towards construction of a pedestrian signal at Alberta Street and 41st Avenue.
- (ix) Provision of speed humps in the lane south of 41st Avenue from Alberta Street to the lane east of Cambie Street.
- (x) Provision of street trees adjacent the site where space permits.

5. Provisions 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 includes 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 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.
- (iii) Grant use of and access to suitable space required for the purpose 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 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.

Environmental Contamination

7. If applicable:

- (i) Submit a site profile to Environmental Services (Environmental Protection);
- (ii) As required by the Manager of Environmental Services 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 Services 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 Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Community Amenity Contribution

- 8. Pay to the City a Community Amenity Contribution of \$2,510,230 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 \$2,510,230 is to be allocated as follows:
 - (i) \$1,255,115 towards the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
 - (ii) \$1,004,092 towards childcare and community facilities serving the community in and around the Cambie Corridor Plan area; and
 - (iii) \$251,023 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 enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st Avenue".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st Avenue".
- D. THAT A through C above be adopted on the following conditions:
 - (a) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (b) 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
 - (c) 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. 02014)

6. REZONING: 5030-5070 Cambie Street

An application by Pennyfarthing Hillcrest Developments Ltd. was considered as follows:

Summary: To rezone 5030-5070 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 51 dwelling units. A height of 20.3 metres (67 feet) and a floor space ratio (FSR) of 2.40 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Michelle McGuire, Senior Rezoning Planner, Vancouver South Division, reviewed the application.

Summary of Correspondence

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

Speakers

The Acting Mayor called for speakers for and against the application.

Allan Buium spoke in support of the application.

The speakers list and receipt of public comments closed at 6:51 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability, and Engineering Services staff responded to questions.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Deal

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd., the registered owner, to rezone 5030-5070 Cambie Street [*Lots 8, 9, and Amended Lot 10 (Explanatory Plan 8233), all of Block 840, District Lot 526, Plan 8324; PIDs: 010-152-245, 005-762-723 and 010-153-764, 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 2.40 FSR and the height from 10.7 m (35 ft.) to 20.3 m (67 ft.) to permit the development of a multi-family residential building containing a total of 51 market residential units, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5030-5070 Cambie Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Shift Architecture Inc., on behalf of Pennyfarthing Development, and stamped "Received Planning Department, August 5, 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 provide an improved relationship to the landscape design at the adjacent Milton Wong site.

Note to Applicant: Noting the significance of the landscape design by Cornelia Oberlander, it is recommended to provide a more consistent landscape treatment at adjacent open spaces. A more organic, natural landscape, including the use of basalt, should be provided consistent with the Milton Wong site. The landscape treatment should read as continuous across the site boundaries, particularly at the residential entry and inner courtyard. See Landscape Condition 7.

2. Design development to the courtyard to provide additional common outdoor amenity space.

Note to Applicant: The courtyard should incorporate seating nodes, which also incorporate soft landscaping, along the central circulation path to provide opportunities for social contact. A minimum of three user-friendly, passive seating nodes, with minimum of two benches each should be provided. Children's play space should be provided consistent with the expectations of the *High-Density Housing for Families with Children Guidelines*.

3. 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>.

4. Design development to the north end of the building to provide a more residential scale.

Note to Applicant: Reconsider the proposed monolithic end walls. It is suggested to provide a finer grain in terms of material treatment and fenestration, which may reference the horizontal proportions of the retained Milton Wong house at the adjacent site.

Housing

5. The proposed unit mix, including 8 three-bedrooms (16%), 30 two-bedrooms (59%), 12 one-bedrooms (23%), 1 studio (2%) and 3 two-bedroom townhouses (7%) are 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 softer transition from the Milton Wong site to acknowledge the heritage value of that site and achieve a more organic, naturalized character at the north site plan, by the following:
 - (i) Replace hard edges of path, planters, benches and play area with more organic, informal forms, continuing the lines of the heritage rock formation;
 - (ii) Replace the water feature at the front entry with another, smaller rock outcrop feature, of similar geologic composition as the heritage rock, to be made of naturally occurring rock; and
 - (iii) Integrate hard and soft materials of similar type as the Milton Wong site.
8. Design development to provide a more conservative tree removal strategy, enabling the relocation of Trees #13 and 16, to be re-integrated into the final landscape design.

Note to Applicant: It is expected that all developments will adhere to Council's approved Urban Forest Canopy strategy, by retaining a maximum of viable trees while still allowing development. A revised Arborist Report should document and

make recommendations for methods of protection for trees to be retained.

9. 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.

10. 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 exceed BCSLA standards.

11. Provision of improved sustainability by the provision of confirmed urban agriculture plots and the addition of edible plants to the proposed 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.

12. A Letter of Assurance for arborist supervision, detailing construction activities and landscaping that need to be supervised. The letter should include timing required by the arborist to schedule site attendance and to be signed and dated by arborist, owner and contractor.

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'-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.

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 Park Board regarding tree species.
18. 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.
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 light poles should be shown.

Sustainability

20. 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.

21. 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 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 of 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

22. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
23. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
24. Deletion of the specialty sidewalk treatments or other extensions that extend over the property line onto Cambie Street and the lane.
25. Subject to City Council approval, Provision of sidewalk treatments in keeping with the Cambie corridor public realm plan. An updated landscape and site plan that reflects both the Cambie corridor sidewalk treatments and proposed off-site improvements sought by this rezoning is required. Please supply an update plan directly to Engineering for review.

Note to Applicant: All first step risers are to be 1'-0" behind the property lines.

26. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the parking area, and at all entrances.

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

- (ii) Relocate the Class A loading space, closer to the elevator core.
- (iii) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

Note to Applicant: Locating the Class A loading space to stall 9 would achieve this.

- (iv) Provision minimum vertical clearance for the main ramp and security gates.

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. Show all overhead gates on the parking plans.

- (v) Consider providing additional stall width for stalls 14 and 56 as these stalls are adjacent to perpendicular stalls.
- (vi) Dimension all stalls and all column encroachments.

Note to Applicant: Stalls 14-20, 28-30, and 50-56 are missing stall lengths.

- (vii) 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.

- (viii) Confirm the bike rack shown on drawing L01 can accommodate 6 Class B spaces as the rack is only being used on one side.

Neighbourhood Energy Utility

- 27. 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.

28. 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.

29. 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.
30. 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.
31. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering Services

1. Consolidation of Lots 8, 9 and Amended Lot 10 (Explanatory Plan 8233), all of Block 840, District Lot 526, Plan 8324 to create a single parcel.

2. Provision of a shared access agreement for vehicular access onto the adjacent property at 485 West 35th Avenue [Amended Lot 11 (Explanatory Plan 8233), Block 840, District Lot 526, Plan 8324] is required.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of a new bus stop including bus ID (signage), bus shelter and concrete landing space for bus users on the east side of Cambie Street, north of 35th Avenue. Specific location to be determined pending detailed review by CMBC and Transportation Design Branch.
 - (ii) Provision street re-construction or cash payment for street improvements on Cambie Street adjacent to the site to generally include the following; new curb and gutter, a 2.5 m wide raised protected bike lane, a 2.13 m (7 ft.) wide broom finish concrete sidewalk with saw cut joints, improved street and pedestrian LED lighting including a lighting analysis and design, and adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.
 - (iii) Provision of street trees adjacent the site where space permits.
 - (iv) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, 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.

- (v) Upgrading of approximately 110 m of the existing 250 mm combined sewer is required. The existing combined sewer is to be upgraded through provision of a minimum 200 mm sanitary sewer and a minimum 375 mm storm sewer to be constructed from the manhole upstream of the existing northerly combined connections that currently serve the site to the manhole at the intersection of the lane east of Cambie Street and 35th Avenue. The cost is fully at the applicant's expense and is currently estimated at approximately \$275,000.

Note to Applicant: A detailed design of the civil works for this sewer upgrade are to be substantially completed prior to issuance of the related development permit.

- (vi) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain storm water storage systems.
- (vii) Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

- 4. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a 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 a 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.

Environmental Contamination

- 5. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, the General Manager of Engineering Services and Director of Legal Services,

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

Community Amenity Contribution

6. Pay to the City a Community Amenity Contribution of \$2,124,870 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 \$2,124,870 is to be allocated as follows:
 - (i) \$1,062,435 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
 - (ii) \$849,948 towards childcare and community facilities serving the community in and around the Cambie Corridor Plan area; and
 - (iii) \$212,487 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 enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5030-5070 Cambie Street".

- C. THAT A and B above be adopted on the following conditions:
- (a) 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;
 - (b) 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
 - (c) 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. 02016)

* * * * *

At 6:53 pm, Councillor Ball rose and declared conflict of interest on Item 7, as she resides close to the proposed rezoning development site. She left the meeting and did not return until the conclusion of Item 7.

* * * * *

7. REZONING: 210-262 West King Edward Avenue

An application by STRAND Development was considered as follows:

Summary: To rezone 210-262 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a four storey residential building with 52 secured market rental units. A height of 13 metres (44 feet) and a floor space ratio (FSR) of 1.77 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Zak Bennett, Planner, Vancouver South Division, reviewed the application.

Summary of Correspondence

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

Speakers

The Acting Mayor called for speakers for and against the application.

Allan Buium spoke in support of the application.

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

Council Decision

MOVED by Councillor Deal

SECONDED by Councillor Carr

- A. THAT the application by STRAND Development, on behalf of DBBD PROJECTS (262 West King Edward) Ltd., the registered owner, to rezone 210-262 West King Edward Avenue [*Lots 6 to 8, Block 682, District Lot 526, Plan 6539; PIDs: 010-879-196, 010-879-226 and 004-284-909 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space (FSR) from 0.70 to 1.77 FSR and the height from 10.7 m (35 ft.) to 13.0 m (44 ft.) to permit the development of a four-storey residential development containing a total of 52 secured market rental units, generally as presented in Appendix A of the Policy Report dated March 28, 2017, entitled "CD-1 Rezoning: 210-262 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 Yamamoto Architecture, on behalf of Strand Development, and stamped "Received Planning Department, June 15, 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 relocate the outside amenity space adjacent to the inside amenity space and integrate into the overall courtyard design.

Note to Applicant: The current location, at and near the transformer is not supportable and is not co-located with the internal amenity space.

2. Design development to improve the screening of the transformer.

Note to Applicant: This can be achieved with either build elements or landscape material.

3. Design development to ensure and maintain the use of high quality, durable materials.

Note to Applicant: Hardie board is not considered to be a high quality material. The use of brick is supported.

4. 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>.

Housing

5. The proposed unit mix, including 5 three-bedrooms (10%), 15 two-bedrooms (29%), 29 one-bedrooms (56%) and 3 studios (6%) are 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, as follows:
 - (i) Tree #766 - to be retained and protected; and
 - (ii) Tree #769 - to be relocated.

Note to Applicant: It is expected that retained or relocated trees to be integrated into the landscape design. This will require revisions to the parkade to accommodate safe tree protection. A revised arborist report or addendum should be submitted, to confirm methods of protection. If arborist supervision is required, then a Letter of Assurance should also be provided, signed and dated by arborist, owner and contractor.

8. Design development to improve the livability of the common courtyard by the following:
 - (i) Widen the common areas as much as possible, to achieve a more usable space.
 - (ii) Provide more opportunities for informal seating and gathering by including some lawn areas, seat walls and additional benches.
 - (iii) Ensure that planters over parkade in common areas are flush with grade, rather than raised, for a smooth, unobstructed visual experience. This will require alterations to the parkade height, in order to allow adequate depth of soil.
 - (iv) Relocate the children's play area, including benches for parent supervision, further from the PMT location. The play area should be located in proximity of an indoor amenity room, where visual access for adult supervision of children can take place.

9. Design development to expand programming to include urban agriculture plots in common outside areas, with notations on plan to confirm.

Note to Applicant: This should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

10. 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.

11. 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.
12. 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.
13. 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.

14. 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.
15. 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.
16. 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.
17. 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.

Sustainability

18. 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.

19. 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 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 of 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

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

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

21. Provision of on-site garbage holding area at the lane edge.
22. Removal of special paving, benches and other features proposed on public property near the intersection of King Edward Avenue and Columbia Street.

23. Clarification that the accessible ramp adjacent to King Edward Avenue is fully on private property.
24. Provision of groundcover or other low landscape on private property near the intersection of the lane and the sidewalk on Columbia Street to ensure good lines of sight between pedestrians and vehicles exiting the lane.
25. Provision of an updated Landscape Plan that reflects the off-site improvements sought for this rezoning.
26. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Label and number all types of parking. Electric vehicle spaces should be labelled on the drawings.
 - (ii) Provision of additional design elevations on both sides of the parking ramps at all breakpoints, both sides of the manoeuver aisle, throughout the parking level, and at all entrances.

Note to applicant: slopes and lengths of slopes to be calculated and shown at the center and both sides of the ramps.
 - (iii) Modification of the parking ramp design to improve sightlines and operations for the parking ramp (located less than 15 m from the adjacent property's ramp). Modifications include:
 - a. Design development to reduce grades at the ramp for the first 20 ft.
 - b. Provision of a convex mirror to be installed on the east side of the parking ramp wall. To be shown and noted on drawings.
 - c. Provision of a corner cut at the SW corner of the parking ramp.
 - d. Provision of landscaping and structure not to exceed 0.6 m in height from road grade to top of structure at the SW corner of the parking ramp.
 - (iv) Provision of a 6.6 m (22 ft.) manoeuvring aisle width or 2.74 m (9 ft.) stall width.

- (v) Provision of additional parking stall width, minimum 2.7 m (8.10 ft.), for stalls adjacent to a wall.
- (vi) Provision of hatching adjacent the access aisle in front of the mechanical/ plumbing/sprinkler/water entry room and the NW staircase.
- (vii) Provision of Class B bicycle parking in accordance with the Parking By-law.

Note to Applicant: Required class B bicycle parking is to be provided on-site. Engineering recommends the following placement practices; Use of single ring or inverted u bike racks that are a minimum of 36 in. from any wall, building or other vertical element and from each other and 48 in. separation is recommended.

- (viii) Provision of an improved plan showing the access route for 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.

- (ix) Provision of automatic door openers on the doors providing access to all bicycle room(s).

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering Services

1. Consolidation of Lots 6 to 8, Block 682, District Lot 526, Plan 6539 to create a single parcel.

Note to Applicant: It is recommended that efforts be made to discharge Restrictive Covenants GB47590 and GB47591 from title. However, as these covenants (which require approval from the CPR Company for and set a minimum dollar value of any proposed house) are not in favour of the City, their release is not a condition of redevelopment of these properties.

2. Provision of a statutory right-of-way (SRW) for public pedestrian use of an expanded sidewalk over an area in the northwest

corner of the site measured 0.55 m deep at the west property line and tapering in an easterly direction to provide a distance of approximately 4.6 m from the back of the curb to the south edge of the right of way.

Note to Applicant: Door swings are not to extend over the statutory right of way line, the underground parking exit stairwell door-swing and at least one residence entry gate (A0.7a) would appear to extend over the proposed SRW line.

3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of a cash payment of up to \$175,000.00 towards the installation of a pedestrian activated traffic signal at the intersection of Columbia Street and King Edward Avenue. Such signal to be installed at a date and time that is at the discretion of the General Manager of Engineering Services.
 - (ii) Provision of speed humps in the lane south of King Edward Avenue between Columbia Street and Yukon Street, subject to neighbourhood review.
 - (iii) Provision of street re-construction on King Edward Avenue adjacent to the site to generally include the following: new curb and gutter, curb ramps and curb return, a 2.5 m raised protected bike lane, a 1.22 m grass front boulevard with street trees, a 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints, including adjustment to all existing street infrastructure to accommodate the proposed King Edward Avenue improvements.

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

- (iv) Provision of upgraded street lighting on King Edward Avenue and Columbia Street and new pedestrian scale lighting on King Edward Avenue adjacent the site to meet current lighting standards.
- (v) Provision of new 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints and new curb ramps, and

- street trees on the Columbia Street frontage adjacent to the site.
- (vi) Provision of a standard concrete lane crossing on the west side of Columbia Street at the lane south of West King Edward Avenue including replacement of curb returns and curb ramps on both sides of the lane entry should it be necessary to meet standards.
 - (vii) Provision of adjusted or new traffic regulatory signage on West King Edward Avenue adjacent the site.
4. 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.
 5. Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flow rate will be less than or equal to current site run-off.
 6. Provision of all utility services to be underground. All electrical services to the site must be primary with all electrical plant including but not limited to system vista, vista switch gear, pad mounted transformer and street vaults or any additional required hydro equipment is to be located on private property.
 7. The applicant is to provide confirmation that all required electrical plant is provided for on-site. There is to 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.

Housing

8. 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*.

Environmental Contamination

9. If applicable:
- (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have 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 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 Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated March 28, 2017, entitled "CD-1 Rezoning: 210-262 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) and prior to enactment of the CD-1 By-law contemplated by the report above.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated March 28, 2017, entitled "CD-1 Rezoning: 210-262 West King Edward Avenue".
- D. THAT A through C above be adopted on the following conditions:
 - (a) 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;
 - (b) 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
 - (c) 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. 02017)
(Councillor Ball absent for the vote due to conflict of interest)

8. REZONING AND HERITAGE DESIGNATION: 809 West 23rd Avenue

An application by EDG Homes Ltd. was considered as follows:

Summary: To rezone 809 West 23rd Avenue from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit conversion, rehabilitation, and heritage designation of the existing church building and infill residential development containing six dwelling units (with potential for additional lock-off rental units). A height of 11.4 metres (38 feet) and a floor space ratio (FSR) of 1.14 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Michelle McGuire, Senior Rezoning Planner, Vancouver South Division, reviewed the application.

Applicant Comments

Paul Phillips, EDG Homes, provided opening comments and 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:

- 37 pieces of correspondence in support of the application; and
- 26 pieces of correspondence in opposition to the application.

Speakers

The Acting Mayor called for speakers for and against the application.

The following spoke in support of the application:

Daniel Oleksiuk
Mark Friesen
Scott de Lange Boom
Allan Buium
Caitlin Anderson
Paul Rapp
Neale Adams

The following spoke in opposition or expressed concerns regarding various aspects of the application:

Aileen La Borie
Benjamin La Borie
James Timms
Peter Smith
Dale Leibel

The speakers list and receipt of public comments closed at 8:32 pm.

Applicant Closing Comments

Paul Phillips, EDG Homes, provided closing comments and responded to questions.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Jang

- A. THAT the application by EDG Homes Ltd. on behalf of The Lodge on Willow Ltd., the registered owners, to rezone: 809 West 23rd Avenue [PID 004-516-486; Lot 9 of Lot B, Block 617, District Lot 472, Plan 5325] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.14 FSR and the height from 10.7 m (35 ft.) to 11.4 m (38 ft.) to permit conversion, rehabilitation and protection of the existing church building and infill residential development containing a total of 6 dwelling units, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning and Heritage Designation: 809 West 23rd 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 EDG Homes Ltd. and stamped "Received City Planning Department, September 12, 2016", subject to the following conditions, 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 improve the privacy of unit courtyards as follows:
 - (i) provide a substantial landscape buffer between the pathway west property line;
 - (ii) ensure that landscape species for the above will afford privacy to neighbouring sites; and
 - (iii) provide confirmation that timed exterior lights or similar will be used for these western facing units.

Note to Applicant: The foregoing are measures to mitigate impacts and improve privacy to the western neighbour.

2. Design development to improve the privacy and overlook of the proposal by:
 - (i) Reduce the family room window of Unit 1 from 14'-0" to 10'-0" in width;
 - (ii) Reduce the size and/or number of windows at the upper levels (bedrooms) to the extent possible; and
 - (iii) Employ, if possible, translucent glazing.

Note to Applicant: In the case of bedroom windows, in two instances, window widths should be reduced to 2'-6" in width. The above conditions are to improve the privacy and overlook of the proposal to the neighbouring site(s).

3. Design development to ensure and maintain the use of high quality, durable materials.

Note to Applicant: All habitable rooms, including bedrooms should have direct access to a window for provision of light, views and ventilation. Primary living spaces, such as living rooms, of north-facing units on the 2nd and 3rd floors must have a direct outlook to the street or lane. Provision of light and views must be achieved without negative impact on privacy of neighbouring developments.

4. Design consideration to reduce the size of the master bedroom deck, attic level, Unit 5.

Note to Applicant: The above area is not well integrated with the roof design and massing of this structure.

Crime Prevention Through Environmental (CPTED)

5. Design development to consider the principles of CPTED, having particular regard for security in the in between spaces towards the lane.

Landscape Design

6. Design development to grades, retaining walls, walkways and structural design, to ensure neighbouring grades are met and outside private spaces are respected. This should be confirmed by the provision of minimum three east-west sections, from building face to west neighbouring property. The sections should be of sufficient scale to detail fences, walls, walkway, stairs and other landscape elements.
7. Design development to provide a higher quality landscape plan, of similar character to neighbourhood context, to provide a friendly orientation to both streets. This should consist of additional front yard trees, substantial, layered planting beds and open visually accessible front yards.
8. 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. No trenching for utility hook-ups shall take place inside tree protection zones.

9. Provision of further arboricultural information, to discuss in detail methods of safe protection for retained trees, in context of proposed revised 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. For protection of all retained trees, careful construction methods should be detailed, such alternate methods of tree protection, exploratory digging to determine actual extent of Critical Root Zones, possibility of hydro-vac or other arboricultural measures.
10. Provision of improved sustainability by the provision of edible plants.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design.

11. 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.
12. Consideration to explore design options that respect the City of Vancouver Bird Friendly Design Guidelines.

Note to Applicant: Refer to relevant documents - <http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf> and <http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>

13. Provision requirements at the time of Development Permit application:
 - (i) 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) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including benches, fences, gates, arbours and trellises, and other features.
 - (iii) 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.

Engineering

14. The proposed planting beyond the property lines should be deleted from the plans. When the sidewalks are widened there will not be adequate space to accommodate the plantings without them encroaching over the sidewalks. Lawn should be supplied in the small gap from back of sidewalk to property line.

15. Update the landscape plan to reflect the off-site improvements required of this rezoning and submit a copy directly to engineering for review.
16. The first risers of all entry walks/stairs are to be 1'-0" behind the property lines. Stairs on drawing A19 show encroaching steps, please pull steps back behind the property line.
17. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:
 - (i) Provision of additional design elevations within the parking area, on both sides of the overhead door and at the property line to calculate the slope and crossfall.
 - (ii) Provision of 5.5 m stall length for all parking spaces and adequate stall width per the parking and loading design guidelines.

Note to Applicant: Additional stall width is required for all stalls adjacent to walls.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of new concrete saw cut sidewalks adjacent the site.
 - (ii) Provision of upgraded curb ramps at the corner of 23rd Avenue and Willow Street, adjacent the site.

- (iii) Provision of a concrete lane crossing on the west side of Willow Street at the lane north of 23rd Avenue.
- (iv) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the 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.

Note to Applicant: The development should tie sanitary and storm sewer connections into the existing mains on 23rd Avenue.

- 2. 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.

Heritage

- 3. The owner enters into a Heritage Restoration Covenant for the rehabilitation, restoration and long-term protection of the heritage building. The agreement is to be completed and registered in the Land Title Office to the satisfaction of the Director of Planning and the Director of Legal Services prior to the enactment of the rezoning by-law.

Note to Applicant: The agreement must be signed by the owner and any party with a financial charge on the title to give priority. The purpose of the agreement is to secure the protection of the heritage building during and after construction and ensure its rehabilitation in a timely manner consistent with a conservation plan, in addition to allowing the City to place a commemorative plaque on the building or lands, and related

manners. Please contact the heritage planner to receive a copy of the draft agreement for review.

4. Designation of the exterior of the heritage building as a protected heritage property, pursuant to sections 593 and 594 of the *Vancouver Charter* and enactment of the Heritage Designation By-law by Council.
5. Submit a finalized copy of the Conservation Plan for the heritage building as prepared by the heritage consultant.

Soils

6. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have 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 registered 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 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 existing church building (the "heritage building"), at 809 West 23rd Avenue [PID 004-516-486; Lot 9 of Lot B, Block 617, District Lot 472, Plan 5325] be added to the Vancouver Heritage Register in the 'C' evaluation category.
- C. THAT, pursuant to Sections 593 and 594 of the *Vancouver Charter*, Council approve the designation of the heritage building as protected heritage property.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning and Heritage Designation: 809 West 23rd Avenue".
- E. THAT A through D above be adopted on the following conditions:
 - (a) 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;
 - (b) 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
 - (c) 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. 02018)

9. HERITAGE DESIGNATION: 2733 Franklin Street (Ross Residence)

An application by Skladan Design Architecture and Interiors was considered as follows:

Summary: To designate as protected heritage property the exterior of the existing building at 2733 Franklin Street, known as the Ross Residence, which is listed on the Vancouver Heritage Register in the 'B' evaluation category.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence was received on this application since it was scheduled for public hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 9:04 pm.

Applicant Closing Comments

Jason Skladan, Skladan Design Architecture and Interiors, provided brief closing comments.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Jang

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, the by-law to designate as protected heritage property the exterior of the existing building at 2733 Franklin Street [PID: 013-410-679; Lot 27, Except Part in Plan 5584, of Lot 40, Town of Hastings Suburban Lands, Plan 467], known as the Ross Residence, which is listed on the Vancouver Heritage Register in the 'B' evaluation category.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02019)

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:05 pm.

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