



## PUBLIC HEARING MINUTES

OCTOBER 17, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, October 17, 2017, at 6:08 pm, in the Council Chamber, Third Floor, City Hall.

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

**CITY MANAGER'S OFFICE:** Sadhu Johnston, City Manager

**CITY CLERK'S OFFICE:** Lori Isfeld, Meeting Coordinator

\*Denotes absence for a portion of the meeting.

### WELCOME

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

### COMMITTEE OF THE WHOLE

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

MOVED by Councillor Louie  
SECONDED by Councillor Jang

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

### LOST

(Councillors Affleck, Ball, Carr, De Genova, Deal, Jang, Louie, Reimer, Stevenson and Mayor Robertson opposed)

## 1. REZONING: 2221-2223 Main Street

An application by Catalyst Community Development Society and Marcon Developments Ltd. was considered as follows:

Summary: To rezone 2221-2223 Main Street from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a stepped nine-storey mixed-use building with 145 social housing units and commercial uses at grade. A height of 30.8 metres (101.1 feet) and a floor space ratio (FSR) of 3.33 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.

Council also had before it a memorandum dated October 6, 2017, from the Director, Affordable Housing Projects, and the Assistant Director of Planning, Midtown Division, advising that since referral to Public Hearing, staff had determined that changes were required within a Condition of Approval for Housing outlined in Appendix B of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street". The changes were proposed to provide clarification on the affordability levels for the proposed social housing units.

Accordingly, on pp. 15-16 of Appendix B, the following revisions to Condition of Approval (c)14(ii) were recommended, (shown below with ~~strikeout~~ to indicate deletion and ***bold and italics*** to indicate insertion):

14. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Section 219 Covenant, Housing Agreement pursuant to section 565.2 of the Vancouver Charter, or other security, to secure:
  - (i) a minimum of 44 units will be occupied by households with incomes below the housing income limits as set out in the current "Housing Income Limits (HILS)" table published by the British Columbia Housing Management Commission or equivalent publication, at a rent which is no more than 30 per cent of household income;
  - (ii) ~~the remaining 101 units will be rented at rates not to~~ ***average rents across all units will not*** exceed 80 per cent of average area rental rates as published and updated from time to time by Canada Mortgage and Housing Corporation in their annual Rental Market Report;

It was noted that no action by Council was required, as the Summary and Recommendation for this item had been prepared to reflect the changes outlined in the memorandum.

Subsequently, during the staff presentation on this application, it was noted that an additional revision within Condition of Approval (c)14(ii) on pp. 16 of the Summary and Recommendation was required, to clarify the rental maximum benchmark as rents set out in the Vancouver Development Cost Levy By-law.

Accordingly, on pp. 16 of the Summary and Recommendation, the following revision to Condition of Approval (c)14(ii) were recommended, (shown below with ~~strikeout~~ to indicate deletion and ***bold italics*** to indicate insertion):

14. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Section 219 Covenant, Housing Agreement pursuant to section 565.2 of the Vancouver Charter, or other security, to secure:
  - (i) a minimum of 44 units will be occupied by households with incomes below the housing income limits as set out in the current "Housing Income Limits (HILS)" table published by the British Columbia Housing Management Commission or equivalent publication, at a rent which is no more than 30 per cent of household income;
  - (ii) ~~average rents across all units will not exceed 80 per cent of average area rental rates as published and updated from time to time by Canada Mortgage and Housing Corporation in their annual Rental Market Report;~~
  - (ii) ***average rents across all units will not exceed 80 per cent of the maximum rents set out in sections 3.1A and 3.1B of the Vancouver Development Cost Levy By-Law;***

### Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application and responded to questions.

### Applicant Comments

Robert Brown, Catalyst Community Developments Society provided opening comments.

### Summary of Correspondence

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

- 2 pieces of correspondence in support of the application; and
- 4 pieces of correspondence opposed to the application.

### Speakers

The Mayor called for speakers for and against the application.

The following spoke in general support of the application but also recommended changes to the orientation of the site:

Justin Nelson

The following spoke in opposition to the application:

Stephanie Seidle

The speakers list and receipt of public comments closed at 6:39 pm.

### Staff Closing Comments

Planning, Urban Design and Sustainability staff addressed points raised by the speakers.

### Council Decision

The motion below contains the above-noted revision to the Summary and Recommendation, which was approved at the meeting. The revised condition is shown in ***bold and italics***:

MOVED by Councillor Louie

SECONDED by Councillor Stevenson

- A. THAT the application by Catalyst Community Development Society ("Catalyst") and Marcon Developments Ltd. ("Marcon"), on behalf of the Vancouver Affordable Housing Agency ("VAHA"), as agent for the City of Vancouver (the "City"), to rezone 2221-2223 Main Street [*Lot 6; Lot 7, except the south 6.44 feet; Amended Lot 8 (See 124528L); Lot 9; Lot 10; and Lot 11, all of Block 37, District Lot 200A, Plan 197; PIDs: 013-420-283; 013-420-305; 005-173-019; 005-173-027; 005-173-043 and 005-173-051 respectively*], from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit a stepped nine-storey mixed-use building with 145 social housing units and commercial uses at grade, with a floor space ratio of 3.33 and a maximum building height of 30.8 m (101.1 ft.), generally as presented in Appendix A of the Policy Report dated September 5, 2017 entitled "CD-1 Rezoning: 2221-2223 Main 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 Rositch Hemphill Architects and stamped "Received Planning, Urban Design and Sustainability, May 19, 2017", provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning, Urban Design and Sustainability, who shall have particular regard to the following:

## Urban Design

1. Significant design development to the proposed building form, in order to respond to the sloping site topography and the terminating view from Kingsway.

Note to Applicant: This should include a relocation of building mass from the top storey on the north side to the southeast corner where an extra storey may be added to give physical prominence to this corner.

2. Design development to the south commercial retail units interfacing with the future park, with finished floor elevation to follow the existing topography.

Note to Applicant: Removing the proposed elevated patio on proposed Parks land, and staggering the floor elevations to approximately 104 ft. on the west side and 106 ft. on the east side, would satisfy this condition. Also refer to Parks conditions. Vancouver Park Board staff have indicated that new design of the park will likely follow the existing grade, which will meet the rear lane elevation with a smooth transition. Park Board staff have also indicated that a rectangular site shape for the park will be sought.

3. Design development to achieve a residential architectural character with a rich palette of materials and textures; a stronger expression of the residential balconies; and a response to the specific orientations of the four elevations for passively reducing solar gain during the summer months.
4. Design development to provide an activating relationship to the park from the residential component, by providing a direct secondary "convenience" entry to the residential component of the building when approached from the south side while also retaining the main, elevator-served residential entry on the north side of the building.

Note to Applicant: Locating an indoor and/or outdoor amenity area directly facing the park on level 2 and a direct physical and visual linkage are also recommended.

5. Relocation of the pad-mounted transformer to an at-grade location on the development site, to be directly accessible from the service lane.
6. Identification on the architectural drawings of any built features intended to create a bird friendly design.

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

7. The proposed unit mix, including 28 studio units (19%), 45 one-bedroom units (31%), 42 two-bedroom units (29%), and 30 three-bedroom units (21%), 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 35% of the dwelling units designed to be suitable for families with children.

#### Crime Prevention through Environmental Design (CPTED)

8. 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

9. Design development of the Public Realm treatment to meet the intent of the Mount Pleasant Public Realm Plan.
10. Design development to provide a more conservative tree removal strategy, including as a minimum, Trees #380, 381 and 382 (Red Maples in good condition).

Note to Applicant: These trees are located on the future Park land and do not appear to require alterations to the building. Confirmation from the Park Board is required. 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 of retained trees during construction. If arborist supervision is required, then a Letter of Assurance should also be provided, signed and dated by arborist, owner and contractor.

11. Design development to relate the building more with the Park, by creating a stronger visual and access link and by programming the common patio to make the transition from building to Park.

12. Design development to re-orient the children's play area to a roof location with more solar access and visual linkage to the park, while allowing visual access from an indoor amenity room for parental supervision.
13. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

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

14. Design development to improve sustainability by the provision of diverse, edible plants, in addition to urban agriculture plots on inhabitable roofs.

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.

15. 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. The plan should read clearly in black and white, without tones or shading.
  - (ii) A Tree Management Plan, showing all existing trees to be retained/relocated/removed, complete with tree protection in coordination with arborist report.
  - (iii) 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, at a depth that exceeds BCSLA standard.

- (iv) 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.

- (v) 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.

- (vi) Coordination of new proposed street trees with Engineering and the Park Board, confirming species and locations, and addition of the following note:

Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm caliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.

- (vii) 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.

- (viii) 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.

- (ix) Provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection.

- (x) Provision on the landscape drawings of landscape features intended to create a bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at:

<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

## Sustainability

- 16. All new buildings in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), 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.

- 17. In lieu of the requirements in Condition (b) 16, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezonings - Process and Requirements* (amended April 28, 2017 or later).

18. If, at time of development permit, the applicant chooses to meet requirements for the Green Buildings Policy for Rezonings (amended February 7, 2017), they will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

### Engineering

19. 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 & 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.
20. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent the site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

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

22. Clarify if plants or sod are proposed in the front boulevard on East 6th Avenue.

Note to Applicant: Landscape drawings to include a detailed plant list. All plantings on City right of way to comply with the *Boulevard Gardening Guidelines*.

23. Provide a 1'-6" (0.46 m) sod grass strip between the sidewalk and any proposed planting in the boulevard.

24. Show the existing utility poles in the lane on the site plan.

Note to Applicant: The existing wood poles in lane may conflict with access and manoeuvring to the Residential Class B loading. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation may be required. Should a conflict exist, written confirmation of the ability to relocate or remove the pole is required from all affected utility companies.

25. Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts or loss of existing lane lighting then provision of replacement lighting and/or upgrading of the lane lighting to current standard will be required.

26. Provision of an updated landscape plan that reflects the off-site improvements and Mount Pleasant Public Realm plan treatments sought by this rezoning.

27. Please ensure that SRW dimensions are clearly measured from back of the existing curbs, not the front. (Plans only reference "curb" not "back of curb".)

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

- (i) Show the overhead gate for the main ramp and the loading bays on the plans.
- (ii) Ensure O/H gate maintains full manoeuvring aisle width when operating. Either delete door shown in gate or confirm gate and door will open as "one" and not reduce required manoeuvring aisle width.
- (iii) All parking stalls to be numbered and dimensioned on the drawings including clearances to walls or structures.
- (iv) Dimension the manoeuvre aisle widths on all parking levels.

Note to Applicant: Minimum 6.6 m (21.8 ft.) maneuvering aisle width is required or provide 2.74 m (9 ft.) stall widths.

- (v) Provide a 10 ft. x 10 ft. corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.
- (vi) Explore opportunities to improve two-way flow and sightlines at the parking ramps from P1 to P4 parking levels. View slots and parabolic mirrors are recommended.
- (vii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp and through the loading bays.
- (viii) Label the minimum clearance for parking levels on the drawings, including overhead gate and mechanical projections.

Note to Applicant: Minimum 2.3 m clearance is required to all disability spaces and 3.8 m clearance is required for the Class B loading.

- (ix) Dimension the Class B loading bays and load throats.
- (x) Provision of design elevations on both sides of all loading bays to calculate the slope and crossfall.
- (xi) Provide double throats for the Class B loading spaces.

Note to Applicant: Double throats are required to facilitate approaches and departures to and from both 6<sup>th</sup> and 7th Avenues.

- (xii) Additional loading bay width of 3.8 m is required for the second and subsequent loading spaces.
- (xiii) Confirm that internal, stair-free loading routes are provided from the Commercial loading bays to all of the Commercial units.
- (xiv) Provision of updated plans 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, if required.

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

- (xvi) Class B residential bicycle parking to be relocated to a visible location on private property as per the Parking By-law.
- (xvii) Adjust the architectural columns located at the south east corner of the site (dwg L1.1, May 2017) so they are not in the sidewalk that connects Main Street to the lane within the park area.

29. Provision of a residential parking update 1 year post-occupancy.

### Neighbourhood Energy Utility

- 30. 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.
- 31. 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.

- 32. 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.
- 33. 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*.

Note to Applicant: The site would be serviced by the City-designated NES from 6th Avenue.

34. Provide for suitably located Neighbourhood Energy Room and design provisions to accommodate the City-designated NES, as outlined in the *Neighbourhood Energy Connectivity Standards - Design Guidelines*, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Design provisions shall allow for the future installation of heat producing equipment (boilers/heat pumps) in the building parkade. The room location must be suitable for accommodating boiler ventilation and flues, and connecting to the NEU distribution piping.

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

### Housing

36. Housing to be designed in accordance with the City's Housing and Technical design guidelines, including the requirement for a minimum of 5% of units to be accessible.

### Parks

37. The design, construction and programming of the park are to be determined through a separate, Park Board-led process.

Note to Applicant: The Park Board-led process will confirm the amenities to be included in the park. Elements such as a Public Bike Share station, shown in the site plan, or other non-park related infrastructure are not supported within the park parcel.

38. Design development to provide a contiguous, rectangular park parcel totaling no less than 985 m<sup>2</sup> (10,600 sq. ft.).
39. Building is to meet City building grades at the new shared property line, including an at-grade connection at Main Street and an at-grade connection at the lane. The park will meet these existing grades through its design.
40. No private development or non-park uses are to be located in the park parcel.

Note to Applicant: If the patio amenity servicing the private property extends into the park parcel, the third-party operator will be required to enter into a license agreement outlining terms for revenue sharing. The agreement will be renewed regularly with terms to the satisfaction of the General Manager of the Park Board.

41. Park Board arborist approval required for tree protection plan for all trees on site. Plans to be submitted for Park Board approval at each phase of development.

42. Park Board arborist approval required for any impacts on, or planned removal or relocation of, existing street trees.
43. Park Board arborist review of tree health and retention or relocation within the park site will be required.
44. License agreement for construction staging within the undeveloped Park Parcel, subject to the satisfaction of the General Manager of Parks and Recreation.
45. Anticipated that Park Parcel will be designated as permanent park by the end of the first quarter of 2022.

#### 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 Parks and Recreation, the General Manager of Engineering Services, the Managing Director of Cultural Services, the General Manager of Community Services (or successor in function), and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

##### Engineering

1. Subdivision of Lot 7, Except the South 6.44 Feet, Amended Lot 8 (See 124528L), and Lots 6, 9, 10 and 11; all of Block 37, DL 200A, Plan 197 to create a northerly parcel (Sub-area 1) for housing, and a southerly parcel (Sub-area 2) for Park; with the dedication of the south 1.0 m and the east 2.6 m of the southerly parcel for road purposes.
2. Resolution of the lane ownership is required prior to issuance of a development permit.

Note to Applicant: Portions of the lane that are required for access to the development are not owned by the City. Legal Services has commenced a petition to the Supreme Court of BC in order to assert the City's ownership of the lane.

3. Provision of a Statutory Right of Way (SRW) for public pedestrian use of an expanded sidewalk over the area of the northerly parcel adjacent to the Main Street frontage to give an overall distance of 5.5 m (18 ft.) from the back of the existing City curb to the building face for the entire length of that parcel; and the area adjacent to the E 6th Avenue frontage to give an overall distance of 4.5 m (14 ft. 9 in.) from the back of the existing City curb to the building face.

Note to Applicant: A legal survey showing the existing distance from the back of the City curb to property line is required to determine the final building setback/SRW dimension. The SRW is to be free of any encumbrance such as structure, stairs, door-swing, landscape and bicycle parking at-grade and to consist of typical sidewalk treatments; however, below-grade structures and portions of the building from the third storey and above will be accommodated within the SRW agreement.

4. Release of Easement & Indemnity Agreement 250881M (commercial crossing) and Covenant E3313 (off-site parking) prior to building occupancy.

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

5. Provision of replacement Commercial parking spaces on this site to the satisfaction of the General Manager of Engineering Services.
6. Provision of a letter of commitment to provide the City with a Residential Parking Study one year after occupancy, including the number of parking spaces in use by residents by unit type, and vehicle ownership survey of building residents.
7. 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 the development connects to the 200 mm combined main, then the developer must separate the

combined main adjacent to the proposed development, in the lane west of Main Street (north of the lane west of Main Street and 7th Avenue intersection). Separated sanitary and storm main to be designed and constructed to City of Vancouver Sewers Design Manual and Construction Specifications. Existing combined main may be used as the storm main following CCTV review and approval by City of Vancouver Sewers Design Branch. CCTV footage to be provided by developer.

- (iii) Provision of the following Mount Pleasant public realm sidewalk treatments adjacent the site.

*"Streetscape components as per the Mount Pleasant Community Plan Implementation including sidewalk paving materials and finishes between the curb and building face on Main Street and E 6<sup>th</sup> Avenue, benches on the front boulevard on E 6<sup>th</sup> Avenue and street lighting on Main Street that announces the processional character of Main Street and reflects the commercial and industrial character of the neighbourhood."*

- a. A curb bulge on East 6th Avenue at Main Street. City of Vancouver to provide road geometry.
- b. Engineering recommends CIP light broom finish concrete walk with saw cut joints for the public paths shown south of the building within the park area.
- c. A 1.83 m CIP broom finish sidewalk and sod grass boulevard with street trees where space permits on 7th Avenue.
- d. Upgraded street lighting on Main Street and on East 6th Avenue to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- e. Provision of standard concrete commercial lane crossings at the 2 lane entries to the site (north side of 7th Avenue at the lane west of Main Street and the south side of 6th Avenue at the lane west of Main Street). Work to include upgrading of curb returns either side of the lane.
- f. Provision of street trees adjacent the site where space permits.

8. 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.

In addition, 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.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

9. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
10. Parking is to be supplied to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services and loading, and bicycle spaces are to be provided and maintained according to the provisions of the Vancouver Parking By-law.

### **Neighbourhood Energy Utility**

11. 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), which 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 the operator of the City-designated NES access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of

enabling NES connection and operation, on such terms and conditions as may be reasonably required by the Applicant;

- (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; and
- (iv) grant use of and access to the Neighbourhood Energy Room for the purposes of infrastructure and distribution equipment to the satisfaction of the General Manager of Engineering Services.

Note to Applicant:

- a. 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 building permit issuance. If connection to a NES is not available or appropriate, a deferred services agreement or similar agreement will be required.
- b. If the development is required by the General Manager of Engineering Services to connect to an NES, 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 supply, unless otherwise approved by the General Manager of Engineering Services.
- c. Design shall provide suitable space for the installation of NES equipment with adequate provisions for connection to outside NES distribution piping and communications conduit. District energy equipment may include, but is not limited to, an energy plant sized for neighbourhood service, energy transfer stations, heat recovery equipment, and/or boiler equipment. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

### Parks

12. Make arrangements to the satisfaction of the General Manager of Parks and Recreation in consultation with the General Manager of Planning, Urban Design and Sustainability, General Manager of Community Services and the Director of Legal Services for the delivery of a permanent park space no less than 985 m<sup>2</sup> (10,600 sq. ft.). To secure this condition the applicant will enter into agreements with the City which include, but may not be limited to the following requirement, to be satisfied at no cost to the City:
  - (i) Subdivision to create no less than a 10,600 square foot park parcel.

### Soils

13. If applicable:
  - (i) Submit a site profile to the 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.

### Housing

14. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Section 219 Covenant, Housing Agreement pursuant to section 565.2 of the Vancouver

Charter, or other security, to secure:

- (i) a minimum of 44 units will be occupied by households with incomes below the housing income limits as set out in the current "Housing Income Limits (HILS)" table published by the British Columbia Housing Management Commission or equivalent publication, at a rent which is no more than 30 per cent of household income;
- (ii) *Average rents across all units will not exceed 80 per cent of the maximum rents set out in sections 3.1A and 3.1B of the Vancouver Development Cost Levy By-Law;*
- (iii) the social housing units for the life of the building for use as "social housing" as defined in the Vancouver Zoning and Development By-law and as described in this report;
- (iv) a no separate-sales covenant;
- (v) a no stratification covenant; and
- (vi) a requirement that none of the units will be rented for less than one month at a time.

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*.

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 are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street", be approved.
- 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 September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street".
- 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 2221-2223 Main Street".
- E. THAT A through D be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02256)

## 2. REZONING: 124 Dunlevy Avenue (Roddan Lodge)

An application by DYS Architecture was considered as follows:

Summary: To rezone 124 Dunlevy Avenue from DEOD (Downtown Eastside Oppenheimer) District to CD-1 (Comprehensive Development) District to permit the development of an 11-storey mixed-use building with a social service centre at grade (Evelyne Saller Centre), and 213 social housing units above. A height of 34.14 metres (112 feet) and a floor space ratio (FSR) of 5.98 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

Housing Policy and Projects staff responded to questions.

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

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

### Council Decision

MOVED by Councillor Jang  
SECONDED by Councillor Stevenson

- A. THAT the application by DYS Architecture, on behalf of the City of Vancouver Public Housing Corporation ("VPHC"), to rezone 124 Dunlevy Avenue [*Lots 1 to 6, Block 41, District Lot 196, Plan 196; PIDs 015-589-277, 015-589-285, 015-589-293, 015-589-307, 015-589-315, and 015-589-331, respectively*] from DEOD (Downtown Eastside Oppenheimer) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 4.50 to 5.98 and height from 22.80 m (75 ft.) to 34.14 m (112 ft.), to allow for the construction of an 11-storey mixed-use building with social service use at grade (Evelyne Saller Centre) and residential use above, containing 213 social housing units, generally as presented in Appendix A of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue (Roddan Lodge)", be approved subject to the following conditions:

#### CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DYS Architecture and stamped "Received City Planning Department, April 28, 2017" 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 livability of the micro dwelling units as follows:
  - (i) increase clear ceiling height, where possible; and,
  - (ii) provide private outdoor space in the form of balconies or Juliette balconies.

Note to Applicant: A minimum of 2.59 m (8.5 ft.) clear ceiling height should be provided at Levels 10 and 11. An increase in the overall building height of 0.30 m (1 ft.) to 34.14 m (112 ft.) is supported to facilitate provision of this increased ceiling height at Levels 10 and 11. For micro-units located at Levels 7, 8 and 9 and below common roof decks, further exploration is encouraged to improve ceiling height where possible, noting constraints related to roof deck assembly and accessibility. Juliette balconies should be provided at micro-units and incorporated into the architectural design. Consider provision of access to the east roof deck at Level 2 for adjacent units.

2. Design development to reinforce and reflect the historical neighborhood character.

Note to Applicant: New development may employ a more contemporary architectural design and reflect the established pattern and character of the built form in the Downtown Eastside neighbourhood. It is noted that the architectural design may be simplified, and rely less on color and more on composition, materials and details, to provide a contextual fit.

3. Design development to the ground floor to ensure pedestrian interest and engagement, as well as comfort, at both the street and lane.

Note to Applicant: This may be accomplished through further consideration of the programming of the ground floor, as well as the architectural and lane-edge treatment. See Landscape Condition 8.

4. Provision of high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed material quality in all aspects, including appearance, durability, and performance.

5. Design development to include a children's play area in the outdoor amenity area that can accommodate a range of children's play activities, for children of various ages.

Note to Applicant: Consider opportunities to locate the play area in the Level 2 outdoor amenity area, if feasible. Play equipment is not required, nor encouraged for the children's play areas, but a soft surface play area and a variety of creative landscape/play features (such as balancing logs and boulders, opportunities for sand play or a small and tangible water stream or feature, creative motor-skills developing features etc.) which provide a myriad of creative play opportunities for a range of ages is encouraged.

#### **Crime Prevention Through Environmental Design (CPTED)**

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

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

#### **Sustainability**

7. All new buildings in the development will meet the requirements of the preceding *Green Buildings Policy for Rezonings* (as amended up to January 14, 2016), 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.

8. In lieu of the requirements in Condition (b) 7, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezonings - Process and Requirements* (amended April 28, 2017 or later).

### Landscape

9. Design development to improve the lane interface by the addition of more substantial landscape buffer, consisting of an additional shrub bed to replace paving where possible and addition of a trellis with climbing vines as part of the metal picket fence/gate structure. The addition of down lighting should also be provided, for safety and improved interface.

Note to Applicant: The lane edge planting should be protected from vehicles by a 20 cm (8 in.) high curb.

10. Design development to improve sustainability and expand programming to include edible plants, in addition to urban agriculture.

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. Provision of a Letter of Consent from the east adjacent property owner for the proposed removal of the shared tree at the north-east corner of the site.

Note to Applicant: If the property owner does not give consent for the tree removal, then an Arborist Report and Letter of

Assurance for supervision will be required, ensuring the safe retention of the shared tree. Retaining this tree may affect the form of development.

12. Design development to ensure locations of hydro kiosk in areas screened by soft landscape as much as possible, if not provided in an internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
13. Design development to the programming of shared landscaped decks at Levels 2, 8 9 and 10, to allow each deck to have a distinct character or theme, each promoting social interaction.

Note to Applicant: Consider expansion of programming to the roof at Level 6 as well, if feasible.

14. At the development permit submission stage:
  - (i) A full Landscape Plan for the 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 planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
  - (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- (v) Trellis and vines to be provided over the underground garage access ramp.
- (vi) New proposed street trees should be coordinated with the Park Board and Engineering and 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.

- (vii) A high-efficiency automatic irrigation system to be provided for all planters on structures and minimum of hose bibs to be provided for landscape on grade;
- (viii) 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.

### Engineering

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

- (i) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp and the Class B loading area.

Note to Applicant: label the minimum clearance for loading and the parking level on the drawings, including overhead gate and mechanical projections.

- (ii) Provision of design elevations on both sides of the parking ramp and at all breakpoints, both sides of the loading and carshare at the lane, throughout the parking level and at all entrances.

Note to Applicant: The slope and length of the ramp sections must be shown both sides of the ramp on the submitted drawings.

- (iii) Provision of minimum 3.7 m (12 ft.) ramp width for one way vehicle flow.
- (iv) Ramps which have a 15% slope and are exposed to the weather must be heated.

(v) Provision of a signal/ warning system for the single ramp.  
Note to Applicant: a qualified transportation engineer must provide details on the system and locations of all lights, signs and detection devices on the plans. The signal system to be designed for vehicles and cyclists and to consider timing to allow cyclists walking their bikes up the 15% slope vehicle ramp.

(vi) Provision of a letter of commitment from the property manager that acknowledges acceptance that the larger residential elevator can also be used by cyclists to reach the outside if they are unable to use the vehicle ramp for bicycle access and egress.

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

Note to Applicant: A column 0.6 m (2 ft.) in length must be set back 0.6 m (2 ft.) from either the opening to or the end of the parking space. A column 0.9 m (3 ft.) long may be set back 0.3 m (1 ft.).

(viii) Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 1.2 m (4 ft. from the end of the stall. Provide a minimum 0.3m (1 ft.) setback from the drive aisle for all columns.

(ix) Provide a 6.6 m (21.7 ft.) maneuvering aisle width or provide 2.6 m (8.5 ft.) stall widths.

(x) Reduce the grade on the drive aisles at RL3 and RL4 to 5% or less.

(xi) Provision of a double loading bay throat for the Class B loading bay.

Note to Applicant: the double load throat will allow the Class B vehicle to enter and exit the loading bay from Dunlevy Avenue.

(xii) Provision of minimum 1.5 m (4.9 ft.) at rear of the Class B loading bay for loading operation.

Note to Applicant: The additional space at the rear of the Class B loading bay will allow for independent stair free loading for the van stall (Class A loading bay) when the Class B loading is occupied.

(xiii) Provision of an updated plan showing the access route from the Class A bicycle spaces located at grade and on P1 parking levels 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.

(xiv) Explore opportunities to reduce the number of vertical Class A bicycle spaces proposed and to reallocate to horizontal stalls.

(xv) Remove the wheel ramp shown on the SW staircase from P1 parking level to the lane.

Note to Applicant: Engineering does not support the use of a wheel ramps for bicycle access.

(xvi) Provide automatic door openers on the doors providing access to the bicycle rooms.

16. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

17. 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 & 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.

18. A review of the existing street tree locations and scale/size of tree to determine if the proposed building location will have a negative impact on retention of the trees and a review to determine a construction methodology that will ensure the protection of the trees and tree canopies during the construction period and post occupancy.

19. Provision of required Class B bicycle parking to be on private property.

Note to Applicant: that this may best be achieved by the use of inverted "U" style bike racks installed parallel to the building.

20. Provision of a canopy application for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
21. Rezoned property must include a storm water management plan that controls site flows such that pre and post project flows are equal for the 1 in 5 return period storm.
22. At the time of occupancy, the applicant is to commit to providing parking usage statistics such as occupancy counts throughout the day, number of parking passes sold and/or distributed, for vehicle parking and bicycle parking by staff and residents after one full year of operation of the new building.

#### **Housing Policy and Projects**

23. Design development to move all Roddan Lodge replacement unit storage lockers on parking level 1 to be in close proximity to the elevators.

Note to Applicant: This would allow for the consolidation of the Roddan Lodge replacement unit lockers with stair-free access and in closer proximity to the elevator.

24. Provision of a final Tenant Relocation Report to be submitted prior to issuance of the occupancy permit which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent, any other compensation); and includes a summary of all communication provided to the tenants.

#### **CONDITIONS OF BY-LAW ENACTMENT**

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

#### **Engineering**

1. Consolidation of Lots 1 to 6, Block 41, DL 196, Plan 196 to create a single parcel.
2. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the

site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided:

- (i) Provision of new curb return and curb ramps, at the south east corner of Dunlevy Avenue and Alexander Street.
  - (ii) Provision of a commercial concrete lane crossing at the lane south of Alexander Street on the east side of Dunlevy Avenue including new curb returns and ramps on both sides of the lane.
  - (iii) Provision of 1.53 m (5'-0") sod front boulevard and a minimum 2.14 m (7'-0") CIP light broom finish sidewalk with saw cut joints on Dunlevy Avenue and Alexander Street adjacent the site in keeping with area standards.
  - (iv) Provision of upgraded street lighting on all site frontages to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
  - (v) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
  - (vi) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, 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.
  - (vii) For building fixtures, install Energy Star rated appliances (e.g. clothes washers) and meet the January 1, 2018 Vancouver building code plumbing fixture rates or upgrade the downstream sanitary main from Hawkes Ave to the Metro Vancouver tie in from a 250 mm to a 375 mm.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted

transformers, LPT and kiosks (including non-BC Hydro kiosks) to be located on private property with no reliance on public property for placement of these features.

In addition, 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.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

4. Provision of a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 2 Shared Vehicle(s) and the provision and maintenance of 2 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), with such parking spaces to be in addition to the minimum parking spaces required by the Parking Bylaw, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
  - (i) Provide 2 Shared Vehicle(s) to the development for a minimum period of 3 years;
  - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
  - (iii) Provide and maintain the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;
  - (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
  - (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle; and
  - (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.

- (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: Shared vehicle spaces are required to be a minimum width of 2.9m.

- 5. Provision of a shared use agreement to the satisfaction of the GMES for shared use of the Class B loading space between the Social Service Centre and the Residential uses and label the space as 'Shared Loading'.

Note to Applicant: The shared use agreement should specify allocated time periods for shared use by the Residential vs. Social Service Centre.

### Housing

- 6. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Housing Agreement for 60 years or the life of the building, whichever is greater, which will contain the following terms and conditions:
  - (i) A no separate sales covenant;
  - (ii) A no stratification covenant;
  - (iii) A provision that none of such units will be rented for less than one month at a time;
  - (iv) A requirement that a minimum of 140 units (66%) be rented for no more than the shelter component of Income Assistance;
  - (v) A requirement that all units comply with the definition of "social housing" in the applicable City development cost levy by-law;
  - (vi) A requirement that VPHC comply with the terms of the Tenant Relocation Plan outlined in Appendix D of this report, including right of first refusal; and
  - (vii) 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

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.

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 application to amend Schedule A of the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue", be approved.

- 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 Noise Control By-law for Council approval, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law for Council approval, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue".
- E. THAT, if Council approves in principle this rezoning and the Housing Agreement described in Appendix B of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by this report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.
- F. THAT A through E be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02257)

### 3. REZONING: 618 West 32nd Avenue

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

Summary: To rezone 618 West 32nd Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building containing a total of 15 dwelling units. A height of 21.7 metres (71 feet) and a floor space ratio (FSR) of 2.45 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.

Council also had before it a memorandum dated October 4, 2017, from the Assistant Director of Planning, Vancouver South Division, advising that staff had prepared the Summary and Recommendation for this item generally in accordance with the Policy Report dated July 11, 2017, entitled "CD-1 Rezoning: 618 West 32nd Avenue", except for a change to the ownership from "Quarry (Cambie) Development Corp.", to "618 West 32nd Holdings Ltd.", and that the change was needed because the ownership of 618 West 32nd Avenue changed after referral of the application to Public Hearing.

No action was required by Council as the Summary and Recommendation for this item contained the change explained in the memorandum.

### Staff Opening Comments

Planning, Urban Design and Sustainability staff 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 Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Monique Choptuik

The speakers list and receipt of public comments closed at 7:08 pm.

### Staff Closing Comments

Planning, Urban Design and Sustainability staff addressed responded to questions.

### Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Jang

- A. THAT the application by Shift Architecture Inc. on behalf of 618 West 32nd Holdings Ltd., the registered owners, to rezone 618 West 32nd Avenue [*PID: 008-150-401; Lot 6, Block 819, District Lot 526, Plan 7221*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.45 FSR and the height from 9.5 m (31 ft.) to 21.7 m (71 ft.) to permit the development of a six-storey residential building containing a total of 15 dwelling units, generally as presented in Appendix A of the Policy Report dated July 11, 2017 entitled

"CD-1 Rezoning: 618 West 32nd 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 Shift Architecture Inc., on behalf of 618 West 32nd Holdings Ltd. and stamped "Received Planning Department, March 17, 2016", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

**Urban Design**

- 1. Design development to substantially revise the building massing at the northeast corner of the proposed buildings as necessary and required to facilitate the safe retention of two existing trees as noted below.

Note to Applicant: See also Landscape condition 5. The above condition may result in a commensurate reduction of the proposed density.

- 2. Design development to relocate the parking garage exit stair (currently located at the southeast corner of the site) to a location that does not compromise the front yard landscape and the functioning of the outdoor amenity space.

Note to Applicant: The proposed stair is located in a required setback. Relocation of the stair will improve the patio space. An alternative stair location can be considered at the rear of the site.

- 3. Design development to raise the amenity patio grading to be situated at or near to natural (existing) grade.

**Crime Prevention through Environmental Design (CPTED)**

- 4. 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

5. Design development to provide a more conservative tree removal strategy, by enabling the safe retention and protection of two significant existing trees #4 and #5 referenced on the Arborist Report as a *Pinus nigra* (black pine).

Note to Applicant: The current scheme proposes the removal of all five site trees, which conflicts with Council's approved Urban Forest Canopy Strategy. The Urban Forest Canopy Strategy sets out to retain and protect as many viable trees at the site edges as possible, while still allowing for development. The retention of Trees #4 and #5 will require revisions to the underground parking and building footprint to allow sufficient clearance for the Critical Root Zones. A revised Arborist Report should also document and make recommendations for the trees to be retained. The analysis will require additional arborist reporting and details of construction work near trees. Modifications to the underground parkade and open space plan will be needed. To optimize tree protection, employ special construction methods, such as vertical shoring and setback the limit of excavation outside the dripline. It is recommended to measure the current surveyed dripline of these two trees and add an additional further distance of 1.22 m for setback to building. The scheme should not rely on canopy encroachments or surface disturbances (such as intensive re-landscaping). Avoid landscape or grading proposals and that may cause unnecessary compaction of roots and changes to the existing growing conditions (water availability and drainage). Ensure building glazing near the retained trees is non-reflective.

6. Design development to expand programming and improve sustainability by including opportunities for expanded common green amenity areas.

Note to Applicant: Shared gardening areas could be on rooftops as intensive green roofs and should be designed to adhere to *Council's Urban Agriculture Design Guidelines* for the Private Realm. They should provide maximum solar exposure, universal accessibility and be provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

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

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided

with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

8. Design development to improve public realm and encourage connectivity with context. Streetscape improvements should include street furniture. There should be clear visual and wayfinding pedestrian connections to Cambie Street and other neighbourhood amenities.
9. Design development to the common outdoor spaces, to achieve the following:
  - (i) Better physical and visual connection between the formal indoor seating area and the children's play area;
  - (ii) Provision of outdoor seating in the amenity patio;
  - (iii) Deletion of the entry gate to the amenity patio and expansion of the space by relocating the bike racks;
  - (iv) Increase in children's play area, in order to provide a more active and viable space; and
  - (v) Access to sunny areas for all outdoor spaces.
10. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8" high curb.
11. Design development to resolve grade changes near property lines using a terraced, landscape approach.

Note to Applicant: Any necessary transition to raised patios should be done by setting patio retaining walls away from the property line 2 feet minimum with planting at grade in front. Walls higher than three feet should be avoided. Exposed walls should have high quality surfacing and be softened with planting.
12. Design development to include additional site furniture along Cambie Street edge and along West 32nd Avenue frontage. With the retention of the corner trees there may be an opportunity to embellish the corner edges.
13. Provision of an updated, detailed arborist report.

Note to Applicant: The expanded report should inform the design. Include any construction limitations such as the location of construction materials, temporary structures, utility conflicts,

site access, development phasing and temporary irrigation requirements.

14. Design consideration to provide sustainable rainwater management practices such as rainwater collection and reuse.
15. Conditions to be addressed at development permit application, provision of:
  - (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 planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details to be dimensioned to confirm depth of proposed growing medium on structures is deep enough to accommodate actual rootballs of proposed trees well into the future.
  - (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street and courtyard, confirming a delineated and appropriate private to public transition of spaces.

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

- (iv) A "Tree Management Plan".

Note to Applicant: Provide a large scale tree management plan that is separate from the landscape plan and consistent with the legal survey. The scaled plan should clearly illustrate all trees to be removed and retained, including dimensioned tree protection barriers and important construction management directives drawn out of the arborist report(s) such as clearly illustrating the limit of excavation and footing design strategy (i.e. vertical shoring, shotcrete).

- (v) 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.

- (vi) Trellis and vines over the underground garage access ramp.
  - (vii) A high efficiency irrigation system for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft. Indicate hose bibs on the plans and add notation regarding high efficiency irrigation system in general notes.
  - (viii) 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.
  - (ix) Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.
16. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
17. Consideration to explore design options that respect the City of Vancouver, *Bird Friendly Design Guidelines*.

Note to Applicant: For more information, refer to the guidelines at <http://www.vancouver.ca/commsvcs/guidelines/B021.pdf>  
<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>  
<http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>.

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

Note to Applicant: Public and private trees at the site perimeter should be planted at grade and not placed in above grade planters to achieve soil depth, wherever possible. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. The underground slab should angle downward at the corner (1 m across and 1.2 m downward)

to accommodate private property trees and planting near the property line.

19. Design development to improve the edge condition at the site perimeter, within semi-private patio spaces and between buildings.

Note to Applicant: Attention will be needed to ensure that common areas (walkways, breezeway, patios, corridors) are pedestrian friendly and visually clear, avoiding dead ends and ambiguous way finding. Ground-oriented semiprivate residential patios and areas between buildings should be more clearly delineated, respecting CPTED principles (security, ownership, safety). Grade resolution at the property lines should be resolved on private property. Self-supporting architectural walls exposed to the public realm should be surfaced or screened with landscaping to mitigate opportunities for graffiti. Provide additional large ornamental shrubs and small trees (instead of hedging) in front of patios. Provide an interim wall for more planting depth on the Green roof above the parking entry so there is a minimum soil depth of 36" in the middle section. Pull the south property line wall into the property a few feet to soften the transition and avoid the extreme grade condition between the properties. Review the lane south section/ elevation condition and provide a softer lower edge planting condition and or plants to cascade over the wall.

20. Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is typically necessary when any work is required within a minimum root protection zone of a retained tree. The arborist should discuss the details of any supervision requirements within the arborist report, particularly if the plans depict any work that encroaches into a minimum root protection zone. Typically, an assurance letter will outline up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

### **Sustainability**

21. 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.

22. Confirmation that the application is on track to meeting the *Green Buildings Policy for Rezonings* 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.

### Housing

23. The proposed unit mix of at least 66% two-bedroom units and 20% three- or four-bedroom units are to be included in the Development Permit drawings.

Note to Applicant: Any change to 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 units.

### Engineering Services

24. Provision of a storm water management plan that confirms that site runoff will not increase from the existing levels as a result of this development.
25. Provision of automatic door openers on the doors providing access to the bicycle room(s).
26. Clearly show a stair free route from bicycle storage rooms to grade.
27. Provision of additional design grades at all entries along the property line clearly confirming entries meet City building grades.
28. Provision of an upgraded landscape plan that reflects the improvements sought by this rezoning. Please submit a copy of the updated plan directly to Engineering Services for review.

29. Delete special sidewalk treatments that encroach beyond the property line and show standard broom finished saw cut sidewalks.
30. Delete lawn or greenery and concrete parking entry ramp shown encroaching over the lane property line on the landscape plans (L1.1).
31. Provision of widened access from the garbage storage area to the garbage pickup point. (Existing plans show a 3'-8" aisle which is not adequate for bin access to and from the garbage area.) Please refer to the engineering services garbage and recycling guidelines for direction on space requirements.
32. Confirmation that the first risers for stairs on West 32nd Avenue frontage are set 1'-0" behind the property lines.
33. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Please refer to the *Parking and Loading Design Guidelines* at the following link:

<http://former.vancouver.ca/engsvcs/parking/admin/developers.htm>

- (i) Provision of an improved section drawing showing minimum vertical clearances.

Note to Applicant: 2.3 m of vertical clearance to the underside of all security gates, plumbing and pipes is required for access and maneuvering from street level to all disability spaces.

- (ii) Modification of the P1 and P2 parking ramp design. Provide measures to address conflicts between vehicles on the ramp. Due to restricted sight lines between P1 and P2, a warning light/signal system is required. A qualified transportation engineer must provide details on the system and locations of all lights, signs and detection devices to be clearly noted on the plans.

#### 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

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 upgraded street lighting and new pedestrian LED lighting adjacent the site;
  - (ii) Provision of a 1.83 m (6 ft.) CIP broom finish concrete sidewalk with saw cut joints, and upgraded LED street lighting on West 32nd Avenue;
  - (iii) Provision of a standard concrete lane entry at West 32nd Avenue;
  - (iv) Provision of street trees adjacent the site where space permits;
  - (v) 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; and
  - (vi) Provision for road re-construction on Cambie Street adjacent to the site to generally include: new concrete curb and gutter, 2.5 m (8'-3") raised cycle track, 1.83 m (6'-0") CIP broom finish concrete sidewalk with saw cut control joints and sod boulevards. Work to include all utility relocations necessary to accommodate the proposed bicycle facility and related street works.

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

### **Environmental Contamination**

3. 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**

4. Pay to the City a Community Amenity Contribution of \$959,310 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 \$959,310 is to be allocated as follows:
  - (i) \$479,655 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;

- (ii) \$383,724 (40%) towards childcare and community facilities serving the community in and around the Cambie Corridor Plan area; and
- (iii) \$95,931 (10%) 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 July 11, 2017, entitled "CD-1 Rezoning: 618 West 32nd Avenue".
- C. THAT A and B be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02258)

#### **4. REZONING: 8242 Oak Street**

An application by IBI Group was considered as follows:

**Summary:** To rezone 8242 Oak Street from RS-1 (One-Family Dwelling) District and C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of an eight-storey mixed-use building containing a total of 50 dwelling units, office space, and commercial space. A height of 29.4 m (97 ft.) and a floor space ratio (FSR) of 3.00 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**

Planning, Urban Design and Sustainability staff reviewed the application 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:

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

#### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Devon Hussack  
Rebecca Hartley

The following spoke in opposition to the application:

Don Larson  
Jacqueline Chan

The speakers list and receipt of public comments closed at 7:38 pm.

## Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Deal

- A. THAT the application by IBI Group on behalf of Coromandel Oak 67 Holdings BT Ltd. and Coromandel Oak 67 Development BT Ltd., the registered owner, to rezone 8242 Oak Street [*Lot A (See 356574L) and Lot 13, except the east 10 feet and the west 7 feet now highways, both of Lot 15, Block B, District Lots 319, 323 and 324, Plan 1685; PIDs: 014-436-078 and 014-435-942 respectively*] from RS-1 (One-Family Dwelling) District and C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) to 3.00 FSR and to increase the height to 29.4 m (97 ft.), to permit the development of an eight-storey mixed-use building, containing a total of 50 dwelling units, office space, and commercial space, generally as presented in Appendix A of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 8242 Oak Street", 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 IBI Group on behalf of Coromandel Properties, and stamped "Received Planning and Development Services (Rezoning Centre), December 19, 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 better animate the public plaza, per section '10.2 Open Spaces and Plazas' in the Marpole Community Plan, as follows:
  - (i) Provide active ground floor uses at grade at the east side of the plaza, with access from the plaza and/or 67th Avenue.
  - (ii) Reduce the at-grade setback from the active use to the south property line and provide hardscaping, in order to provide a defined, animated edge to the public realm, per section '7.1 Mixed Use Buildings' of the Marpole Community Plan.

Note to Applicant: Active ground floor uses facing the plaza could include retail or amenity space. Refer to conditions 8 and 9 regarding further design development of the plaza.

2. Design development to simplify massing at the rear by eliminating the bump-out at Level 8 (between gridlines 4 and 5).

Note to Applicant: The 8 ft. setback may be slightly reduced (to minimum 7 ft.) to accommodate more livable dwelling unit layouts.

3. Design development to improve the interface of the podium with the public realm on Oak Street and at the plaza.

- (i) Reduction in the size of the office lobby to maximize retail space;
- (ii) Consideration to relocate the office entry to the north end of the Oak Street façade or to the plaza, to ensure contiguous retail space;
- (iii) Provide a greater articulation along the primary retail frontage, including niches or inset areas;
- (iv) Provide a weather canopy or canopies with distinctive architectural character;
- (v) Refine use of exterior materials with greater texture, visual interest and variety; and
- (vi) Refine use of lighting, landscaping and urban furniture.

4. Design development to improve the outdoor amenity spaces by providing further opportunities for children's active play.

5. The proposed unit mix, including 23 one-bedroom units (46%), 20 two-bedroom units (40%) and 7 three-bedroom units (14%), 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.

6. 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)

7. 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

8. Design development to the public plaza area to increase pedestrian amenity through the provision of tree canopy, permanent site furniture, artistic elements and/or public art (where applicable).

Note to Applicant: Further work may be requested at the development permit stage.

9. Design development to the slab in the public plaza area to ensure that all trees are planted level with the plaza surface and with a minimum growing medium below slab containing soil volume targets of 16 cubic metres. For each tree, growing medium should be approximately 1 m deep and no less than 2 m radially, measured from the trunk. Soil cells, structural soils and contiguous planting troughs should be explored.
10. Design development to the rooftop amenity space to meet the requirement for 25% green roof area as a combination of adequately sized urban agriculture planters and other intensive and extensive green roof features.
11. Design development of the rainwater management strategy and related grey water/mechanical systems to be scaled and integrated with full infiltration from hard and soft surfaces within the site, to the greatest extent practicable.

Note to Applicant: The applicant is encouraged to reference the Integrated Rainwater Management Plan (IRMP), Volume II, Best Management Practices, supported by Council in April 2016. At the development permit stage, further design development may be requested.

12. Design development to locate site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.
13. Design development to reduce potable water consumption in the irrigation systems by using drought tolerant plant species, efficient irrigation rainwater technology and rainwater harvesting methods, to the greatest extent practicable.

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

Note to Applicant: The Landscape Plan should include a planting plan listing common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the plant list. Illustrate and clarify all outdoor surface/paving materials, site furniture, bicycle racks, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

15. Provision of large-scale sections [typical] through landscaped areas, including the ground-oriented interface, the slab-patio-planter relationship, street trees, the lane interface, common areas and upper storey planters.

Note to Applicant: The sections should include the planter materials, tree canopy, tree stem, outline of the root ball, voiding, built up membrane and dimensions.

16. Provision of spot elevations to all outdoor areas (including top/bottom walls), including offsite context spot elevations in proximity (public sidewalks, inner boulevards and lanes).

17. Provision of adequate soil volumes and depths for planting on slabs and in planters.

Note to Applicant: To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs should angle down to provide deeper soils. Within the site at the public plaza level, the slab must be lowered below to avoid the necessity for above grade planter walls that would impede pedestrian flow.

18. Provision of universal design principles in the outdoor spaces.

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

19. Provision of a "Tree Removal and Protection Plan" in coordination with arboricultural services, including the assessment of existing trees and retention feasibility.

Note to Applicant: Given the size and complexity of the site, provide a large-scale Tree Plan that is separate from the Landscape Plan. The Tree Plan should clearly illustrate all trees to be removed and/or retained, where applicable, including any tree protection barriers and important construction management directives drawn

out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

20. Provision of a partial irrigation plan to demonstrate efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs to be provided for all patios of 9.3 sq. m (100 sq. ft.) or greater in size.

Note to Applicant: Specification notes and irrigation symbols should be added to the drawing.

21. Provision of all necessary infrastructure to support urban agriculture, including hose bibs, tool storage, work tables and seating.

### Sustainability

22. Confirm that the building is on track to meet the requirements of the preceding *Green Buildings Policy for Rezonings* (as amended up to January 14, 2016), 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.

23. In lieu of the requirements outlined in Condition 22, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

## Engineering

24. 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.
25. 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.
26. Delete special treatments shown extending onto the City lane and beyond the 67th Avenue and Oak Street property lines.
27. Show standard commercial sidewalk treatments on Oak Street adjacent the site and residential treatments on 67th Avenue adjacent the site including standard four piece tree surrounds where new street trees are supplied.
28. Provision of a detailed landscape plan that reflects the off-site improvements sought by this rezoning. Please submit an updated landscape plan directly to Engineering for review.
29. Provision of all Class B bike parking to be installed on private property and not encroaching on public property and clear of any SRWs.
30. Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
31. Provision of direct 'stairs free' loading access from the loading bay to the CRU and commercial elevator core.

Note to Applicant: Consider providing a loading dock, loading elevator or lift, or sloping the loading corridor to achieve this. The loading corridor shall not require access through the garbage room.

32. 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, both sides of the loading bay and at all entrances.

Note to Applicant: The slope must not exceed 10% for the first 20 ft. from the property line. The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slope may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.

- (ii) Dimension all stall widths and column encroachment widths.

Note to Applicant: If columns encroach more than 0.15 m (6 in.) into the stall from the stall dividing line, additional stall width is required. The column width along gridline 7 are dimensioned 8 1/8" on drawing A31B and A31C.

- (iii) Dimension the width of the overhead gate at gridline 5/D on drawing A31C as a minimum 6.1 m (20 ft.) is required.
- (iv) Provision of the minimum vertical clearance for the main ramp, security gates and loading bays.

Note to Applicant: Show the overhead gate on the parking ramp on drawing A42 noting the minimum vertical clearance at the gate. 2.3 m (7.6 ft.) of vertical clearance is required for access and maneuvering to all disability spaces. 3.5 m (11.5 ft.) of vertical clearance is required for Class B loading spaces and maneuvering.

- (v) 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. 'Stairs free' access is required for the bike room at gridline A/3 on drawing A31C.

- (vi) Provide an alcove for the bike room access off the maneuvering aisle.
- (vii) Modification to the column outside of the bike room at gridline E/8 on drawing A31C to provide a clear 4 ft. wide access aisle or delete stall 18.

#### 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 Lot A (See 356574L) and Lot 13, except the east 10 feet and the west 7 feet now highways, both of Lot 15, Block B, District Lots 319, 323 and 324, Plan 1685 to create a single parcel.
2. Release of Easement and Indemnity Agreement 447013M (commercial crossing) prior to building occupancy.

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

3. Provision of a building setback and a surface statutory right-of-way (SRW) on Oak Street adjacent the site to achieve a minimum of 5.5 m (18 ft.) from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the property line is required to determine the final setback and SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing, landscape and bicycle parking at grade but the encroaching building portions shown below grade and at the third storey and above will be accommodated within the SRW agreement.
4. Provision of a plaza statutory right-of-way (SRW) agreement for the public use of the plaza as proposed in the Marpole Community Plan. The encroaching building portions shown below grade and at the third storey and above will be accommodated within the SRW agreement.
5. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit will be issued until the security for the services is 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 an upgraded sewer main by twinning the sewer main on Oak Street from 67th Avenue to approximately 83 m north of 67th Avenue (to existing manhole), or provision of a report or management plan by a registered professional demonstrating that post development stormwater run-off flowrates for the one in five year storm will be less than or equal to current site run-off flowrates. Legal arrangements may be required to ensure ongoing operations of certain stormwater storage systems.
- (iii) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
- (iv) Provisions of new cast-in-place (CIP) light broom finish concrete sidewalk adjacent the site with saw cut joints on Oak Street and 67th Avenue to current area standards.
- (v) Provision of street reconstruction on 67th Avenue adjacent the site to generally include the following:
  - a. New curb and gutter.
  - b. A 2.5 m (8.2 ft.) wide raised protected bike lane.
  - c. A minimum 2.13 m (7 ft.) wide CIP light broom finish concrete sidewalk with saw cut joints.
  - d. Curb ramps.
  - e. Relocation of the fire hydrant.
  - f. Adjustments to all existing infrastructure to accommodate the proposed street improvements.
- (vi) Provision of new curb and gutter and removal of the existing driveway crossings on Oak Street.
- (vii) Provision of a standard concrete lane crossing including replacement of the curb returns on both sides of the lane and upgrading of the curb ramps to meet current standards.
- (viii) Provision of upgraded street lighting on all frontages adjacent the site and new pedestrian lighting on 67th Avenue. A review of the existing lighting is required to determine its adequacy and upgraded lighting is to be provided where required.

- (ix) Provision of signal upgrades or replacement of the existing signal to a new full signal at the intersection of Oak Street and 67th Avenue. This will include signal modifications to accommodate the proposed separate bicycle facility, an accessible pedestrian signal, an Uninterrupted Power Supply unit and LED intersection lighting. Work is to include all changes to City infrastructure to accommodate the signal improvements.
- (x) Provision of speed humps in the lane east of Oak Street between 67th and 64th Avenues.
- (xi) Provision of a relocated bus stop and shelter on Oak Street adjacent the site. The following is required:
  - a. New bus stop to provisionally be located approximately 18.3 m (60 ft.) from curb return and crosswalk. The final stop location and layout is to be determined by Engineering and Coast Mountain Bus Company.
  - b. Modify site plan to show existing trolley poles along Oak Street.
  - c. Remove proposed tree pit along Oak Street in the bus zone. Street trees may only bookend the bus zone, if space permits.

Note to Applicant: Removal and reinstallation of shelter is to be coordinated with the Street Furniture Coordinator in Street Activities Branch of Engineering Services and a minimum of 4 weeks' notice is required for the removal/reinstallation of the bus shelter.

- 10. 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 System Vista, Vista switchgear, pad mounted transformers, LPT 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

### **Environmental Contamination**

11. 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 this 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 issued to the City.

### **Community Amenity Contribution**

12. Pay to the City a Community Amenity Contribution of \$2,700,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$2,700,000 is to be allocated as follows:
  - (i) \$479,655 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (i) \$1,215,000 toward childcare and community facilities in and around the Marpole Community Plan area; and

- (iii) \$135,000 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 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, the application to amend the appropriate schedule of the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 8242 Oak Street", be approved.
- 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 September 5, 2017, entitled "CD-1 Rezoning: 8242 Oak Street".
- 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 8242 Oak Street".
- E. THAT A through D be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials 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. 02259)

\* \* \* \* \*

*At 7:43 pm, Councillor Stevenson declared a conflict of interest on Item 5, due to a close family member's previous association with Ryerson United Church. He left the Council Chamber and did not return to the meeting.*

\* \* \* \* \*

**5. REZONING: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church**

An application by Endall Elliot Associates was considered as follows:

Summary: a) To rezone 2165-2195 West 45th Avenue from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.47 and the height from 10.7 m (35 ft.) to 30.2 m (99 ft.) to permit development of an eight-storey residential development including three-storey townhouses along 45th Avenue and four storeys along the rear lane containing a total of 40 residential units, and

b) To rezone 2205-2291 West 45th Avenue from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.73 and the height from 10.7 m (35 ft.) to 18.3 m (60 ft.) to retain, restore and rehabilitate the heritage "A" listed Dunbar Ryerson United Church and to permit development of a five-storey church addition including a community activity centre and 32 social housing units.

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.

Council also had before it a memorandum dated October 16, 2017, from the Assistant Director of Planning, Vancouver South Division, advising that since referral to Public Hearing, staff had determined that the following corrections were required:

- corrections to the proposed parking by-law amendments for both the East Site (2165-2195 West 45th Avenue) and West Site (2205-2291 West 45th Avenue); and
- additional conditions to facilitate the potential relocation and/or salvage of the existing character houses on both the East Site (2165-2195 West 45th Avenue) and West Site (2205-2291 West 45th Avenue).

### Parking By-law Corrections

The proposed change to the parking by-law provisions was intended to clarify the amendments in order to be consistent with the relaxation authority in the Parking By-law that relates to all sites across the City. Accordingly, the following revisions to the draft Parking By-law amendments as set out in Appendix C1 and C2 of the Policy Report dated August 22, 2017, entitled "CD-1 Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church", were recommended (shown below with ~~strikeout~~ to indicate deletion and ***bold italics*** to indicate insertion):

#### Appendix C1

Parking, loading and bicycle spaces to be in accordance with by-law requirements, except that there must be:

- (a) 1 Class A loading space to be provided.
- ~~(b) Parking is to be provided at the discretion of the Director of Planning in consultation with the General Manager of Engineering Services.~~

#### Appendix C2

Parking, loading and bicycle spaces to be in accordance with by-law requirements, except that there must be:

- (a) 1 Class A and 1 Class B loading space to be provided, ***and***
- (b) Studio and 1 bedroom social housing be provided at a rate of 1 space for every 6 dwelling units., ***and***
- ~~(c) Parking is to be provided at the discretion of the Director of Planning in consultation with the General Manager of Engineering Services.~~

### Existing Character Houses Conditions

In response to comments from the Vancouver Heritage Commission recommending consideration for relocating and reusing the church rectory, the applicant had indicated that they were willing to offer the existing houses for free to a potential owner who may be interested in relocating and reusing the existing buildings. Accordingly, the following additions to Recommendation A (e) of the Summary and Recommendation for this item were recommended (shown below with ***bold italics*** to indicate insertion):

#### *Heritage*

- 31. ***Provision of a letter, signed by the applicant, which states that an application to demolish the houses at 2165, 2267, 2279 and 2291 West 45th Avenue will not be submitted until necessary for construction of the new development.***
- 32. ***Provision of a letter, signed by the property owner, which states that they will seek opportunities to the satisfaction of the Director of Planning to allow for relocation or salvage of the houses at 2165, 2267, 2279 and 2291 West 45th Avenue.***

***Note to Applicant: Staff will consider options to expedite this process if an opportunity to relocate one or more of the houses is presented.***

It was noted that a correction was also required for the deconstruction conditions related to the existing character houses to update the conditions to be consistent with the Green Demolition By-law (By-law No. 11023). Accordingly, the following additions to Recommendation A (b) and A (e) respectively of the Summary and Recommendations for this item were recommended (shown below with ~~strikeout~~ to indicate deletion and ***bold italics*** to indicate insertion):

Recommendation A (b)

8. Provision of a deconstruction plan for demolition of existing buildings on site ~~to divert at least 75% of demolition waste (excluding materials banned from disposal) from the landfill.~~ ***except for the character house at 2165 West 45th Avenue to divert at least 75% of demolition waste (excluding materials banned from disposal) from the landfill. For the existing house located at 2165 West 45th Avenue, provision of a deconstruction plan for demolition to divert at least 90% (by weight) of demolition waste (excluding materials banned from disposal) from the landfill.***

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. The plan must be specific about materials that are being diverted. A template plan is available for reference. ***Consideration should be given for salvage for reuse for all building materials where possible. Please contact Lisa Brideau, Senior Sustainability Specialist at 604-871-6586 for potential salvage companies.***

Recommendation A (e)

10. ~~Provision of a deconstruction plan for demolition of existing buildings on site to divert at least 75% of demolition waste (excluding materials banned from disposal) from the landfill.~~ ***Provision of a deconstruction plan for demolition to divert at least 90% (by weight) of demolition waste (excluding materials banned from disposal) from the landfill.***

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. The plan must be specific about materials that are being diverted. A template plan is available for reference. ***Consideration should be given for salvage for reuse for all building materials where possible. Please contact Lisa Brideau, Senior Sustainability Specialist at 604-871-6586 for potential salvage companies.***

It was noted that these changes required approval by Council to correct the parking by-law provisions and add and update conditions related to the existing character houses.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application.

## Applicant Comments

Debra Bowman, Dunbar Ryerson United Church and Gordon Esau, Dunbar Ryerson United Church provided opening comments.

## Summary of Correspondence

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

- 108 pieces of correspondence in support of the application;
- 36 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence in the "other" category.

## Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Kathleen Barber  
Lawrence Harris  
Anne Clark  
Elizabeth Finch  
Norna Edmundson, Artistic Director, Elektra Women's Choir  
Bill Chow  
Jacqueline Kelly  
Andre Rowland  
Dorothy Hamilton  
Merrilee Thompson  
Arthur Ross  
Ken Reeder  
Patricia Palmer  
Reilly Wood  
Dr. Elinor Wilson  
Sara Hanson  
Brendan Dawe  
Doug Smart  
Nina Horvath, Executive Director, Vancouver Bach Choir  
Stuart Smith

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

Dr. Tatiana van Riemsdijk  
Douglas Dang  
Suzanne Noetzel  
Sylvia Ghoshal, Board Chairperson, Bumblebee Preschool Society

Jim Hall, Chair, ARKS Vision Committee  
Katherine Riechert, Sub-Committee Chair, ARKS Vision Committee  
Elizabeth Thomas  
William Harvey  
Nancy Cowley

\* \* \* \* \*

*At 9:22 pm, during the hearing of speakers on Item 5, it was,*

*MOVED by Councillor Reimer  
SECONDED by Councillor Deal*

*THAT the meeting be extended to finish hearing from speakers and close receipt of public comments.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY  
(Councillor Stevenson absent for the vote due to conflict of interest)*

*At 9:40 pm the Mayor left the meeting and Acting Mayor Louie assumed the Chair.  
Mayor Robertson returned to the meeting at 9:55 pm and resumed as Chair of the meeting.*

\* \* \* \* \*

The speakers list and receipt of public comments closed at 10:18 pm.

### **Applicant Closing Comments**

Ms. Bowman and Mr. Esau Gordon, both from Dunbar Ryerson United Church, responded to points raised by the speakers and provided closing comments.

### **Staff Closing Comments**

Planning, Urban Design and Sustainability staff provided closing comments.

REFERRAL MOVED by Councillor Reimer  
SECONDED by Councillor Deal

THAT discussion and decision on Item 5 be referred to the Regular Council meeting on Tuesday, October 31, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote due to conflict of interest)

**ADJOURNMENT**

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote)

The Public Hearing adjourned at 10:34 pm.

\* \* \* \* \*