

SUMMARY AND RECOMMENDATION

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

Summary:

a) To rezone the east site at 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 the west site at 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.

Applicant: Endall Elliot Associates

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 19, 2017.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Endall Elliot Associates on behalf of Trustees of the Congregation of the Ryerson United Church, Christopher Henry Warren, Joseph Fredrick Noble, Frederick Wellington Taylor, Franklin Kay Collins, Henry James Grant and 0981985 B.C Ltd., the registered owners, to rezone:
- (i) 2165-2195 West 45th Avenue [*Lot 16-22, all of the West Part of Lot 6, Block 16, District Lot 526, Plan 3870; PIDs: 012-089-664, 012-089-672, 012-089-681, 012-089-699, 012-089-702, 012-089-711, 012-089-729 respectively*] 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
 - (ii) 2205-2291 West 45th Avenue [*Lots 19-22, Lot 23 Except the West 15 Feet, The West 15 Feet of Lot 23 and Lots 24-26, all of Lot 5, Block 16, District Lot 526, Plan 3646; PIDs: 012-423-734, 012-423-742, 012-423-751, 012-423-769, 012-423-882, 012-423-891, 012-423-912, 012-423-777 and 016-125-631 respectively*] 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,

generally as set out in Appendices A1 and A2 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", be approved subject to the following conditions:

For a) 2165-2195 West 45th Avenue (East Site)

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 Endall Elliot Associates, on behalf of Trustees of the Congregation of the Ryerson United Church, and stamped "Received City Planning Department, December 16, 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 the setbacks, as follows:
 - (i) Increase the front (south) setback of the row houses to align with the single-family streetscape;
 - (ii) Increase the east side yard setback to reduce impact on the adjacent single-family site; and,
 - (iii) Increase the front (south) setback to the midrise tower to improve pedestrian-level views from 45th Avenue to the retained church on the west site.

Note to Applicant: The east setback should be 6 ft. to provide 8 ft. separation to the existing house on the adjacent lot. Relocate or reconfigure the stairwell entry to the parkade to provide more openness at the southwest corner 'plaza'.

- 2. Design development to reduce the prominence of mechanical projections above the roof line of the midrise tower.

Note to Applicant: The cantilevered roof element at the south side should be deleted.

- 3. Provide high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and performance.

4. Design development to relocate the Pad-Mounted Transformer (PMT) to a less prominent location along the lane, if possible.

Note to Applicant: The PMT should be screened from view from the sidewalk.

5. The proposed market housing unit mix for this East Site, including 5 one-bedroom units (12.5%), 16 two-bedroom units (40%), and 19 three-bedroom units (47.5%), 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.

6. Family units design shall meet the *High-Density Housing for Families with Children Guidelines*.

Crime Prevention Through Environmental Design (CPTED)

7. 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;
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

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.

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference.

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

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

Landscape Review

10. Design development to coordinate the landscape plan with the tree retention strategy in the Arborist Report and Tree Management Plan, enabling the retention and protection of retained trees.

Note to Applicant: Currently the proposed landscape plan does not respect the existing tree retention strategy. The retained trees should be integrated into the landscape plan.

11. Design development to relocate or add another children's play area adjacent to the Amenity Room on the ground level, to be visually accessible from the common area.
12. Design development to provide a more substantial landscape at the lane interface.
13. Design development to improve sustainability and expand programming to include edible plants integrated into landscape design, in addition to urban agriculture plots.

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

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

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

15. Provision of approvals from Park Board and adjacent east property owner for the proposed removals of off-site or shared trees.

Note to Applicant: Further design development may be required to retain all off-site or shared trees, if removal is not supported.

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

Note to Applicant: Refer to relevant documents -

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

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

17. At time of development permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must be dimensioned and 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) 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.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

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

Engineering

18. The owner or representative is advised to contact Engineering Services 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.
19. 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. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.
20. Provision of a Landscape Plan that reflects the off-site improvements sought by this rezoning.
21. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of updated section drawings showing elevations, vertical clearances, and security gates for the main ramp, the parkade levels, through the loading bays and surface parking stalls at the lane.

Note to Applicant: Label the minimum clearance for parking and loading levels on drawings, including overhead gate and mechanical projections. Minimum 2.3 m clearance is required for Class A loading and disability spaces and minimum 3.5 m vertical clearance is required for one Class B loading space.
 - (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bays, the surface stalls at the lane, throughout the parking levels, and at all entrances.

Note to Applicant: The slopes and length of the ramp sections must be shown on both sides of ramp sections on the submitted drawings.
 - (iii) All parking stalls, manoeuvring aisles and columns encroachments into parking stalls to be dimensioned on the

drawings.

- (iv) Enclosed parking space stalls to comply with the Parking Bylaw and the Design Supplement.
- (v) Provision of minimum aisle width or additional stall width for the parking and loading spaces at the lane.
- (vi) Provision of stair free loading routes.
- (vii) Provision of an updated plan showing the access route from the Class A bicycle spaces on the East site to reach the outside.

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

- (viii) Provision of automatic door openers on the all doors providing access to the bicycle room(s).
- (ix) Provision of a complete tech table showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

For a) 2165-2195 West 45th Avenue (East Site)

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Consolidation of Lot 16-22, all of the West Part of Lot 6, Block 16, District Lot 526, Plan 3870 to create a single parcel.
2. Provision of an off-site parking agreement, which will include a Section 219 Covenant and Statutory Right-of-Way (SRW) to provide social housing residents and church and activity centre user access to the parking provided on the east site.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
- (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
- (iii) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
- (iv) 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.

- (v) Provision of upgraded street lighting and new pedestrian lighting on the north side of 45th Avenue directly adjacent to the west and east sites to current standards including a review of the existing lighting to determine its adequacy and a lighting design

as required.

- (vi) Confirmation that any relocated wood poles in the lane adjacent the sites will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (vii) Provision of a 6 ft., (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on 45th Avenue adjacent both sites and on both sides of Yew Street between 45th Avenue and the lane north of 45th Avenue Note: retention of the existing front boulevard widths is required.
- (viii) Provision of a 6 ft. (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on the east side of Vine Street between 45th Avenue and the lane north of 45th Avenue and a minimum 5 ft. (1.53 m) sod grass front boulevard.
- (ix) Provision of new concrete curb ramps and curb returns at the north east corner of 45th Avenue and Vine Street and northwest and northeast corners of 45th Avenue and Yew Street to current standards.
- (x) Provision of commercial concrete lane crossings and new curb returns at the lane entries on the east side of Vine Street at the lane north of 45th Avenue and the east and west side of Yew Street at the lane north of 45th Avenue.
- (xi) Provision of speed humps in the lane north of the 2100 and 2200 blocks of West 45th Avenue.
- (xii) 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.
- (xiii) If not already paid with the rezoning of 2205-2291 West 45th Avenue, Provision of up to \$100,000 for traffic calming measures to reduce traffic impacts from the redeveloped lands to the 45th Avenue Bikeway. Improvements to be determined within 2 years of final building occupancy but work to completed at the discretion of the General Manager of Engineering Services.
- (xiv) Relocation of the existing wood pole in the lane that blocks access to the proposed loading is required. Provision of written confirmation from all utility companies, including any City of Vancouver utilities that use the pole are required.
- (xv) Provision of street trees adjacent the site where space permits.

Soils

4. 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 As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (iii) If required by the Manager of Environmental 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 onsite and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

In-kind Community Amenity Contribution (CAC)

- 5. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Community Services to deliver the proposed heritage upgrades and to design, construct and secure the proposed 32 units of social housing and the cultural performance and rehearsal space on the site located at 2205-2291 West 45th Avenue.

Note to Applicant: The foregoing agreements will include holds to ensure that the social housing, heritage upgrades and the cultural performance and rehearsal space is delivered prior to occupancy of any market residential development on the East Site.

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.

For b) 2205-2291 West 45th Avenue (West Site)

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- d) That the proposed form of development be approved by Council in principle, generally as prepared by Endall Elliot Associates, on behalf of Trustees of the Congregation of the Ryerson United Church, and stamped "Received City Planning Department, December 16, 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 (e) below.
- e) 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 and Development Services, who shall have particular regard to the following:

Urban Design

- 1. Design development to the atrium connection to widen the separation between the retained church and the addition and to emphasize a break in the massing between the two components.

Note to Applicant: The addition may maintain the proposed sloped roof to align with the church. The atrium roof should be lower to further articulate the break between the two components and avoid the reading of a single continuous roof form over both components.

- 2. Design development to the architectural expression to provide distinction between the two massing components and ensure the prominence of the retained church.

Note to Applicant: Further refinement to the architectural design, composition, exterior finishes and detailing, should emphasize the contemporary character of the addition, as distinct from the historical character of the retained church.

- 3. Provide high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and performance. The use of stone to be consistent with the church is encouraged.

- 4. Design development to improve the livability of north-facing studio units by increasing the amount of windows.

Note to Applicant: Windows should be provided in addition to glass sliding doors shown.

5. Design development to reduce the prominence of mechanical projections above the roof line.

Note to Applicant: Mechanical projections to comply with permitted exclusions from height under Section 10.11 of the Zoning and Development By-Law.

6. Design development to relocate the Pad-Mounted Transformer to less prominent location along the lane, if possible.

Note to Applicant: The PMT should be screened from view from the sidewalk, and may be located at the rear of the site between the church and the addition.

7. The proposed unit mix, including 13 studio units (40.5%), 13 one-bedroom units (40.5%), and 6 two-bedroom units (19%) for the Social Housing on the West Site, 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 18.75% of the dwelling units designed to be suitable for families with children.

8. Family units design to meet the *High-Density Housing for Families with Children Guidelines*.

Crime Prevention Through Environmental Design (CPTED)

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

Sustainability

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.

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference.

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

the project.

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

Landscape Review

12. Design development to the West Site on the east side of the expanded church porch, to respect the single family residential scale.

Note to Applicant: This could be achieved by breaking up the extent of the porch east of the main entry and gathering space, by the addition of some trees and soft landscape, which relates to the front yards across the street on 45th Avenue.

13. Design development to provide a more conservative tree removal strategy by the additional retention of Trees #3571 and #3572.

Note to Applicant: These two trees are on the existing Church site, where no changes are required. The trees are in good condition. Revisions are needed to the arborist report Tree Management Plan to show the trees retained, with methods of protection described in report.

14. Design development to coordinate the landscape plan with the tree retention strategy in the Arborist Report and Tree Management Plan, enabling the retention and protection of retained trees.

Note to Applicant: Currently the proposed landscape plan does not respect the existing tree retention strategy. The retained trees should be integrated into the landscape plan.

15. Design development to provide a more substantial landscape at the lane interface.

16. Design development to improve sustainability and expand programming to include edible plants integrated into landscape design, in addition to urban agriculture plots.

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

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

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

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

Note to Applicant: Refer to relevant documents -

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

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

19. At the time of development permit application:

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

- (vi) A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

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

Community Activity Centre and Sanctuary

- 20. Design development to ensure that the community activity centre and Sanctuary spaces meet needs of performance and rehearsal usage by choral groups, including acoustic, lighting, HVAC, power and structural requirements for choral and cultural use.
- 21. Design development to ensure that the community activity centre and Sanctuary spaces ensure sound proofing to reduce sound transfer between adjacent rooms at STC60 levels.
- 22. Design development to ensure that Sanctuary's resonant and warm quality of sound is maintained or improved, to meet needs of performance and rehearsal usage by choral groups.
- 23. Design development to enhance choral usage of the Sanctuary including maintaining, at minimum, a seating capacity of 350.

Engineering

- 24. Development of a transportation management plan for events to provide guidance for how circulation, parking and pick up and drop off activity will be managed for large and ongoing events including concerts and rehearsals.

Note to Applicant: Church, cultural and community events can result in traffic congestion and parking issues along neighbouring streets. These activities require management by the church or representative to mitigate negative impacts on neighbours. Along with the transportation management plan the church should identify a neighbourhood liaison (i.e. webpage contact) that is available for follow up and feedback for residents. The transportation management plan would be posted on the church webpage and is intended to provide a commitment to neighbours regarding ongoing management of impacts related to events hosted at the church facilities.

- 25. 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.

26. 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. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.
27. Provision of a Landscape Plan that reflects the off-site improvements sought by this rezoning.
28. Delete what appears to be sidewalk that extends from the lane beyond the Vine Street property line and into the lane entry from public property.
29. Provision of a 1'-6" (0.46 m) sod grass strip between the sidewalk and any proposed planting in the back boulevard.
30. Provision of any required Class B bicycle parking to be located fully on private property.

For b) 2205-2291 West 45th Avenue (West Site)

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Consolidation of Lots 19-22, Lot 23 Except the West 15 Feet, The West 15 Feet of Lot 23 and Lots 24-26, all of Lot 5, Block 16, District Lot 526, Plan 3646 to create a single parcel.
2. Provision of an off-site parking agreement, which will include a Section 219 Covenant and Statutory Right-of-Way (SRW) to provide social housing residents, church and activity centre user access to the parking

provided on the east site.

3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
 - (iii) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
 - (iv) 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.

- (v) Provision of upgraded street lighting and new pedestrian lighting on the north side of 45th Avenue directly adjacent to the west and east sites to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (vi) Confirmation that any relocated wood poles in the lane adjacent the sites will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (vii) Provision of a 6 ft., (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on 45th Avenue adjacent both sites and on both sides of Yew Street between 45th Avenue and the lane north of 45th Avenue Note: retention of the existing front boulevard widths is required.
- (viii) Provision of a 6 ft. (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on the east side of Vine Street between 45th Avenue and the lane north of 45th Avenue and a minimum 5 ft. (1.53 m) sod grass front boulevard.
- (ix) Provision of new concrete curb ramps and curb returns at the northeast corner of 45th Avenue and Vine Street and northwest and northeast corners of 45th Avenue and Yew Street to current standards.
- (x) Provision of commercial concrete lane crossings and new curb returns at the lane entries on the east side of Vine Street at the lane north of 45th Avenue and the east and west side of Yew Street at the lane north of 45th Avenue.
- (xi) Provision of speed humps in the lane north of the 2100 and 2200 blocks of West 45th Avenue.
- (xii) 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.
- (xiii) If not already paid with the rezoning of 2165-2195 West 45th Avenue, provision of up to \$100,000 for traffic calming measures to reduce traffic impacts from the redeveloped lands to the 45th Avenue Bikeway. Improvements to be determined within 2 years of final building occupancy but work to completed at the

discretion of the General Manager of Engineering Services.

- (xiv) Relocation of the existing wood pole in the lane that blocks access to the proposed loading is required. Provision of written confirmation from all utility companies, including any City of Vancouver utilities that use the pole are required.
- (xv) Provision of street trees adjacent the site where space permits.

Housing

- 4. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Section 219 Covenant and Housing Agreement securing 32 social housing units, for 60 years or life of the building, whichever is greater, subject to the following additional conditions in respect of those units:
 - (i) That none of the social housing units may be separately sold;
 - (ii) That the social housing units will be will be legally and beneficially owned by a single legal entity that is a non-profit corporation, a non-profit co-operative association, or by or on behalf of the City of Vancouver, the Province of British Columbia, or Canada and used only to provide rental housing for terms of not less than one month at a time and prohibiting the separate sale or transfer of legal or beneficial ownership of any such units;
 - (iii) That at least 11 units (34%) are to be occupied by persons eligible for income assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are renting at the shelter component of income assistance;
 - (iv) That 11 units (34%) are to 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% of household income, and meets all other applicable preconditions in order to comply with the development cost levy exemption provisions for social housing under the Vancouver Charter;
 - (v) Allocation of any surplus revenue from the social housing units will be towards the maintenance of the new buildings and heritage church as well as various charitable and cultural programs that Dunbar Ryerson United Church supports; and
 - (vi) 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 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

5. Provision of a draft Operations Management Plan (OMP) by the owner to the satisfaction of the General Manager of Community Services that addresses key issues including, but not limited to:
 - (i) Process to identify and select an experienced non-profit operator that will manage the social housing units and work with the church to develop resident selection and reporting and monitoring processes.
 - (ii) Building operations and capital asset management in respect of the social housing units.
 - (iii) Allocation of any potential surplus rental revenue.

Note to Applicant: The final OMP is to be submitted by the non-profit housing operator and will be required prior to the issuance of the occupancy permit.

Community Use Agreement

6. Dunbar Ryerson United Church enter into a Community Use Agreement with the City of Vancouver which will include the following:
 - (i) Requirements for the design and construction of Shared Amenity Space in the development, to be designed to the satisfaction of the Managing Director of Cultural Services, to a standard appropriate for cultural and community non-profit use;
 - (ii) a Statutory Right of Way, to secure access to the Shared Amenity Space for community and cultural users, as specified in condition (c) 6 (i) and generally as described in 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", at nominal cost and for the life of the building; and
 - (iii) a Section 219 Covenant to secure the community availability of the Shared Amenity Space to the satisfaction of the Managing Director of Cultural Services, that includes the equivalent of three days a week (one day is equal to 12 hours) access to each of the programming spaces in the Shared Amenity Space to cultural and community non-profit organizations on a cost recovery basis, prioritizing access for pre-existing community, choral and music group users and their pre-existing schedules. The Section 219 Covenant will also secure access to the dedicated storage for cultural groups. Users are responsible for direct costs related to use of the Shared Amenity Space, and may be charged for set-up or cleaning associated with the events on a cost recovery basis, but may not be charged for rent. Use of

the sanctuary is to be considered as an alternative to the proposed multipurpose rooms.

Right of First Refusal and Option to Purchase

7. The City's requirement is that the social housing remains owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada for the duration of the Housing Agreement and is continuously operated as social housing as will be required by the Housing Agreement. The City's requirement is also that community activity centre is owned and operated by the Dunbar Ryerson United Church, a non-profit affiliate thereof or other non-profit entity acceptable to the City and that the use of the Shared Amenity Space in the community activity centre is made available as required by the Community Use Agreement.

In addition to the Housing Agreement and Community Use Agreement, the City's requirements are to be secured on title to the West Site as a Right of First Refusal and Option to Purchase agreement, with an assignment clause, on terms and conditions satisfactory to the Director of Legal Services. The Option to Purchase will provide that should the owner of the social housing breach the terms and conditions of the housing agreement or should the owner of the community activity centre breach the terms of the Community Use Agreement, or should the owner provide notice of its intention to sell (which will be required by the agreement) either the social housing or community activity centre to an entity other than the Dunbar Ryerson United Church or a non-profit affiliate thereof or other non-profit entity acceptable to the City at net book value, then the City will have the option to purchase the community activity centre or social housing, as the case may be, at a nominal price (\$10.00), noting that an air space subdivision of the West Site to effect such transfer will also be required. The Option to Purchase would include access to any associated parking for either the social housing or shared amenity space through the statutory right-of-way (SRW) and Section 219 Covenant described in condition (c) 2.

Heritage

8. Enactment of the by-law to designate the Dunbar Ryerson United Church at 2205 West 45th Avenue, which is listed on the Vancouver Heritage Register in the 'A' evaluation category, as protected heritage property.
9. The owner(s) of Dunbar Ryerson United Church at 2205 West 45th Avenue will enter into a Heritage Restoration Covenant (Section 219 Covenant) which provides for the protection of the heritage building from damage during construction and completion of the agreed upon rehabilitation work, and related matters, and that agreement will be registered on title, all to the satisfaction of the Director of Legal Services and the Director of Planning. The agreement is to be signed by the owner(s) prior to enactment of the Heritage Designation By-law to the satisfaction of the Director of Legal Services.

Note to Applicant: Please contact James Boldt in the Heritage Group at james.boldt@vancouver.ca regarding the heritage requirements.

Soils

10. 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 As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) If required by the Manager of Environmental 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 onsite 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 Heritage Designation By-law to designate the Dunbar Ryerson United Church at 2205 West 45th Avenue [*Lots 19-22 and Lot 23 Except the West 15 Feet, all of Lot 5, Block 16, District Lot 526, Plan 3646; PIDs 012-423-734, 012-423-742, 012-423-751,*

012-423-769 and 012-423-882 respectively], listed in the "A" evaluation category of the Vancouver Heritage Register, as protected heritage property, be approved.

- C. THAT, subject to the 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 Appendices 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".
 - D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as set out in Appendices 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".
 - E. THAT, if Council approves in principle this rezoning, the heritage designation and the Housing Agreement described in section (c) of Appendix B2 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", the Director of Legal Services be instructed to prepare the necessary Heritage Designation and Housing Agreement By-laws for enactment, prior to enactment of the CD-1 by-law, 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 and any expenditure of funds or incurring of costs is at the sole risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion
- [RZ - a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue;
and Heritage Designation of the Ryerson Dunbar United Church]