



PUBLIC HEARING MINUTES

NOVEMBER 14, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, November 14, 2017, at 6:05 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT:

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

CITY CLERK'S OFFICE:

- Maria Castro, Meeting Coordinator
- Bonnie Kennett, 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 Deal
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, Bremner, Carr, De Genova, Deal, Jang, Louie, Reimer, Stevenson and Mayor Robertson opposed)

1. **HERITAGE DESIGNATION: 1775 West 16th Avenue (Elson Residence) - 1785 West 16th Avenue (Bayne Residence) - 1795 West 16th Avenue (Maguire Residence)**

An application by Formwerks Architectural was considered as follows:

Summary: To add the existing buildings at 1775 and 1785 West 16th Avenue (the Elson Residence and the Bayne Residence respectively) to the Vancouver Heritage Register in the 'C' evaluation category, and to add the Maguire Residence at 1795 West 16th Avenue to the Register in the 'B' evaluation category; and to designate the exteriors of all three buildings as protected heritage property.

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

Summary of Correspondence

No correspondence was received on this application since it was scheduled 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 6:10 pm.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Jang

- A. THAT Council add the Elson Residence at 1775 West 16th Avenue and the Bayne Residence at 1785 West 16th Avenue [*PID: 030-251-818, Lot A, Block 468, District Lot 526, Plan EPP72128*] (the "site") to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council add the Maguire Residence at 1795 West 16th Avenue [*PID: 030-251-818, Lot A, Block 468, District Lot 526, Plan EPP72128*] (the "site") to the Vancouver Heritage Register in the 'B' evaluation category.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, by-laws to designate the exterior of the Elson Residence, the Bayne Residence, and the Maguire Residence (the "heritage buildings") as protected heritage properties.

- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02341)

2. REZONING: 1523 Davie Street (Gabriola Mansion)

An application by Ankenman Marchand Architects was considered as follows:

Summary: To amend CD-1 (248) Comprehensive Development District for 1523 Davie Street (Gabriola Mansion) to increase the maximum floor space ratio from 0.35 to 0.87 to allow for the conversion of the existing heritage building into 16 rental dwelling units, for the construction of four rental infill townhouses along the lane, and for the restoration and designation of significant heritage features.

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 presented the application and responded to questions.

Applicant Comments

Tim Ankenman, Ankenman Marchand Architects, 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:

- 3 pieces of correspondence in support of the application; and
- 6 pieces of correspondence in opposition to the application.

Speakers

The Mayor called for speakers for and against the application.

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

Mark Canning
Doug Cameron
Marjean Barrett
Dr. Joel Oger, President, West End Seniors' Network
Anne Guthrie-Warman, Heritage Vancouver
Timothy Stark

The speakers list and receipt of public comments closed at 6:59 pm.

Applicant Closing Comments

Timothy Ankenman, Ankenman Marchand Architects, provided closing comments.

Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments and responded to questions.

Council Decision

REFERRAL MOVED by Councillor Stevenson
SECONDED by Councillor Jang

THAT discussion and decision on Item 2 be referred to the next Regular Council meeting on November 28, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY (Vote No. 02342)

3. REZONING: 3681 Victoria Drive and 1915 Stainsbury Avenue

An application by DVRM Investments Ltd. was considered as follows:

Summary: To rezone 3681 Victoria Drive and 1915 Stainsbury Avenue from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of two six-storey residential buildings with a total of 153 secured market rental residential units, including artist live-work studios. A height of 19.6 metres (64.3 feet) and a floor space ratio (FSR) of 2.57 are proposed.

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

Staff Opening Comments

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

Applicant Comments

Cameron Thorn, Strand Development, 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:

- 40 pieces of correspondence in support of the application;
- 7 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:

Brandan Price

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

Melissa Pauliuk, President, The Works Strata
Andrea McLaren
Dean McKay
John McLaren

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

Applicant Closing Comments

Cameron Thorn, Strand Development, provided closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Jang
SECONDED by Councillor Carr

- A. THAT the application by Yamamoto Architecture Inc., on behalf of DVRM Investments Ltd., to rezone 3681 Victoria Drive [*PID: 009-420-185; Lot A, Block A, District Lot 195, Plan 10286*] and 1915 Stainsbury Avenue [*PID: 009-420-240; Lot 8, Block A, District Lot 195, Plan 10286*] from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 2.57 and the building height from 13.8 (45.3 ft.) to 19.6 m (64.3 ft.), to permit the development of two six-storey residential buildings with a total of 153 secured market rental housing units, including artist live-work studios, be referred to a public hearing, generally as presented in Appendix A of the Policy Report dated September 19, 2017 entitled "CD-1 Rezoning: 3681 Victoria Drive and 1915 Stainsbury Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Yamamoto Architecture Inc. and stamped "Received City of Vancouver, March 10, 2017", subject to the following conditions, 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. Design development to reduce the apparent bulk, massing, and height of the building, as follows:
 - (i) Increase the front yard setback for the west building by 4 ft. (to approx. 15 ft. total). (The 8 ft. setback on Levels 5 and 6 should be maintained.);

- (ii) Increase the setback on Levels 5 and 6 of the east building to 8 ft., on the north and west elevations, and 10 ft. on the south (Stainsbury Avenue) elevation. (The setback on the courtyard elevation may be maintained at 6 ft.);
- (iii) Increase the setback on Levels 5 and 6 of the west building to 10 ft. on the south (Stainsbury Avenue) elevation;
- (iv) Reduce the width of the 6-storey "prow" facing Stainsbury Avenue by approx. 9 ft. (full-building height); and
- (v) The courtyard opening should be maintained at approx. 99 ft. on Stainsbury Avenue, and approx. 34.5 ft. on Victoria Drive, as proposed.

Note to applicant: It is anticipated that this condition will result in a reduction in density, to a maximum of 2.57 FSR.

2. Design development to improve the entry forecourt and its contribution to the public realm, as follows:

- (i) Improve the legibility of the building entries;

Note to applicant: This can be achieved with improved canopies, increased fenestration, material/colours, lighting, and/or signage elements.

- (ii) Provide an enhanced design treatment of the walls flanking the exterior stair, consider cladding, landscape and lighting opportunities;
- (iii) Relocate the gate to create a more inviting public realm condition; and
- (iv) Explore opportunities for public art.

3. Design development to improve the building's interface with the public realm, as follows:

- (i) Remove the exit stair from the lane setback, and relocate into the building footprint;
- (ii) Expand landscaping in the front yard of the west building, on Victoria Drive (refer to condition 1 regarding an increase to this setback);

- (iii) Improve the design treatment of the lane elevation, to mitigate the impact of the exposed parkade wall;
- (iv) Provide a 6 ft. fence and robust landscaping (outboard) in the buffer at the west side of the lane (refer to Engineering condition (c)3); and
- (v) Improvement of the private patios on Stainsbury Avenue.

Note to applicant: It is anticipated that condition 3(i) and 3(iv) will result in a reduction in density. Improvement to the patios on Stainsbury Avenue can be achieved by eliminating the walkway from the patios to the courtyard, and increasing landscape screening.

- 4. Design development to improve livability of dwelling units, as follows:
 - (i) Provide bulk storage for every unit, per the Bulk Storage and In-Suite Storage - Multiple Family Residential Developments bulletin (<http://bylaws.vancouver.ca/bulletin/b004.pdf>);
 - (ii) Provide a minimum depth of 6 ft. for all at-grade patios (including on Stainsbury Ave); and
 - (iii) Provide at minimum 5 ft. clear depth for all balconies for units with one or more bedrooms. Provide at minimum 3 ft. balconies (clear depth) for balconies for studios.
- 5. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

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

Crime Prevention through Environmental Design (CPTED)

- 6. Design development to consider the principles of CPTED, having particular regard for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;

- (iii) mail theft; and
- (iv) mischief in alcoves and vandalism, such as graffiti.

Landscape Review

7. Design development to the slab and structural design to provide adequate soil volumes and depths for planting.

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 may need to angle down to provide deeper soils. Within the site at the plaza level, the slab to be lowered below to avoid the necessity for above-grade planter walls that would impede pedestrian flow.

8. Design development to explore rainwater management solutions 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 details may be requested.

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

Note to applicant: Potable water may be needed for urban agriculture areas and patios. Individual hose bibs to be provided for all patios of 100 sq. ft. or greater in size, to encourage patio gardening.

11. Further coordination with Engineering and Park Board Urban Forestry with regard to review of trees located on City property.

Note to applicant: Further design development may be necessary at the development permit stage, where applicable.

12. Provision of new street trees adjacent to the development site, where applicable, to be confirmed prior to the issuance of the building permit, at the discretion of the General Manager of Engineering Services.

Note to applicant: Contact Eileen Curran, Streets Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan: "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees 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 in deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."

13. At time of development permit application, the following:
 - (i) 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).

- (ii) 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.

- (iii) Provision of spot elevations to all outdoor areas (including top/ bottom walls), including off-site context spot elevations in proximity (public sidewalks, inner boulevards and lanes);

- (iv) Provision of adequate soil volumes and depths for planting on slabs and in planters;

Note to applicant: Refer to rezoning condition (b)7. 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 plaza level, the slab may need to be lowered below or create tree planting pits to avoid the necessity for above-grade planter walls that would impede pedestrian flow.

- (v) 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.

- (vi) 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: Provide a large-scale tree plan that is separate from the landscape plan. The 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 best located on the proposed phased landscape plans.

- (vii) Provision of a partial irrigation plan to demonstrate efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs for larger-sized patios to encourage patio gardening;

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

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

Sustainability

14. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezonings 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: Provide an updated LEED® checklist and sustainable design strategy at time of Development Permit application outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

Engineering

15. The lane-bulge design is to provide adequate overhead clearance (25 ft. minimum), for all expected trucks that will use the lane-bulge area, in particular waste haul vehicles, is to be designed to accommodate the weight of the expected trucks and the surface to be asphalt or concrete. Provision of drawings sections confirming the overhead clearances are required.
16. Clearly show the lane-bulge dimensions on all relevant plans and ensure there are no encroachments in the lane-bulge right-of-way and that parking ramps, loading bays, PMTs etc. do not encroach into the bulge area.
17. The parkade ramp should meet City building grades at the property line and not exceed 5% slope or crossfall should it encroach into the lane-bulge area.
18. The owner or representative is advised to contact Engineering Services to determine 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.

19. 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.
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 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.
21. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.
22. Confirmation that the latest building grades include confirmed building grades along the new lane alignment as there appear to only be architectural design grades shown.
23. Provide additional design grades opposite each building entry at the property lines clearly showing entries meet City building grades.
24. Delete 2nd row of trees shown on public property along the Victoria Drive frontage.
25. Delete pavers from public property and show standard broom-finished concrete sidewalks.
26. Show 1st risers of all entries a minimum of 1'-0" behind the property line.
27. Gates/doors are not to swing more than 1'-0" over the property lines (see Victoria Drive entries on landscape plan).

28. Provision of a landscape plan that reflects the improvements sought for this rezoning. Please place the following statement on the landscape plan: "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering Services for details." Please note that the civil design process and landscape plans are to be coordinated prior to the start of any work on public property.

Please submit a separate copy of the landscape plans to Engineering Services for review following updating.

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

- (i) Provision of truck-turning swathes by a qualified Transportation Engineer to be shown on the drawings.

Note to applicant: Show the largest truck manoeuvring from Stainsbury Avenue, down the lane, into and out of the loading bay towards Porter Street.

- (ii) Provision of additional design elevations of both sides of the main parkade ramp, loading bay, throughout the parking level and at all entrances to calculate the slope and crossfall.

- (iii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp, through the loading bay, the 12.5% ramp from P1 to P2 and the parking levels.

- (iv) Label minimum clearance for the parking ramp, the loading bay and the parking levels on the section drawings, including overhead gate and mechanical projections.

- (v) Confirm requirements for an overhead gate between the visitor and the residential parking and show on the drawings.

- (vi) Confirm if the main ramp overhead gate will be wireless FOB activated.

Note to applicant: Additional ramp width is required for enterphones or card readers located on the ramp.

- (vii) Provision of additional parking stall width for stalls adjacent to walls.
- (viii) Modify column alignment to comply with by-law. Refer to Section B, between Section C and D on drawing A2.1.
- (ix) Provision of all stalls to be numbered and labelled on the drawings.
- (x) Provision of all columns and column setbacks to be dimensioned on the drawings.
- (xi) Remove tree and landscaping shown in the Class B load throat on drawing L1.1 to provide unobstructed manoeuvring.
- (xii) Provision of an updated 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.

- (xiii) Modify the bicycle parking to meet by-law and design supplement requirements.

Note to applicant: Bicycle room(s) must not contain more than 40 bicycle spaces except where the additional bicycle spaces are comprised of lockers.

- (xiv) Provide automatic door openers on the doors providing access to the bicycle room(s).
- (xv) Provide an alcove for bike room access off the vehicle maneuvering aisle.

Note to applicant: Refer to drawing A2.0, the parking stall adjacent to the bottom of the ramp, north side from P1 to P2.

Note to applicant: Sewer connections are to be to Stainsbury Avenue only.

- 30. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Housing

31. The proposed unit mix, including 45 studio (29%), 46 one-bedroom units (30%), 35 two-bedroom units (23%), and 27 three-bedroom units (18%), is to be included in the Development Permit drawings.

Note to applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

32. The development is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a kitchenette and accessible washroom in the indoor common amenity rooms.

Note to applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them. The outdoor amenity area should be designed to accommodate a range of children's play activities.

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

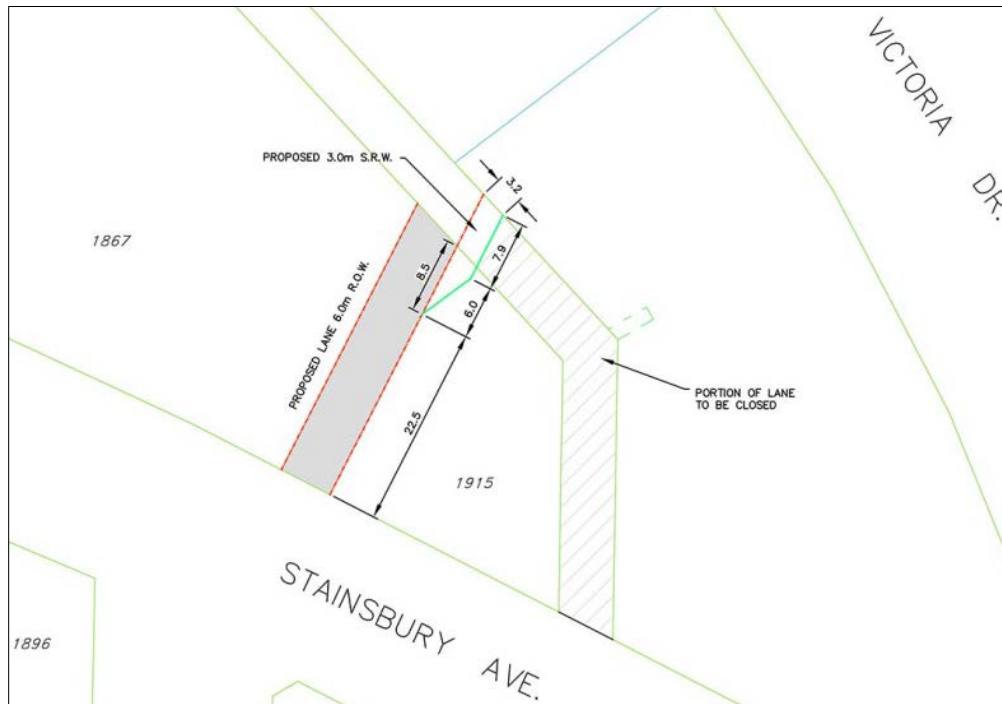
Engineering Services

1. The closing of, stopping up and conveying to the owner the required portion of the lane west of Victoria Drive north of Stainsbury Avenue, subsequent to Council approval; and the relocation or decommissioning of any utilities within this area.
2. Provision of written confirmation and agreement from all affected utility companies that services can be relocated or removed from the existing lane right-of-way.
3. Consolidation of the closed portion of lane, Lot A and Lot 8 to form a single development parcel, and subdivision of that site to result in the dedication of the westerly 20 feet of Lot 8 for lane purposes and an additional dedication to accommodate a buffer adjacent the eastern edge of 1851 Stainsbury Avenue (BCS 2959).

The buffer dimension to be minimum 1.5 m with design to be determined in consultation with the Director of Planning.

Note to applicant: A subdivision application will be required.

4. Provision of a Statutory Right-of-Way ("SRW") for a lane-turning bulge over a portion of the development site adjacent to the easterly limit of the new lane bend for vehicle manoeuvring purposes. The bulge design/dimensions are to be to the satisfaction of the General Manager of Engineering Services and at minimum allow for turning of garbage trucks through the lane. The bulge dimensions to be refined during the development permit process (see sketch for general configuration). Parking levels P1 and P2 and those portions of the building structure at and above the 3rd floor level located within the SRW area are to be accommodated within the SRW agreement.



5. Registration of a temporary SRW agreement in favour of the City over the portion of lane to be closed for public utility purposes, to be discharged once all utilities impacted by the lane closure have been abandoned, relocated or otherwise protected, as necessary, and any associated lane and street reconstruction works have been completed or arrangements for their completion to the satisfaction of the General Manager of Engineering Services are established.

6. Provision of building setback and a surface SRW to achieve a 5.5.m distance from the back of the City curb to the building face along the Victoria Drive frontage of the site. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.
7. Release of Easement & Indemnity Agreement 428545M (commercial crossings) prior to building occupancy.

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

8. Confirmation of arrangements with BC Hydro for the release of Easement B64363.
9. 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 a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Watercourse By-law. The plan shall achieve the following:
 - (a) retain or infiltrate the 6-month storm event volume (24 mm) onsite;
 - (b) treat the 2-year event (48 mm) onsite; and

- (c) maintain the pre-development 5-year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.
- (iii) Provision of new concrete curb and gutter, 1.83 m minimum broomed-finished concrete sidewalk with sawcut control joints, 1.5 m sod boulevard, street trees where space permits, upgraded or new street lighting and pavement on Stainsbury Avenue adjacent the site. Work to include adjustment or installation of all related infrastructure to allow for the proposed road construction and improvements.
- (iv) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.
- (v) Provision of new 1.83 m broomed-finished concrete sidewalk with sawcut control joints and minimum 1.2 m sod boulevard adjacent the site.

Note to applicant: Sidewalk should align with the sidewalk to the north.
- (vi) Provision of upgraded and/or new street lighting adjacent the site to current LED standards. A lighting study is required to determine the extent of street lighting upgrading necessary.
- (vii) Removal of the old lane entry and related works and installation of a new concrete curb and gutter lane entry with commercial concrete lane crossing at the entry to the new lane.
- (viii) Provision of a new lane constructed to current standards within the new lane dedication area. Work to include all infrastructure to accommodate the new lane including

drainage and reprofiling of portions of the existing lane west of the development site to accommodate the construction of the new lane.

- (ix) Provision of upgraded curb return at Stainsbury Avenue and Victoria Drive adjacent the site, including new curb ramps to meet current standards.
 - (x) Provision of a signed and marked crosswalk and two curb ramps at the intersection of Commercial Street and Stainsbury Avenue, subject to a detailed review of the crossing proposal with implementation of the crosswalk work fully at the discretion of the General Manager of Engineering Services.
 - (xi) Confirmation that any relocated/removed wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole impact existing lane lighting then upgrading or new lane lighting to current standard will be required.
 - (xii) Provision of street trees adjacent the site where space permits.
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 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 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.

Housing

11. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter

into a Housing Agreement securing all residential units as market rental housing units for the longer of 60 years or the life of the building, subject to the following additional conditions:

- (i) a no separate-sales covenant;
- (ii) a no stratification covenant;
- (iii) that none of such units will be rented for less than one month at a time; and
- (iv) such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

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

Public Art

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

Note to applicant: Please call Karen Henry, Public Art Planner (604-673-8282), to discuss your application.

Environmental Contamination

13. 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, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 19, 2017, entitled "CD-1 Rezoning: 3681 Victoria Drive and 1915 Stainsbury Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law, 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.
- C. 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 19, 2017, entitled "CD-1 Rezoning: 3681 Victoria Drive and 1915 Stainsbury Avenue", be approved.
- D. 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 19, 2017, entitled "CD-1 Rezoning: 3681 Victoria Drive and 1915 Stainsbury Avenue."

- E. THAT A to D above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any 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. 02343)

* * * * *

At 7:52 pm, Councillor De Genova declared a conflict of interest on Item 4 as an immediate family member is involved in the development of the site. She left the Council Chamber and did not return until the conclusion of this item.

* * * * *

4. REZONING: 521-527 West 8th Avenue

An application by Musson Cattell Mackey Partnership was considered as follows:

Summary: To rezone 521-527 West 8th Avenue from from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of an eight-storey office building with commercial retail use at grade. A height of 33.3 metres (109.3 feet) and a floor space ratio (FSR) of 6.51 are proposed.

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

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application.

Summary of Correspondence

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

- 11 pieces of correspondence in support of the application; and
- 7 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:

Tyler Morrow
Devon Hussack
Rani Hatz, Cambie Village Business Association
Joel Wasel

The following expressed concerns regarding various aspects of the application:

Moreen Cobb

The speakers list and receipt of public comments closed at 8:11 pm.

Closing Comments

Engineering staff and Dana Hough, Core Project Management, responded to questions.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Carr

- A. THAT the application by Musson Cattell Mackey Partnership, on behalf of VANLUX West 8th Inc., to rezone 521-527 West 8th Avenue [*Lots 16 and 17, Except the north 10 feet now lane, Block 320, District Lot 526, Plan 590; PIDs: 004-316-703 and 004-309-707 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.00 to 6.51 and the building height to 33.3 m (109.3 ft.) to permit the development of an eight-storey office building with commercial retail use at grade, generally as presented in Appendix A of the Policy Report dated September 19, 2017, entitled "CD-1 Rezoning: 521-527 West 8th 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 Musson Cattell Mackey Partnership and stamped "Received City of Vancouver, March 14, 2017", subject to the following conditions, 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. Provision of design development to refine the exterior finishes to add visual interest consistent with the rezoning application, while maintaining high quality and durability.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including appearance, durability, and performance, with consideration given to incorporating further details to add visual interest and texture to the façade, such as fritting or imagery to the glass, or passive design elements, noting that the latter will also improve the building's environmental performance.

2. Provision of improved pedestrian interest through a more active use at the ground floor at the corner of 8th Avenue and the lane.

Note to Applicant: Relocate the stair and elevator to the underground parkade away from the exterior façade, so that a more engaging and pedestrian-friendly use may be provided.

3. Provision of continuous weather protection along the 8th Avenue frontage.

Note to Applicant: The intent is to ensure coverage for pedestrians in Vancouver's winter climate and to make this street 'rain friendly' as noted in the *Transportation 2040 Plan*. The canopy should extend horizontally from the ground floor wall for a distance that is at least 70% of the canopy's height above the sidewalk. For example, if the canopy is located 10 ft. above the sidewalk, then it should extend 7 ft. horizontally.

Landscape

4. Design development to the slab and structural design to provide adequate soil volumes and depths for planting.

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.

5. Provision of additional details to ensure the viability of the green wall system on the west elevation.
6. Design development to locate site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.
7. Design development to reduce potable water consumption in the irrigation systems by using drought-tolerant plant species, efficient irrigation rainwater technology and rain water harvesting methods (to the greatest extent practicable).
8. Provision of new street trees adjacent to the development site, where applicable, to be confirmed prior to the issuance of the building permit, at the discretion of the General Manager of Engineering Services.

Note to Applicant: Contact Eileen Curran, Streets Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan: "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees 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 in deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."

9. At time of development permit application, the following:
 - (i) 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).

- (ii) Provision of large-scale sections [typical] through landscaped areas, including the ground-oriented interface, the slab-planter relationship, street trees, any 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.

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

- (iv) Provision of adequate soil volumes and depths for planting on slabs and in planters.

Note to Applicant: Refer to Landscape condition 4. To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards.

- (v) 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.

- (vi) Provision of a partial irrigation plan to demonstrate efficient irrigation system for all outdoor planters.

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

Sustainability

- 10. 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: Provide an updated LEED® checklist and sustainable design strategy at time of Development Permit application outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

Engineering

11. 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.
12. 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. 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.
13. 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.
14. Delete what appears to be curbing from the corner cut off lane dedication area (lower ground floor plan).
15. Clarify garbage and recycling space location. If "RCY" is intended as the garbage and recycling room please indicate bins and totters intended for the space (please reference the COV garbage and recycling supplement).

16. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof-like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).
17. Provision of a landscape plan that reflects the off-site improvements sought by this application.
18. Provision of additional design grades at all entries clearly indicating City building grades are met at the property lines.
19. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
20. Design development to improve access to bicycle parking.

Note to Applicant: As there is no parking ramp for bicycle access, an appropriately sized elevator with double doors, providing direct access to outside is required. Clearly note the access route on plans.
21. Provision of an improved plan showing the access route from the loading spaces to the CRU and elevator core.

Note to Applicant: The route must be 'stairs free' and confirm the use of an elevator, if required.
22. Provision of an improved plan showing six (6) Class B bicycle spaces on private property.

Note to Applicant: Locate the bike rack in close proximity to the lobby entrance with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach over the property line.
23. Provision of an improved drawing A2.01 to show the complete layout of stalls 12, 13 and the parking ramp.
24. 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, additional design elevations within the parking area, and at all entrances.

Note to Applicant: Provide separate P1 and P2 drawings with design elevations.

- (ii) Dimension all columns (length, width, and column setback) that are encroaching into parking stalls, all parking and loading stall widths, stall offsets from walls, and number and label all stalls.
- (iii) Relocate disability stalls at gridline B/2, closer to the elevator core.

Note to Applicant: The required minimum number of disability stalls can be bonused as two parking spaces as per section 4.1.15 of the PBL.

- (iv) Design development to improve access to parking.

Note to Applicant: Relocate the column adjacent to stall 20 on P1 to be clear of the maneuvering aisle and provide additional stall width for stall 20. This condition exists on multiple levels.

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

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

- (vi) Provision of measures to improve visibility and address conflicts between vehicles at the 90 degree turn on the ramp at gridline 1/B. A parabolic mirror is recommended.
- (vii) Modification of the Class B loading bay design to provide double loading throats as the west end of the lane narrows to 3 m.

25. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law, except:

- (i) A minimum of 2 Class B and 2 Class A loading spaces must be provided.

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

1. Consolidation of Lots 16 and 17, Both Except the North 10 Feet, Now Lane, Block 320, DL 526, Plan 590 to create a single parcel and subdivision of that site to result in the dedication of the easterly 6 ft. of the site and a further 10 ft. x10 ft. corner-cut truncation in the northeast corner of the site for lane purposes.
2. Provision of a building setback and a surface Statutory Right-of-Way (SRW) on West 8th Avenue to achieve a 4.5 m (15 ft.) sidewalk 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 is required to determine the final setback/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 3rd storey and above will be accommodated within the SRW agreement.
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) Upgrade approximately 125 m of the existing 600 mm stormwater main along West 8th Avenue and Cambie Street to the Metro Vancouver English Bay Interceptor. The proposed size is a 900 mm, but the applicant is to submit design calculations and drawings to the City for final review.
- (iii) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and comply with the Sewer and Watercourse By-law. The plan shall achieve the following:
 - (a) retain or infiltrate the 6-month storm event volume (24 mm) onsite;
 - (b) treat the 2-year event (48 mm) onsite; and
 - (c) maintain the pre-development 2014 IDF-10-year storm event rate. The post-development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure ongoing operations of certain stormwater storage systems.

- (iv) Provision of a natural watercourse agreement. Records indicate there are natural watercourses that may pass through the site. Watercourses may not be blocked but can be rerouted within the site to reduce the impact on the sites development. A legal arrangement will be required.
- (v) Provision of a CIP light broom-finish concrete sidewalk with sawcut joints on West 8th Avenue adjacent the site in keeping with area standards.
- (vi) Provision of a concrete lane crossing and associated curb returns and ramps on both sides of the lane entry at the lane west of Cambie Street on the north side of West 8th Avenue to current standards.
- (vii) Upgrading of the traffic signal at the intersection of Cambie Street and West 8th Avenue from an audible signal to an accessible pedestrian signal.

- (viii) Provision of new street lighting to current standards should it be a required. A lighting study is necessary to determine the extent of upgrading or new lighting that may be necessary.
- (ix) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (x) Provision of lane paving for the dedication areas including adjustment of existing pavement where necessary to ensure typical lane design standards are met.
 - (xi) Provision of street trees adjacent the site where space permits.
4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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 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

5. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
 - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on site and off site contamination, issued by the Ministry of Environment, have been provided to the City.

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 19, 2017, entitled "CD-1 Rezoning: 521-527 West 8th 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 Parking By-law, generally as set out in Appendix C of the Policy Report dated September 19, 2017, entitled "CD-1 Rezoning: 521-527 West 8th Avenue."
- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the 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. 02344)
(Councillor De Genova absent for the vote due to Conflict of Interest)

5. **REZONING: 3030-3038 Commercial Drive - WITHDRAWN**

6. **REZONING: 8615 Laurel Street**

An application by Domus Homes and Birmingham and Wood, was considered as follows:

Summary: To rezone 8615 Laurel Street from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building, containing a total of 65 secured market rental housing units. A height of 20.1 metres (66 feet) and a floor space ratio (FSR) of 2.50 are proposed.

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

Staff Opening Comments

Planning, Urban Design and Sustainability staff provided a presentation.

Applicant Comments

Richard Wittstock, Domus Homes, provided opening comments and, along with Julian Pattison, Considered Design, 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:

- 8 pieces of correspondence in support of the application; and
- 1 piece 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:

Ashley Belzil
Rebecca Hartley

The following spoke in opposition to the application:

Christine Cao

The speakers list and receipt of public comments closed at 8:43 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to questions.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Deal

- A. THAT the application by Birmingham and Wood on behalf of 8615 Laurel Street Holdings Ltd., the registered owner, to rezone 8615 Laurel Street [PID:029-934- 672; Lot A, Block C, District Lot 319, Group 1, New Westminster

District Plan EPP64060], from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.45 to 2.50 and to increase the height from 10.7 m (35 ft.) to 20.1 m (66 ft.), to permit the development of a six-storey residential building, containing a total of 65 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated October 3, 2017, entitled "CD-1 Rezoning: 8615 Laurel 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 Birmingham and Wood, on behalf of 8615 Laurel Street Holdings Ltd. and stamped "Received Planning & Development Services, January 27, 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 relationship to grade, as follows:
 - (i) Lower the courtyard elevation to approximately 63.5 ft. (resulting in a main floor elevation of approximately 64 ft.).
 - (ii) Provide an accessible path of travel to the courtyard from Laurel Street. A second access path with steps may be provided from Oak Street.
 - (iii) Lower the grades in the south yard to minimize the retaining wall and steps along the south property line (i.e. approx. 61 ft.).
 - (iv) Minimize retaining walls and terracing along the west and east property lines.
 - (v) Design the front yard to adhere more closely to existing grades, and to retain the existing mature tree. Private patios should be screened with landscaping and/or terracing, to avoid guardrails in the front yard.

- (vi) On elevation drawings, indicate grades at the property line (not at the sidewalk), and co-ordinate with official Building Grades. On elevations and sections, add existing grade line in dashed line, and show the outline of the neighbouring building to the south.

Note to Applicant: It is anticipated that lowering the main floor elevation will result in revisions to the massing to accommodate the parkade ramp, and may result in a decrease in overall floorspace. Further conditions may result from the information provided.

2. Design development to improve the common outdoor spaces, as follows:

- (i) Provide weather protection for the exterior stairs and corridors.
- (ii) Provide an area for mailboxes, with appropriate weather protection, furnishing and lighting.
- (iii) Provide a weather-protected area contiguous with the amenity room.

Clarify the access to the amenity room for the courtyard (three doors are currently shown);

- (iv) Clarify the location of security gates (if provided), and accurately illustrate on plans and elevations.
- (v) Relocate the pad-mounted transformer to the south-west corner of the site, to maximize the common outdoor space at the lane.

Note to Applicant: Further conditions may result from the information provided.

3. Design development to improve the livability of the dwelling units, by providing a private outdoor space (minimum 5 ft. depth) for each dwelling unit.

Note to Applicant: Several units in the northeast corner do not have balconies. Note that the open air 'walkway' between the two "blocks" of the north building does not fulfill the requirement for private outdoor space, as it is enclosed on four sides and does not have sufficient solar access. It is recommended that projecting balconies be provided on the exterior wall.

4. Design development to improve the building elevations, as follows:
 - (i) Provide elevations for the north side of the south building and south side of the north building, to illustrate the design of the courtyard.
 - (ii) Indicate all exterior cladding materials (i.e. provide a legend).
 - (iii) Provide reflected elevation of neighbouring building on South Elevations.
 - (iv) Distinguish door openings, operable and non-operable windows on elevation drawings.

Note to Applicant: Further conditions may result from the information provided.

5. The proposed unit mix, including 42 one-bedroom units (65 per cent), 21 two-bedroom units (32 per cent), and two three-bedroom units (3 per cent), 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. Provision of bulk storage unit for each dwelling unit.

Note to Applicant: Storage for units without in-suite storage must be provided in below grade storage area or in other convenient location in the building.

7. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at:

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

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 to provide a more conservative tree removal strategy, including as a minimum, Tree #1 (Western Red Cedar in good condition), to be integrated into the new landscape plan.

Note to Applicant: This tree is located on the west edge of the site and would require a clear Critical Root Zone of 2.28 m. It is understood that revisions to the parkade and footprint would be 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.

10. Design development to expand programming, provide better definition and articulation and improve the livability of the common courtyard, by the following:
- (i) Provide better defined opportunities for informal seating and gathering by including some lawn areas, seat walls and benches;
 - (ii) Ensure that planters over the parkade in the common areas are flush with the grade, rather than raised, for a smooth, unobstructed visual experience. This will require alterations to the parkade height, in order to allow adequate depth of soil.
 - (iii) Expand programming to include opportunities for children's play. The play area should be located in proximity of benches, where visual access for adult supervision of children can take place from the indoor Amenity Room.
 - (iv) Explore opportunities for increasing solar access.
11. Design development to improve presentation to both Laurel Street and 70th Avenue, by the provision of low, layered, friendly planting beds oriented to the street.

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

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

13. 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. The plan should read clearly in black and white, without tones or shading.

14. A Tree Management Plan, showing all existing trees to be retained/relocated/removed, complete with tree protection in coordination with the arborist report.

15. 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 that the 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.

16. 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.

17. 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.

18. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park

Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.

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

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

Sustainability

21. 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.

22. 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.

Engineering

23. 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.
24. 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.

25. Clarify garbage storage and pick-up space. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins. Pick up operations should not rely on bins being stored on the street or lane for pick up, and bins are to be returned to storage areas immediately after emptying.
26. Provision of an updated landscape and site plan that reflects the off-site improvements sought by this rezoning.
27. Provision of a building design that meets the City building grades and provides structural support for both 70th Avenue and the City lane at the property lines. Typically the buildings' foundation walls are constructed at the property lines and at elevations that meet City building grades.
28. The first step risers are to be 1 ft. behind the property lines.
29. Revised building grades are required that reflect the 17 ft. building line along West 70th Avenue and corrected or added design grades as needed to reflect construction elevations that meet City building grades around the site.

30. 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 parking levels.

Note to Applicant: label the minimum clearance for the parking levels on drawing, including at overhead gate and mechanical projections. Minimum 2.3 m clearance is required for disability spaces.

- (ii) Provision of an updated section drawing A2.0 and additional east to west section drawings through the parking level with overhead projections into stalls noted and dimensioned on the drawings.

Note to Applicant: Projections over stalls to comply with Section B of the Parking and Loading Design Supplement.

- (iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, throughout the parking levels and at all entrances.

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

- (iv) Show all columns in the parking level and dimension all columns encroaching into parking stalls.

- (v) Dimension and number all parking stalls.

- (vi) Provision of an updated 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.

- (vii) Provide an alcove for the 25 space bike room with access off the maneuvering aisle in the P1 parking level.

- (viii) Provision of a complete tech table showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

Housing Policy and Projects

31. Provide a completed Tenant Relocation Application Form which includes a list outlining the name of each tenant, the number of the tenant's unit, the size of unit, the type of unit, and their rent, as per Section 6.1(a) of the Tenant Relocation and Protection Guidelines.

Note to Applicant: An updated list of tenants must be submitted at the time of development permit application.

32. Provide a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all tenants.
33. Provide a notarized declaration, prior to issuance of a development permit which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; includes information on posting of notice regarding the intent to redevelop as per Section 6.1(c); and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
34. Provide 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, 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

1. Dedication of the northerly 17 ft. of the site (the building line area) for road purposes. A subdivision is required to effect the dedication. A subdivision plan and application to the Subdivision and Strata Group is required.

2. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of two Shared Vehicles and the provision and maintenance of two Shared Vehicle Parking Spaces for use exclusively by such Shared Vehicles, (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 two Shared Vehicle(s) to the development for a minimum period of three 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 Vehicles.
 - (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.
 - (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 2.9 m.

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 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 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 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) Provision of a 1.83 m CIP light broom finish sidewalk with saw cut joints and a minimum 1.83 m wide sod grass front boulevard, on 70th Avenue adjacent the site.
- (v) Provision of a 1.83 m CIP light broom finish sidewalk with saw cut joints on Laurel Street.
- (vi) Provision of upgraded street lighting on 70th Avenue and Laurel Street to current standards, including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (vii) Provision of a standard concrete commercial lane crossing at the lane west of Laurel Street on the south side of 70th Avenue.
- (viii) Provision of a new curb return and curb ramps at the southwest corner of Laurel Street and 70th Avenue to current standards.

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

5. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and
 - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services, and Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on 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.

Housing Policy and Projects

6. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:

- (i) A no separate-sales covenant.
- (ii) A no stratification covenant.
- (iii) That none of such units will be rented for less than one month at a time.
- (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance.
- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents subject to adjustment as contemplated by the Vancouver Development Cost Levy-By-law:

Unit Type	8615 Laurel Street Proposed Average Starting Rents
1-bedroom	\$1,790
2-bedroom	\$2,290
3-bedroom	\$2,890

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Community Services and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.
- (vii) Compliance with the City-approved Tenant Relocation Plan, including provision of a final Tenant Relocation Report prior to issuance of the occupancy permit.

- (viii) 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*.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the city.

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

- B. THAT, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated October 3, 2017, entitled "CD-1 Rezoning: 8615 Laurel Street", 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, 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.
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; 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. 02345)

7. REZONING: 5110 Cambie Street

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

Summary: To rezone 5110 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing a total of 12 dwelling units. A height of 20.1 metres (66 feet) and a floor space ratio (FSR) of 2.40 are proposed.

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

Summary of Correspondence

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

Speakers

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

The speakers list and receipt of public comments closed at 8:55 pm.

Applicant Closing Comments

Robert Billard, Billard Architecture Inc. provided closing comments.

Council Decision

MOVED by Councillor Louie
SECONDED by Councillor Deal

- A. THAT the application by Billard Architecture Inc. on behalf of 1063570 B.C. Ltd., the registered owners, to rezone 5110 Cambie Street [*PID 010-152-288; Lot 12, Block 840, District Lot 526, Plan 8324*] from RS-1 (One-Family Dwelling)

District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.40 and the height from 10.7 m (35 ft.) to 20.1 m (66 ft.) to permit the development of a six-storey residential building, containing a total of 12 dwelling units, generally as presented in Appendix A of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 5110 Cambie 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 Billard Architecture Inc., on behalf of 1063570 B.C. Ltd., and stamped October 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 for the following:
Urban Design
 1. Design development to improve the massing, as follows:
 - (i) Provide an increased setback of 9.5 ft. at the south (interior) property line for the east and west ends of the building (ie. Gridline B to D, and K to N).
 - (ii) Lower the building height by 2 ft.

Note to Applicant: This may be achieved by lowering the main floor elevation and/or by reducing floor-to-floor heights.
 - (iii) Confirm that the parking ramp entry has sufficient headroom, accounting for structure and required clearance for disability vehicles.

Note to Applicant: Should the parking ramp require further height, a portion of the main floorplan will be impacted and floor space may be reduced. The main floor elevation should not be raised.
 2. Design development to improve the interface to the public realm, as follows:
 - (i) Provide a more neighbourly, inviting and "public" character for the mini-park.

- (ii) Delete the raised walkway and retaining wall in the interior side yard, and internalize the stair into the building.
- (iii) Provide a minimum 3 ft. landscape buffer in front of the retaining walls for the raised private patios, along the west and north property lines.
- (iv) Add a landscape buffer between the private patio for unit TH-5 and the principle building entry.
- (v) Add a landscape buffer with a protective curb (i.e. 8" height) or a planter along the lane edge (Refer to Landscape Condition 19).
- (vi) Relocate the pad-mounted transformer to be adjacent to the parkade entry.

Note to Applicant: The PMT size and location must adhere to BC Hydro requirements.

3. Design development to improve the building elevations, as follows:

- (i) Add windows to the south elevation (interior side yard), particularly at the exit stairs, to present a more neighbourly interface to the adjacent building.
- (ii) Add windows to the east elevation at Level 1 to animate the lane.
- (iii) Improve the visibility of the entries to the ground-oriented units.

Note to Applicant: This can be achieved by adding canopies and/or sidelites, a change in exterior cladding, or feature lighting.

4. Design development to improve the sustainable design of the building envelope, as follows:

- (i) Consider relocating and refining the angle of the vertical fins (currently proposed on the west elevation) to improve passive solar protection.
- (ii) Consider increasing the wall to window ratio, particularly on the west and north elevations.

- (iii) Consider solar shading for units (i.e. TH-5) and for bedrooms (i.e. CD-2, CD-4, CD-6) with unprotected south-west exposure.

5. Design development to improve the livability of the dwelling units, as follows:

- (i) Improve the privacy for street-fronting bedrooms, particularly at lower levels.

Note to Applicant: This can be achieved by raising the window sills to 3 ft. or by using frosted glazing or metal screens for the balcony railings.

- (ii) Provide sufficient living/dining space relative to the number of bedrooms in each unit.

Note to Applicant: The living/dining space for units CD-1, CD-5 and CD-6 is insufficient for the anticipated household size (i.e. the living space for CD-5 is only 7 ft. deep). For three-bedroom units, provide furniture layouts to illustrate living and dining areas to comfortably accommodate six people.)

- (iii) Delete internalized habitable rooms (ie. "dens" without exterior windows).

- (iv) Provide bulk storage for every unit, either in-suite or in the parkade, per the Bulk Storage bulletin.

Note to Applicant: Storage rooms accessed from common corridors will count in FSR.

- (v) Improve the private and shared outdoor spaces, by:

- a. Increasing balconies to minimum 5 ft. clear;
- b. Providing a larger common roof deck above Level 6; and
- c. Providing opportunities for childrens' play.

Note to Applicant: The proposed private roof deck at Level 6 should be deleted. To reduce massing the common roof deck should be accessed by the elevator core and one exit stair.

6. Design development to the architectural detailing and materials, as follows:

- (i) Provide a refined colour and material palette, taking neighbouring views into consideration.

Note to Applicant: The large unbroken areas of exterior wall that are coloured in solid red or black should be reconsidered, particularly where they will constitute the primary view from windows in the adjacent development. Consider using exterior cladding materials with texture and visual interest at the pedestrian scale.

- (ii) Provide durable materials for exterior cladding and surfaces, with special consideration to colour fastness.

Note to Applicant: The red colour proposed for the metal cladding and multiple hard surfaces of the plaza may be difficult to achieve and maintain.

7. The proposed unit mix, including one two-bedroom unit (8%) and 11 three-bedroom units (92%), 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.

8. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design;

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

Crime Prevention through Environmental Design (CPTED)

9. Design development to respond to CPTED principles, having particular regard for:

- (i) Theft in the underground parking;
(ii) Residential break and enter;
(iii) Mail theft; and
(iv) Mischief in alcoves and vandalism, such as graffiti.

Landscape Design

10. 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.
11. 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 deep enough to accommodate rootballs of proposed trees well into the future, with dimensions which exceed BCSLA standard.
12. Provide 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.

13. 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.
14. New proposed street trees should be coordinated with the Park Board and Engineering, confirmed on the Plant List 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.
15. 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.
16. A Landscape Lighting Plan to be provided for security purposes.

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

17. Design development to the mini-park at the northwest corner to present a friendlier, more comfortable and inviting space. This may be achieved by the following:
 - (i) Deleting the access ramp and allow the space itself to function as access ramp to the front entry. This would eliminate the hard edges of the ramp curb;
 - (ii) Providing a more articulated paving, integrated with public art which contributes to the public realm, with more friendly, inviting colours and textures;
 - (iii) Activating with additional, colourful, diverse planting beds; and
 - (iv) Providing a trellis with vines over benches adjacent to building.
18. Design development to enable the protection of the adjacent property 3 ft. diameter conifer, being retained by the adjacent development, allowing a clear root zone protection area of minimum 18 ft. from the trunk of the tree.

Note to Applicant: This will likely require a revised parkade setback from the property line. A revised Arborist Report is required to provide methods of protection for the tree, in coordination with the representative arborist for the adjacent development. A Letter of Assurance for arborist supervision should also be provided, signed and dated by arborist, owner and contractor, detailing activities that will need to be supervised and the terms for advance notice for arborist attendance.

19. 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.

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

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

21. Provision of improved sustainability by the provision 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.

Sustainability

22. 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.

23. Any new building 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.

24. In lieu of the requirements outlined in Condition 23, 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

25. 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.
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. 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.
28. First risers to be setback 1 ft. from the property lines.
29. Clearly show property lines on all plans.
30. Clearly show City building grades on the plans and provide design grades on both sides of all entries at the property lines clearly indicating that the entries meet City building grades.
31. Confirmation that the space allocated for the PMT is adequate and meets BC Hydro standards.

32. Provision of a Landscape Plan that reflects the off-site improvements sought for this site.
33. 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: Where there is a curved ramp, provide grades 2 ft. from the wall on the inside radius (Section I.A). The slope and length of the ramp sections must be shown on the submitted drawings.
 - (ii) Ramps which have a 15% slope and are exposed to the weather must be heated and note on plans.
 - (iii) Provision of the minimum vertical clearance for the main ramp and security gates.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 2.1 m is noted on drawing A1.04.
 - (iv) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.
 - (v) Provision of column placement within the parking level to comply with the requirements of the Engineering Parking and Loading Design Supplement. A column 2 ft. in length must be set back 2 ft. from either the opening to or the end of the parking space. A column 3 ft. long may be set back 1 ft.
 - (vi) Dimension all columns encroaching into parking stalls.
 - (vii) Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

Technical Analysis

34. Confirmation that the exiting requirements have been met per the Vancouver Building By-law.

Note to Applicant: A building code consultant is suggested to review the requirements of the VBBL with respect to, but not limited to, exiting and accessibility.

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. Provision of a statutory right-of-way (SRW) for public use of the mini-park located on private property (at the corner of 35th Avenue and Cambie Street).
2. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of 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 a stormwater management plan that controls site flows equivalent to a 60% impervious site at the 1 in 5 return period storm. Provision of a report or

management plan by a registered professional demonstrating that post development stormwater runoff flowrate will meet the above noted requirement. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.

- (iii) Provision of a corner bulge on 35th Avenue and Cambie Street adjacent the site. Work to include upgrading the curb return and curb ramps at the 35th Avenue and Cambie Street corner and the design is to include rainwater management design features.
- (iv) Provision of 100% of funding to the satisfaction of General Manager of Engineering Services for the future construction of protected bike lanes and infrastructure improvements on Cambie Street adjacent to the site. Improvements will generally include the following:
 - a. New concrete curb and gutter;
 - b. Raised protected bike lane;
 - c. Concrete sidewalk;
 - d. Curb ramps where necessary;
 - e. Upgraded street lighting to LED standard;
 - f. Pedestrian scale lighting; and
 - g. Adjustment to all existing infrastructure to accommodate the proposed street improvements.

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

- (v) Provision of a minimum 2.13 m (7 ft.) wide CIP light broom finish concrete sidewalk with saw cut joints on 35th Avenue and Cambie Street adjacent the site.
 - (vi) Provision of street trees adjacent the site where space permits.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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.

Environmental Contamination

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
 - (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

5. Pay to the City a Community Amenity Contribution of \$814,637, 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 \$814,637 is to be allocated as follows:

- (i) \$407,318 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
- (ii) \$325,855 (40%) toward childcare and community facilities in and around the Cambie Corridor Plan area; and
- (iii) \$81,464 (10%) 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, 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: 5110 Cambie Street".
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; 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. 02346)

8. REZONING: 1920 Southwest Marine Drive (Casa Mia)

An application by IBI Group was considered as follows:

Summary: To rezone 1920 Southwest Marine Drive from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit retention, reuse and designation of the existing heritage "A" listed Casa Mia estate building, and development of a three-storey (two storeys above grade) addition; and to permit the entire structure to be used as a 90-bed Community Care Facility for seniors. An FSR of 0.93 is 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.

* * * * *

At 9 pm, prior to hearing the staff presentation on Item 8, it was,

*MOVED by Councillor Louie
SECONDED by Councillor Stevenson*

THAT the meeting be extended to complete the hearing of speakers.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application.

Applicant Comments

Gavin MacIntosh, The Care Group, 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:

- 14 pieces of correspondence in support of the application;
- 6 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 general support of the application:

Colleen McGuinness, Chair, Seniors' Advisory Committee
Barbara Aidelbaum
Edwin Lee
Michael Klassen
Richard Wittstock
Andrea Krombein
Katherine Reichert, ARKS Housing Committee Chair
John Leathley
Moreen Cobb

The speakers list and receipt of public comments closed at 9:44 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments and, along with Engineering Services staff, Peter Lang, IBI Group, and the registered owner, responded to questions.

Council Decision

MOVED by Councillor Deal
SECONDED by Councillor Stevenson

- A. THAT the application by IBI Group, on behalf of Maureen Mae McIntosh and Roy Alison McIntosh, the registered owners, and The Care Group, to rezone 1920 Southwest Marine Drive [PID: 004-174-011; Lot 2, Blocks 12, O and R,

District Lot 317, Plan 19773] from RS-1 (One-Family Dwelling) to a CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 0.93 for an addition to the heritage "A" listed Casa Mia estate building to permit the entire structure to be used as a 90-bed Community Care Facility for seniors, generally as presented in Appendix A of the Policy Report dated October 3, 2017, entitled "CD-1 Rezoning and Heritage Designation: 1920 Southwest Marine Drive (Casa Mia)", 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 IBI Group, and stamped "Received City Planning Department, April 21, 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 access to natural light and views from the basement level dwelling units including the following provisions:
 - (i) Detailed drawings with surveyed existing finished floor elevations demonstrating the minimum achievable depth for below grade habitable spaces;
 - (ii) Sloping or terracing grades and planters away from windows and patios to the greatest extent practical;
 - (iii) Annotation on plans and sections demonstrating that each below grade dwelling unit is provided with a window complying with regulations for horizontal angle of daylight to a minimum distance of 3.7 m (12 ft.); and
 - (iv) Consideration to raise the finished floor elevation of the basement level to improve access to daylight and views.

Note to Applicant: These strategies may include interior sloped walk ways or corridors, over-framed floor structures, deeper patios and planters, and greater building height. An increase in maximum building height above 9.5 m (31 ft.) up to 10.4 m (34 ft.) may only be considered to improve access to daylight and views for the basement level.

2. Design development to provide clearer wayfinding and hierarchy for the main entrance.

Note to Applicant: This may be achieved by integrating the architectural expression of the entrance canopy with the existing heritage auto court walls and pillars, by extending the weather protection to the passenger loading area, and by provision of other wayfinding devices such as site lighting and paving patterns. Refer to Landscape Condition 13.

3. Design development to the architectural expression of the new addition to be more compatible and respectful of the existing heritage character and features including exploration the following design strategies:
 - (i) Articulate the connection between new and existing buildings as a recessed and subdued predominantly glazed structure;
 - (ii) Reflect the finer grain scale, proportions and level of detail of Casa Mia in the new development;
 - (iii) Consider referencing existing fenestration proportions, operation, and divided lights;
 - (iv) Consideration of a darker colour scheme on the new development that reads as background to the Casa Mia; and
 - (v) Consideration for borrowing the terracotta colour for new accent elements at the roof top and parapet.

4. Design development to provide privacy and visual separation for basement dwelling units facing the sunken courtyard.

Note to Applicant: This can be achieved with planters and other landscape screening devices as well as by programming the more active use and circulation spaces toward the centre of the courtyard.

5. Design development to identify on the architectural and landscape drawings built and landscaped features intended to create a bird friendly design.

Note to Applicant: Consider including bird friendly plants 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>.

6. Confirmation that the elevator overrun and other roof top appurtenances are absolutely minimized in height and appearance of bulk and massing.

Note to Applicant: Consider referencing the Casa Mia pitched roof forms, such as the pyramidal roof above the play room, as devices to reduce the appearance of roof top bulk and massing as well as creating distinct architectural elements.

7. Consider provision of permanent exterior shade and weather protection structures.

Note to Applicant: Intent is to improve comfort for a greater range of outdoor conditions. Permanent structures in the rear yard and sunken courtyard should be compatible and respectful of the existing architecture. Permanent structures on the roof top should only be provided in compliance with Section 10.11 of the Zoning and Development By-Law and the Bulletin for Roof-Mounted Energy Technologies and Green Roofs - Discretionary Height Increases.

8. Provide annotation on elevation drawings of materials and products for all exterior surfaces including colours, finishes, and intended performance objectives such as energy conservation strategies and weather protection.

Note to Applicant: Intent is to maintain the proposed high-quality design and materiality through subsequent stages. This may also include further explorations to improve performance including glazing, solar shading devices, durable materials, canopies and lighting. All significant surfaces should be labelled including soffits and wall returns. The use of cementitious panel material such as hardi-siding is not considered to be a high quality material.

9. Provide site lighting plan indicating fixture types, locations, and illumination levels.

Note to Applicant: Site lighting should be integrated into the site and building design. The site lighting plan should indicate lighting strategies for paths and exits, wayfinding, security, decoration, and any other exterior light fixtures. For exterior lighting, LED sources are encouraged. Exterior lights should be oriented away from adjacent residential properties and be

provided on dimmable switches. Review opportunities to utilize lighting design standards and guidelines that reduce negative impacts to birds and other wildlife.

Sustainability

10. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezonings including a minimum of LEED® Gold rating, with a minimum of 63 points in the LEED® rating system, 1 point each for water efficiency and stormwater management, and a minimum of 6 points under Optimize Energy Performance.

Note to Applicant: Provide a LEED® checklist and sustainable design strategy outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist, registration number and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy. Changes to the existing building should be considered with respect to improved energy performance and recycled materials and be included in the heritage conservation plan and documentation.

Crime Prevention Through Environmental Design (CPTED)

11. Provisions for Crime Prevention Through Environmental Design (CPTED) including:
 - (i) Particular regard for mischief in alcoves and vandalism such as graffiti; and
 - (ii) Encouraging natural visual surveillance.

Note to Applicant: Below grade exterior spaces such as sunken patios, exit stairs, light wells, and other similar conditions, should be considered with regard to security, access, path lighting and location of windows that encourage natural visual surveillance.

12. Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
 - (i) Overhead lighting and step lights at exit stairs and doors;
 - (ii) 24 hour lights and walls painted white; and
 - (iii) Visibility at doors, lobbies, stairs and other access routes.

Landscape

13. Design development to improve the main entry sequencing and sense of arrival.

Note to Applicant: Currently the prominence of existing Porte Cochere still signals "front entry", with the new main entry as secondary. This condition can be improved by special paving, more significant and attractive planting, bringing continuity along the right side of the drive to direct focus on the doorway, with additional, colourful planting flanking both sides of the actual entry.

14. Design development to the outdoor spaces, to be more articulated and usable throughout the whole landscape.

Note to Applicant: This can be achieved by additional seating and permanent shading of outdoor spaces, significantly more planting beds to define areas and provision of additional, larger replacement trees planted on free grade (rather than over structure).

15. Design development to the sunken courtyard to provide opportunities for walking and wandering throughout the grounds.

Note to Applicant: If necessary for safety of Alzheimer patients, this could include control gates.

16. Design development to the rooftop green roof terrace to provide privacy to adjacent property at the north, by providing wider planting beds planted with taller woody evergreen shrubs at the north edge.

17. Provision of maximized tree growing medium and planting depths for tree and shrub planters over structure, 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. A section through the planted areas should be provided at the time of development permit application, to show adequate depth of soil for the type of trees proposed in order to allow for better root development and therefore healthier trees in the future.

18. The project has high heritage value and the landscape design respects that. It also presents a highly visible formal image. Due to this concept, a landscape management plan is required,

recommending and ensuring the on-going maintenance necessary to sustain this level of development will be available into the future.

Note to Applicant: This can be in memo form as a detailed letter of assurance, specifying the schedule for maintenance requirements and commitment to them, signed and dated by both landscape professional and property owner.

Social Policy

19. In collaboration with Vancouver Coastal Health, the applicant must submit a design for the community care facility that meets the "Design Guidelines: Complex Residential Care Developments" and the City of Vancouver's Community "Care Facility Guidelines - Class B" to the approval of Vancouver Coastal Health.
20. That the community care facility aims to maintain or increase the number of public and privately funded beds in future; any potential reduction in the number of beds will be subject to approval of the General Manager of Community Services, in consultation with Vancouver Coastal Health.

Engineering

21. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law. Note to Applicant: The community care facility requires three disability parking spaces (section 4.8.4(b) of the parking By-law).

Note to Applicant: This can be achieved by reducing standard spaces and using the double count for disability spaces to make up for the loss of standard spaces.
22. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
23. Clarification of any proposed changes to the existing encroaching wall. Any additions to the wall and other related features not currently the subject of the registered encroachment agreement

for the site are to be relocated to private property or removed from the plans.

24. A crossing application is required. Note the new crossing design may result in modification, replacement or removal of the existing concrete curb returns that lead to the main entry and reconfiguration of the westerly paved crossing to align with the opening in the fence.
25. Confirmation that the garbage and recycling space provision is adequate for the sites operations. Please review the Engineering garbage and recycle supplement for advice.
26. Provide automatic door openers on the doors providing access to the bicycle room(s).
27. Design development to provide space for scooter parking.
28. Confirmation that the main gate will be open to traffic during business/visiting hours such that cars and trucks will not have to stop at the gate to gain access and block the bike route or roadway. Should the gate need to be closed then adjustment to the gate location will be necessary to ensure the largest vehicle clears the bikeway.
29. Provide a signal system for the single ramp - a qualified transportation engineer must provide details on the system and locations of all lights, signs and detection devices on the plans. A signed and sealed report from the qualified transportation engineer is required.
30. 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 within the parking and loading areas to calculate the slope and crossfall.

Note to Applicant: Note the slope and crossfall on the drawings as it must not exceed 5%.
 - (ii) Dimension and label all parking, loading and passenger spaces on drawings A1.01 and A1.02.
 - (iii) Provision of a 12 ft. by 12 ft. corner cut on the north side of the ramp at elevation 54.8 ft. to achieve 2-way flow.

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

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. Provide an additional section drawing showing the vertical clearance for the porte cochere.

- (v) Relocate disability stalls to stalls 1-3.
- (vi) Provision of independent access for the porte cochere and the Class B passenger space.

Note to Applicant: Provide a maneuvering diagram showing the vehicle maneuvering to access the porte cochere with the Class B passenger space occupied to confirm. Diagram A1.02 is showing 7 ft. drive aisle width under the porte cochere and typically 12 ft. is required.

- (vii) Provision of independent Class A and Class B passenger spaces.

Note to Applicant: Drawing A1.00 shows both spaces overlapped.

- (viii) Provision of improved maneuvering for the Class B passenger space.

Note to Applicant: The Appendix B of the Traffic Study dated February 2017 shows the HandyDart maneuvering which shows the vehicle stopping in the maneuvering aisle and not the in the Class B passenger space. The curb or pavement edge design adjacent to the Class B passenger space shown in the traffic study is different than the architectural drawings.

- 31. Development of a transportation management plan to provide guidance for how circulation, parking, pick-up and drop-off activity and deliveries will be managed.

Note to Applicant: Transportation management plan should include recommendations from Traffic Impact Study including:

- (i) Encouraging off-peak travel to and from the site;
- (ii) Provision of on-site bicycle and end-of-trip facilities;

- (iii) Priority parking for staff who carpool;
 - (iv) Identification of a Loading Area Manager to be responsible for managing and coordinating delivery schedules and monitoring on-site loading activities and compliance; and
 - (v) Provision of a loading operation document to all vendors providing expected loading operations on site.
32. Provision of the following revisions as per the recommendations of the Traffic Study by MMM dated February, 2017:
- (i) Installing engineering measures including signage and mirrors to ensure traffic exiting the site to yield to oncoming traffic entering from Southwest Marine Drive to prevent queuing on Southwest Marine Drive.

Geotechnical

33. A geotechnical assessment for the proposed development is to be submitted to the satisfaction of Chief Building Official.

Note to Applicant: The site and adjoining area have been identified as having potential development related slope instability. A report shall be undertaken in accordance with APEGBC's Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC. This report should be provided at the development permit stage so that any modifications or additional requirements, as determined by the Chief Building Official, can be incorporated at the time of building permit application.

Heritage

34. All work is to be consistent with the Conservation Plan approved for the project to the satisfaction of the Director of Planning.

Note to Applicant: The Conservation Plan is to include a Maintenance Plan given the unique features of the heritage building and issues related to its long term maintenance and repair.

Technical Review

35. Correction of Height calculation on Sheet A0.06.

Note to Applicant: The calculation of height is interpolated from the 4 corners of the site, not internal building grades along the property line.

36. Provision of more detailed unit layouts for the existing building.

Note to Applicant: It appears that the existing mansion will house private care units, and thus, it is required to review the suite layouts for livability issues.

37. Correction and coordination of Floor Area calculations.

Note to Applicant: There are variations between the Area Overlay and tables on A0.01.

38. Correction of Bicycle parking "Class A" calculation.

Note to Applicant: 1 space for every 100 beds is required; thus, 1 space is required.

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. Decommissioning of the intake pipe for a fuel oil tank in a cavity under City road and release of Easement & Indemnity Agreement 95974H and extension agreement L79168 prior to issuance of any related occupancy permit.

Note to Applicant: Written confirmation from a registered professional is required certifying that decommissioning of the intake pipe has taken place and provision of photographic evidence will be required. Please contact Rodel Arroyo (604-873-7373) of the City's Utility Branch should there be any additional questions regarding the oil intake removal requirements.

2. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for

the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (i) Provision of 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 a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Water Course By-law. The plan shall achieve the following objectives:
 - a. Retain or infiltrate the 6-month storm event volume (24 mm) onsite;
 - b. Treat the 2-year event (48 mm) onsite; and
 - c. Maintain the pre-development 5 year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.

- (iii) 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.

- (iv) 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.
- (v) Provision of a minimum 1.53 m (5 ft.) CIP light broom finish concrete sidewalk with saw cut joints on Southwest Marine Drive between the east property line of the site and the intersection of 64th Avenue and Southwest Marine Drive and a minimum 1.5 m wide concrete sidewalk connection from the western walkway property line to the proposed new City sidewalk on Southwest Marine Drive.
- (vi) Provision of upgraded street lighting at the intersection of Southwest Marine Drive and 64th Avenue to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (vii) Provision of intersection improvements at Southwest Marine Drive and 64th Avenue to facilitate pedestrians crossing Southwest Marine Drive. A new curb ramp, drop curb and connecting sidewalks at the north east corner of 64th and Southwest Marine Drive and asphalt connection from the proposed City sidewalk on Southwest Marine Drive to the road edge are required.
- (viii) Provision of new or replacement duct banks adjacent the development site and for the length of proposed new sidewalk on Southwest Marine Drive that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

Heritage

3. The owners will enter into a Heritage Restoration Covenant (219 Covenant), which will provide for the continuing protection of Casa Mia at 1920 Southwest Marine Drive (the heritage building) and completion of the agreed upon rehabilitation work, and related matters including a waiver of any claim for compensation, to the satisfaction of the Director of Planning and the Director of Legal Services. The agreement is to be signed by the owners prior to enactment of the Heritage Designation By-law and will be registered in the Land Title Office to the satisfaction of the Director of Legal Services prior to the CD-1 By-law enactment.

Note to Applicant: please contact James Boldt in the Heritage Group at james.boldt@vancouver.ca regarding the Heritage Restoration Covenant.

4. The Heritage Designation By-law, generally as set out in Appendix C of the Policy Report dated October 3, 2017, entitled "CD-1 Rezoning and Heritage Designation: 1920 Southwest Marine Drive (Casa Mia)", is brought forward to Council for enactment.

Community Amenity Contribution (CAC)

5. Pay to the City the Community Amenity Contribution of \$44,850 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, and is allocated for transportation improvements to support walking, cycling or transit in the Arbutus Ridge/Kerrisdale/Shaghnessy Community Vision area or Marpole Community Plan area.

Soils

6. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all

things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the *Vancouver Charter*; and 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 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 Covenants pursuant to Section 219 of the *Land Title Act*.

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

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

- B. THAT the Director of Legal Services be instructed to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the heritage building known as "Casa Mia" at 1920 Southwest Marine Drive [PID: 004- 174-011; Lot 2, Blocks 12, O and R, District Lot 317, Plan 19773], listed in the "A" evaluation category of the Vancouver Heritage Register, as protected heritage property.

- 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 October 3, 2017, entitled "CD-1 Rezoning and Heritage Designation: 1920 Southwest Marine Drive (Casa Mia)".
- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02348)

ADJOURNMENT

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:08 pm.

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