



## PUBLIC HEARING MINUTES

JANUARY 16 AND 18, 2018

A Public Hearing of the City of Vancouver was held on Tuesday, January 16, 2018, at 6:07 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the Public Hearing recessed and reconvened on Thursday, January 18, 2018, at 6:04 pm.

**PRESENT:** Mayor Gregor Robertson  
Councillor George Affleck  
Councillor Hector Bremner  
Councillor Adriane Carr  
Councillor Melissa De Genova  
Councillor Heather Deal  
Councillor Raymond Louie  
Councillor Andrea Reimer  
Councillor Tim Stevenson

**ABSENT:** Councillor Elizabeth Ball (Leave of Absence - Medical Leave)  
Councillor Kerry Jang (Leave of Absence)

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

**CITY CLERK'S OFFICE:** Maria Castro, Meeting Coordinator  
Terri Burke, Meeting Coordinator

### WELCOME

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

### COMMITTEE OF THE WHOLE

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

MOVED by Councillor Louie  
SECONDED by Councillor Deal

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

### LOST

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

\* \* \* \* \*

**VARY AGENDA**

*MOVED by Councillor Louie  
SECONDED by Councillor Deal*

*THAT the order of the agenda be varied to consider Item 2 following the completion of Items 1, 3, 4, 5, and 6, in that order;*

*FURTHER THAT Items 7 and 8 be referred to the reconvened Public Hearing on Thursday, January 18, 2018.*

**CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY**

*For clarity, the minutes are recorded in chronological order.*

\* \* \* \* \*

**1. HERITAGE DESIGNATION: 2425 West 5th Avenue (Tunstall House)**

An application by Alexandre Ravkov, Architect, was considered as follows:

Summary: To add the existing building at 2425 West 5th Avenue (Tunstall Residence) to the Vancouver Heritage Register in the 'C' evaluation category, and to designate the exterior of the existing building as protected heritage property.

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

**Summary of Correspondence**

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

- 1 piece of correspondence in support of the application.

**Speakers**

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

The speakers list and receipt of public comments closed at 6:16 pm.

## Council Decision

MOVED by Councillor Deal  
SECONDED by Councillor Carr

- A. THAT Council add the existing building at 2425 West 5th Avenue [PID: 014-973-227; Lot 13, Block 241, District Lot 526, Plan 1058 (the "site")], known as the Tunstall Residence (the "heritage building") to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 and Section 594 of the *Vancouver Charter* a by-law to designate the exterior of the heritage building as protected heritage property.
- 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 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. 02514)

### 3. TEXT AMENDMENT: 1128 West Georgia Street

An application by James KM Cheng Architects Inc., was considered as follows:

Summary: To amend the text of CD-1 (426) Comprehensive Development District for the existing Shangri-La mixed-use development to add a "tea house" adjacent the hotel lobby, and to enclose the restaurant's bridge connection/terrace on the third floor and the conference room's patio on the sixth floor.

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

### Summary of Correspondence

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

## Speakers

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

The speakers list and receipt of public comments closed at 6:19 pm.

## Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Carr

- A. THAT the application by James KM Cheng Architects Inc., on behalf of KBK No. 11 Ventures Ltd., to amend CD-1 (426) By-law No. 8943 for 1128 West Georgia Street (1119 Alberni Street) [*PID: 027-700-291, Air Space Parcel 3, Block 18, District Lot 185, Group 1, New Westminster District, Air Space Parcel Plan BCP38696; and PID: 017-483-093, Lot G, Block 18, District Lot 185, Group 1, New Westminster District, Plan LMP1597 Except Air Space Parcel Plan BCP38696*] to increase the floor space ratio from 13.41 to 13.50 to allow for expansion of uses accessory to the hotel presently on the site, 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 James KM Cheng Architects Inc., on behalf of KBK No. 11 Ventures Ltd., as the applicant, and stamped "Received Planning & Development Services (Rezoning Centre) March 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 ensure a minimum distance between the guard rail of the elevator shaft opening and the new tea room structure of no less than 3.7 m (12 ft.).
2. Design development to improve the integration of the covered terrace on level six with the existing building.

Note to Applicant: Provide annotation on Development Permit elevation drawings to show materials are of high-quality construction and match existing architectural elements.

3. Provision in the drawings of section details of the proposed covered bridge demonstrating a minimal impact on the access to daylight and views in the ground-level Public Open Space and Art Space.
4. Design development to visually conceal back-of-house and staff operations for the proposed tea room from the entrance lobby and other public and semi-public spaces.
5. Consideration to provide architectural devices and high performance glazing to improve the thermal performance and heat gain of the proposed glazed restaurant terrace enclosure.

### Engineering

6. The proposed encroaching canopy edge along the Alberni Street frontage is to meet the Vancouver Building By-law for demountability and drainage where it is over public property or the canopy must be pulled back so no portion encroaches over public property.

### Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, as required by the Green Buildings Policy for Rezoning, including a minimum of 63 points in the LEED® rating system, including at least 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one stormwater point.

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.

### CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning, Urban Design and

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

### Environmental Contamination

1. 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 A above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a 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. 02516)

#### 4. REZONING: 8378-8432 Oak Street

An application by Bold Properties (Oak St.) LP, was considered as follows:

Summary: To rezone 8378-8432 Oak Street from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit development of a six-storey residential building, with a total of 38 residential units, over two levels of underground parking. A height of 22.1 m (73 ft.) and a floor space ratio (FSR) of 2.50 are proposed.

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

#### Summary of Correspondence

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

- 3 pieces of correspondence in support of the application; and
- 1 piece of correspondence related to other matters.

#### Speakers

The Mayor called for speakers for and against the application.

The following expressed concerns related to aspects of the application:

Guy Pottinger

The speakers list and receipt of public comments closed at 6:23 pm.

### Staff Closing Comments

Planning, Urban Design and Sustainability staff provided closing comments.

### Council Decision

MOVED by Councillor Deal

SECONDED by Councillor Stevenson

- A. THAT the application by Bold Properties (Oak St.) LP, on behalf of Bold Properties (Oak St.) Nominee Inc., the registered owner, to rezone 8378-8432 Oak Street [*Lots F, H, I and J, all Except the West 7 Feet and the East 10 Feet, Now Highways, and Lot G, Except the East 10 Feet and the West 7 Feet, Now Highways, all of Lot 32, Block B, District Lots 319, 323 and 324, Plan 2010; PIDs 014-110-016, 008-407-177, 014-110-032, 014-110-067, and 008-762-350 respectively*] from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.75 to 2.50 FSR and the height from 9.2 m (30 ft.) to 22.1 m (73 ft.) to permit the development of a six-storey residential building containing a total of 38 market residential units, generally as presented in Appendix A of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 8378-8432 Oak 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 Gateway Architecture Inc., on behalf of Bold Properties (Oak St.) Nominee Inc., and stamped "Received Planning & Development Services (Rezoning Centre), April 28, 2017", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application of by the Director of Planning, who shall have particular regard to the following:

#### **Urban Design**

1. Design development to relocate the amenity space to the south east corner of the site.

Note to Applicant: The driveway is to be relocated further north to provide the amenity space at the south east corner. This will improve solar access and outlook for the amenity room and associated outdoor space, as well as providing an improved interface with the public realm at the midblock pedestrian connection.

2. Design development to the landscaping of the site edges to ensure a pedestrian-friendly interface, at the street, lane and mid-block pedestrian connection.

Note to Applicant: Explore opportunities to improve unit entry identification and provide additional landscaping nodes at the site edges at the pedestrian level, noting there will be some reduction in the extent of private patios.

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

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

4. The proposed unit mix, including 30 two-bedroom units (79%) and 8 three-bedroom units (21%), is to be included in the Development Permit Drawings.

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

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

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

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

6. Design development to respond to CPTED principles, having particular regard for:
  - (i) Theft in the underground parking;
  - (ii) Residential break and enter;

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

### **Landscape Design**

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

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

8. Design development to increase the amount of rooftop planting and presence of vegetation by adding extensive green roofs, larger planters in combination with small species tree canopy.
9. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.
10. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

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

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

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

12. Provision of a large scale Tree Plan to be attached to the Landscape Plan submission.

Note to Applicant: This can be done by attaching a printed large scale version of the tree management plan (by ACL) to the Landscape Plan drawings.

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

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

14. Provision of a vegetative surface area calculation overlay plan.

Note to Applicant: The plan should differentiate between extensive and intensive green roof types and provide a percentage ratio of soft and hard surface cover proposed.

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

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

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

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

### **Sustainability**

17. 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.

18. 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.

19. In lieu of the requirements outlined in Condition 18, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning* amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

### **Engineering**

20. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 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.
21. Delete all treatments, landscaping and features shown over the property line on the city lane.
22. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
23. Clearly show the Oak Street statutory right-of-way (SRW) line and dimension, and the mid-block pedestrian connection SRW line and dimension on the drawings.

24. 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.
25. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent the site.

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

26. Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
27. 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.

28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Confirmation that the security gates that include doors will function as a full 20 ft. wide gates when opened otherwise alternative door systems must be employed to ensure 20 ft. wide manoeuvring aisles are available when security gate is operated.
  - (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, throughout the parking levels and at all entrances. The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.
  - (iii) Provision of updated section drawing showing elevations, vertical clearances, and security gates for the main ramp and the parking levels.

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

- (iv) Dimension all stall widths, and column encroachment widths.
- (v) Provision of additional stall width for visitor stall 5 next to the overhead gate.

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

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

#### **Engineering Services**

1. Consolidation of Lots F, H, I and J, all Except the West 7 Feet and the East 10 Feet, Now Highways, and Lot G, Except the East 10 Feet and the West 7 Feet, Now Highways, all of Lot 32, Block B, District Lots 319, 323 and 324, Plan 2010 to create a single parcel.
2. Provision of building setback and a surface statutory right-of-way (SRW) to achieve a 4.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing, benches, landscape and bicycle parking at grade but the encroaching building portions shown below grade will be accommodated within the SRW agreement.
3. Provision of a 12 ft. wide surface statutory right-of-way (SRW) adjacent the south property line of the site for public pedestrian purposes. The treatments within the SRW are to be designed to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services. The below grade parkade will be accommodated within the SRW agreement.
4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services

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

- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including 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 sewer system upgrade to adequately serve the site. Separate and upgrade the existing combined sewer on Oak Street from the existing manhole fronting 8420 Oak Street to the separated manhole south of 70th Avenue (approximately 205 m). The sewer upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.
- (iii) 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 infiltration 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 predevelopment estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.
- (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: as-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (v) Upgrading the existing pedestrian signal to a full signal at the intersection of Oak Street and 67th Avenue. This will include signal modifications such as: an accessible pedestrian signal, an Uninterrupted Power Supply unit, improved intersection LED lighting, electrical kiosks, power sources, pole and base replacements as needed to provide for the signal upgrade. The signal upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.
  - (vi) Provision of street trees adjacent the site where space permits.
  - (vii) Provision of a 2.44 m (8 ft.) CIP light broom finish sidewalk with saw cut joints and a minimum 1.83 m (6 ft.) wide sod grass front boulevard on Oak Street.
  - (viii) Provision of upgraded street lighting on Oak Street to current LED standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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 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**

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

### **Community Amenity Contribution (CAC)**

7. Pay to the City the Community Amenity Contribution of \$1,969,888 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of legal Services. The \$1,969,888 is to be allocated as follows:
  - (i) \$984,944 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the *Marpole Community Plan* area.
  - (ii) \$886,450 (45%) toward childcare and community facilities in and around the *Marpole Community Plan* area; and
  - (iii) \$98,494 (5%) to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as 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 Parking By-law, generally as presented in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 8378-8432 Oak 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 the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner;
  - (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. 02517)

#### 5. REZONING: 1296 West Broadway

An application by IBI Group, was considered as follows:

Summary: To rezone 1296 West Broadway from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 16-storey mixed-use building, with 153 secured market rental housing units, and commercial uses at grade. A height of 52 m (170.8 ft.) and a floor space ratio (FSR) of 7.07 are proposed.

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

### Staff Opening Comments

Planning, Urban Design and Sustainability staff 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:

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

### Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Elizabeth Payne

The speakers list and receipt of public comments closed at 6:30 pm.

### Council Decision

MOVED by Councillor Stevenson  
SECONDED by Councillor Louie

- A. THAT the application by IBI Group on behalf of 1061511 B.C. Ltd (Jameson Development Corp.) to rezone 1296 West Broadway [*Lots 1, 2 and 3, Block 353, District Lot 526, Plan 590; PIDS: 015-185-303, 015-185-311 and 015-185-320 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 3.00 to 7.07 and the maximum building height to 52 m (170.8 ft.), measured from a geodetic elevation of 99.24 m (325.58 ft.) to permit the development of a 16-storey mixed-use building containing commercial and retail uses and 153 for-profit rental housing units, generally as presented in Appendix A of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1296 West Broadway", 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 IBI Group. and stamped "Received City Planning Department, January 5, 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 apparent building bulk by providing a more differentiated expression to the exterior.

Note to Applicant: As a corner site with a prominent location, design development to the exterior expression is required to enhance verticality or otherwise reduce perceived building bulk. Consider employing differing colours, textures and/or patterns of brick cladding.

2. Design development to maintain the brick cladding to the height and extent as indicated in the application.
3. Design development to more clearly identify the residential and office entries on Birch Street.

Note to Applicant: This can be achieved through distinctive material, lighting, signage and/or canopy treatments.

4. Design development to improve livability by revising window locations with respect to room layouts such that windows are located more centrally in rooms, particularly for deeper units.
5. Design development to significantly reduce the footprint of the rooftop mechanical enclosure.
6. Provision of a 0.5 m setback along the Birch Street frontage to achieve a sidewalk width of 4.5 m, as measured from curb to building face; and a sidewalk width of 5.5m on West Broadway.

Note to applicant: dimensions are required on the Site Plan indicating compliance with public realm requirements.

7. Design development to maintain and ensure future usability of the expanded public realm at the northwest corner of the site.

Note to Applicant: Avoid elevators or vestibules adjacent to this expanded exterior area at the development permit stage. This space should be maintained to have a relationship to the indoor space into the future such as outdoor seating for a café.

8. Design development to provide an indoor amenity space that is directly adjacent to the outdoor Children's play area, to facilitate direct movement between the two spaces as well as allowing visual surveillance.
9. Design development to improve the lane treatment through increased soft landscaping and reduced hardscape where achievable.
10. That the proposed unit mix for family units, 27% two-bedroom units and 10% three-bedroom units 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 the Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

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

11. 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.

#### Sustainability

12. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above

requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning - Process and Requirements* (amended April 28, 2017 or later).

### Landscape Design

13. Design development to provide additional green surface cover to the roof areas.

Note to Applicant: this can be done by dedicating more amenity deck area to planters and trees canopy cover, respecting the programmatic needs for outdoor active space. The upper roof has been reserved for future solar panel installation; however, consider augmenting solar panel space with whole or partial extensive green roof cover to mitigate rain water volumes and heat island effect.

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

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

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

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

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

Note to Applicant: Refer to:

<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>

17. At time of development permit application, the following:

- (i) Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment;

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

- (ii) Provision of a vegetative surface area calculation overlay plan;

Note to Applicant: The plan should differentiate between extensive and intensive green roof types and provide a percentage ratio of soft and hard surface cover proposed.

- (iii) Illustration of details for any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology;

Note to Applicant: This is not a performance requirement but should be coordinated with the LEED credit scorecard. The Integrated Rainwater Management Plan (I.R.M.P) is an emerging policy that supports rain water management on development sites. Provide a brief written rationale to describe the approach to rainwater management. Rainwater treatment chains are encouraged.

- (iv) Provision of large scale, dimensioned, landscape sections [typical] through planted areas;

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

- (v) Provision of high efficiency irrigation for all planted areas and individual hose bibs for all urban agriculture zones;

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be

accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

### Engineering

18. 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.
19. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

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

20. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 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.
21. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
22. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
23. Provision of a landscape plan that reflects the street improvements sought for this rezoning and add the following statement to the landscape plan:

The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and 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, Development Services and/or your Engineering, Building Site Inspector for details."

24. Dimension the 5.5 m distance from back of curb to building face on Broadway and 4.5 m distance from back of curb to building face on Birch Street. clearly showing the setbacks on the site are free and clear of obstructions.
25. Provision of generous and continuous rain protection for pedestrians along the sidewalk on Broadway. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note: canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
26. Provision of revised building grades to reflect the new curb on Broadway and curb bulge design.
27. Provision of current standard of soil volumes for planting of street trees.
28. Provision of an improved plan showing the required Class B bicycle spaces on private property.  
Note to Applicant: Locate the bike rack in close proximity to the lobby and commercial entrances with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach into the 4.5 m setback on Birch Street.
29. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
30. Provision of 'stairs free' loading access to the office, retail and residential uses and note on plans.
31. Clearly show all entries for the retail spaces and provide corresponding building and design grades for each entry.
32. Confirm if a man door is required for the O/H gate on P3 and if so, note on plans.

33. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
- (i) Provide gridlines on the parking and loading levels.
  - (ii) Dimension all stalls. Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4 ft. from the end of the stall and note on plans.
  - (iii) Provision minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. Provide a section drawing along the E-W maneuvering aisle that extends under the 'dog wash room'. Provide a section drawing of the ramp, from the lane to the P1 level showing the minimum vertical clearance. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering, and 4.3 m of vertical clearance is required for Class C loading spaces and maneuvering. Provide a section drawing for each loading space.

- (iv) Provision of column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: No columns are shown within the parking levels. A column 0.6 m (2 ft.) in length must be set back 0.6 m (2 ft.) from either the opening to or the end of the parking space. A column 0.9 m (3 ft.) long may be set back 0.3 m (1 ft.). Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns. If columns or structure for the O/H door is required within the loading area, ensure that they are located outside of the loading space and the required maneuvering.

34. Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, within the parking levels and at all entrances.

Note to Applicant: Using the design elevations shown, the ramp slopes would be steeper than indicated on the drawings and does not meet the requirements of the Parking and Loading Design Supplement. The slope and crossfall within the loading and

parking areas must not exceed 5%. The elevation of 138.3 ft. on P2 looks incorrect.

35. Modification of the parking ramp design to address the following:
  - (i) The slope must not exceed 10% for the first 20 ft. from the property line as 10% is shown for 13 ft.
  - (ii) The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length. The 15% slope indicated calculates to 22% and no transition ramp is shown.
  - (iii) The slope and crossfall must not exceed 5% within the parking areas. Using the design elevations shown on P1, the slope calculates to 11%.
  - (iv) Provide increased ramp width at the top of the parking ramp, through the curved section to enable two vehicles to pass unobstructed. Consider providing a larger radius or chamfer on the inside radius of the ramp to achieve a ramp width of 23'-6".
  
36. Modification to the loading bay design to address the following:
  - (i) Provision of an improved plan showing any columns or structure within the loading area, any required O/H doors, a loading corridor, the north and south property lines and the location of all poles within the lane.
  - (ii) Provision of improved maneuvering diagram specifying the routing of the Class C trucks from the arterial streets to and from the loading space. As the loading spaces are angled west, confirmation is required that trucks can turn in from Alder Street and exit out onto Birch Street. Identify all geometric changes to curb returns and pole relocations that are required, especially to address the 2 poles at Alder Street at the lane south of Broadway.
  - (iii) Provision of Class C maneuvering to occur within the lane, without having to cross over the sidewalk on Birch Street. The maneuvering shown on page 24 of the rezoning drawings is not supported as the Class C truck would be required to stop on the sidewalk and back into the Class C loading space. Consider relocating the Class C space to the most easterly loading space to eliminate this conflict.

37. 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.

Note to PC: Confirm if parking calculations are correct as section 4.1.7 of the PBL should be used for office and retail parking requirements. If so, one level can be eliminated.

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

##### Engineering

1. Consolidation of Lots 1, 2 and 3, Block 353, DL 526, Plan 590 to create a single parcel.
2. Release of Easement and Indemnity Agreement 499005M (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.

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) Delete the sunshades projecting over the lane from the Level 2 windows shown on pages 16, 34 and 35; or make arrangements (legal agreements) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for these features encroaching onto City property. Note: an application to the City Surveyor is required.
  - (ii) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting,

should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.

- (iii) Provision of new CIP light broom finish concrete sidewalk with saw cut joints on Broadway and on Birch Street that meet current standards.
- (iv) Provision of upgraded street lighting on Broadway and Birch Street adjacent the site to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (v) Provision of a standard concrete commercial lane crossing at the lane south of Broadway on the east side of Birch Street.
- (vi) Provision of new curb and gutter along the Broadway frontage of the site.
- (vii) Removal of the existing driveway crossings on Broadway and Birch Street and replacement with standard curb and gutter and sidewalk.
- (viii) Upgrading of the pedestrian signal at Birch Street and Broadway to an accessible pedestrian signal including upgraded LED lighting at the four corners.
- (ix) Provision of a curb bulge in the south west corner of Birch Street at Broadway. Work to include all utility relocations necessary to achieve construction of the bulge.
- (x) Provision of street trees adjacent the site where space permits.
- (xi) 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.
- (xii) 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.

- (xiii) 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 50% of the 6-month storm event volume (24 mm) onsite;
  - (b) Treat the 6-month event (48 mm) onsite; and
  - (c) Maintain the pre-development 2-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: Legal arrangements may be required to ensure ongoing operations of certain stormwater storage, rain water management and green infrastructure systems.

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.

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

### Housing

6. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement and Section 219 Covenant securing all residential units as market rental housing units 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) 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 Section 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

### Sustainability

7. The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

### Public Art

8. 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

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

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as 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 site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

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

- B. THAT the application to amend 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 November 28, 2017, entitled "CD-1 Rezoning: 1296 West Broadway", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1296 West Broadway".
- D. THAT A through 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 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. 02518)

**6. REZONING: 6679-6695 Main Street (191 East 51st Avenue)**

An application by SKA Properties Inc., was considered as follows:

Summary: To rezone 6679-6695 Main Street (191 East 51st Avenue) from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 28 secured market rental housing units. A floor space ratio (FSR) of 3.55 and height of 22.3 m (73 ft.) are proposed.

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

## Staff Opening Comments

Planning, Urban Design and Sustainability staff responded to questions.

## Summary of Correspondence

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

## Speakers

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

The speakers list and receipt of public comments closed at 6:35 pm.

## Council Decision

MOVED by Councillor Louie

SECONDED by Councillor Stevenson

- A. THAT the application by SKA Properties Inc., on behalf of HWP 6679 Main Street Ltd., the registered owner, to rezone 6679-6695 Main Street (191 East 51st Avenue) [*PID 008-957-452; Lot A, Block 3, District Lot 651, Plan 21490*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.50 to 3.55 and the building height from 13.8 m (45 ft.) to 22.3 m (73 ft.) to permit the development of a six-storey mixed-use building with 28 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st Avenue)", be approved subject to the following conditions:

### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by F. Adab Architects Inc. on behalf of SKA Properties Inc., and labeled "Received April 26, 2017 Rezoning - PDS", 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 provide an indoor amenity room for the use by building residents.

Note to Applicant: Indoor amenity should be approximately 45 sq. m and located adjacent to outdoor amenity with visual and physical connections. This may be located at the ground level in the southwest corner in place of the townhouse unit and include children's play equipment. See also conditions 14 and 37.

2. Design of below grade parking structures to be provided at adequate depths below grade to ensure the planting of trees and mature landscape may be successfully executed.

Note to Applicant: See also Landscape condition 17.

3. Design development of roof top outdoor amenity area to provide a minimum of 25% of the roof area as intensive green roof.

Note to Applicant: If rooftop access is to be excluded from the calculation of height, rooftop urban agriculture space must be provided in accordance with the *Urban Agriculture Design Guidelines for the Private Realm* and *Roof-mounted Energy Technologies and Green Roofs - Discretionary Height Increases Bulletin*. Children's play equipment may be considered at the upper roof level.

4. Design development to improve the layout and function of private outdoor space, including the removal of enclosed balconies.

Note to Applicant: Minimum balcony dimensions should be 1.8 m (6 ft.) deep with a minimum area of 15.25 sq. m (50 sq. ft.).

Extending the balconies on the east façade into the 0.6 m setback may be considered based on the layout and function of the balconies and architectural expression.

5. Design development to improve the livability, function and horizontal access to daylight for dwelling units with balcony enclosures.

Note to Applicant: Balcony enclosures, if provided, are not eligible for exclusion from floor area calculations (i.e. they will be counted toward the net FSR) and must meet the performance objectives of *Balcony Enclosure Guidelines* and the Administrative Bulletin for *Balcony Enclosure for New Buildings* including for layout, location, and appearance.

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

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

7. Provision of adequate storage for each unit.

Note to Applicant: Storage is required for each unit, whether in the unit or below grade, as anticipated in the *Bulk Storage and In-Suite Storage - Multiple Family Residential Development Bulletin*.

8. At time of development permit, provision of:

- (i) Detailed section drawings with notes and dimensions including planter and soil depths, balcony railing design, weather protection, roof top overhead structures and other indicative exterior details.
- (ii) High quality durable materials that maintain the level of exterior detailing and finish necessary to accomplish the intended expression of the building in this application.

Note to Applicant: Synthetic or acrylic stuccos are not considered high-quality materials.

- (iii) Design to ensure that mechanical units and service equipment including any anticipated cell antennas, mechanical screening structures and parkade exhaust ventilation do not compromise the integrity of the architectural expression.

9. The proposed unit mix, including 2 studio units (7%), 13 one-bedroom units (46%), 9 two-bedroom units (32%), and 4 three-bedroom units (14%), is to be included in the Development Permit drawings.

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

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

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

### Crime Prevention through Environmental Design (CPTED)

11. Identify on the drawings strategies that consider the principles of CPTED including the following conditions:
  - (i) Limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;
  - (ii) Limiting unobserved access or activity and encouraging natural visual surveillance;
  - (iii) Mail theft;
  - (iv) Site lighting developed with considerations for safety and security; and
  - (v) Reduced opportunities for graffiti;

Note to Applicant: Alcoves and other similar visually hidden areas should be designed so as to not be covered or have limited cover and be well lit. Opportunities for graffiti can be mitigated by reducing areas of exposed wall and by covering with vines, hedges or a rough finish material.

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 Design

13. Design developments to provide higher quality landscape plans at all levels. Landscaping should be visible from the street, use larger, more significant planting to soften the edges, and use woody evergreen plants for a year-round presence.
14. Design development to expand programming to include a children's playarea, complete with adequate seating opportunities for adult supervision.

Note to Applicant: A children's play area should be located in two areas: one smaller space should be located on the ground level adjacent to the indoor amenity space referenced in condition 1, with visual access, and another, larger space on the rooftop, for better solar access.

15. Design development to grades, retaining walls, walkways and structural design, to ensure that neighbouring grades are met and that outside private spaces are respected. This should be confirmed in at least three east-west sections, from the building face to the west neighbouring property. The section should be of sufficient scale to detail fences, walls, walkways, stairs and other landscape elements.

16. Design development to the location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screen with landscaping. No trenching for utility hook-ups shall take place inside tree protection zones.

17. Provision of maximized tree growing medium and planting depths for tree and shrub planters on all levels to ensure long-term viability of the landscape, to be confirmed by dimensioned details.

Note to Applicant: Growing mediums and planting depths should exceed BCSLA standards.

18. 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.

19. A full landscape plan for the proposed landscape is to be submitted. The landscape plan should illustrate the proposed plant materials (with common 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 of 1:100 or 1/8" scale.

20. Section details at a minimum scale of 1/2" = 1 ft. scale to illustrate typical proposed landscape elements including benches, fences, gates, arbours and trellises, and other features.

21. Sections (1/4" = 1 ft. or 1:50) illustrating the building to public realm interface along 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.

22. New proposed street trees should be coordinated with Engineering and the Park Board and noted "Final species, quantity and spacing to the approval of the 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.

23. A high-efficiency automatic irrigation system to be provided for all planters.

24. 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**

25. Confirm that the building is on track to meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

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

26. In lieu of the requirements outlined in Condition 25, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Building are summarized at:  
<http://guidelines.vancouver.ca/G015.pdf>.

### Engineering

27. Delete special sidewalk treatments shown on the Main Street and 51st Avenue frontages and show standard broom finished sidewalk.
28. Provision of any gas service is to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
29. Provision of construction details to determine the 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.

30. 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.
31. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.

32. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the building's internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
33. Provision of a landscape plan that reflects the off-site improvements sought for this application. Please provide a copy of the updated landscape plan to Engineering for review.
34. The following statement is to be placed on the landscape plans:  
  
"The landscape plan is to be noted as 'NOT FOR CONSTRUCTION' and is to be submitted for review to Engineering Services a minimum of eight 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, Development Services and/or your Engineering Building Site Inspector for details."
35. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Provision of all parking stalls to be numbered, labelled and dimensioned.
  - (ii) Confirmation that a security gate on P1 separating the commercial parking and the residential parking is required and clearly show the gate(s) on the drawings.
  - (iii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp, through the loading bay and the P1 parking level.  
  
Note to Applicant: Label minimum clearance for parking levels on drawings, including at overhead gate and mechanical projections.
  - (iv) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, throughout the parking levels at all sloped sections and at all entrances.  
  
Note to Applicant: The lengths of the sloped sections is to be shown on the submitted drawings.

36. Modification of the parking ramp design as follows:

- (i) The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.
- (ii) Ramps which have a 15% slope and are exposed to the weather must be heated.
- (iii) Design development to reduce vehicle conflicts on the ramps with widths less than 20 ft.

Note to Applicant: A review of the design by a qualified Transportation Consultant is required.

- (iv) All maneuver aisles, columns, and column setbacks to be dimensioned on the drawings.
- (v) Provision of a double loading bay throat for the Class B loading space.
- (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 automatic door openers on the doors providing access to the bicycle room(s).

### Housing

37. 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 room.

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

### CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, 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. Release of Easement and Indemnity Agreement 402301M (commercial crossing) prior to building occupancy.

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

2. Provision of building setback and surface statutory right-of-way (SRW) to achieve a 4.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback and SRW dimension. Where required, the SRW agreement will accommodate the underground parking levels P1-P3, a projection at the roof level, and, potentially, small portions of balconies.
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 services are provided.
  - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
  - (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for

the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.

- (iii) Provision of a 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 50% of the six-month storm event volume (24 mm) onsite.
  - b. Treat the six-month event (48 mm) onsite.
  - c. Maintain the pre-development two-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, rainwater management and green infrastructure systems.

- (iv) Provision of upgraded street lighting on the site frontage to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (v) 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.

- (vi) Provision of a standard concrete lane crossing including upgraded curb returns and ramps on the north side of 51st Avenue at the lane west of Main Street.
- (vii) Provision of street trees adjacent the site where space permits.

- (viii) Provision of new concrete sidewalk on 51st Avenue a minimum of 1.8 m in width adjacent the site.
  - (ix) Where extensive damage of the existing sidewalk on Main Street fronting the development site may occur during the course of construction, the site is to replace the existing sidewalk with current sidewalk standards including saw cut control joints. The determination to replace the sidewalk is to be at the sole discretion of the General Manager of Engineering Services.
  - (x) Provision of countdown timers and LED intersection lighting (all four corners) for the signal located at 51st Avenue and Main Street.
4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to 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

5. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement and/or Section 219 Covenant securing all 28 residential units as rental housing for 60 years or the life of the building, whichever is greater, and subject to the following additional conditions in respect of those units:
- (i) That such units may not be subdivided by deposit of a strata plan.
  - (ii) That none of such units may be separately sold.
  - (iii) That none of such units will be rented for less than one month at a time.

- (iv) On other such 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 at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and/or a Section 219 Covenant.

### **Environmental Contamination**

6. If applicable:

- (i) Submit a site profile to Environmental Services (Environmental Protection);
- (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and the 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.

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 November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st 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 property owner(s) and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated above.
- C. THAT the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st Avenue)", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st Avenue)".
- E. THAT A through D above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 02519)

## 2. REZONING: 58 West Hastings Street

An application by Vancouver Affordable Housing Agency (VAHA), Vancouver Chinatown Foundation (prospective leaseholder) on behalf of the City of Vancouver (property owner) and Vancouver Coastal Health (prospective healthcare operator), was considered as follows:

Summary: To rezone 58 West Hastings Street from DD (Downtown District) District to CD-1 (Comprehensive Development) District to permit the development of a 10-storey mixed-use building with commercial and medical office uses on floors one to three, and with 231 units of social housing above. A height of 33.21 m (108.96 ft.) and a floor space ratio (FSR) of 6.40 are proposed.

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

### Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application.

### Applicant Comments

Luke Harrison, Director/Chief Executive Officer, Vancouver Affordable Housing Agency, Carol Lee, Vancouver Chinatown Foundation, Wing Leung, W.T. Leung Architects, and Bonnie Wilson, Vancouver Coastal Health, provided a verbal presentation and, along with Planning, Urban Design and Sustainability staff and the City Manager, 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:

- 17 pieces of correspondence in support of the application;
- 21 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence related to other matters.

### Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Penelope Tham  
Shirley Chan  
Queenie Choo, CEO, S.U.C.C.E.S.S.  
Tony Letvinchuk

Heather McCauley  
Nathan Edelson  
Elizabeth Cheong  
Allen Fan  
Susan Chow  
Dave Levy

The following spoke in opposition to the application, with many expressing concerns related to aspects of the application including a desire that all social housing units offered for rent be at welfare, shelter and pension rates.

Erica Grant  
Vincent Tao  
Harsha Walia  
Carol Martin  
Elaine Durocher  
Joan Morelli  
Theresa Gray  
Robin Raweater  
Aiyanas Ormond  
Jean Swanson  
Lama Mugabo  
Laural Gaudette  
Loretta Brown  
Kimberly Larson  
Kris Maley  
Harold Lavender  
Erica Grant  
Tingchun Chen  
Jannie Leung  
Katelyn Siggelkow  
Laurel McBride  
Karen Ward  
Marina Classen  
Emily Luba  
Flora Munroe  
Jack Gates  
Stacey Ho  
Simon Schwitzer  
Madeleine Andrews

### **Staff Closing Comments**

Planning, Urban Design and Sustainability staff responded to questions.

## Council Decision

At 10:03 pm on January 16, 2018, during the hearing of speakers, it was

MOVED by Councillor Reimer  
SECONDED by Councillor Louie

THAT the meeting be extended to finish hearing from speakers, and refer discussion and decision on Item 2 to the next Regular Council meeting on Tuesday, January 30, 2018, as Unfinished Business.

reconsidered

AMENDMENT MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT the motion be amended as follows:

THAT discussion and decision on Item 2 be referred to the reconvened Public Hearing on Thursday, January 18, 2018.

LOST (Vote No. 02520)  
(Councillors Deal, Louie, Reimer, Stevenson and Mayor Robertson opposed)

The amendment having lost, the main motion was put and CARRIED (Vote No. 02522), with Councillors Affleck, Bremner and De Genova opposed.

\* \* \* \* \*

*Council agreed to reconsider the main motion as moved by Councillor Reimer, as unanimous consent of all Council members present is required in order to extend the meeting past 10:00 pm, per Section 2.3 (e) of the Procedure By-law.*

\* \* \* \* \*

RECONSIDERATION MOVED by Councillor Carr  
SECONDED by Councillor Stevenson

THAT Council reconsider the main motion.

CARRIED UNANIMOUSLY (Vote No. 02523)

Subsequent to Council's decision to reconsider this matter, it was

MOVED by Councillor Louie  
SECONDED by Councillor Reimer

THAT the meeting be extended to finish hearing from speakers.

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY (Vote No. 02524)

REFERRAL MOVED by Councillor Louie  
SECONDED by Councillor Reimer

THAT discussion and decision be referred to the Regular Council meeting on Tuesday,  
January 30, 2018, as Unfinished Business.

CARRIED (Vote No. 02525)  
(Councillors Affleck, Bremner and De Genova opposed)

The speakers list and receipt of public comments closed at 10:49 pm.

\* \* \* \* \*

*On January 16, 2018, Council recessed at 10:52 pm and reconvened on January 18, 2018, at  
6:04 pm, to deal with Item 7 followed by Item 8.*

\* \* \* \* \*

## **7. REZONING: 1500 West Georgia Street**

An application by Francl Architecture, was considered as follows:

Summary: To rezone 1500 West Georgia Street from Downtown DD (Downtown District) to CD-1 (Comprehensive Development) District to permit a new 43-storey mixed-use development to the east of the existing office building (the "Crown Life Place"). The proposed new tower includes 220 strata residential units, retail use at the ground floor and a height of 134.0 metres (440 feet). The proposed floor space ratio (FSR) is 10.82 over the entire site.

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.

## **Applicant Comments**

Colin Bosa, Bosa Properties Inc., 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:

- 19 pieces of correspondence in support of the application;
- 24 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence related to other matters.

## **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Stephen Regan  
Robert Groulx  
Devon Hussack  
Rebecca Hartley  
James Smith

The following spoke in opposition to the application:

Michael McCoy  
Ann Robson  
Bill Yuen  
Roger Tsang

The speakers list and receipt of public comments closed at 7:13 pm.

## **Applicant Closing Comments**

Peter Joyce, Bunt and Associates, responded to questions.

## **Staff Closing Comments**

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

## Council Decision

MOVED by Councillor Louie  
SECONDED by Councillor Deal

- A. THAT the application by Francl Architecture in conjunction with Büro Ole Scheeren, on behalf of Bosa Properties (1500 Holdco) Inc., to rezone 1500 West Georgia Street [*Amended Lots 7 (see 42783L) and 8 (see 42783L), and Lots 9 and 10, all of Block 43, District Lot 185, Plan 92; PIDs 015-738-663, 015-738-680, 015-738-701 and 015-738-710 respectively*], from DD (Downtown District) to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 6.00 to 10.82 and the building height from 91.4 m to 134.0 m to permit the development of a 43-storey tower containing 220 market strata residential units while retaining the existing office building on the site, be approved subject to the following conditions:

### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Francl Architecture in conjunction with Büro Ole Scheeren, and stamped "Received Planning & Development Services, Feb. 14, 2017", provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

#### Urban Design

1. Design development to reduce view impacts to nearby residential and office buildings, particularly views to the North Shore Mountains.

Note to Applicant: Ensure the east-west dimension of the primary mass of the tower remains below the maximum permitted dimension of 21.9 m (72 ft.). Additional narrowing or shaping of the principal building mass may be required. Apparent building mass can be reduced by maintaining a high degree of translucency of the balcony side-frames. Terrace spaces on the roofs of cantilevered forms on the south side of the building should either not be accessible or should have significantly reduced accessible area to minimize view impacts by limiting the extent of guards, landscaping/trees, or furniture that would further obstruct nearby views. Notation and dimensions on the plans is required to indicate the extent of accessible roof.

2. Design development to avoid building mass, including balconies, that overhangs or projects into the public realm at any level.

Note to Applicant: The public realm is defined as 5.5 m from the back of the curb on Georgia Street, 5.5 m from the back of the curb on Nicola Street, and 7.6m from the back of the curb on Alberni Street as per the letter of response to rezoning enquiry. This condition may result in a loss of density.

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

Note to Applicant: The intent of the floorplate control is to limit building bulk in order to preserve views and maintain access to light to public areas. The average floorplate of floors higher than 18.3 m (60 ft.) as per the floor plate data provided in the February 14, 2017 submission booklet exceeds 6,500 sq. ft. Provide the floorplate information in spreadsheet format.

4. Design development to maximize the amount of pedestrian activation of the residential tower by orienting entrances, public uses to face fronting streets.

Note to Applicant: Design development is required to reduce the amount of blank wall facing Georgia Street, Nicola Street, and Alberni Street and to introduce active uses on streets and to increase the visibility of the café to pedestrians. The arrangement of spaces at grade may have to be significantly revised to satisfy this condition. Updated elevation drawings should clearly differentiate areas of glazing, areas of screened glazing and areas of opaque wall via additional notation and coloured renderings.

5. Design development to provide a private outdoor space (balcony) for every residential unit.
6. Design development to comply with the Horizontal Angle of Daylight provision of the CD-1 By-law.

Note to Applicant: Habitable rooms in the northeast units on levels 5 through 8 require access to daylight.

7. Design development to provide an exterior Children's Play area.
8. Design development to provide an accessible outdoor amenity space for use by residents.

Note to Applicant: The outdoor amenity space should be colocated with an indoor amenity space.

9. Design development to further refine and architecturally integrate the rooftop mechanical penthouse, elevator override service volumes, telecom equipment, other service equipment including window washing infrastructure to minimize any incursion into the skyline or Council-approved view corridors.

Note to Applicant: The Level 42 floor plan does not indicate space to accommodate rooftop mechanical or service equipment. The design of the rooftop should anticipate and incorporate all required equipment at this stage. Complete and coordinated tower elevations and a tower roof plan should be provided at a scale of 1:100. Clearly indicate the dimensions and height of any rooftop mechanical penthouse, elevator override service volumes, and other service equipment.

10. Design development to maintain the high quality materials indicated for the residential tower and the hardscape of the public plaza, and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic.
11. The reconstruction of the plaza and its reflecting pool, including the waterfall feature along Georgia Street, is to be respectful of the original design concept, geometry and key proportions of its main features, to the highest degree possible. The reconstructed plaza should not only retain its character-defining attributes associated with the existing office building (the "Crown Life Place") but also provide a visual continuity linkage with the proposed tower to the east. Current materials and finishes should be reused wherever feasible.

Note to Applicant: Selection of materials and finishes, even where new materials are adopted, to be carefully conducted for compatibility with the original design concept and the plaza's envisioned relationship with the historic building, as well as for compatibility as observed from Georgia Street viewpoints.

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

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

### Crime Prevention Through Environmental Design (CPTED)

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

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

### Sustainability

14. 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.

### Landscape

15. Design development to improve the plaza circulation and usability by increasing the deck area at the 'pinch point' by the café and at the south edge of the basin.

Note to Applicant: This can be achieved by relocating the café, or by further retracting the east basin edge. Also, retracting a portion of the south edge of the basin, would further improve the water to paving proportion and enhance passive seating areas with sunny orientation;

16. Design development to demonstrate viability into the future of the trees inside the water basin concept, or provide alternate, more conventional concept that would ensure maintenance and health of the trees can be achieved.

Note to Applicant: Further development at the detail level is needed to ensure viability. While the aesthetic and whimsical character of this concept is supported, the constructability, installation and ultimate maintenance of this detail is unusual and has long term implications, which need to be confirmed at this stage.

17. Design development to provide usable and accessible outdoor common spaces on outdoor terraces, with expanded programming for spaces that promote social interaction, such as children's play, urban agriculture and other passive activities, to be co-located with visual access from amenity areas.

Note to Applicant: Common access and universal access to outdoor areas should be confirmed. Green roof areas should be included and should differentiate between extensive and intensive green roofs.

18. Design development to improve sustainability and expand programming to include 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.

19. A full Landscape Plan for proposed landscape to be submitted.

Note to Applicant: 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.

20. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.

21. 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.

22. 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.

23. Trellis and vines to be provided over the underground garage access ramp.

24. 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.

25. 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;

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

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

### Engineering

27. 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.

28. 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.
29. 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.
30. Design development to comply with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services (GMES).
  - (i) Provision of all parking stalls to be numbered, labelled and dimensioned.
  - (ii) Modify the Class B loading bay design as required.
  - (iii) Provide loading bay throats for manoeuvring.
  - (iv) Provide additional loading bay width for the second and subsequent loading spaces (each additional space must be 3.8 m wide)
  - (v) Design development to provide two way accesses at the parkade entrance off of Nicola Street.

Note to Applicant: this is to accommodate future potential vehicle flow changes on Cardero Street that could impact access to the site, and to reduce vehicle conflicts between the main parkade ramp and the Class B loading.
  - (vi) Design development to improve loading access to the residential and office elevators.
  - (vii) Loading access to be stair free, independent of drive aisles and loading bays are to be conveniently located adjacent to the elevators for the intended use.
  - (viii) Design development to reduce the width of the driveway crossing on Cardero Street.
  - (ix) Provision of a review of the parking and loading design by a qualified Transportation consultant.

Note to Applicant: This must analyse vehicle and truck turning movements into and out of the site, the loading bays and at all ramp sections and curves on the parking levels.

- (x) Provision of section drawings showing elevations, vertical clearances, mechanical projections and security gates for the parkade entries, ramps, the parking levels and through the loading bays as required in order to verify minimum clearance requirements are met.

Note to Applicant: Label the minimum clearance at these key locations on the drawings.

- (xi) Provision of design elevations on both sides of the parking ramps at all breakpoints, both sides of the loading bays, throughout the parking levels and at all entrances.

Note to Applicant: Where there is a curved ramp, provide grades two feet from the wall on the inside radius. The slope and length of the ramp sections is to be shown on the submitted drawings.

- (xii) Provision of a double door bicycle elevator with an inside compartment measuring a minimum of 2051mm width by 1683mm depth and a door width of 1067mm to allow bicycles to enter and exit in a forward direction.
- (xiii) Design development to conveniently locate end of trip facilities near the Class A bicycle parking spaces designated for the Office use.
- (xiv) Clarify the stair free access route for the Class A bicycle spaces located at B6, E4 on drawing A-10-007 to reach the outside.
- (xv) Provision of automatic door openers on the doors providing access to the bicycle room(s).
- (xvi) Provision of an alcove for bike room access off of the vehicle maneuvering aisle.

- 31. Provision of all crossings to be designed to the satisfaction of GMES. A separate crossing application to GMES is required.
- 32. Provision of detailed Landscape Plans at 1:100 scale reflecting public property/public realm treatments.

33. Provision of an updated landscape plan that reflects the off-site improvements sought by this rezoning, including the provision of the following note on the landscape plan:

The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and 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, Development Services and/or your Engineering, Building Site Inspector for details.

### Neighbourhood Energy Utility

34. The proposed approach to site heating and cooling, developed in collaboration with the City, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
35. Design of the development must provide for Neighbourhood Energy System (NES) compatibility and shall adhere to the following requirements:
- (i) The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to NES compatibility must be to the satisfaction of the General Manager of Engineering Services.
  - (ii) Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
  - (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated NES, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
  - (iv) Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards - Design Guidelines for general design requirements related to NES compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. At building permit stage, the applicant will be required to submit final detailed drawings and a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied.

36. In lieu of the requirements outlined in the preceding condition (condition 53), the applicant may choose, at time of Development Permit, to meet a greenhouse gas outcome equivalent to connecting to a low-carbon neighbourhood energy system. This equivalence must be demonstrated to the satisfaction of the Director of Planning, and may include achieving a 50% GHG reduction from a high-efficiency natural-gas scenario, achieving the GHG limits of the Green Buildings Policy for Rezoning (amended February 2017), or a Certified Passive House.

Note to Applicant: If following the greenhouse gas outcome equivalency option, the applicant will be required at each stage of permit to submit energy model results, for review by Sustainability, demonstrating that the development is on track to achieve the above requirements and what must be submitted.

#### CONDITIONS OF BY-LAW ENACTMENT

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

##### Engineering

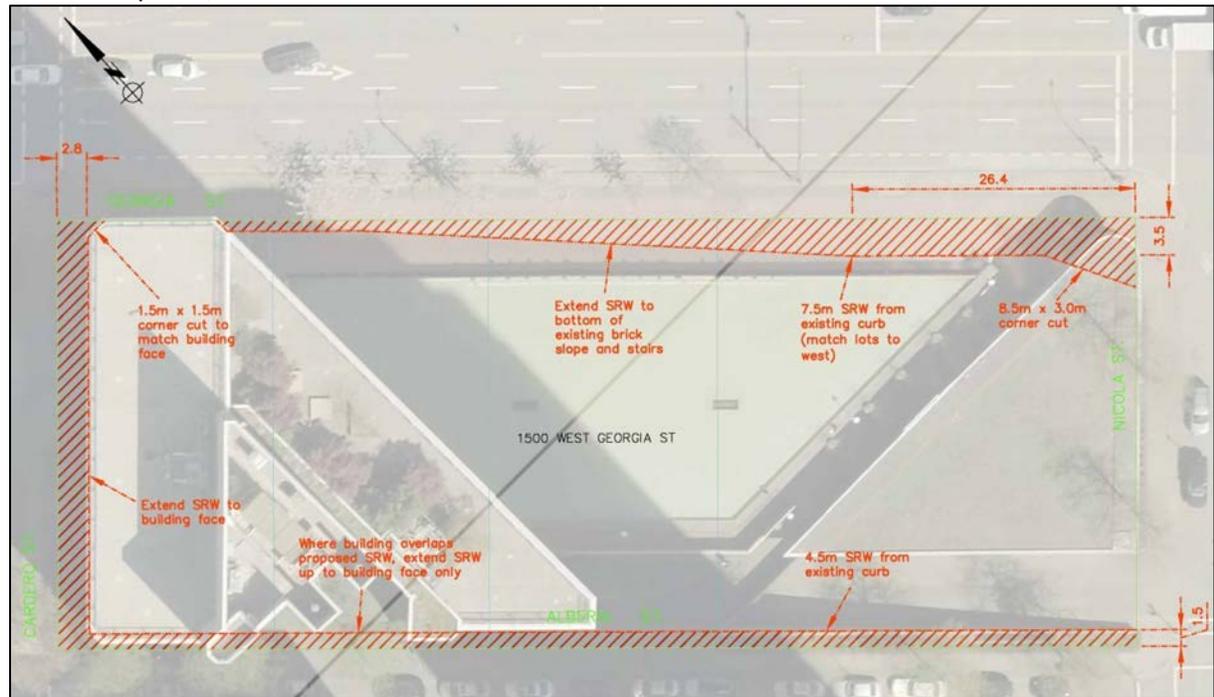
1. Consolidation of Amended Lots 7 and 8 (see 42783L) and Lots 9 and 10, all of Block 43, DL 185, Plan 92 to create a single parcel.
2. Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to Alberni St, to achieve a 4.5 m (14.8 ft.) offset distance from the back of the existing curb to the building face. A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and

SRW width is required. The SRW will be free of any encumbrance such as structure, stairs, door swing and plantings at grade and is to accommodate the existing underground parking structure within the SRW agreement.

3. Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site, adjacent to Georgia Street, to achieve a 7.5 m (24.6 ft.) offset distance from the back of the existing curb to the building face and diminishing in width in a westerly direction, generally as indicated on the attached plan. A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the back of the City curb to the existing property line to determine the final setback and SRW width is required. The SRW will be free of any encumbrance such as structure, added stairs, door swing and plantings at grade and is to accommodate the existing building, stairs and brick slope within the SRW agreement.
4. Provision of an additional 3.0 m x 8.5 m (9.8 ft. by 27.9 ft.) corner cut SRW on Georgia Street at Nicola Street extending 8.5 m (27.9 ft.) along Georgia Street and 3.0 m (9.8 ft.) along Nicola Street.
5. Provision of a surface Statutory Right of Way (SRW) adjacent the Cardero Street frontage from the property line to the existing building face. This dimension is approximately 2.8 m (9.2 ft.). A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the property line to the existing building is required to determine the final SRW dimension.
6. Provision of an additional corner cut surface Statutory Right of Way (SRW) on Georgia Street at Cardero Street to match the building face. This dimension is a triangle of approximately 1.5 m x 1.5 m (5 ft. by 5 ft.). A survey plan prepared by a British Columbia Land Surveyor showing the existing dimension from the property line to the existing building is required to determine the final SRW dimension.

Note to Applicant: Refer to Figure 1 below for SRW requirements of above conditions 2 through 6.

Figure 1: SRW Requirements (for Illustrative Purposes Only - not including SRW over the plaza)



7. Provision of a statutory Right of Way (SRW) over the plaza space for public use. The SRW to be to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services.
8. Provision of a topographic survey plan showing the existing buildings, stairs, retaining wall etc. with the proposed sidewalk SRW areas along Georgia Street, Nicola Street, Alberni Street and Cardero Street overlaid for further review by City staff and to assist in refining the various SRW dimensions and provisions.
9. Confirmation that the two existing Easement and Indemnity Agreements - E45615 and G89806 (encroachment agreements for landscaping, tree grates and special sidewalk treatment) are no longer required and can be discharged from title as the encroachments are being removed or replacement of the two agreements with current agreement language.
10. 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 geometric changes and street reconstruction on Cardero Street adjacent to the site to allow for new curb and gutter, raised protected bicycle lane, front boulevard with street trees, CIP light broom finished sidewalks with saw cut joints and new curb ramps where required. Work to include appropriate transitions to the intersection of Georgia and Cardero streets and adjustment of all utilities and services to accommodate the proposed geometric changes.
- (ii) Provision of geometric changes and street re-construction at the intersection of Cardero and Alberni streets to allow for a fully protected bicycle and pedestrian friendly intersection adjacent to the site. Work to include adjustment of all utilities and services to accommodate the proposed geometric changes.

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

- (iii) Provision of Triangle West sidewalk treatments on the Cardero Street and Nicola Street frontages of the site.
- (iv) Provision of geometric changes, public realm improvements and street reconstruction on the Georgia Street frontage of the site including changes to existing curb and or new and added curbing. Work to include adjustment of all existing utilities to accommodate the required changes on Georgia Street. The geometry of these changes will be subject to the design of the Georgia Gateway Project.
- (v) Provision of improvement to the slip resistiveness of the existing red brick paver sidewalk along the Georgia Street and Cardero Street frontages including all portions of the brick walk located on public property and within the SRW setback area.
- (vi) Provision of new 3.15 m (10.3 ft.) CIP light broom finish concrete sidewalks with saw cut joints and 1.22 m (4 ft.) exposed aggregate front filler sidewalk adjacent to the Alberni Street frontage of the site.

Note to Applicant: The new sidewalk will narrow adjacent to the existing building.

- (vii) Provision of upgraded street lighting adjacent all frontages of the site and new pedestrian scale lighting on Cardero Street adjacent to the site. A review of the existing lighting is required to determine its adequacy and upgraded lighting is to be provided where required.
- (viii) Provisions of new curb returns and curb ramps at all street intersections adjacent to the site to current standards.
- (ix) Provision of Georgia Street public realm sidewalks treatments adjacent the Georgia Street frontage of the site. Sidewalk treatment to be blended with the portion of brick pavers intended to remain on public property.
- (x) Upgrading/replacement of the existing traffic signal at the intersection of Georgia and Nicola streets to accommodate cycling facilities, LED intersection lighting and countdown timers.
- (xi) Upgrading of the signal at the intersection of Georgia and Cardero streets including LED intersection lighting, countdown timers and an Uninterrupted Power Supply unit.

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

- (xii) 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 GMES 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: as-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.
- (xiii) Provision of new street trees adjacent the site where space permits.

- (xiv) 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 (GMES) 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.
- (xv) 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, rain water management and green infrastructure systems.

- 11. 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 the applicant's 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.

### Community Amenity Contribution (CAC) - Cash Payments

12. Pay to the City the cash Community Amenity Contribution of \$56,938,245 (CAC Offering) which the applicant has offered to the City and to be allocated as follows:
  - (i) \$51,244,420 to support delivery of the West End Public Strategy.
  - (ii) \$5,693,825 to the Heritage Conservation Reserve to assist with heritage conservation in the City of Vancouver.
  
13. Payment of the CAC Offering is to be made as outlined below, at no cost to the City, and on terms and conditions and in a form satisfactory to the Director of Legal Services:
  - (i) \$20,000,000 must be paid by bank draft, certified cheque or wire transfer prior to the enactment of the rezoning by-law;
  - (ii) \$11,081,473 (30% of the balance remaining of the outstanding CAC Offering) must be paid by bank draft, certified cheque or wire transfer no later than 18 months (measured in calendar days) after the rezoning enactment, with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date when such payment is due until the date that such amount is paid in full; and
  - (iii) \$25,856,772 (balance of the remaining outstanding CAC Offering) must be paid by bank draft, certified cheque or wire transfer on the earlier of:
    - a. the first Occupancy Permit issuance for the new building; and
    - b. the calendar date which is four years after the rezoning enactment,with interest accruing at prime plus 3% (per Bank of Montreal daily prime rates) from the date when such payment is due until the date when such amount is paid in full.

The deferred payment of \$36,938,245 will be secured by a Letter of Credit (the "City Security") in the City's standard form (see: <http://policy.vancouver.ca/AF00202.pdf>), or such other security as may be satisfactory to the Director of Legal Services at her sole discretion. The City will be entitled to realize on the City Security if the required payments are not made to the City in the amounts and at the times set out above. The deferred payment and any interest, as applicable, will also be secured by a Development Permit hold which will be registered on title prior to rezoning enactment and, if required, an additional Occupancy Permit hold for the development to be released only on confirmation of receipt by the City of the full amount of the total CAC Offering (plus interest, if applicable).

14. Local Buyers First – The applicant's voluntary commitment to support residents who live in British Columbia or work in Metro Vancouver by giving them the first opportunity to purchase new pre-sale homes in the new development on the subject site, which includes the following:
  - (i) For the first 30 calendar days after the launch of the "Domestic Marketing Campaign" for this development (the "Exclusive Local Buyer Period"), only those who live in British Columbia or work in Metro Vancouver will be eligible to purchase homes in this development, and all such buyers will be required by the Applicant to sign a statutory declaration attesting that they presently live in British Columbia or work in Metro Vancouver, and that they intend to occupy the unit they are purchasing.
  - (ii) While international marketing efforts may coincide with the Domestic Marketing Campaign, such international marketing efforts cannot commence before the Domestic Marketing Campaign and there shall be no foreign sales during this Exclusive Local Buyer Period.
  - (iii) No buyer shall be allowed to purchase more than one (1) unit within this Exclusive Local Buyer Period.
  - (iv) An "assignment fee" provision will be included in the sales contracts for local purchasers during the Exclusive Local Buyer Period. If such buyer wants to assign their pre-sale purchase contract prior to closing on the unit and registration of same at the Land Title Office, such purchaser will be required to pay the applicant (seller) an "assignment fee" equal to 25% of the value difference between the sale price on the assignment contract and the original pre-sale price during the Exclusive Local Buyer Period. Should such buyer elect to assign his/her

unit to an immediate family member, then the "assignment fee" shall be 5%.

### Public Art

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

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

### Environmental Contamination

16. If applicable:
  - (i) Submit a site profile to the Environmental Protection Branch (EPB);
  - (ii) As required by the Manager of Environmental Protection 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 Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and

encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

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

- B. THAT the application to amend Schedule 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 November 28, 2017, entitled "CD-1 Rezoning: 1500 West Georgia Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1500 West Georgia Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1500 West Georgia Street".
- E. THAT Council add 1500 West Georgia Street (the "Crown Life Place") to the Vancouver Heritage Register in the "A" evaluation category.
- F. THAT A through E above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a 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. 02540)

## 8. TEXT AMENDMENT: 4176 Alexandra Street (York House School)

An application by Acton Ostry Architects, was considered as follows:

Summary: To amend the existing CD-1 (288) (Comprehensive Development) District to permit a phased master plan for the existing school, to increase the maximum student enrolment from 600 to 690 and amend the auditorium use. The master plan includes a new multi-purpose building, additions to the senior school, and renewal of the junior school. A maximum height of 16.2 m (53 ft.) and a total floor space ratio (FSR) of 1.71 are proposed.

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

Council also had before it a memorandum dated January 9, 2018, from the Assistant Director of Planning, Vancouver South, noting that staff have prepared the Summary and Recommendation in accordance with the Policy Report dated October 31, 2017, entitled, "CD-1 Text Amendment: 4176 Alexandra Street (York House School)", except for changes to the following conditions of approval:

- For condition (b)30., the number of students to be accommodated for pick-up and drop-off activity within the new underground parking area has been changed from 150 students to a minimum of 115 students, subject to the satisfaction of the General Manager of Engineering Services. This amendment reflects the physical capacity constraints of the proposed parkade while still mitigating the impact of increased enrolment on local streets.
- For condition (c)4.(ii), the language has been updated to reflect that the three area schools, including York House School, Little Flower Academy, and Shaughnessy Elementary, have an existing commitment to off-set school start times.
- For condition (c)4.(iii), additional flexibility on monitoring and managing pick-up and drop-off activity around the school has been added so that York House School is able to pursue a variety of management strategies as future circumstances may dictate.

These changes result from further consultation between staff and the applicant team and are intended to better facilitate the applicant's ability to meet staff conditions to mitigate traffic and parking impacts on the surrounding area.

No action is required by Council, as the Summary and Recommendation for this item contains the changes explained in this memorandum.

### Staff Opening Comments

Planning, Urban Design and Sustainability staff presented the application and, along with Engineering Services staff, responded to questions.

## **Applicant Comments**

Julie Rousseau, Acting Head, York House School, provided a presentation.

## **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:

- 21 pieces of correspondence in support of the application;
- 12 pieces of correspondence in opposition to the application; and
- 1 petition with 45 signatures in opposition to the application.

## **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Jim Hall, Chair, ARKS (Arbutus Ridge/ Kerrisdale/ Shaughnessy)  
Megan Swaffield  
Rosa Rahimi  
Jonathan MacDonald  
Lela Ling  
Andrew Abramowich  
Morag Pansegrau  
Shamir Alibhai  
Cathy Healy

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

Dr. Martin McLaughlin  
Sally MacRae  
Robert MacRae  
Andrew Scott

The speakers list closed at 9:21 pm, and receipt of public comments closed at 9:37 pm.

## **Applicant Closing Comments**

Peter Joyce, Bunt and Associates provided closing comments.

## **Staff Closing Comments**

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

### **Council Decision**

REFERRAL MOVED by Councillor Reimer  
SECONDED by Councillor Louie

THAT discussion and decision on Item 8 be referred to the Regular Council meeting on Tuesday, January 30, 2018, as Unfinished Business.

CARRIED (Vote No. 02541)  
(Councillors Affleck, Bremner and De Genova opposed)

### **ADJOURNMENT**

MOVED by Councillor Louie  
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned on January 18, 2018, at 9:42 pm.

\* \* \* \* \*