

SUMMARY AND RECOMMENDATION

3. REZONING: 988 West 64th Avenue and 8030-8130 Oak Street

Summary: To rezone 988 West 64th Avenue and 8030-8130 Oak Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of three six-storey residential buildings containing a total of 130 market residential units. A maximum height of 21.8 metres (71.6 feet) and a floor space ratio (FSR) of 2.50 are proposed.

Applicant: Arno Matis Architecture

Referral: This item was referred to Public Hearing at the Regular Council Meeting of June 19, 2018.

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

- A. THAT the application by Arno Matis Architecture on behalf of Oak & 64th Nominee Ltd., the registered owner, to rezone 988 West 64th Avenue and 8030-8130 Oak Street [*Lot 1, Except the West 7 Feet and the East 10 Feet, Now Highways, Block 15; and Lots 2 to 7, Except the West 7 Feet and the East 10 Feet, Now Highways, of Lot 15, all of Block B District Lots 319, 323 and 324 Plan 1685; PIDs: 002-925-214, 015-619-613, 014-438,062, 008-762-309, 014-434-997, 011-952-792, and 014-435-021, respectively*], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.50 and to increase the maximum building height from 10.7 m (35 ft.) to 21.8 m (71.6 ft.), to permit the development of three six-storey residential buildings containing a total of 130 market residential units, generally as presented in Appendix A of the Policy Report dated June 5, 2018 entitled "CD-1 Rezoning: 988 West 64th Avenue and 8030-8130 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 Arno Matis Architecture and received December 13, 2017, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development to improve the usability of the two courtyards and animate them by:
 - (i) Reorienting some of the balconies away from the courtyard and instead face Oak Street or the lane;
 - (ii) Further widening the courtyards' aperture at the Oak Street side;
 - (iii) Removing the fence and gates at the courtyards' ends;
 - (iv) Relocating the amenity rooms of Buildings A and B to each face a courtyard; and
 - (v) Providing some seating elements at either ends of the courtyards.

Note to Applicant: The intention is to increase the amount of solar access into the courtyards, hence allowing them to be used more often throughout the year. Reducing the number of balconies hanging over the courtyards will also provide more air space and offer volumetric relief between the buildings. Further widening the courtyards' apertures at the Oak Street side and providing some seating elements are meant to make them more welcoming and allow more solar access, especially the afternoon sun. The seating elements can be built into the landscape design.

2. Design development to further animate the mid-block connection by:
 - (i) Further widening the pathway opening at Oak Street side;
 - (ii) Providing some seating elements along the connection, especially at either ends;
 - (iii) Relocating some of the balconies away from the mid-block connection and instead face Oak Street or the lane; and
 - (iv) Defining an outdoor amenity area that is clearly connected to Building C's amenity room.

Note to Applicant: This is to signal the mid-block connection as part of the public realm, and is accessible to the public.

3. Design development to further introduce variations between Buildings A and B by:
 - (i) Varying the massing and layout while maintaining a clear upper-storey setback for the fifth and sixth floors;
 - (ii) Varying the ratio and location of the various clad-material and windows; and

- (iii) Varying the balcony locations and sizes.

Note to Applicant: This is to better respond to the *Marpole Community Plan's* recommendation to express a consistent and strong architectural concept while providing some degree of variation.

- 4. Design development to improve the loading stall's accessibility by providing access path(s) from it to all three buildings within the site itself.

Note to Applicant: Providing onsite paths from the loading stall to the buildings may require redesign of the private patio spaces, the courtyards, and potentially the ground-floor layout of some of the buildings.

- 5. Design development to ensure all fenestration locations and sizes will meet the sustainability measures as defined by the *Green Buildings Policy for Rezoning's*.
- 6. The proposed unit mix, including 31 studios (24%), 49 one-bedroom units (38%), 36 two-bedroom units (28%), and 14 three-bedroom units (11%), 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.

- 7. 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 the following documents for more details:
<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

Crime Prevention through Environmental Design (CPTED)

- 8. Design development to respond to CPTED principles, having particular regard for:
 - (i) Theft in the underground parking;
 - (ii) Residential break and enter;
 - (iii) Mail theft; and
 - (iv) Mischief in alcoves and vandalism, such as graffiti.

Landscape Design

- 9. Design development to increase the overall planting area to the ground floor patios, shared open space and rooftop.

Note to Applicant: This will require integration of the landscape design and the structural plan. The amount of area dedicated to paving should be decreased, where possible, while maintaining functionality. This can be done by widening linear planters to minimum 0.6 m width, increasing the width of proposed tree planters or adding tree planters, wherever possible. Access locations and walkways may need to be relocated. Soil depths should exceed BCLNA Landscape Standard. At the perimeter of the building the slab can be angled downward (1 m across and 1.2 m down) to maximize contiguous soil volumes. Further comments may be outstanding at the development permit stage.

10. Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
11. Design development to the *Integrated Rainwater Management Strategy* to explore opportunities for onsite rain water infiltration and soil absorption, as follows:
 - (i) Maximize natural landscape best management practices;
 - (ii) Minimize the necessity for hidden mechanical water storage;
 - (iii) Increase the amount of planting to the rooftop areas, where possible;
 - (v) Consider linear infiltration bio-swales along property lines;
 - (vi) Use permeable paving;
 - (vii) Employ treatment chain systems (gravity fed, wherever possible); and
 - (vii) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (IRMP), Vol.1 & 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

12. Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:
 - (i) Detailed stormwater report with calculations describing how the various best management practices contribute to the quality and quantity targets;

- (ii) A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones; and
- (iii) An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: In determining the amount of rainwater absorbed by landscaped areas, calculations should only give credit to rain falling directly onto soils or directed from hard surfaces to infiltration zones (to be shown on the grading plan).

- 13. Provision of a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be at 1/8":1' scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/proposed plant material. Plant material should be clearly illustrated on the Plan and keyed to the Plant List. The Landscape Plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- 14. Provision of detailed architectural and landscape cross sections (minimum 1/4" scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: The sections should illustrate the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- 15. Provision of a "Tree Management Plan";

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/protection related matters. Attach a large scale tree management sheet (same size sheet as architectural sheets) to the landscape plan submission.

- 16. Provision of new street trees adjacent to the development site, where applicable.

Note to Applicant: Street trees to be shown on the development permit plans and confirmed prior to the issuance of the building permit. Contact Eileen Curran, Streets Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan as

follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in depth. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

17. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

18. Provision of enlarged detailed elevations for all vertical landscape structures and features (i.e. green walls, trellis, pergola, privacy screens).
19. Provision of an outdoor Lighting Plan.

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residents.

Sustainability

20. 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).

21. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for the demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

Engineering

22. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
23. 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.
24. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
25. Please place the following statement on the Landscape Plan: *"This plan is 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."*
26. Please update the landscape and/or site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning. Where a design or detail is not available please make note of the improvement on the site and/or landscape plans. Please submit a copy of the updated plan to Engineering for review.
27. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance on 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.
28. Design development to improve access and design of bicycle parking and comply with the Bicycle Parking Design Supplement and the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Provision of stair free access to the Class A bicycle parking.
- (ii) Provision of additional design details and equipment specifications for the stacking bicycle racks to ensure racks are designed for all ages and abilities. Confirm sufficient manoeuver aisle width is provided to accommodate the bicycle stacking system.
- (iii) Provision of 1.2 m for manoeuver aisle width for the bicycle parking.
- (iv) Provision of automatic door openers on the doors providing access to the bicycle storage rooms.
- (v) Provision of alcoves for bike room access off the vehicle parking ramp and maneuvering aisle.

Note to Applicant: All Class B bike parking to be provided on private property and should not encroach in any way on public property.

- (vi) Provision of convenient, internal, stair-free loading access, to/from all elevator lobbies and the Class B loading bay.

Note to Applicant: Consider providing a second loading bay on site.

- (vii) Provision of a clear unloading area with suitable access to facilitate loading/unloading.
- (viii) Provision of additional design details clarifying how the Class B loading bay is being delineated and signed. Clarify if curb is proposed for the loading bay or if paving and signage is being provided.
- (ix) Provision of parabolic mirrors at the bottom of the main parkade ramp and at the top and bottom of the circulation ramp from P1 to P2 for improved visibility.

Note to Applicant: Explore relocation of parkade access, or provision of other measures to improve visibility and to reduce conflicts between the main parkade ramp and the mid-block connection.

29. Column encroachments, setbacks and parking space widths to comply with the Parking and Loading Design Supplement.
 - (i) Column encroachments are not permitted in single module stalls.
 - (ii) Provision of additional stall width for stalls next to walls, including next to parking gates.

30. The following information is required for drawing submission at the development permit stage to facilitate a complete Transportation review:
 - (i) Provision of a complete tech table showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.
 - (ii) All types of parking and loading spaces are to be individually numbered, and labelled on the drawings.
 - (iii) Provide dimensions of column encroachments into parking stalls.
 - (iv) Show all columns in the parking layouts.
 - (v) Provide dimensions for typical parking spaces.
 - (vi) Dimensions of additional setbacks for parking spaces due to columns and walls.
 - (vii) Dimensions of manoeuvre aisles and the drive aisles at the parkade entrance and all gates.
 - (viii) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions.
 - (ix) Areas of minimum vertical clearances labelled on parking levels.
 - (x) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.
 - (xi) Indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.
 - (xii) Existing street furniture including bus stops, benches etc. to be shown on plans.

- (xiii) The location of all poles and guy wires to be shown on the site plan.

Note to Applicant: The existing wood pole in lane conflicts with loading bay access. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation are required, if the loading bay cannot be relocated.

Green Infrastructure

- 31. Submission requirements for development permit stage must include the following elements:
 - (i) Pre-development site plan showing orthophoto and existing drainage areas and appurtenances;
 - (ii) A proposed site plan that delineates drainage areas, including the area measurements for pervious/impervious areas, and identifies appropriately sized green infrastructure practices for each of those areas;
 - (iii) Geotechnical study that evaluates the potential and risks for onsite rainwater infiltration.
 - a. Infiltration testing at likely locations for infiltration practices and a proposed design infiltration rate;
 - b. Soil stratigraphy;
 - c. Depth to bedrock and seasonally high groundwater; and
 - d. Assessment of infiltration risks such as slope stability and soil contamination.
 - (iv) Hydrologic and hydraulic analysis prepared by a qualified professional in the area of rainwater management showing how the site will meet the requirements of the Policy;
 - (v) If lower tier green infrastructure options are chosen, then justifications must be included in the RMP report;
 - (vi) Details on how the targets set out above will be achieved through the development phases and once all development phases are complete;
 - (vii) Include supplementary documentation for any proprietary products that clearly demonstrates how they contribute to the targets;
 - (viii) The plan and report must demonstrate that access has been provided for maintaining the rainwater management system, such as providing truck access for pumping out sediment traps; and

- (ix) Maintenance and operation guide for the rainwater management system that will be provided to the eventual owner or party responsible for maintenance.

Note to Applicant: The building/public realm should be designed to show leadership in the City's commitment to Green Building systems including an integrative approach to rainwater management to minimize potable water use and encourage the use of alternative water sources in areas such as toilet flushing and irrigation.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Consolidation of Lots 1 to 7, All Except the West 7 Feet and the East 10 Feet Now Highways, of Lot 15, Block B, District Lots 319, 323 and 324, Plan 1685 to create a single parcel.
2. Subdivision of the consolidated site to result in the dedication of a wedge-shaped portion of the site for road purposes from a point measured from the northwest corner of the site a distance of 1.72 m along the north property line to a point measured from the northwest corner a distance of 45.666 m along the west property line.
3. Provision of a Statutory Right-of-Way (SRW) for public pedestrian/cyclist use over the north 3 m of the site. The SRW is to be free of any encumbrance such as structure, stairs, door-swings and benches at-grade but the SRW agreement will accommodate underground parking Levels P1 and P2 and portions of the building at the second floor and above within the SRW area.
4. Provision of a Statutory Right of Way for public pedestrian use of an expanded sidewalk over the area of the site adjacent to the west property line to give an overall distance of 5.0 metres (16.4 ft.) from the back of the future City curb. The SRW is to be free of any encumbrance such as structure, stairs, door-swings and benches at-grade.

Note to Applicant: Plans show significant encroachments in this SRW, including the second row of street trees which should be included on private property outside of the SRW as per the *Marpole Community Plan*.

5. Provision of a 3.66 m (12 ft.) wide SRW for public pedestrian use on the south portion of the site for a mid-block pedestrian connection to the lane.

Note to Applicant: An additional 3.66 m (12 ft.) SRW will be sought from the adjacent site to provide for a total width of 7.32 m (24 ft.) as per the *Marpole Community Plan*.

6. 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. Based on an estimate of the development’s water demands, the water system should be adequate to service the development. No upgrades currently noted. Supply project details including confirmed fire flow calculations based on the Fire Underwriter’s Survey’s document, Water Supply for Public Fire Protection, average day domestic water demands, and peak hour domestic water demands (sealed by a qualified Engineer) to confirm that water system upgrades are not required. Should review of the confirmed project details deem upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

Note to Applicant: The above analysis assumes the proposed building will not utilize wood-frame construction. Should the developer choose wood-frame construction, the water analysis completed above may not be valid.
 - (ii) A fire hydrant fronting the development is required to be installed and the developer is responsible for 100% of the cost.
 - (iii) Upgrade approximately 167 m of existing combined sewer to 200 mm sanitary sewer main and 750 mm storm sewer on Oak Street from manhole south of 64th Avenue to 67th Avenue. If service connection from site is further north than manhole south of 64th Avenue on Oak Street, sewers to be separated to upstream manhole.
 - (iv) Upgrade approximately 102 m of existing combined sewer to 1050 mm storm sewer main and sanitary main on 67th Avenue from Oak Street to Shaughnessy Street. The lengths and diameters of these improvements are approximate and subject to detailed design by Developer’s Engineer.
 - (v) Separate 102 m of 450 mm COMB to 1050 mm STM and 250 mm SAN on 67th Avenue from Oak Street to Shaughnessy Street.

Note to Applicant: The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

Note to Applicant: The sewer upgrading costs borne by this project may be reduced should benefitting 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.

Note to Applicant: The 10-year post-development flow rate discharged to the sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Note to Applicant: Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. Submittals to be reviewed and accepted by City Engineer.

Note to Applicant: Developer to submit a groundwater management plan to be reviewed and accepted by City Engineer. The plan shall include confirmation that no groundwater will be discharged to the sewer system.

Note to Applicant: Development to be serviced to the future 750 mm STM and 200 mm SAN sewers on Oak Street.

- (vi) Provision of a groundwater management plan to be reviewed and accepted by City Engineer. The plan shall include confirmation that no groundwater will be discharged to the sewer system.
- (vii) 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.

- (viii) Provision of a new traffic signal at the intersection of 64th Avenue and Oak Street.
- (ix) Provision of street reconstruction on 64th Avenue adjacent to the site to generally include the following: new curb and gutter, a 2.5 m wide raised protected bike lane, a minimum 1.83 m (6 ft.) wide

CIP light broom finish concrete sidewalk with saw cut joints, curb ramps and adjustments to all existing infrastructure to accommodate the proposed street improvements.

- (x) Provision of a 2.44 m (8 ft.) CIP light broom finish sidewalk with saw cut joints and a minimum of 1.83 m (6 ft.) wide sod grass front boulevard on Oak Street.
- (xi) Provision of a standard lane crossing including replacement of the curb returns on both sides of the lane and upgrading of the curb ramps to meet current standards.
- (xii) Provision of a new 1.53 m (5 ft.) light broom finish saw cut concrete sidewalk on the south property line of the site at the mid-block connection linking the sidewalk on Oak Street to the lane. The remaining 7 ft. of the SRW is intended for public realm amenities including benches, landscape and pedestrian lighting.
- (xiii) Provision of speed humps in the lane from 64th to 67th Avenues.
- (xiv) Provision of new curb ramps at the intersection of Oak Street and 64th Avenue
- (xv) Provision of upgraded street lighting on 64th Avenue and Oak Street and pedestrian lighting on the new mid-block pedestrian connection to current standards including a review of the existing street lighting to determine its adequacy and a lighting design as required.
- (xvi) Provision of lane lighting on standalone poles with underground ducts.

7. 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.

Green Infrastructure

8. Provision of a Rainwater Management Plan (RMP) that details how the rainwater management system meets the Citywide Integrated Rainwater Management Plan (IRMP) requirements for retention, cleaning and safe conveyance, prepared by a subject matter expert (Engineer), subject to review, which will address the following:
 - (i) Runoff from the first 24 mm of rainfall from all areas, including rooftops, paved areas, and landscape must be retained and treated on site (landscapers over native subsoils with appropriately sized topsoil meets the 24 mm retention requirement).
 - (ii) Staff will not accept the principle that distinct site areas that have large infiltration and/or storage capacity in some way compensate for those areas of the site that are impervious, without the first and second 24 mm of runoff from the impervious areas being directed towards these absorbent areas, and this being clearly demonstrated.
 - a. Where areas of growing medium do not have runoff directed on to them from adjacent impervious surfaces they shall be assumed to be receiving/treating/storing only the rainfall that falls directly on them.
 - b. IRMP targets to be achieved on site, i.e. without using street right-of-way.
 - (iii) The applicant must prioritize methods of retention according to the three tiers below. Justification must be provided for using a lower tier retention option. The tiers are as follows:
 - a. 1st tier priority green infrastructure practices – Rainwater harvesting for reuse, green roofs, and infiltration.
 - b. 2nd tier priority green infrastructure practices – Retention within non-infiltrating landscapes, including absorbent landscape on slab, closed bottom planter boxes, and lined bioretention systems.
 - c. 3rd tier priority green infrastructure practices – Detention storage with treatment and slow release.
 - (iv) Surfaces designed for motor vehicle use and other high pollutant generating surfaces require an additional 24 mm of treatment beyond the first 24 mm retained (for a total of 48 mm treated).
 - (v) Water quality volume (24 mm for low pollutant generating surfaces like roofs and 48 mm for high pollutant generating surfaces like driveways) that leaves the site must be treated to a standard of

80%. TSS removal by mass by using either individual BMPs that meet the standard or treatment trains of BMPs that, when combined, meet the standard. For proprietary treatment devices:

- a. Provide product information for all treatment practices.
- b. Products need to be certified by TAPE (The Technology Assessment Protocol – Ecology Program), Washington State Department of Ecology’s process for evaluating and approving emerging rainwater treatment BMPs. The applicant may propose other technologies but must provide supporting information that shows the technology meets the standard.

Note to Applicant: The applicant will enter into such legal agreements with the City, on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services, to ensure on-going operations of certain stormwater storage, rainwater management and green infrastructure systems.

Sustainability

9. 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.

Environmental Contamination

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

constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been issued to the City.

Public Art

11. 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 contact Eric Fredericksen, Head of Public Art, 604.871.6002, to discuss your application.

Community Amenity Contribution

12. Pay to the City a Community Amenity Contribution of \$4,843,093, 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 \$4,843,093 is to be allocated as follows:
 - (i) \$2,421,546 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole area;
 - (ii) \$2,179,392 (45%) toward childcare and community facilities in and around the Marpole area;
 - (iii) \$242,155 (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 Subdivision By-law, generally as presented in Appendix C of the Policy Report dated June 5, 2018 entitled "CD-1 Rezoning: 988 West 64th Avenue and 8030-8130 Oak Street".
- C. THAT A and B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and 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.

[RZ – 988 West 64th Avenue and 8030-8130 Oak Street]