

## SUMMARY AND RECOMMENDATION

**4. REZONING: 1800-1898 Main Street**

**Summary:** To rezone 1800-1898 Main Street from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit an 11-storey mixed-use building consisting of commercial use at grade and 131 secured for-profit affordable rental housing units. A height of 32.6 m (107 ft.) and a floor space ratio (FSR) of 5.02 are proposed.

**Applicant:** Francl Architecture and Cressey Main Holdings Ltd

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of July 10, 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 Francl Architecture, on behalf of Cressey Main Holdings Ltd., to rezone: 1800 Main Street [PID 009-153-373; Lot B Block 15 District Lot 200A Plan 11115] and 1880-1898 Main Street [PID 015-051-943; Lot A (Explanatory Plan 5193) Block 15 District Lot 200A Plan 934], from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 3.00 to 5.02 and building height from 18.3 m (60 ft.) to 32.6 m (107 ft.) to permit an 11-storey mixed-use building consisting of commercial use at grade and 131 secured for-profit affordable rental housing units generally as presented in Appendix A of the Policy Report dated June 26, 2018 entitled "CD-1 Rezoning: 1800-1898 Main Street", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Francl Architecture and received February 15, 2017, subject to the following conditions, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

**Urban Design**

1. Design development to the floor elevations of the commercial-retail units to be no more than 0.75 m (2.5 ft.) different from the adjacent sidewalk grade, against the Main Street property line.

2. Design development to confirm that the proposed exterior will be clad with high-quality materials.
3. Design development to the proposed elevations that would better reflect the specific orientation of each façade, and to reduce solar gain.
4. Provision of a minimum 2.4 m (8 ft.) building setback from the 3rd Avenue property line, in order to provide enhanced public open space along this sidewalk.
5. The proposed unit mix, providing 26% studio units, 39% one-bedroom units, 27% two-bedroom units and 8% three-bedroom units, is to be included in the development permit drawings. The two- and three-bedroom units account for 35% of the overall units.

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

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

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

#### **Landscape Review**

7. Design development to better articulate and expand the programming of common amenity space on Level 3 to provide more opportunities for social interaction.

Note to applicant: This should include additional, more accessible urban agriculture, additional opportunities for social interaction, such as additional benches and seat walls for passive seating and gathering. Urban agriculture plots should follow the City's *Urban Agriculture Guidelines for the Private Realm* and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

8. Design development to provide high quality, creative and natural materials in landscaped areas, especially in the Children's Play area.
9. Design development to improve sustainability by the provision of an extensive green roof on the flat rooftop.

10. 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.

11. A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale and should match the architectural site plan.

12. Section details at a minimum scale of 1/2"=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 should show dimensioned rootballs to confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future. The depth should exceed BCSLA standard and be minimum 3 ft. for trees and 2 ft. for shrubs.

13. A high-efficiency automatic irrigation system to be provided for all planted areas.

14. 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**

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

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

## Housing

16. The building is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a common amenity room with kitchenette and accessible washroom.
17. Prior to issuance of development permit, applicant to display a sign on the site, throughout construction, that acknowledges that secured market rental housing is being provided as part of the City of Vancouver's initiatives. Sign design, format, and location to be approved by the City.

## Engineering

18. The owner or representative is advised to contact Engineering Services to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
19. Provision of 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. 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.
21. Clarify residential and commercial garbage storage and pick-up space. Please show containers and toters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins. Note: Pick up operations should not rely on bins being stored on the street or lane for pick up, an on-site bin staging area is to be provided and bins are to be returned to storage areas immediately after emptying. Note: The loading space may be suitable for this purpose.
22. Confirmation from the Vancouver Park Board that they are in agreement with the proposed street tree removals around the site.
23. Delete benches shown around the proposed street trees on the 3rd Avenue frontage and show standard treatments consistent with the area public realm plan.

24. 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 (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.
25. Please update the landscape and/or site plan to reflect the public realm changes, which conform to the Mount Pleasant Community Plan and Public Realm Plan and include 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 Services for review.
26. A crossing application is required. Please confirm parking and access design is accepted before the crossing application is submitted so the crossing design can match the required parking/loading opening to the building.
27. Design development to provide wide continuous weather protection awnings or canopies on Main Street and 2nd Avenue. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property.

Note to applicant: 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 and continuous weather protection for the sidewalk users.

28. Trees on 2nd Avenue are to be fully on private property and street trees adjacent the curb are to be provided on either side of the finalized bus stop location where space permits. A drawing of the bus stop location will be provided by the City.
29. Provision of an improved plan showing the Class B bicycle spaces on private property, beyond the SRW.

Note to applicant: Locate the bike rack in close proximity to the lobby entrance with ‘stairs free’ access. Ensure that bicycles locked to the rack do not encroach over the property line or into the SRW. Page 23 shows Class B bicycle spaces on City ROW and within the SRW.

Should bike racks be desired for placement on public property, please make a separate application to Engineering, Street Activities branch. Please contact Shannon Blackwood at 604-873-6339.

30. 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.

31. 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 Services for review.
32. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
33. All Class A bicycle spaces must be located on the P1 parking level or at grade.
34. Noting the enactment condition is to remove/underground or eliminate all of the existing wood poles from adjacent the site; should this prove not possible then please ensure any remaining pole is accurately located to confirm there is no conflict with proposed access points to the site.
35. Design development to comply with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services (GMES). The following items are required:

- (i) Provision of Class B loading to the satisfaction of the GMES.

Note to applicant: The following is required:

- a) Provision of improved on-site maneuvering for the Class B loadings spaces. The back-in maneuvering from Lorne Street proposed in the Loading Review dated January 11, 2017 is not supported as Lorne Street will remain open to traffic. Consider a wider maneuvering aisle, wider loading stalls, larger loading throats, and a wider O/H gate to achieve this. Provide updated turning swaths to confirm.
- b) Provision of revised ramp slope to accommodate on-site maneuvering for the Class B loading spaces. Maneuvering from a 15% ramp slope is not supported.
- c) Provision of 3.8 m (12.5 ft.) of vertical clearance for the Class B loading spaces. Looking at the elevations on drawings 5 and 6, less than 3 m (10 ft.) is being provided for one of the Class B spaces. A section drawing is required showing elevations, and the minimum vertical clearances should be noted on plans.
- d) Provision of a signal warning system and improved visibility to reduce conflicts between vehicles on the parking ramp and vehicles accessing the Class B loading spaces at the

top of the ramp. A sign and warning light on the outside of the building to indicate when both Class B spaces are occupied is also required.

- e) Provide an updated Loading Review that is signed and sealed by a qualified transportation engineer.
- (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, additional elevations within the parking levels, both sides of the loading bay, and at all entrances.
- (iii) Provision of the minimum vertical clearance for the main ramp and security gates.

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

- (iv) Modification of the parking ramp design as 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. Using the design elevations shown, the inside radius of the ramp calculates to 23% and exceeds the 15% indicated. A further reduced slope may be required to accommodate the maneuvering for the loading.
- (v) Dimension and label 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.
- (vi) Locate column placements to comply with the requirements of the Engineering Parking and Loading Design Supplement as none are shown. Dimension all columns encroaching into parking stalls.
- (vii) Provision of increased width through the curved section of the parking ramp to enable two vehicles to pass unobstructed - a ramp width of 23'-6" would achieve this.
- (viii) 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.

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

## Neighbourhood Energy Utility

37. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
38. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

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

39. 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.
40. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the *Neighbourhood Energy Connectivity Standards – Design Guidelines*.

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

41. 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.

## CONDITIONS OF BY-LAW ENACTMENT

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



## Engineering

1. Consolidation of Lot A (Explanatory Plan 5193), Plan 934, and Lot B, Plan 11115, Both of Block 15, DL 200A to create a single parcel.
2. Release of Easement & Indemnity Agreements 355348M and 355398M (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 building setback and a surface Statutory Right of Way (SRW) on the Main Street and 2nd Avenue frontages of the site to achieve a 5.5 m (18 ft.) sidewalk from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the City curb is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrances such as structure, stairs, door swing, landscape and bicycle parking at grade. The SRW agreement will accommodate any portion of the below grade parking on levels P1 to P3, and portions of the building at levels 2 to 11 and the roof within the SRW area.
4. Provision of a building setback and surface Statutory Right of Way (SRW) on the 3rd Avenue frontage of the site to achieve a 2.4 m (8 ft.) public plaza from the south property line for public/ pedestrian use. The SRW will be free of any encumbrances such as structure, stairs, door swing, landscape and bicycle parking at grade. The SRW agreement will accommodate any portion of the below grade parking on levels P1 to P3, and portions of the building at levels 2 to 11 and the roof within the SRW area.
5. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of three (3) Shared Vehicle(s) and the provision and maintenance of three (3) Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
  - (i) Provide three (3) Shared Vehicle(s) to the development for a minimum period of three years;
  - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
  - (iii) Provide and maintain the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;

- (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
- (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
- (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and
- (vii) Provision of a letter of commitment from a Shared Vehicle Organization indicating their willingness to supply Shared Vehicles on the site at building occupancy.

Note to applicant: Shared Vehicle Parking Spaces are required to be a minimum width of 2.9 m and noted on plans.

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. The agreements shall include, but not be limited to, the following provisions, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services:
  - (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. The adjacent water main is sized at 200 mm. Should the project require a greater service demand then upgrading will likely be 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) Guelph Park's as-builts indicate the park is serviced from a main connected to the sanitary manhole on Prince Edward Street and L/S of 6th Avenue. Elimination of the park's runoff from the sanitary system would reduce the flow into the sanitary system and negate a larger system upgrade downstream of the development site. Provision of a new connection from Guelph Park into the storm system is 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 Watercourse By-law. The plan shall achieve the following objectives:
- a) Runoff from the first 24 mm of rainfall from all areas, including rooftops, paved areas, and landscape must be retained and treated on site (landscapes over native subsoils with appropriately sized topsoil meets the 24 mm retention requirement);
  - b) 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);
  - c) 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; and
  - d) The post-development 10-year flow rate discharged to the storm 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: Legal agreements may be required to ensure ongoing operations of certain stormwater storage, rainwater management and green infrastructure systems.

- (iv) Provision of elimination/undergrounding of the existing wood poles and overhead utilities from adjacent the site. Confirmation from all affected utilities and any City of Vancouver utility that use the poles is required. Any resulting need for switches, kiosks, cabinets are to be provided for on site.
- (v) Provision of new concrete curb and gutter, pavement to typical road widths, concrete sidewalk, street trees, new or upgraded street lighting on Lorne Street and on 3rd Avenue adjacent the site, including relocation of all existing infrastructure to accommodate the new roads is required. All in keeping with Mount Pleasant Public Realm guidelines.
- (vi) Provision of new or upgraded street lighting on the Main Street and 2nd Avenue frontages of the site and a lighting study to

determine the adequacy of the existing lighting and design as required.

- (vii) Provision of a minimum 1.22 m (4'-0") front boulevard and 2.43 m (8'-0") sidewalk on Lorne Street.
- (viii) Provision of a new concrete bus slab in the curb lane on 2nd Avenue adjacent the site, the relocation of bus stop 59762 (EB E 2nd Av FS Main St) and provision of weather protected seating on 2nd Avenue adjacent to the bus stop.
- (ix) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work. Note: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.
- (x) Provision of a \$75,000 cash contribution for the future installation of a pedestrian signal at 3rd Avenue and Main Street.

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 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 detailed response toward the Integrated Rainwater Management Plan (IRMP) requirements outlined in the "Green Buildings Policy for Rezoning".
- 9. Provide a Rainwater Management Plan (RMP) that details how the rainwater management system meets the IRMP requirements for

retention, infiltration, cleaning and safe conveyance, prepared by a subject matter expert (Engineer), subject to review, which will include the following:

- (i) In this instance of a zero lot line design staff will consider:
  - a) The first 24 mm of rainfall within 24 hours as a retention volume for runoff reduction instead of infiltration volume;
  - b) Retention can be achieved through rainwater reuse, in green roofs and planter boxes, or slow release detention such as lined permeable pavement systems; and
  - c) The second 24 mm of rainfall within 24 hours as a water quality volume to be treated.
- (ii) Staff does 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 being directed towards these absorbent areas, and this being clearly demonstrated. The subsequent safe conveyance of rainfall surpassing 48 mm in 24 hours will also need to be demonstrated.
- (iii) Submit a plan illustrating how rainfall is directed from impermeable surfaces into planted or other storage/treatment areas.
- (iv) Provide outline area/volume calculations to support the overall rainwater management strategy. Include the area measurement for all pervious/impervious areas and demonstrate that each of the receiving infiltration/treatment areas can accommodate the proposed runoff volumes without being inundated.
- (v) Detention tanks shall be considered only where alternative approaches to rainwater retention prove unacceptable. Where detention tanks are to be proposed they should be considered for storing water for alternative uses on site.
- (vi) Staff does not accept the inclusion of off-site areas in calculations for infiltration and/or treatment.
- (vii) Vegetated areas on slab, while not infiltration, will be considered as rainwater retention/runoff reduction and water quality practices.
  - a) Planters designed as flow-through planters can be used to meet the treatment volume requirement.
  - b) Consider increasing the depth of soil throughout planted areas and include shallow ponding depths within the planted areas as part of the calculations.

- (viii) 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.

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

### **Neighbourhood Energy Utility**

10. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System (NES), which may include but are not limited to agreements which:
- (i) Require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes available;
  - (ii) Grant the operator of the City-designated NES access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation, on such terms and conditions as may be reasonably required by the applicant; and
  - (iii) Grant use of and access to suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

Notes to applicant:

- The development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of building permit issuance. If connection to a NES is not available or appropriate, a deferred services agreement or similar agreement will be required.
- If the development is required by the General Manager of Engineering Services to connect to an NES, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas supply, unless otherwise approved by the General Manager of Engineering Services.
- Design shall provide suitable space for the installation of NES equipment with adequate provisions for connection to outside NES distribution piping and communications conduit. District energy

equipment may include, but is not limited to, an energy plant sized for neighbourhood service, energy transfer stations, heat recovery equipment, and/or boiler equipment. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

**Housing**

11. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services and the Director of Legal Services to enter into a Housing Agreement and Section 219 Covenant securing all residential units as for-profit affordable rental housing units for the longer of 60 years and life of the building, and including the following additional conditions:

- (i) A no separate-sales covenant;
- (ii) A no stratification covenant;
- (iii) That none of such units will be rented for less than one month at a time;
- (iv) That a rent roll be provided indicating agreed initial monthly rents for each rental unit when the Housing Agreement is entered into, and again prior to development permit issuance;
- (v) That the average starting monthly rents for a total of 13 Moderate Income Rental Housing Units of the following unit types be at or below the following rates, applicable at the time of initial occupancy:

Unit Type	Total Units	Targeted Starting Rents
Studio	4	\$950
1 bedroom	5	\$1,200
2 bedroom	4	\$1,600

as set out in section 2a of the *Moderate Income Rental Housing Pilot Program*, and rent increases will be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of change in occupancy.

Note to applicant: A rent roll indicating the agreed maximum average initial monthly rents for the units secured at moderate income rates will be required prior to development permit issuance, and again prior to issuance of an occupancy permit, to the satisfaction of the General Manager of Arts, Culture and Community Services and the Director of Legal Services;

- (vi) The applicant will verify eligibility of new tenants for the units secured at moderate income rates.
  - (a) For new tenants, annual household income cannot exceed four (4) times the annual rent for the unit (i.e. at least 25% of household income is spent on rent).
  - (b) There should be at least one occupant per bedroom in each moderate income unit;
- (vii) The applicant will verify the ongoing eligibility of existing tenants in the units secured at moderate income rates every five (5) years after initial occupancy.
  - (a) For such tenants, annual household income cannot exceed five (5) times the annual rent for the unit (i.e. at least 20% of household income is spent on rent).
  - (b) There should be at least one occupant per bedroom in each moderate income unit;
- (viii) On an annual basis, or at the request of the City, the applicant will report to the City of Vancouver on the operation of the Moderate Income Rental Housing Units which will ensure that the City can confirm that the units are being operated as agreed, and will include a rent roll for the moderate income units, and a summary of the results of eligibility testing for all units;
- (ix) That the average initial starting monthly rents for a total of 118 for-profit affordable rental housing units of the following unit types will be at or below the following proposed starting rents, subject to adjustment as contemplated by Section 3.1B(c) of the Vancouver Development Cost Levy-By-law:

<b>Unit Type</b>	<b>Proposed Average Starting Rents</b>
Studio	\$1,496
1 bedroom	\$1,730
2 bedroom	\$2,505
3 bedroom	\$3,365

- (x) That a final rent roll for all units be provided, prior to issuance of an occupancy permit, to the satisfaction of the General Manager of Arts, Culture and Community Services and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents in the for-profit affordable rental housing units to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by



Section 3.1B(c) of the Vancouver Development Cost Levy By-law. Following occupancy, the rent increases for the Moderate Income Rental Housing Units be capped at the Residential Tenancy Act maximum annual allowable increase, as published by the Province of British Columbia, regardless of change in occupancy; and

- (xi) Such other terms and conditions as the General Manager of Arts, Culture and Community Services and the Director of Legal Services may in their sole discretion require.

Note to applicant: This condition will be secured by both 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.

### **Environmental Contamination**

12. 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 the rezoning and the Housing Agreement described in section (c) of Appendix B, of the Policy Report dated June 26, 2018 entitled “CD-1 Rezoning: 1800-1898 Main Street” the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.
- C. THAT Council approve 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 June 26, 2018, entitled “CD-1 Rezoning: 1800-1898 Main Street”.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated June 26, 2018, entitled “CD-1 Rezoning: 1800-1898 Main Street”.
- E. 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 June 26, 2018, entitled “CD-1 Rezoning: 1800-1898 Main Street”.
- F. THAT Recommendations A to E be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the 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.

**[RZ – 1800-1898 Main Street]**