



REFERRAL REPORT

Report Date: October 5, 2021
Contact: Yardley McNeill
Contact No.: 604.873.7582
RTS No.: 14691
VanRIMS No.: 08-2000-20
Meeting Date: October 19, 2021

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 110 West 4th Avenue

RECOMMENDATION TO REFER

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, including amendments to the Zoning and Development By-law, Sign By-law, Noise Control By-law, the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT the application by Beedie Living, on behalf of 0892124 B.C. Ltd., the registered owner of the lands at 110 West 4th Avenue [*Lots 8, 9, 10, 11 and 12, Block 21 District Lot 200A Plan 197; PIDs 015-518-949, 015-518-973, 015-519-023, 015-519-066 and 015-519-155 respectively*] to rezone from I-1 (Industrial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.0 to 7.0 and the building height from 18.3 m to 41.0 m to permit the development of a nine-storey industrial and office building, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Francl Architecture, received April 12, 2021,

provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT, subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C, be approved.
- C. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the new CD-1 By-law.

- D. THAT subject to approval of the CD-1 By-law, the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law be amended to include this CD-1 in the definition of “mixed-employment (light industrial)”, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Vancouver Development Cost Levy By-law and the Vancouver Utilities Development Cost Levy By-law at the time of enactment of the new CD-1 By-law.

- E. THAT Recommendations A through D 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.

REPORT SUMMARY

This report evaluates an application to rezone 110 West 4th Avenue from I-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for a nine-storey, 41.0 m (135 ft.), industrial building containing office and laboratory space with a floor area of 19,672 sq. m (211,743 sq. ft.) and a floor space ratio (FSR) of 7.0. The application was

submitted following a Council motion on March 10, 2021 instructing staff to consider rezoning applications at 110 and 150 West 4th Avenue as exceptions to the *Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during the Broadway Planning Process* (“*Broadway Plan Interim Rezoning Policy*”). The proposal will enable additional laboratory and office space for the development of new therapeutic antibody drug candidates to help fight the spread and mutation of diseases such as the COVID-19 virus.

The proposal aligns with the *Metro Core Jobs and Economy Land Use Plan* (“*Metro Core Plan*”) which seeks to intensify commercial uses to support job space for economic growth. Staff support the application, subject to design development and other conditions. Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the public hearing, and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Issues Report: Consideration of Rezoning Proposals at 110 and 150 West 4th Avenue (March 10, 2021)

- *Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during the Broadway Planning Process (2018, amended 2021)*
- *Broadway Planning Program and Associated Interim Policies (2018)*
- *Broadway Plan Guiding Principles (2019)*
- *Metro Core Jobs and Economy Land Use Plan (2009)*
- *Employment Land and Economy Review: Phase 2 (2020)*
- *Mount Pleasant Community Plan (2010)*
- *Vancouver Economic Action Strategy (2011)*
- *View Protection Guidelines (1989, last amended 2011)*
- *Green Buildings Policy for Rezoning (2009, amended up to 2017)*
- *Transportation 2040 Plan (2012)*
- *Community Amenity Contributions Policy for Rezoning (1999, last amended 2021)*
- *Development Cost Levy By-law No. 9755*
- *Utilities Development Cost Levy By-law No. 12183*
- *Public Art Policy and Procedures for Rezoned Developments (2014)*
- *I-1 (Industrial) District Schedule (last amended 2021)*
- *I-1C (Industrial) District Schedule (2021)*

REPORT

Background/Context

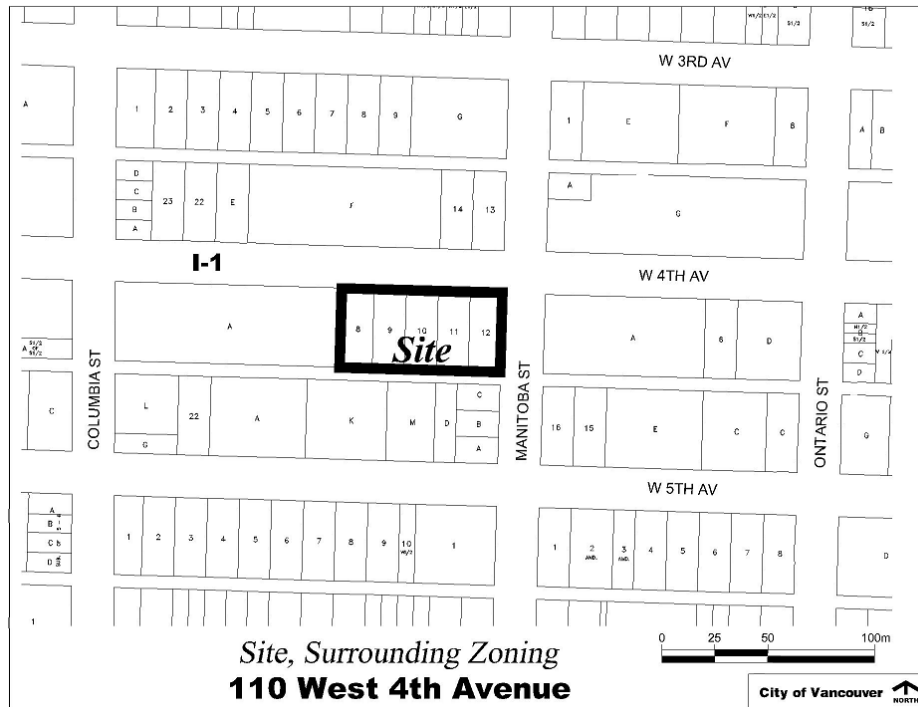
1. Site and Context

The 2,806 sq. m (30,205 sq. ft.) rezoning site is located on the southwest corner of West 4th Avenue and Manitoba Street. The site has a frontage of 75.5 m (248 ft.) on West 4th Avenue, depth of 37.2 m (122 ft.) and is developed with a single-storey industrial building occupied by A&B Party Event Rentals.

The local area is zoned I-1 (Industrial) District and within the Mount Pleasant Industrial Area (“MPIA”), as seen in Figure 1.

The surrounding blocks contain mainly industrial and office buildings, ranging in height from two to six storeys, with taller developments permitted in the I-1A, I-1B and I-1C zones along the eastern and northern edges of the MPIA. The site is approximately a ten minute walk from both the Olympic Village Station and the Broadway-City Hall Station, and within a five minute walk of frequent bus transportation on 2nd Avenue and Broadway.

Figure 1: Site and surrounding context



2. Policy Context/Council Decisions

Issues Report: Consideration of Rezoning Proposals at 110 and 150 West 4th Avenue –

On March 10, 2021 Council supported the recommendations within an issues report from the Director of Planning, outlining the receipt of two rezoning enquiries for adjacent sites in the Mount Pleasant Industrial Area at 110 and 150 West 4th Avenue. Council directed staff to consider the rezoning applications as an exception to the “*Broadway Plan Interim Rezoning Policy*”. The proposals will enable additional laboratory and office space for the development of new therapeutic antibody drug candidates to help fight the spread and mutation of diseases such as the COVID-19 virus.

Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during the Broadway Planning Process (“Broadway Plan Interim Rezoning Policy”) – The Interim Rezoning Policy from June 2018 generally prohibits rezonings within the Broadway Plan area while the planning process is underway in order to not pre-empt or divert the process. The policy requires Council direction to allow consideration of rezoning applications within the Broadway Plan study area in exceptional circumstances at the discretion of the Director of Planning.

Broadway Planning Program (“Broadway Plan”) – This program will set out policy direction for the next 30 years for the area along Broadway between Vine Street and Clark Drive,

extending from 2nd Avenue to the north and 16th Avenue to the south. The *Broadway Plan* will focus on opportunities to integrate development of new job space, amenities and housing along the Broadway subway corridor. A set of guiding principles for the *Broadway Plan* were adopted in October 2019. These include fostering a robust and diverse economy and reaffirming the importance of job space. The draft *Broadway Plan* is to be presented for Council's consideration in 2022.

Metro Core Jobs and Economy Land Use Plan (“Metro Core Plan”) – The *Metro Core Plan* identified a shortfall of job space and put forth zoning amendments and policy changes to meet 30-year economic growth targets. The subject site is located in the Mount Pleasant Industrial Area with policy directions to strengthen the primary production, distribution and repair function of the area, increase the range of permitted service and office uses and their associated floor area.

Employment Lands and Economy Review (ELER) – *ELER* is a major research and stakeholder engagement initiative designed to inform the economic foundations of the Vancouver Plan process. The project includes analysis of the characteristics of Vancouver's economy, change over time, and projections for the future including analysis of the city's capacity to accommodate job growth over the long term under existing policy and zoning. Phase 2 of the *ELER* was presented to Council in October 2020 outlining the draft emerging directions as a basis to the Vancouver Plan.

Strategic Analysis

1. Proposal

The application proposes a nine-storey industrial and office building with a floor area of 19,672 sq. m (211,743 sq. ft.) resulting in a FSR of 7.0. The proposed building height is 41.0 m (135 ft.).

The proposal includes 13,623 sq. m (146,638 sq. ft.) of industrial uses in the form of laboratory space and 6,048 sq. m (65,104 sq. ft.) of office space. Ten loading spaces, 100 bicycle spaces and 268 vehicular parking spaces are proposed in four underground levels.

The applicant, Abcellera, was founded at the University of British Columbia in 2012 and is headquartered today at 2215 Yukon Street (intersection of 6th Avenue and Yukon Street). The two adjacent sites at 110 and 150 W 4th Avenue, a site at 2131 Manitoba Street (currently under construction) and the headquarters will make up a state-of-the-art bio-campus. The company currently employs 210 people. Its COVID-19 antibody therapy (bamlanivimab), developed in partnership with U.S. based Eli Lilly, was the first COVID-specific antibody therapy to receive emergency use authorization in high-risk patients with mild to moderate COVID-19 in the U.S. and Canada. Abcellera has the longer-term goal of hiring more than 1,000 knowledge-economy employees over the next seven years.

2. Land Use and Density

The rezoning application proposes industrial and office uses consistent with the I-1 zoning. The *Metro Core Plan* seeks to retain the industrial nature of the Mount Pleasant Industrial Area and the *ELER* highlights the need to intensify and modernize industrial developments in this area given the proximity to rapid transit.

The *ELER COVID-19 Forecast Update* (September 18, 2020) anticipates demand for between 2.6 million and 5.2 million square feet of Industrial Area space in addition to what exists today. This would accommodate between 5,300 and 8,900 direct jobs, while also supporting various local businesses and economic activities that rely on local and region-serving industrial businesses for support and supplies. As a result, the *ELER* recommends the City seek ways to intensify and modernize our industrial areas.

The existing zoning is I-1 (Industrial) District Schedule which permits a density up to 3.0 FSR for primarily industrial uses. A maximum of 33% of the floor area is permitted for office use and restaurant uses are permitted to a maximum of 300 sq. m.

The proposal includes approximately 6,100 sq. m (65,660 sq. ft.) of office space, representing 30% of the floor area, which is in line with the current zoning. The draft CD-1 By-law (Appendix A) allows for a maximum 300 sq. m (3,230 sq. ft.) for a restaurant use. These provisions would help to ensure retention of the industrial nature of area and expand the City's industrial space.

Figure 2 – Proposal from the corner of West 4th Avenue and Manitoba Street



3. Height and Form of Development (refer to drawings in Appendix E)

The proposed building height is 41.0 m (135 ft.), exceeding the I-1 District Schedule height of 18.3 m (60 ft.). The building reduces the impact of the increased height through stepping down the form to four-storeys on the eastern side of the site and setting back the building from the eastern property line at the upper levels to address the surrounding lower-scaled context.

Further, the building is setback from Manitoba Street, to expand the ground plane around the base of the building and increase the public realm for greater opportunities for landscaping and open space. The proposal will provide for a significant amount of new job space, thereby addressing the intentions for the area. On balance, the proposed land use coupled with the approach to the building's form is a supportable addition to the area.

Protected Public Views - Council's-approved protected public view 3.1 and 3.2.4a (Queen Elizabeth) extends across the site at a height of 64.1 m (210 ft.), except at the westernmost edge of the site where the maximum height is 63.7 m (209 ft.). The proposed building height does not penetrate either protected public view cone.

While there are no protected public views from Jonathan Rogers Park to the North Shore Mountains, staff have evaluated views from several locations within the park and determined the broader views do not appear to be significantly affected (Figure 3). Urban Design conditions in Appendix B will seek to further minimize, where feasible, the impact of the building on views from Jonathan Rogers Park to the North Shore Mountains.

Figure 3 – View from the top of the hill at Jonathan Rogers Park (110 W 4th Avenue proposal outlined in black)



Amenity Areas – Stepping the building massing provides opportunities for outdoor amenity areas for building occupants as a broader “workplace liveability” strategy. These spaces also provide landscape features at various levels above grade, acting to further soften the building’s appearance when viewed from the street.

Public Realm – The proposed public realm design includes features intended to contribute to the enjoyment, utility, and security of pedestrians and building occupants including permanent landscape planters, outdoor seating, and distinctive paving. Large ground floor windows provide for a high degree of visual access between the exterior and interior; a measure that is often instrumental in a successful urban public realm. However, the proposed uses at grade are not those typically considered activating. Staff have prepared a condition in Appendix B for consideration of a café or restaurant space at the north-eastern corner of Level 1.

Urban Design Panel (UDP) – A review by UDP was not required due to the scale of the project and the industrial nature of the context.

Staff have evaluated the proposal against applicable policies and conclude that the proposal is supportable subject to design development conditions outlined in Appendix B.

4. Transportation and Parking

The application proposes 268 vehicle parking spaces in three levels of underground parking, accessed from the lane, in addition to 100 bicycle spaces and 10 loading spaces. The application will be required to comply with the Parking By-law.

Nearby Transportation Infrastructure – The site is well-served by rapid transit and bicycle networks, within a 10 minute walk from both the City Hall-Broadway and Olympic Village subway stations. Broadway is located five blocks to the south of the subject site providing rapid bus service along the Broadway Corridor. The subway will be a 6 km tunnelled extension of the Millennium Line from VCC-Clark Station to Arbutus Street. Construction on the extension has begun with services set to start in 2025.

The site is also located one block north of the 5th Avenue bikeway, connecting the site to the Ontario Greenway and the Cambie Street Bridge.

5. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning* (2018) requires that rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy.

This application is pursuing the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces. Non-residential buildings are also required to achieve LEED Gold certification. The applicant has submitted preliminary energy modelling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets, and a preliminary LEED checklist indicating their proposed strategies to achieve certification.

Natural Assets – The *Urban Forest Strategy* was developed to find ways to help preserve, protect and strengthen Vancouver's urban forest and tree canopy for the future. The *Protection of Trees By-law* aims to maintain a healthy urban forest by requiring permission be sought to remove trees which meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification. This is in keeping with City goals to achieve resilient and healthy natural systems in our urban areas.

There are no existing trees on the site. There are three street trees on City lands adjoining the site on Manitoba Street. Protection of these street trees during construction is required. New street trees are proposed on West 4th Avenue. See Appendix B for landscape and tree conditions.

PUBLIC INPUT (refer to Appendix D)

Public Notification – A rezoning information sign was installed on the site on April 28, 2021. Approximately 640 notification postcards were distributed within the neighbouring area on June 4, 2021. Notification and application information, as well as an online comment form, was provided on the City's new digital engagement platform *Shape Your City Vancouver* (shapeyourcity.ca/).

Virtual Open House – In-person open houses were put on hold based on the provincial health authority's restrictions for public gatherings due to the COVID-19 pandemic. In lieu of an in-person event, a virtual open house was held from June 7, 2021 to June 27, 2021 on the *Shape Your City* platform. The virtual open house consisted of an open-question online event where questions were submitted and posted with a response over a period of three weeks. Digital presentations from the City and the applicant were posted for online viewing, along with a digital model representation of the proposed application.

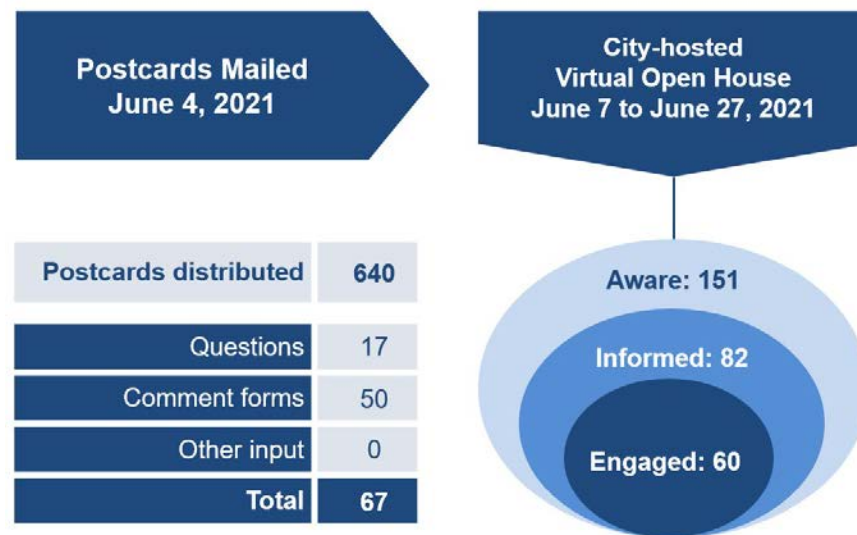
Due to the pandemic, a virtual engagement strategy was put in place to ensure the City's process for public discussion and obtaining feedback was maintained. This virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. An extended virtual open house period allowed people to ask questions regarding the proposal, which staff actively monitored and responded to publicly.

Public Response and Comments – Public input was received throughout the application process through online questions and comment forms, and by email and phone. A total of 67 submissions were received. A summary of all public responses may be found in Appendix D.

Below is a summary of feedback received from the public by topic and ordered by frequency.

Generally, comments of support fell within the following areas:

- **Neighbourhood context:** The proposal is appropriate given its location in the central Mount Pleasant Industrial Area and given the existing nearby businesses, amenities, and access.
- **Proposed use:** The proposed industrial use and tenant (AbCellera) are well-supported at this site.
- **Employment opportunity:** The proposal will bring positive employment generation and quality, skilled jobs to the area.

Figure 4: Overview of Notification and Engagement

Generally, comments of concern fell within the following areas:

- **Building height and density:** The height, massing and density of this proposal is not appropriate for the area and surrounding built environment.
- **Impact on park:** The proposal will have a negative impact on the nearby Jonathan Rogers Park and community gardens, specifically regarding close proximity and shading.
- **Neighbourhood context:** The proposal is not appropriate given the area and will have negative impacts on existing businesses and neighbourhood access.

PUBLIC BENEFITS

Development Cost Levies (DCLs) – The application is subject to the City-wide DCL and the Utilities DCL which will be calculated on the floor area specified in the development permit.

As noted in the March 2021 issues report, the proposed industrial and office land uses in this rezoning application are consistent with the existing I-1 District zoning which is subject to DCLs under the Mixed Employment rate category. Staff recommend that the proposed development remain subject to the Mixed Employment rate, consistent with surrounding and comparable development in the area, and have proposed amendments to the DCL By-laws to that effect.

Based on rates in effect as of September 30, 2021 and the proposed 19,672 sq. m (211,743 sq. ft.) floor area expected to be eligible for the Mixed Employment rate total DCLs of approximately \$3,291,716 are anticipated from this development.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget), which must be discussed with Public Art staff before by-law enactment.

The public art budget will be calculated on the floor area proposed at the development permit stage. Based on the current (2016) rate, the public art budget is estimated to be \$419,260. As a condition of by-law enactment, a legal agreement is required to be registered on title to specify and define all obligations with respect to the elected option.

Commercial Linkage Contribution – The application is subject to the *Community Amenity Contributions Policy for Rezoning*s with CACs based on target contributions as the applicant is proposing a non-stratified commercial development in the Metro Core area.

The applicant has offered a cash contribution of \$1,260,343 based on the net increase in leasehold commercial floor area of 11,224 sq. m. and the target rate of \$112.28 per sq. m applicable to this application. The contribution is to be allocated towards childcare and/or affordable housing in and around the Metro Core area, per the CAC Policy. As a condition of by-law enactment, a Covenant is required to be registered on title to prohibit both the separate sale and the strata subdivision of the property.

A summary of the public benefits for this application is provided in Appendix F.

FINANCIAL IMPLICATIONS

Based on rates in effect as of September 30, 2021, approximately \$3,291,716 in DCLs would be expected from this development.

If the rezoning application is approved, the applicant will be required to provide new public art on site at an estimated value of \$419,260 or make a cash contribution for off-site public art for 80% of that amount.

The applicant has offered a cash contribution of \$1,260,343 to be allocated towards childcare facilities and/or affordable housing in and around the Metro Core area.

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget processes.

CONCLUSION

Staff have reviewed the application to rezone 110 West 4th Avenue from I-1 to CD-1 to permit development of a nine-storey laboratory and office building. Staff conclude that the application is consistent with the objectives of the Metro Core Jobs and Economy Land Use Plan and the Employment Lands an Economy Review.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further it is recommended that, subject to the Public Hearing, the application including the form of development, as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the Conditions of Approval in Appendix B.

**110 West 4th Avenue
DRAFT CD-1 BY-LAW PROVISIONS**

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plans attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to public hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 ().

Uses

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses;
 - (b) Institutional Uses;
 - (c) Manufacturing Uses;
 - (d) Office Uses;
 - (e) Service Uses; and
 - (f) Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 4.1 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:
 - (a) Neighbourhood Public House; and
 - (b) Restaurant.

Floor Area and Density

- 5.1 Computation of floor space ratio must assume that the site consists of 2,806 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

- 5.2 The floor space ratio for all uses combined must not exceed 7.0, except that:
- (a) Office Uses must not exceed 6,100 m²; and
 - (b) Service Uses must not exceed 300 m².
- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
- (a) balconies and decks and other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;
 - (b) patios and roof decks only if the Director of Planning first approves the design of sunroofs and walls; and
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length.
- 5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
- (a) amenity areas, except that the total exclusion must not exceed, in aggregate, 929 m² or 10% of the permitted floor area, whichever is less; and
 - (b) unenclosed outdoor areas underneath the building overhangs at grade, except that such areas must remain unenclosed for the life of the building.

Building Height

- 6.1 Building height, measured from base surface must not exceed 41.0 m.
- 6.2 Despite section 6.1 of this By-law and section 10.18 of the Zoning and Development By-law, the Director of Planning may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms located at least 3 m from the roof perimeter, mechanical screens, or other features, to a maximum height of 46.5 m, provided that no part of the development is permitted to protrude into the Council-approved public views, as set out in the City of Vancouver View Protection Guidelines.

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110 West 4th Avenue
CONDITIONS OF APPROVAL

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared Francl Architecture, received April 12, 2021 and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

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

1.1 Design development to improve the interface of the building with the public realm by way of the following design strategies:

- (a) Provide an activating use such as a restaurant or a café in the location currently identified as Lab Support Space in the northeastern-most corner of the building;
- (b) Reconfigure the northwestern-most corner of the building to mitigate the need for a gated alcove oriented to the public realm;

Note to Applicant: as gated alcoves can result in long-term maintenance and security concerns, particularly when oriented to a street with lower pedestrian traffic densities, they are generally not supported.

- (c) Design all parkade exhaust, air intake, or similar grilles to be integral with landscape elements or flush with grade and, where possible, located out of publically accessible areas;
- (d) Provision at the time of the development permit application of an architectural and landscape lighting plan intended to add visual interest and contribute to pedestrian comfort at all hours;
- (e) Provision at the time of the development permit application of an architectural signage strategy, giving consideration to signage specifically designed for pedestrians and cyclists;
- (f) Ensure that interior programming and layouts are designed to allow for maximum visual access between exterior and interior;

Note to Applicant: visual access, facilitated by a combination of highly visible glazing and the careful orientation of active interior uses to outside walls, is an important component of an active public realm and a well-functioning Crime Prevention Through Environmental Design (CPTED) strategy. When interior programming does not lend itself to easy visual access, such as where interior uses require enhanced privacy or security but cannot be relocated within the building, attention should be given to landscape elements that provide for an enhanced level of pedestrian comfort and security, such as seating, robust plantings, etc. Also refer to CPTED condition 1.4.

- 1.2 Provision at the time of the development permit application of updated perspective views taken from key points of Jonathan Rogers Park demonstrating the contribution of the building, including the undulating mechanical screen, to Mount Pleasant skyline;

Note to Applicant: layered views from mid-rise manufacturing buildings, to taller residential towers, and the North Shore mountains beyond are a defining characteristic of Jonathan Rogers Park. The final finishing of upper levels and architectural appurtenances should be designed to enhance this character.

- 1.3 Design consideration to extend the aesthetic of the undulating mechanical screen at the roof to other parts of the building, such as the soffit over the public realm, to provide for a more unified architectural expression;

Crime Prevention Through Environmental Design (CPTED)

- 1.4 Design development to respond to CPTED principles, having particular regards for:
- (a) theft in the underground parking;
 - (b) break and enter;
 - (c) mail theft; and
 - (d) intentional damage such as vandalism.

Landscape Design

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

Note to Applicant: The plans should be at 1/8 in.: 1 ft. 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.

- 1.6 Provision of detailed architectural and landscape cross sections (minimum 1/4 in. 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.

1.7 Provision of a "Tree Management Plan", coordinated with arborist report to show:

- Scaled and dimensioned tree protection barriers around the trees on private and public property coordinated with Arborist Report;
- Tree numbering for all on site and off site trees;
- Notations of all recommendations from Arborist, i.e. trigger points, grading and pruning specifications, etc.

1.8 Provision of site sections specifically in relation to proposed trees over slab structure to confirm adequate depth of soil is provided for trees;

Note to Applicant: Medium size trees should receive a minimum of 2.5 ft. to 3 ft. depth of soil (not including drainage layer), depending on ultimate tree size, for sustainable growth and health. The section should show tree rootball and depth dimension.

1.9 Coordination for the provision of new street trees or any proposed City owned tree removals adjacent to the development site, where applicable;

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in height. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

1.10 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.

1.11 Provision of an outdoor Lighting Plan;

Note to Applicant: Outdoor lighting strategy should ensure functionality, safety and energy efficiency. Provide dimmers and timers for lights where feasible.

1.12 Provision on landscape drawings of landscape features intended to create bird friendly design;

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of landscape features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

- 1.13 Design development to improve the sustainability strategy, by the following:
- (a) Provide high quality materials to all landscape areas for durability into the future;
 - (b) Add substantially more landscape around all common entry areas, to accent and soften them;
 - (c) Add vines to any large blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems); and
 - (d) Add edible plants, which can be used as ornamentals as part of the landscape design.

- 1.14 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

- maximize natural landscape best management practises;
- minimize the necessity for hidden mechanical water storage;
- increase the amount of planting to the rooftop areas, where possible;
- use permeable paving;
- employ treatment chain systems (gravity fed, wherever possible);
- use grading methods to direct water to soil and storage areas;

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), 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.

- 1.15 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

- detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
- a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
- 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: the sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

Sustainability

- 1.16 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended May 2, 2018), 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).”

Engineering Services

- 1.17 Construction of the Broadway Subway Project (BSP) has begun and is expected to last until 2025. Street use around the BSP construction sites (mostly along Broadway and along Great Northern Way) will be severely restricted. Access to and from 110 W 4th and availability of street use for construction will be impacted. At this point, we do not yet have specific details on the restrictions; however, we would like to provide advance awareness, such that this is considered during early stages of your project. As Broadway Subway project construction plans are developed further, we will be able to provide more details on how it will affect your property. If you have any further questions, do not hesitate to contact us. You may find more information and sign up for regular email updates on the Province’s website at broadwaysubway.ca.
- 1.18 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province’s online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.

For more information: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals>

- 1.19 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.

- 1.20 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
- 1.21 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 1.22 Gates/doors are not to swing more than 1 ft. over the property lines or into the statutory right-of-way area.
- 1.23 Provision of generous and continuous weather protection on both frontages.
- 1.24 Design development to improve access and design of bicycle parking and demonstrate compliance with the Bicycle Parking Design Supplement by performing the following:
- (a) Provision of minimum 5% oversized Class A bicycle parking spaces as per Bylaw.
- Note to Applicant: Oversized Class A bicycle spaces require increased maneuvering aisle widths.
- (b) automatic door openers for all doors providing access to Class A bicycle storage
- Note to Applicant: Racks must be usable for all ages and abilities.
- 1.25 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:
- (a) convenient, internal, stair-free loading access to/from all site uses;
- Note to Applicant: Class A passenger spaces and Class A loading spaces to be located close to elevator cores.
- (b) Provision of the first Class A passenger loading space to be located at grade.
- Note to Applicant: Overhead projections into loading spaces are not permitted.
- (c) Provision of Class B loading spaces to be perpendicular to the lane for ease of access.

1.26 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services:

(a) improved two way flow for vehicles on the ramp and in the parking areas through provision of the following:

(i) a (3 m x 3 m) corner cut;

Note to Applicant: Column encroachments, setbacks and parking space widths to comply with the Parking and loading design Supplement. Column encroachments are not permitted in single module stalls.

(ii) confirmation that 2.3 m (7 ft. 6 ½ in.) of vertical clearance is provided for access and maneuvering to all disability spaces;

Note to Applicant: Overhead projections into disability spaces are not permitted.

(iii) confirmation that vertical clearance of overhead projections into vehicle parking spaces are not less than 1.2 m (4 ft.) and projection into the space must not be more than 1.2 m (4 ft.); and

(iv) notation of the following on all ground level and parking level plans:

“Loading layout approved, subject to compliance with approved Loading Management Plan.”

1.27 Provision of the following information as part of the drawing submission at the development permit stage to facilitate a complete Transportation review:

(a) a complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;

(b) all types of parking and loading spaces individually numbered and labelled;

(c) dimension of any/all column encroachments into parking stalls;

(d) identification of all columns in the parking layouts;

(e) dimensions for typical parking spaces;

(f) dimensions of additional setbacks for parking spaces due to columns and walls;

(g) dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;

- (h) section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

- (i) details on the ramp/parkade warning and/or signal systems and locations of lights, signs and detection devices to be shown on the plans;

- (j) areas of minimum vertical clearances labelled on parking levels;

- (k) design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

- (l) indication of the stair-free access route from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.

- (m) existing street furniture including bus stops, benches etc. to be shown on plans; and

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

1.28 Provision of a draft final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:

(a) General Requirements

- (i) Confirmation that access has been provided for maintaining the rainwater management system, such as providing truck access for pumping out sediment traps.
- (ii) Provision of relevant landscaping and architectural drawings in an appendix of the RWMP report.
- (iii) Confirm the inverts of the proposed Jellyfish unit and storm connection and that the Jellyfish can drain by gravity.

(b) Volume Reduction

- (i) Demonstrate that 24mm retention volume is provided for impervious areas on the site through Tier 1/2/3 controls.

Note to Applicant: Additional capacity provided in landscaping areas only contributes to the capture target if additional areas are directed to appropriately-sized landscaping features.

Note to Applicant: If applicable, provide a landscaping and grading plan to support the proposal of landscaping capture.

- (ii) Confirmation how the stored water beneath the Purple-Roof permeable pavers system will be utilized or if this water is detained and released following a rainfall event.

(c) Water Quality

- (i) Confirm if the configuration of the proposed Jellyfish Water Quality System needs to be modified given that the provided sizing calculation notes an offline configuration. From the drawings, the filter appears to be online in the storm sewer system.

Note to Applicant: As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final RWMP will include all relevant details.

Please contact the City of Vancouver's Rainwater Management Review group for any questions or concerns related to the conditions or comments prior to resubmission with the Building Permit application. A meeting may be scheduled upon request by contacting rainwater@vancouver.ca.

- 1.29 Provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any development permit. The final RWMP should include the following:
 - (a) Provide a summary of all the catchment areas in a tabular form which include the required capture and treatment, any direct capture and treatment achieved from adjacent surfaces, and storage capacities for that catchment. Catchments must be shown in a proposed site plan drawing or figure as part of the Final Rainwater Management Plan Report.
 - (b) Provide final detailed drawings (including landscape detailed drawings) of all proposed rainwater management systems including but not limited to, dimensions, inverts, stage-storage-discharge characteristics, design criteria and all assumptions.
- 1.30 Registration of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services prior to the issuance of the Building Permit.

Note to Applicant: The legal agreement restricts the issuance of a building permit until the final Rainwater Management Plan (RWMP) and Operations & Maintenance (O&M) Manual have been accepted by the City. The approved documents shall be attached to the Agreement as schedules and be registered on the property's title. The rainwater management system shall be inspected as necessary during and after construction. A Registered Professional is to inform the City by letter bearing their professional seal whether the system has been so constructed as per the accepted rainwater management plan and if not, sealed final design drawings showing the details of the modified system must be provided.

- 1.31 Provision of a final standalone Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any Building Permit.

The Operation & Maintenance (O&M) Manual shall be tailored specifically for all rainwater management systems proposed on-site and submitted as a standalone document that is provided to the eventual owner or party responsible for operation and maintenance. The following components are to be included in the document:

- (i) phasing considerations (i.e. early stage requirements immediately following construction, and on-going requirements once the site is established;
- (ii) a table or schedule that describes the level of effort and frequency of tasks required to maintain optimal performance for each individual component of the system
- (iii) contact information for any proprietary systems to be located on-site; and
- (iv) checklists to assist non-technical persons in assessing operation and maintenance performance and requirements.

- 1.32 Prior to Development Permit, provide a Final Hydrogeological Study which meets the requirements of the Groundwater Management Bulletin ([Groundwater Management Bulletin \(vancouver.ca\)](https://vancouver.ca/groundwater-management-bulletin))

- 1.33 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-high-voltage-overhead-conductors-and-transformers.pdf>). All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc. The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

- 1.34 The following statement is to be placed 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 and Major Projects and/or your Engineering, Building Site Inspector for details.”

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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 and Development, the General Manager of Arts, Culture and Community Services, the General Manager of Engineering Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

- 2.1 Consolidation Lots 8 to 12, Block 21, District Lot 200A, Plan 197 to create a single parcel.
- 2.2 The release of Easement & Indemnity Agreement 154269M (two commercial crossings) and Covenant F32411 (off-street parking) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to issuance of the development permit, 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 at the DP stage. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

- 2.3 Provision of a 4.5 m offset distance measured from the back of the existing curbs for widened sidewalks along Manitoba Street and West 4th Avenue to be achieved through a building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site. The SRW will be free of any encumbrance such as vents, structure, stairs, and planter walls at grade (and is to accommodate the underground parking structure within the SRW agreement).

Note to Applicant: Setbacks under 2 ft. will not be registered as an SRW, but must be free of encumbrances.

- 2.4 Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the Rezoning 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 all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Condition 2.5 (a) the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

(a) Provision of adequate water service to meet the fire flow demands of the project.

- (i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by WSP Canada Inc. dated April 7, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 150 mm along West 4th Avenue or 300 mm along Manitoba Street. Should the development require water service connections larger than the existing main, the owner shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The owner is responsible for 100% of the cost of the upgrading. The maximum size of a main is 300 mm

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

Note to Applicant: As per the City of Vancouver Building Bylaw, the principle entrance must be within 90 m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be installed in accordance to the aforementioned bylaw will be required. The developer is responsible for 100% of the cost of this upgrade

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.
 - (i) Implementation of development at 110 West 4th Avenue does not require any sewer upgrades.

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 to Applicant: Development to be serviced to the existing 550 mm SAN and 375/675 mm STM sewers in West 4th Avenue.

- (c) Street improvements along Manitoba Street adjacent to the site and appropriate transitions including the following:
 - (i) 1.22 m (4 ft.) wide front boulevard with street trees where space permits;
 - (ii) Minimum 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk;
 - (iii) Curb ramps;
 - (iv) Removal of the existing driveway crossing and reconstruction of the sidewalk and curb to current standards.
- (d) Street improvements along West 4th Avenue adjacent to the site and appropriate transitions including the following:
 - (i) 1.22 m (4 ft.) wide front boulevard with street trees where space permits;
 - (ii) Minimum 2.44 m (8 ft.) wide broom finish saw-cut concrete sidewalk;
 - (iii) Curb ramps;
 - (iv) New concrete curb and gutter on West 4th Avenue along the development site's frontage.

- (v) Curb bulge, including any required road re-construction to current standards.
- (vi) Removal of the existing driveway crossings and reconstruction of the sidewalk and curb to current standards.

Note to Applicant: City of Vancouver to provide approved Geometric design. All elements of the Geometric design must be constructed to meet City Standards including, but not limited to relocation of existing catch basins or installation of new catch basins where required to accommodate the geometric design.

- (e) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (f) Provision of entire intersection lighting upgrade to current City standards and IESNA recommendations at Manitoba Street and West 4th Avenue.
- (g) 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.

- (h) Provision of a new pad mounted service cabinet/kiosk on Manitoba St.

Note to Applicant: The detailed Electrical Design will be required prior to the start of any associated electrical work to the satisfaction of the General Manager of Engineering Services and in conformance with Standard Specification of the City of Vancouver for Street Lighting (draft), Canadian Electrical Code (the latest edition) and the Master Municipal Construction Documents (the latest edition)

- (i) Provision of lane lighting on standalone poles c/w underground ducts. The ducts should be connected to the existing COV SL infrastructure.
- (j) Provision for the mill and regrading of the full width of the laneway along the development site's frontage.
- (k) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on Manitoba St adjacent to the site.
- (l) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

- 2.5 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

(a) A new pad mounted service cabinet/kiosk on Manitoba St. per condition 2.4(h).

Note to Applicant: The benefiting area for these works is under review

- 2.6 Engineering Services will require all utility services to be underground for this “conditional” development. 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 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. The applicant shall provide written confirmation from BC Hydro that all required electrical plants is provided for on-site.

Commercial Linkage Contribution

- 2.7 Pay to the City a contribution of \$1,260,343 to be allocated toward childcare facilities and/or affordable housing in and around the Metro Core area, 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 in a form and on terms and conditions satisfactory to the Director of Legal Services.

Non-stratification Covenant

- 2.8 Enter into a Covenant pursuant to Section 219 of the Land Title Act prohibiting both the separate sale and the strata subdivision of the property.

Public Art

- 2.9 Execute an agreement satisfactory to the Director of Legal Services and the General Manager of Arts, Culture and Community 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 Tamara Tosoff, Planning Assistant, 604-873-7947, to discuss your application

Sustainability

- 2.10 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.
- 2.11 Release Notice for zoning application approval must be issued by BC Ministry of Environment and Climate Change Strategy and provided to the City;

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

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 BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Environmental Contamination

2.12 As applicable:

- (a) Submit a site profile to the Environmental Services;
- (b) 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
- (c) 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 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 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-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.

* * * * *

**110 West 4th Avenue
DRAFT CONSEQUENTIAL AMENDMENTS**

Note: By-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

DRAFT AMENDMENTS TO THE SIGN BY-LAW

Amend Schedule A (CD-1 Zoning Districts regulated by Part 9) by adding the following:

“110 West 4th Avenue [CD-1 #] [By-law #] I-1”

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

Amend Schedule A (Activity Zone) by adding the following:

“ [CD-1 #] [By-law #] 110 West 4th Avenue”

**DRAFT AMENDMENTS TO THE VANCOUVER DEVELOPMENT
COST LEVY BY-LAW NO. 9755**

Amend the definition of "mixed-employment (light industrial)" in section 1.2 to add the following:

“, and the land zoned by CD-1 [By-law #] with respect only to those uses
that the by-law permitted on the date of its enactment;”

**DRAFT AMENDMENTS TO THE VANCOUVER UTILITIES DEVELOPMENT
COST LEVY BY-LAW NO. 12183**

Amend the definition of "mixed-employment (light industrial)" in section 1.2 to add the following:

“, and the land zoned by CD-1 [By-law #] with respect only to those uses
that the by-law permitted on the date of its enactment;”

* * * * *

110 West 4th Avenue
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

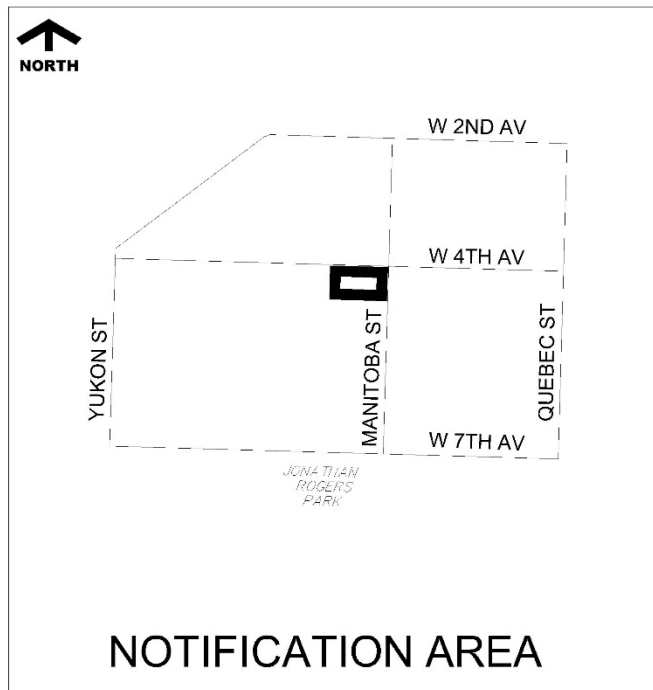
	Date	Results
Event		
Virtual open house (City-led)	June 7 to June 27, 2021	151 participants (aware)* <ul style="list-style-type: none"> • 82 informed • 60 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	June 4, 2021	640 notices mailed
Public Responses		
Online questions	June 7 to June 27, 2021	22 submittals
Online comment forms <ul style="list-style-type: none"> • Shape Your City platform 	May – June, 2021	50 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	May – June, 2021	50 submittals <ul style="list-style-type: none"> • 38 responses • 12 responses • 0 responses
Other input		0 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	April – June, 2021	370 participants (aware)* <ul style="list-style-type: none"> • 189 informed • 83 engaged

Note: All reported numbers above are approximate.

*The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

2. Map of Notification Area



3. Analysis of All Comments Received

Below is an analysis of all public feedback by topic and ordered by frequency.

Generally, comments of support fell within the following areas:

- **Neighbourhood context:** The development is appropriate given its location in the central Mount Pleasant Industrial Area and given the existing nearby businesses, amenities, and access.
- **Proposed use:** The industrial use and tenant (AbCellera) are well-supported at this site.
- **Employment opportunity:** The development will bring positive employment generation and quality, skilled jobs to the area.
- **Building height and density:** The height, massing and density of this development are appropriate for the area and surrounding built environment.
- **Active / public transportation:** The site is well suited to be accessed by active transportation (walking, cycling) or public transportation (SkyTrain stations).
- **Impact on public realm:** The development will positively impact the nearby public realm and streetscape (patio space, landscaping, etc.)

Generally, comments of concern fell within the following areas:

- **Building height and density:** The height, massing and density of this development is not appropriate for the area and the character of the surrounding buildings.

- **Impact on park:** The development will have a negative impact on the nearby Jonathan Rogers Park and community gardens, specifically regarding close proximity and shading.
- **Neighbourhood context:** The development is not appropriate given the area and will have negative impacts on existing businesses and access.
- **Lack of public art:** the development should incorporate public art, such as a mural.

The following miscellaneous comments were received from the public (these were topics that were not ranked as highly as above).

General comments of support:

- Generally supportive of development

General comments of concern:

- Concern that the sustainable standards and landscaping have not been prioritized

General neutral comments:

- Question about website

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North Elevation



South Elevation



East and West Elevations



**110 West 4th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary:

A nine-storey building containing laboratory and office uses.

Public Benefit Summary:

The proposal will provide DCLs, public art contribution and commercial linkage contribution allocated towards childcare facilities and/or affordable housing in and around the Metro Core area.

	Current Zoning	Proposed Zoning
Zoning District	I-1	CD-1
FSR (site area = 30,205 sq. ft.)	3.0	7.0
Floor Area (sq. ft.)	90,614	211,743
Land Use	Industrial	Industrial / Office

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL*	\$2,445,230
Utilities DCL*	\$846,486
Public Art**	\$419,260
Commercial Linkage Contribution	\$1,260,343
TOTAL	\$4,971,319

Other Benefits (non-quantified): N/A

*Based on rates in effect as at September 30, 2021. Rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for details.

**Based on rates in effect as of 2014. Rates are subject to periodical adjustments to reflect increase in local construction costs, per the Public Art Policy and Procedures for Rezoned Developments.

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110 West 4th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	110 W 4th Avenue
Property Identifier (PID) & Legal Description	Lots 8, 9, 10, 11 and 12, Block 21 District Lot 200A Plan 197; PIDs 015-518-949, 015-518-973, 015-519-023, 015-519-066 and 015-519-155 respectively
Property Owner	0892124 B.C. Ltd.
Architect	Francl Architecture

SITE STATISTICS

Site Area	2,806 sq. m (30,205 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	I-1 (Industrial)	CD-1
Uses	Cultural and Recreational Uses Institutional Uses Manufacturing Uses Retail Uses Service Uses Transportation and Storage Uses Utility and Communication Uses Wholesale Uses	Cultural and Recreational Uses Institutional Uses Manufacturing Uses Service Uses Wholesale Uses
Max. Density	3.0 FSR	7.0 FSR
Floor Area	8,418 sq. m (90,614 sq. ft.)	19,672 sq. m (211,743 sq. ft.)
Maximum Height	Outright: 18.3 m (60 ft.)	41.0 m (135 ft.)
Parking, Loading and Bicycle Spaces	Per Parking By-law	Parking 268 Bicycle Parking 100 Loading Spaces 10
Natural Assets	0 existing on-site by-law trees 3 City trees	3 City trees retained; 7 new City trees

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