



PUBLIC HEARING MINUTES

DECEMBER 15, 2015

A Public Hearing was held on Tuesday, December 15, 2015, at 6:11 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson*
Councillor George Affleck
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Heather Deal
Councillor Raymond Louie, Acting Mayor*
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tim Stevenson

ABSENT: Councillor Kerry Jang (Sick Leave)

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Carr
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Acting Mayor Louie in the Chair, to consider proposed amendments to the Zoning and Development and Sign By-laws.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

VARY AGENDA

MOVED by Councillor Reimer

THAT item 3 be dealt with as the first item of business.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Mayor Robertson absent for the vote)

Note: For clarity, the minutes are recorded in chronological order.

3. REZONING: 375 West 59th Avenue

An application by Intracorp Projects Ltd. was considered as follows:

Summary: To rezone 375 West 59th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of three six-storey residential buildings, containing a total of 155 dwelling units. A height of 22.3 m (75 ft.) and a floor space ratio (FSR) of 2.66 are proposed.

The Acting General Manager of Planning and Development Services recommended approval subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list:

- 1 piece of correspondence opposed to the application;
- 1 piece of correspondence regarding other matters related to the application.

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Mayor Robertson arrived at 6:17 pm and assumed the Chair.

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Staff Opening Comments

Planning and Development Services staff presented the application, and along with Vancouver Coastal Health staff, and staff from Housing Policy and Projects, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Simon Zaidel and Brenda Horth spoke in opposition to the application, noting concerns with privacy, building height, noise from venting, and increased traffic in the area.

The speakers list closed at 6:48 pm.

Applicant Closing Comments

David Jacobson, Intracorp, noted that they have worked with staff over the past few months to mitigate many of the concerns noted by the speakers, including a reduction in the number of homes, increased suite size, and reduction of the easternmost building to five storeys.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Intracorp Projects Ltd., on behalf of Cedarhurst Private Hospital Ltd., to rezone 375 West 59th Avenue [*PID 009-658-386; Lot A, Block 1006, District Lot 526, Plan 9413*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.66 FSR and the height from 10.6 m (35 ft.) to 22.8 m (75 ft.) to permit a residential development of two six-storey buildings and one five-storey building, containing a total of 155 dwelling units, as generally presented in Appendix A of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 375 West 59th Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That, the proposed form of development be approved by Council in principle, generally as prepared by Ramsay Worden Architects, Ltd., on behalf of Intracorp Projects Ltd., and stamped "Received, Planning and Development Services, February 19, 2015", provided that the General Manager of Planning and Development Services 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 the approval of Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to reduce building massing to achieve a form of development that is more compatible with neighbouring buildings.

Note to Applicant: This can be achieved by setting back the two upper levels of the north building at the east edge and setting back the top level of the north portion of the east building at the east edge to create a better transition and reduce shadow impacts to the adjacent townhouse building.

2. Design development to reduce the apparent width of the proposed buildings to be more compatible with the area context and the Marpole Community Plan Built Form Guidelines.

Note to Applicant: The Marpole Community Plan Built Form Guidelines recommend a maximum building width of 100 ft. The apparent building length can be minimized by removing the "bridge" element between the west and north buildings, creating three separate buildings. Further, the north building should have a visual separation to mitigate its length. This can be achieved with a deep inset or separating the upper storeys into two distinct blocks.

3. Design development to minimize privacy impacts and overlook to adjacent properties.

Note to Applicant: This can be achieved by increasing the east setback of the east and north buildings to a minimum of 15 ft. and 19.5 ft. respectively. For the east building, this setback should increase further north along the east property line where shadow and overlook potential are more impactful.

Overlook can be further reduced by reducing and/or redirecting the outlook for balconies on the east elevations. Roof decks should be set back from building edges to prevent overlook. Delete the private pathway at the east edge of the site connecting the courtyard to the 58th Avenue right of way.

4. Design development to reduce the apparent height.

Note to Applicant: The Marpole Community Plan supports consideration for buildings up to six storeys and recommends floor-to-floor heights of approximately 9 ft. At the southwest corner of the site, the dropping grade creates the appearance of a taller building. Reducing the apparent height of the development can be achieved by setting back the upper floor from approximately gridlines B to C. This condition can be reviewed in conjunction with condition 5. Floor to floor heights should be generally consistent with the Plan. The intent is to provide standard 8 foot ceiling heights through most buildings.

5. Design development to street-fronting entries to improve the public realm interface.

Note to Applicant: The Marpole Community Plan generally supports ground level entries to be raised approximately 3 ft. above grade to create a sense of privacy while maintaining close contact with the public realm. Reduce the height of the proposed patios, so they are closer to 3 ft. above grade and set back the front edge of the private patio away from the property line to create space for planting on private property.

6. Design development to building form to retain mature trees on site.

Note to Applicant: This is a large site with many mature trees. Coordinate with Landscape conditions to retain recommended mature

trees. This will result in increased building setbacks and a reduction in parkade structure.

7. Design development to the vehicle entry.

Note to Applicant: As there is no lane, the vehicle entry must be located on a street. Alberta Street provides pedestrian access between Winona Park and the Langara Golf Course Perimeter Trail. The vehicle access should be minimized and the loading bay located within the underground parkade space to improve the safety and comfort of the pedestrian realm.

8. Design development to improve access to natural light in the amenity room.

9. Provision of notation on the drawings to indicate the location of significant building services.

Note to Applicant: Servicing such as a pad mounted transformer (PMT) or mechanical venting, etc. should be located so that it does not have a negative impact on the public realm, or private outdoor space. It should be screened from view. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

10. Provision of information on the drawings that indicate the full measures required to achieve fire fighter access.

Note to Applicant: Indicate on the site plan the location of the annunciator panel, firefighter connections, and any other significant site planning requirements.

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

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

Crime Prevention through Environmental Design (CPTED)

12. Design development to improve security and visibility in the underground in accordance with section 4.13 of the *Parking By-law* and by painting the walls and ceiling of the parking garage white.

Sustainability

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

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

14. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape

15. Design development to maximize the retention of trees, especially near the south perimeter edge.

Note to Applicant: Pursuant to urban forest objectives, alterations to form of development will be required. Preliminary exploration of options has identified large trees at the south edge that merit retention (trees #801, 802 and 836). Further technical analysis is required by the arborist and design team in coordination with City staff. Where the analysis concludes that tree retention is not feasible, open space with access to the water table will need to be integrated into the design for the provision of long lived, tall branched replacement trees. This is a significant condition.

16. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and plants.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1.0 m across and 1.2 m) to

maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

17. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (PMTs, "Vista" junctions, underground venting) visible to the public realm.

18. At time of development permit application, provision of:

- (i) A detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at a minimum 1/8":1 ft. scale. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. The Plant List should include the common and botanical name, size and quantity of all existing and proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The Landscape Plan should include the public realm treatment (to the curb) and all existing and proposed street trees, adjoining walkways, surface materials, PMTs, "Vista" junctions, underground venting and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) A "Tree Removal/Protection/Replacement Plan" in coordination with arboricultural services, including the assessment of existing trees, retention value rating, retention feasibility, remediation recommendations, site supervision and letters of undertaking.

Note to Applicant: Given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

- (iii) A "Construction Management Plan" outlining methods for the retention of existing trees during construction.

Note to Applicant: The Plan should include, but not be limited to, the location of construction materials, temporary structures, utilities, site access, development phasing, to the satisfaction of planning staff. Special construction methods such as applying "shotcrete" to excavation walls near retained trees and a tree watering program may be necessary.

- (iv) Provision of detailed cross section through tree protection zones to indicate limits of excavation, special construction methods, footing design, grading and re-landscaping.
- (v) Provision of detailed cross sections (minimum 1/4" inch scale) through all proposed common open spaces and semi-private patio areas (typical).

Note to Applicant: The sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the residential unit.

- (vi) Provision of revised technical tree protection reports (by arborist or other).

19. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

Note to Applicant: special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along streets and shared walkways.

20. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.
21. Provision of high efficiency irrigation for all planted areas, including urban agriculture areas, and hose bibs for all private patios of 100 sq. ft. (9.29 m²).

Pest Control

22. At time of development permit application, provide a pest control management plan that details strategies for ensuring that existing pests are not released due to demolition of the existing building and landscaping.

Housing Policy

23. That the proposed unit mix include at least 52% two-bedroom units, 20% three-bedroom units and 3% four-bedroom units are to be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

Engineering Services

24. Arrangements to the satisfaction of the General Manager of Engineering Services in consultation with the General Manager of the Park Board and the Director of Planning for removal, replacement and revegetation of the 58th Avenue right-of-way adjacent to the site.
25. Clarification of the proposed exiting to the 58th Avenue right-of-way and deletion of all but emergency exiting to the 58th Avenue right-of-way.
26. Provision of a note on the landscape drawing legend L1.00 'CIP concrete sidewalk with broom finish with saw cut joints' for the 6 ft. wide concrete sidewalks proposed on both 59th Avenue and Alberta Street. Note that section 5 on L3.02 should be revised to a 6 ft. sidewalk. It currently indicates a 5.69 ft. wide sidewalk and the plan view on the same page indicates 6 ft.
27. Provision of a minimum 300 mm grass buffer strip between the sidewalk and any landscape proposed in the back boulevard.
28. Confirmation of any retained private property trees along the 59th Avenue frontage and provision of a sidewalk design to accommodate their retention.
29. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the *Parking By-law* and the parking and loading design supplement:

- (i) Align proposed underground driveway access to minimize conflicts with headlights of exiting vehicles and residential properties across Alberta Street.
- (ii) Provision of a standard driveway crossing at the entrance to the proposed underground parking on Alberta Street.
- (iii) Provision of a Class B loading space with the required on-site maneuvering.

Note to Applicant: The loading space shown requires trucks to back in off the street. Consider providing a perpendicular loading space from the parking ramp or relocate the loading space to the underground parking level. Class B loading requires 3.5 m of vertical clearance.

- (iv) An existing street light pole on Alberta Street conflicts with parking access. Arrangements to the satisfaction of the General Manager of Engineering Services for the pole relocation is required.
- (v) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances along the property lines.

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

- (vi) Provision of 2-way flow on the parking ramp and at the curved portion of the maneuvering aisle at the bottom of the ramp.

Note to Applicant: Provide an improved plan with turning swaths showing that two-way flow can be achieved through this section of the maneuvering aisle on the design shown.

- (vii) Provision of 2.3 m of vertical clearance for access and maneuvering to all disability spaces.

Note to Applicant: Section H on drawing DP4.03 shows 7 ft. (2.1 m) of vertical clearance.

- (viii) Modification of the parking ramp design to provide a 9 ft. X 9 ft. corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.

Note to Applicant: Corner cuts are required at gridline J/4 and J/2 to provide two-way flow.

- (ix) Number all stalls and show all columns within the parking levels to comply with the Parking and Loading Design Supplement.

Note to Applicant: No columns are shown on level P2.

- (x) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

- (xi) 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.

- (xii) Confirmation that the proposed garbage storage and recycling areas meet Engineering Services garbage storage guidelines. Please confirm that the spaces provided are in agreement with the guidelines including confirmation that a waste hauler can pick up from the location shown on the plans.
- 30. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated Neighbourhood Energy System (NES) Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 31. 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.

- 32. 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.
- 33. 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.
- 34. 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 and Development Services, the General Manager of Engineering Services and the Approving Officer, as

necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

1. Provision of a Statutory Right-of-Way to allow the public to access and use of the proposed seating area on private property at the south west corner of the site (corner of 59th Avenue and Alberta Street).

Note to Applicant: See condition 3 (vi).

2. Release of Easement & Indemnity Agreement 370312M (commercial crossing) prior to building occupancy.

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

3. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required. Note, an interconnected water service will be required for this development.

- (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of

the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.

- (iii) Provision of new concrete curb and gutter, pavement (to centerline) concrete sidewalk and improved street lighting and additional pedestrian scale lighting to current standards on the east side of Alberta Street from 59th to 58th Avenue including all utility relocations, asphalt and concrete connections to existing street alignments necessary for the construction of a new road.
- (iv) Provision of a curb bulges on the north-east corner of 59th Avenue and Alberta Street on both street frontages, complete with improved curb ramps.
- (v) Provision of curb bulges on the north and south sides of 59th Avenue at the west leg of Columbia Street, improved curb ramps on both sides of 59th Avenue within the bulges to meet current standards and a Greenway pedestrian light to be located on the north side of 59th Avenue at the west leg of Columbia to facilitate crossing 59th Avenue (Similar to the bulge treatment at 59th Avenue and Manitoba Street).
- (vi) Provision of a seating area to be located on private property adjacent the proposed bulge area on the north side of 59th Avenue at the west leg of Columbia Street with two Greenway benches on concrete pavers within the seating area.
- (vii) Provision of a water drinking fountain and landscaping within the proposed curb bulge on the north side of 59th Avenue at the west leg of Columbia Street.

Note to Applicant: The drinking fountain shall be serviced by a separate water service connection. Once installed, the fountain will be maintained by the City of Vancouver.
- (viii) Provision of standard city greenway treatments on 59th Avenue adjacent the site including 1.8 m wide saw cut concrete sidewalk, provision of improved street lighting and Greenway pedestrian pole mounted acorn lighting on 59th Avenue adjacent the site. All lighting to be LED luminaires with louvers.
- (ix) Provision of speed humps on 58th Avenue between Alberta Street and Cambie Street subject to neighbourhood notification to local residents.

- 4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be

primary with all electrical plant, which include but are not limited to, junction boxes, 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. 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. The applicant may be required to show details of how the site will be provided with all services being underground.

5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a Neighbourhood Energy System, if and when the opportunity is available and in accordance with the City's policy for Neighbourhood Energy Connectivity Standards and the Cambie Corridor Plan, which may include but are not limited to agreements which:
 - (i) require buildings on site to connect to a Neighbourhood Energy System, once available;
 - (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation; and
 - (iii) grant access to and use of suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the Owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

Note to Applicant: The development will be required to connect to a Neighbourhood Energy System prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a Neighbourhood Energy System is not available at that time, the agreement will provide for future connection.

Soils

6. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);

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

Public Art

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

Note to Applicant: To discuss your application please call Bryan Newson, Program Manager, 604.871.6002.

Heritage Density Transfer

8. Secure the purchase and transfer of 470 m² (5,064 sq. ft.) of heritage density (which has a value of \$329,134) from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Community Amenity Contribution (CAC)

9. Pay to the City the Community Amenity Contribution of \$6,253,541 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$6,253,541 is to be allocated as follows:
 - (i) \$3,291,337 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole area; and
 - (ii) \$2,962,204 toward community facilities and/or childcare serving the community serving residents and/or workers in or near Marpole including a minimum of \$500,000 toward renewal of Marpole Place.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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.

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

- B. THAT, subject to the enactment of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 375 West 59th Avenue".
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning, are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

1. REZONING: 5470-5490 Oak Street

An application by Listraor (West 38th) Homes Ltd. was considered as follows:

Summary: To rezone 5470-5490 Oak Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of two four-storey residential buildings, containing a total of 12 dwelling units. A height of 12.2 m (40 ft.) and a floor space ratio (FSR) of 1.20 are proposed.

The Acting General Manager of Planning and Development Services recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list:

- 1 piece of correspondence in support of the application.

Speakers

The Mayor called for speakers for and against the application, and none were present. The speakers list closed at 7:03 pm

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Listraor (West 38th) Homes Ltd., to rezone 5470-5490 Oak Street [*Lots 4 and 5, Block 865, District Lot 526, Plan 8170; PIDs 010-258-523 and 010-258-540 respectively*] from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space

ratio from 0.70 to 1.20 and the building height from 10.7 m (35.1 ft.) to 12.2 m (40 ft.) to permit the development of two four-storey residential buildings, containing a total of 12 dwelling units, generally as presented in Appendix A of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 5470-5490 Oak Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Raymond Letkeman Architects Inc. and stamped "Received Planning Department, March 31, 2015", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Design Development

1. Design development to the semi-private courtyard space, including the pathway at the north side, to enhance the visual and physical connection between the adjacent courtyards, as follows:
 - (i) the steps at the pathway at the north side should align with those at the adjacent site, so that they may be shared;
 - (ii) a shared outdoor amenity area should be provided between the courtyards.

Note to Applicant: A shared amenity area should be located at the top of the steps at the interface between the courtyards, and provide opportunities for children's play space and informal social interaction. The shared courtyard amenity, pathway and steps should provide a more cohesive expression between the sites and as viewed from the public realm (refer to Landscape Conditions).

2. Design development to the pathway at the south side to better identify it as a public pathway, as distinct from the semi-private courtyard entry pathway at the north side.

Note to Applicant: This may be achieved through the careful use of signage, as well as surface materials and landscape treatment, including width of paved paths and landscape

borders. The spacing between buildings is acceptable as proposed.

3. Design development to maintain the high quality of materials indicated for the building and landscape design.

Crime Prevention through Environmental Design (CPTED)

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

Sustainability

5. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a source of Energuide 84.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of EnerGuide 84 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Housing Policy

6. That the proposed unit-mix including twelve three-bedroom units be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix shall be to the satisfaction of the Chief Housing Officer.

Landscape

7. Design development to improve a sense of community by connecting and integrating the common central courtyard and sideyard areas. Outdoor space should be consolidated to create more diverse areas. Courtyard programming should be expanded to include more opportunities for a broader range of residents to form a complete community. This should include children's play for families with kids, passive community spaces for socializing and gathering, common green amenity areas. The amount of open space available should allow for more orientation toward common shared spaces, rather than private;

8. Design development to provide a high-quality public realm interface incorporating:
 - i. safe landscaped open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment along the street and lane edge;

Note to Applicant: Landscape surfaces, planting and other elements should provide a transition from the residential site to the street. Treatment at the lane should be substantial enough to enhance the pedestrian lane experience. The lane edge planting should be protected from vehicles by an 8" high curb.

9. Design development to better delineate public vs. private walkways by a change in width and paving.
10. Design development of landscape surface treatment at property edges to provide substantial greenery for privacy screening to mitigate potential overlook issues for at-grade oriented residential units.
11. Design development to improve the common courtyard experience by provision of planting beds with adequate depth of soil at grade, rather than raised planters.

Note to Applicant: This will require deeper parkade excavation.

12. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
13. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

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

14. At time of the Development Permit application include:
 - i. 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.

- ii. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- iii. Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- iv. New proposed street trees should be coordinated with Engineering and the Park Board, appear on the Plant List as confirmed, and noted:

"Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion."

- v. A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
- vi. 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.

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

Engineering

- 15. Clarification that the garbage and recycling space is adequate for the project. Please review the garbage and recycling storage facilities design supplement.
- 16. Clarify garbage pick-up operations. Confirmation that waste haulers can access and pick up from the location shown is required.
- 17. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

- (i) Provision of additional design elevations within the parking area to calculate the slope and cross fall.

Note to Applicant: The slope and cross fall must not exceed 5%.

- (ii) Provision of design grades at all entries along the property lines.

Note to Applicant: Class A bicycle spaces should be labeled on drawing SK01.2.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 1. Consolidation of Lots 4 and 5, Block 865, DL 526, Plan 8170 to create a single parcel and subdivision of that site to result in the dedication of the west 0.762 metres for road purposes.
- 2. Provision of appropriate access arrangements (legal agreements) to secure vehicular and pedestrian access via underground

parking from 5450 Oak Street (Lot A, Block 865, DL 526, Plan EPP45132) to this site.

3. Provision of a 6'-0" wide pedestrian right of way along the south edge of the site to match the current pedestrian right of way registered as CA4360965 over the north 6 feet of neighbouring Lot B.
4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided:
 - (i) Provision of new concrete saw-cut sidewalks, street trees and sod boulevard adjacent the site consistent with the rezoning sites north and south of the project. (1.5 m front boulevard and 2.0 m concrete sidewalk).
 - (ii) 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 as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (iii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include

but are not limited to, junction boxes, 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. 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. The applicant may be required to show details of how the site will be provided with all services being underground.

Soils

6. If applicable:

- (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
- (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (iii) If required by the Manager of Environmental Planning 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 Planning, 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, including all dedicated lands, issued by the Ministry of Environment, has been provided to the City.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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.

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 5470-5490 Oak Street".
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning, are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

2. REZONING: 6318-6340 Cambie Street

An application by Integra Architecture was considered as follows:

Summary: To rezone 6318-6340 Cambie Street from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a seven-storey mixed-use building, containing a total of 50 dwelling units and three commercial units. A height of 28.9 m (95 ft.) and a floor space ratio (FSR) of 3.22 are proposed.

The Acting General Manager of Planning and Development Services recommended approval subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list:

- 1 piece of correspondence in support of the application;
- 1 piece of correspondence opposed to the application.

Staff Opening Comments

The Assistant Director of Planning, Vancouver-South, and Planning and Development Services staff, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Tracy Moir, Oakridge-Langara Area Residents, noted that it would be ideal if the retail level could include a space where members of the community could gather, such as a coffee shop. She also noted that she would like Council to give direction to applicants to not enclose roofs in the Cambie Corridor as this effectively adds an extra storey to buildings.

The speakers list closed at 7:19 pm

Staff Closing Comments

Planning and Development Services staff, along with Engineering Services staff, responded to questions.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Integra Architecture Inc. on behalf of 0985313 B.C. Ltd. (L & A Real Estate Investment), the registered owners, to rezone 6318-6340 Cambie Street [*Strata Lots 1 and 2, District Lot 526, Strata Plan LMS595 and Lot G of Lot 2, Block 899, District Lot 526, Plan 7765; PIDs 017-971-951, 017-971-969, and 008-421-820 respectively*] from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.75 to 3.22 FSR and the height from 9.2 m (30 ft.) to 28.9 m (95 ft.) to permit the development of a seven-storey mixed-use building, containing a total of 50 dwelling units and three commercial units, as generally presented in Appendix A of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 6318-6340 Cambie 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 Integra Architecture Inc. and stamped "Received Planning Department, March 17, 2015 ", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to comply with required setbacks and enhance interface with the public realm.

Note to Applicant: Ensure a 3.0 m (10 ft.) Statutory Right-of-Way (SRW) is provided along the full length of the north property line. Ensure an additional 2.4 m (8 ft.) minimum parallel setback is provided to accommodate design development of a semi-private landscape buffer at townhouse entries.

2. Design development to animate east-west pedestrian mews and to enhance the building interface with the public realm.
 - (i) Co-locate Amenity Room with Entry Lobby against the east-west pedestrian mews.
 - (ii) Reinforce this association by locating adjacent to it the recommended north/south pedestrian access to the project's interior courtyard.
 - (iii) Ensure 4.5m (15 ft.) minimum between the primary building and townhouse units to the east, to accommodate north-south pedestrian access/walkway with landscaping either side.
 - (iv) Align north building face of the primary building with that of townhouse units to the east.
 - (v) Limit any encroachment into the required setback of the vertical 'spine' element, on the north building face, to 1.2 m (4 ft.) maximum.
 - (vi) Provide interim landscape strategy, pending completion of mirrored form of development to the north, for east-west pedestrian mews.

- (vii) Provide enhanced design for the interface between the residential entry lobby, commercial unit entries and the recommended public realm amenities/outdoor seating and landscaping.
 - (viii) Delete Class B loading space indicated on east-west pedestrian mews. Relocate to first level of parking.
3. Design development to ensure the livability, daylighting and ventilation opportunities for townhouse units.
- Note to Applicant: Provide sufficient width between the rear of those townhouse units along the east-west pedestrian mews and those, perpendicular along the lane to accommodate private outdoor space, buffer and feature landscaping with walkway access from the courtyard to the lane.
4. Design development to reduce the impact of building height.
- (i) Delete roof structure over rooftop deck outdoor space. Consider a lighter less obtrusive structure, utilizing lighter solar control mechanisms such as metal blades or grilles.
 - (ii) Mediate between the downward south slope on Cambie Street and that down to the lane. Consider stepping the ground-floor slab down to the courtyard in addition to that proposed along Cambie Street. This will allow for a standard residential floor to floor height adjacent to a possibly more efficient commercial unit floor-to-floor height.
5. Relocate pad-mounted transformer (PMT). Consider locating PMT adjacent to parking entry ramp thereby consolidating service functions.
6. Provide second passenger elevator. Provide freight elevator from loading on level P1.
7. Provide weather protection in conjunction with commercial use along Cambie Street.
8. Provide 1.0 m (3 ft.) planting strip against the parking ramp along the south property line.

Landscape

9. Provide a Landscape Plan with a variety of open spaces consistent with Cambie Corridor Design Principles to incorporate:
 - (i) green property edges;
 - (ii) replication of natural systems;
 - (iii) urban agriculture;
 - (iv) rainwater management strategies;
 - (v) design transition to the public realm; and
 - (vi) consideration given to the use of basalt to reference local context.

10. Provide in-ground planting opportunities for new trees within private setbacks along the north boundary mid-block connector path.

11. Incorporate substantial green setbacks with sufficient planter depth adjacent to semi-private residential at-grade patios.

Note to Applicant: Modify edge of underground parkade slab to align with face of semi-private residential at grade patios to accommodate in ground planting of new trees and shrubs.

12. Maximize plant growing medium volumes for trees and shrubs over structures to ensure long term health of plant species.

Note to Applicant: Soil volumes for planters should exceed BC Landscape Standard (latest edition). Trees planted on structures should be consolidated within a trench to improve planting condition (1.0 m across and 1.2 m downward). Alter slab to allow private trees and shrubs to be planted at the level of courtyards, and patios and not placed in above grade planters to achieve soil depth.

13. Consideration for provision of a flexible Child's Play Space incorporating forms for children to engage in active and passive social play within a main common open space gathering area.

Note to Applicant: Refer to the *High-Density Housing for Families with Children Guidelines* for further guidance.

14. Design development of public realm landscape surface treatment to integrate high quality decorative paving with landscape tree planter strategy.

15. Provision of an external lighting plan consistent with the *Draft Cambie Corridor Public Realm Plan*.

16. Provision of best current practices for irrigation and managing water conservation including high-efficiency (drip) irrigation and aspects of xeriscaping making use of drought tolerant plant selection and mulching.
17. Consult with adjacent property owner to the south regarding removal of two under-sized trees located at south property line in conflict with proposed excavation, as noted in the arborist report.
18. Make arrangements for Park Board and Engineering staff to review and assess existing street trees located adjacent to the development site.
19. Design development to integrate utilities into the building, where possible.

Note to Applicant: Advanced planning will be needed to integrate utilities and access into structures and behind lockable, decorative gates or screened landscaping. Avoid the awkward placement of utilities (pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.

20. At the time of Development Permit application:
 - (i) Provision of a legal survey confirming the location of existing on-site and off-site trees.
 - (ii) Provision of a fully labelled Landscape Plan, Sections and Details and written rationale at the Complete Development Permit submission stage.
 - (iii) Provision of large-scale section drawings at 1/4"=1'-0" /1:50 or better, to illustrate the public realm interface landscaping from the building face to the street and lane edge, including the slab-patio-planter relationship, the lane interface, and common areas.

Note to Applicant: The sections should include planters, retaining walls, guardrails, patios, privacy screens, stairs and tree planting depths.

- (iv) Provision of an ISA Certified Arborist report for all existing site trees and adjacent trees on neighbouring sites, as noted on the legal survey.

Crime Prevention through Environmental Design (CPTED)

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

Sustainability

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

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

23. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Housing Policy and Tenant Relocation Plan

24. That the proposed unit mix include at least 28% one-bedroom, 48% two-bedroom and 24% three-bedroom units are to be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

25. Provision of a final Tenant Relocation Plan to the satisfaction of the Chief Housing Officer, which in addition to the terms contained in this report and approved by Council, will include an updated list of tenants and rents, current as of the time of Development Permit application.
26. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; includes information on posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change Guidelines; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
27. Provision of a final Tenant Relocation Report which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent, any other compensation); and includes a summary of all communication provided to the tenants.

Engineering Services

28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. Please refer to the Parking and Loading Design Supplement for details.
 - (i) Relocation of the Class B loading to the satisfaction of the Director of Planning in consultation with the GMES.

Note to Applicant: Co-locating the loading space on the pedestrian path is not supported.
 - (ii) Relocate the residential overhead security gate to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: It should be adjusted to line up with the wall of the service room at Grid line 4 to provide improved vehicle turning capability through the right angle turn.
 - (iii) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

- (iv) A column 2 ft. in length must be setback 2 ft. from either end of the parking space when encroachments into the column are proposed.
- (v) Dimension all columns and parking stalls.
- (vi) Identify and label the route to be used by cyclists from the bicycle rooms to grade.
- (vii) Identify on plans the intended loading path to the commercial units from the relocated Class B loading space.

Neighbourhood Energy Utility

- 29. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated Neighbourhood Energy System (NES) Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
- 30. 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.

- 31. 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.
- 32. 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.

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

Engineering

1. Cancellation of Strata Plan LMS595, the winding up of the strata corporation, and the consolidation of that site with Lot G of Lot 2, Block 999, DL 526, Plan 7765 to create a single parcel.
2. Provision of a surface Statutory Right-of-Way for public pedestrian use over a northerly 3.0 m of the site and the proposed plaza space of a size and location to the satisfaction of the General Manager of Engineering of Services at the Cambie Street end of the walkway.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of the following street improvements on Cambie Street:
 - a. Provision of a minimum 2.1 m wide concrete sidewalk with broom finish and saw-cut joints on Cambie Street adjacent to the site.
 - b. Provision of 100% of funding to the satisfaction of General Manager of Engineering Services for the future construction of protected bike lanes on Cambie Street adjacent to the site including any transition areas adjacent the site to connect existing and new curb alignments.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the Owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

Note to Applicant: The development will be required to connect to a Neighbourhood Energy System prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a Neighbourhood Energy System is not available at that time, the agreement will provide for future connection.

Soils

6. If applicable:
 - (i) Submit a site profile to the Environmental Protection Branch, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, 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, if applicable, issued by the Ministry of Environment, have been provided to the City.

Heritage Density Transfer

7. Secure the purchase and transfer 443 m² (4,768 sq. ft.) of heritage density (which has a value of \$309,900) from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless a bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Community Amenity Contribution (CAC)

8. Pay to the City the cash component of the Community Amenity Contribution of \$2,789,100 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services, the \$2,789,100 is to be allocated as follows:
 - (i) \$1,549,500 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area; and
 - (i) \$1,239,600 (40% of total CAC package) towards childcare and community facilities in and around the Cambie Corridor Plan area; and

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

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

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official

having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 6318-6340 Cambie Street", be approved.
- C. THAT, subject to the enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated November 3, 2015, entitled "CD-1 Rezoning: 6318-6340 Cambie Street".
- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning, are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

4. TEXT AMENDMENT: 998 Expo Boulevard (Concord Area 5B West)

An application by Franci Architecture was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (593) By-law No. 11125 for 998 Expo Boulevard (Concord Area 5B West), to increase the floor area exclusion for balconies from 8 to 12 percent, and to increase the underground residential storage space.

The Acting General Manager of Planning and Development Services recommended approval.

Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list:

- 6 pieces of correspondence opposed to the application.

Staff Opening Comments

Staff from Planning and Development Services responded to questions.

Applicant Comments

Walter Francl, Francl Architecture, responded to questions regarding the size of the balconies and construction materials.

Speakers

The Mayor called for speakers for and against the application, and none were present. The speakers list closed at 7:37 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT the application by Francl Architecture, on behalf of One West Holdings Ltd. (Concord Pacific Developments), to amend CD-1 (Comprehensive Development) District (593) By-law No. 11125 for 998 Expo Boulevard (Concord Area 5B West) [*PID: 029-434-815 Lot 352 False Creek Plan EPP44417*], to increase the floor area exclusion for balconies from 8 to 12 percent, and to increase the underground residential storage space, generally as presented in Appendix A of the Policy Report dated October 20, 2015, entitled "CD-1 Text Amendment: 998 Expo Boulevard (Concord Area 5B West)", be approved.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

5. TEXT AMENDMENT: 565 Great Northern Way

An application by Perkins+Will was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (402) By-law No. 8131 for Great Northern Way Campus to create new height sub-areas with revised height limits.

Council also had before it a memorandum dated December 3, 2015 from the Assistant Director of Planning, Vancouver Downtown, which explained minor changes to sections 4.2 and 6 of the posted by-law as follows:

Section 4.2:

- a heading is added to Diagram 2 to reflect the existing By-law format;
- diagram 2 is replaced to correct the frontage dimension of sub-area 3b from 100.0 m to 100.29 m.

Section 6:

- a heading is added to Table 4 to reflect the existing By-law format;
- the reference within the title of Table 4 is amended to refer to Diagram 2 of the By-law.

The Acting General Manager of Planning and Development Services recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list:

- 12 pieces of correspondence in support of the application;
- 6 pieces of correspondence opposed to the application;
- 1 piece of correspondence regarding other matters.

Staff Opening Comments

Staff from Planning and Development Services responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Rob Cunningham, Blackbird Interactive, and Carey Prokop, Emily Carr University of Art and Design, spoke in support of the application.

Amy Kiara Ruth and Greg Ray noted room for improvement in terms of rainwater management and concerns with the seemingly haphazard approval of different building heights.

The speakers list closed at 8 pm.

Staff Closing Comments

The Assistant Director of Planning, Vancouver-Downtown, responded to questions.

Council Decision

MOVED by Councillor De Genova

- A. THAT the application by Perkins+Will, on behalf of Great Northern Way Campus Trust (The University of British Columbia, Simon Fraser University, Emily Carr University of Art and Design, British Columbia Institute of Technology) and PCI Group, to amend CD-1 (Comprehensive Development) District (402) By-law No. 8131 for Great Northern Way Campus [*PID 027-789-624; Lot Q District Lots 264A and 2037 Group 1 New Westminster District Plan BCP39441 except plan EPP48156*], to create new height sub-areas with revised height limits, generally as presented in Appendix A of the Policy Report dated October 20, 2015, entitled "CD-1 Text Amendment: 565 Great Northern Way", and the memo dated December 3, 2015, from the Assistant Director of Planning, Vancouver Downtown, 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 Perkins+Will and stamped "Received Planning & Development Services (Rezoning Centre), September 8, 2015", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Neighbourhood Energy

1. The proposed plan for site heating and cooling, developed in consultation with the City, shall be provided prior to the issuance of development permit, to the satisfaction of the General Manager of Engineering Services.
2. The building(s) heating and domestic hot water system shall be designed to be compatible with the Southeast False Creek Neighbourhood Energy Utility (SEFC NEU) system 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 *Energy Utility System By-law (9552)* and *SEFC NEU Developer Document (2014)* for specific design requirements, which include provisions related to the location of the mechanical room(s), centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with staff to ensure adequate provisions for NEU compatibility are provided for in the mechanical design. 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.

3. The building mechanical system must utilize the energy transfer station for all of its space heating and domestic hot water requirements, and the building mechanical system must not incorporate any additional heat production equipment including, but not limited to, boilers, water source heat pumps, air source heat pumps, furnaces, hot water heaters, geo-exchange systems, electric baseboards, or heat producing fire places except that:
 - (i) a building may incorporate a solar system to generate heat energy;
 - (ii) a building may incorporate hybrid heat pumps for space cooling, provided the compressor cannot operate in heating mode;
 - (iii) a building may incorporate heat recovery ventilation (air to air heat exchangers) and waste heat recovery from refrigeration or active cooling systems for the purposes of supplementing the heat energy provided:
 - a) the systems used for heat recovery from refrigeration or active cooling do not provide any supplemental heating when there is no active cooling service required;

- b) the approach to heat recovery is consistent with this Schedule (i.e. hydronic systems with centralized mechanical equipment); and
- c) waste heat recovery systems do not cross property lines.

Exceptions for on-site heat production may be approved by the City Engineer, provided the total heat production produced by all exceptions does not exceed 1% of the total annual thermal energy needs of the building.

- 4. 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.
- 5. Provision of a dedicated room in a location suitable for connecting to the SEFC NEU distribution piping for each Energy Transfer Station that is required for servicing the development as to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The SEFC NEU has preserviced this site off of Ontario Street. The NEU room is to be in close alignment with the preservice location.

CONDITIONS OF BY-LAW ENACTMENT

- (c) Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connecting to and securing adequate space for the SEFC NEU, which may include but are not limited to agreements which:
 - 1. Grant the operator of the SEFC NEU 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.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

6. REZONING: 1335 Howe Street

An application by Townline Homes Inc. was considered as follows:

Summary: To rezone 1335 Howe Street from DD (Downtown) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 5.0 FSR to 12.12 FSR and the height from 91.4 m (300 ft.) to 115.2 m (378 ft.) to permit the development of a 40-storey mixed residential building with 264 strata residential units in the tower and 109 secured market rental units in a seven-storey podium, and with retail and service uses at ground level.

Council also had before it a memorandum dated December 4, 2015, from the Assistant Director of Planning, Vancouver Downtown, which explained changes to the conditions of approval in the Summary and Recommendation for the rezoning application for 1335 Howe Street, to add a condition for the *Bird Friendly Design Guidelines*, and corrected the minimum floor area associated with the air space parcel of the secured market rental housing.

The Acting General Manager of Planning and Development Services recommended approval subject to conditions set out in the summary and recommendations of the Public Hearing agenda.

Summary of Correspondence

The following correspondence was received since the application was referred to Public Hearing and prior to the close of the speakers list:

- 1 piece of correspondence in support of the application;
- 3 pieces of correspondence opposed to the application;
- 2 pieces of correspondence regarding other matters.

Staff Opening Comments

The Assistant Director of Planning, Vancouver-Downtown, along with Planning and Development Services staff, and Housing Policy and Projects staff, responded to questions.

Speakers

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

Council Decision

MOVED by Councillor De Genova

- A. THAT the application by 1004347 B.C. Ltd. (Townline Homes Inc.) to rezone 1335 Howe Street [*Lots 27 to 34, Block 111, District Lot 541, Plan 210; PIDs 004-481-488, 004-481-496, 004-481-500, 004-481-518, 004-481-526, 004-481-534, 004-481-569, and 004-481-593 respectively*] from DD (Downtown) District to a CD-1 (Comprehensive Development) District, to increase the floor area from 5.0 FSR to 12.12 FSR and the height from 91.4 m (300 ft.) to 115.2 m (378 ft.) to permit the development of a 40-storey residential tower with 264 strata residential units, with a seven-storey podium containing 109 secured market rental units and retail and service uses at ground level, generally as presented in Appendix A of the Policy Report dated October 29, 2015, entitled "CD-1 Rezoning: 1335 Howe 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 IBI/HB Architects, and stamped "Received Planning & Development Services (Rezoning Centre) January 26, 2015", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Design Development

1. Design development to improve livability of the townhouse units facing Howe Street and the lane.

Note to applicant: This can be achieved by improving security and privacy through measures such as additional landscape buffering in balance with CPTED principles. The design of the public realm interface should more clearly delineate public, semi-public and private areas. Consideration should be given to more generous front patio space that would allow for passive seating in a private setting. Enlarged sections from the public to private realm should be provided to illustrate proposed improvements.

2. Confirmation that balconies meet the setbacks recommended for this neighbourhood.

Note to applicant: The development should provide a minimum of 6 ft. and a maximum of 20 ft. from Howe Street.

3. Design development to the rooftop play area enclosure to be more compatible with the exterior expression of the building.

Note to Applicant: This can be accomplished by the use of similar patterns, forms and materials.

4. Design development to balcony screens at the podium level to ensure the openness of these outdoor spaces.

Note to applicant: Intent is to avoid any unintended enclosure or increased massing while still providing a degree of shading and privacy screening for the lower levels. Screens should be noted as metal mesh, open to air flow, and not to be enclosed, with dimensions to show that when extended the screens occupy less than half of the balcony width.

5. Design development to the location of balconies to reduce potential effects on private views or shadowing to semi-private open space.

Note to applicant: This may be accomplished without reducing the overall amount of balcony area by relocating portions away from the corners of the building, or by varying proportions.

6. Design development to mitigate privacy and overlook toward existing residents.

Note to applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings to illustrate specific built features such as translucent guards on balconies that face other residential properties, taller plantings, or similar features.

7. Provision of a high quality exterior design.

Note to applicant: Intent is to maintain the proposed quality at rezoning. The development permit application should indicate how this quality has been continued. Features noted in the rezoning applications included a waterfall, pool, wood decks, a bridge, an artistic installation and soft landscaping along Howe Street.

8. At development permit application, submission of a bird friendly strategy for the design of the building is encouraged;

Note to Applicant: Strategy should identify any particular risks with regard to the *Bird Friendly Design Guidelines* and propose design

features to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

Crime Prevention Through Environmental Design (CPTED)

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

Sustainability

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

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

Landscape

11. Design development to expand programming by the provision of urban agriculture in the form of edible landscaping and including some areas (planters or plots) suitable for urban agricultural activity. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should reference the Urban Agriculture Design Guidelines for the Private Realm and should maximize sunlight, integrate into the overall landscape design, and provide universal access.
12. Design development to ensure there is adequate depth of soil available to carry out the proposed design intent of planting over structures.

Note to applicant: Provide typical sections through the planted areas at the time of development permit application, to show adequate depth of

soil for the type of trees proposed, in order to allow for better root development and therefore healthier trees in the future.

Housing Policy and Projects

13. Design development to ensure that a minimum of 25 per cent of the proposed market strata units and the secured market rental units are designed to be suitable for families with children, including some three bedroom units.
14. The building is to comply with the *High Density Housing for Families with Children Guidelines*, and include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
15. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

Engineering

16. Engineering Services is not pursuing a Public Bike Share (PBS) station at this location so it can be removed from drawings.
17. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The following items are required to meet provisions of the *Parking By-law* and the Parking and Loading Design Supplement:

- Number and dimension all stall types, dimension column encroachments into stalls, and provide gridlines.
- Remove the shift in the maneuvering aisle, adjacent to the elevator core.

Note to applicant: If the elevator core cannot be relocated to eliminate the shift, a corner cut to the elevator core is required to improve maneuvering for the adjacent parking stalls.

- Provision of additional design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.

Note to applicant: Additional design elevations are required at the bottom of the ramp and the corner cut to calculate the slope and cross fall.

- Remove the column encroachment into the parking stall, north of the elevator core.

- Provision of a 1.2 m access aisle for the bicycle room at the northeast corner of P1.

Note to applicant: Providing a notch in the adjacent bicycle room would achieve this.

- Provision of automatic door openers on the doors providing access to the bicycle room(s).
- Provision of the required stall widths and throats for the Class B loading spaces.

Note to applicant: Class B loading spaces require 3 m of width and 2.7 m is shown. Additional loading bay width for the second and subsequent loading spaces must be 3.8 m wide. Show the loading throat for both spaces. Refer to the Parking and Loading Design Guidelines

- Provision of a consistent streetscape on all plans.

Note to applicant: Drawings A1.05 and L1.01 show different setbacks, streetscape, designs and the location of the bicycle spaces.

- Modify the ramp slope to 12.5% as indicated.

Note to applicant: Using the design elevations of 74.51' and 73.75', the ramp slope calculates to 15%.

- Modify column placement to comply with the requirements of the Parking and Loading Design Supplement.

Note to applicant: A column 2' in length must be set back 2' from either the opening to or the end of the parking space. A column 3' long may be set back 1'. Confirm that no columns are required for the parking stalls along the south PL as none are shown.

- 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. 2.3 m of minimum vertical clearance is required for access and maneuvering to all disability spaces.

- Clarify if the tree planters in the drop-off area accessed from the lane are raised. If so, provision of a radius rather than a corner to improve maneuvering is required.

Neighbourhood Energy

18. 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. 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 precondition 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.

- 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.
- 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*.
- 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 and to the Acting General Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 27 to 34, Block 111, DL 541, Plan 210 to create a single parcel.
2. Release of BC Hydro Right of Way 321681M, and the removal or relocation of any services within the right-of-way area. Written confirmation from BC Hydro is required confirming their agreement to the discharge of the right-of-way.
3. Provision of a building setback and a surface Statutory Right-of-Way (SRW) to achieve a 5.5 meter distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing and plantings at grade but the encroaching building portions shown at the 3rd storey and above will be accommodated within the SRW agreement.
4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of improved sidewalks adjacent the site that meet the Downtown South Guidelines for the public realm in "Hornby Slopes".
 - (ii) Provision of a new curb along the full length of Howe Street adjacent to the site.
 - (iii) Provision of a new and relocated crosswalk and curb ramp connection across Howe Street to the bridge sidewalk, extension northerly of the sidewalk "nose" and a widened bridge sidewalk and protective barrier on the bridge ramp to meet the existing barrier to the south to improve pedestrian safety.
 - (iv) Provision of street trees adjacent the site should space permit.
 - (v) 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 as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of

Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, 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. 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. The applicant may be required to show details of how the site will be provided with all services being underground.

Neighbourhood Energy

6. 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.

Note 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 development permit issuance. If connection to a NES is not available or appropriate, a deferred services agreement or similar agreement will be required.
 - (ii) 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.
 - (iii) 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.

Housing

7. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to secure 109 units as rental housing within an airspace parcel (minimum floor area 6,330.9 m² / 68,145 sq. ft.) in the new development, subject to a registered covenant on title to maintain such units/airspace parcel for rental housing for the longer of 60 years or the life of the building, subject to the following additional conditions in respect of those units:
 - (i) That the airspace parcel may not be subdivided.
 - (ii) That no such units may be separately sold.
 - (iii) That none of such units will be rented for less than one month at a time.
 - (iv) That such units shall be designed in accordance with Appendix B (b), conditions 12, 13 and 14.
 - (v) Such other terms and conditions as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

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

Heritage Density Transfer

8. Secure the purchase and transfer of a total of 4,436.8 m² (47,758 sq. ft.) of heritage density (which has a total value of \$3,104,270) from a suitable donor site (or sites).

Note to applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Community Amenity Contribution (CAC)

9. Transfer to the City for a nominal amount the fee simple title to those lands and improvements at 1210 Seymour Street and 560 Davie Street [Lots 1 to 5 BLOCK 104 DISTRICT LOT 541 PLAN 210] (the "Subject Property") prior to enactment of the rezoning by-law, which transfer will be in accordance with the City's standard Contract of Purchase and Sale, which Contract will provide, among other things, that:
 - (i) title to the Subject Property will not be subject to any charges other than Easement BJ33026 registered on title to Lot 5 of the Subject Property;
 - (ii) the owner will not enter into any new leases of all or part of the Subject Property without the prior written consent of the City; and
 - (iii) the owner will represent and warrant that the Subject Property and its surrounding environment are and have been free from Contaminants and no Contaminants have migrated from the Subject Property or to the Subject Property from other lands, and such other additional representations and warranties as required by the City with respect to Contaminants. And further that the owner will indemnify the City if the City incurs any costs, claims, etc., in connection with any inaccuracy or untruth of any such representations and warranties.
10. Pay to the City the CAC of \$3,150,860, which the applicant has offered the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services, and allocated towards childcare in and around Downtown South.
 - (i) Of the heritage density transfer referred to in condition 8 above, \$2,324,140 is offered as part of the CAC.

Public Art

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

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

Soils

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

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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.

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

- B. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated October 29, 2015, entitled "CD-1 Rezoning: 1335 Howe Street", be approved.

- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 29, 2015, entitled "CD-1 Rezoning: 1335 Howe Street" .
- D. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated October 29, 2015, entitled "CD-1 Rezoning: 1335 Howe Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement Bylaw for enactment, prior to enactment of the amending by-law contemplated by the same report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Chief Housing Officer.
- E. THAT A through D above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 1004347 B.C. Ltd. (Townline Homes Inc.); and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED
(Councillor Carr opposed)
(Councillor Louie absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ball

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Reimer
SECONDED by Councillor Ball

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

The Public Hearing adjourned at 8:57 pm.

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