



City of Vancouver *Zoning and Development By-law*

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CD-1 (454)

Olympic Village

By-law No. 9454

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective April 17, 2007

(Amended up to and including By-law No. 9674, dated June 24, 2008)

1 *[Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*

2 Definitions
In this By-law:

‘ “affordable housing” means dwelling units designed to be affordable to persons who make up a core need household where such persons pay more than 30% of their combined gross annual income to rent an adequate and suitable rental unit, including utilities, to meet the basic housing needs of the household at an average market rent.’

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (454).

3.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (454) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, limited to Multiple Dwelling, Seniors Supportive or Assisted Housing and Dwelling Units, in conjunction with any use listed in this section 3.2; [9530; 07 09 18]
- (c) Institutional Uses, limited to Child Day Care Facility, Church, Public Authority Use, School – Elementary or Secondary, Social Service Centre, Community Care Facility and Group Residence; [9674; 08 06 24]
- (d) Live-Work Use;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
- (h) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Bed and Breakfast Accommodation, Catering Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, and School - Business;
- (i) Accessory Uses customarily ancillary to the uses listed in this section 3.2; and
- (j) Interim Uses not listed in this section 3.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (454), and
 - (iv) any development permit for an interim use has a time limit of three years.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9454 or provides an explanatory note.*

4 Conditions of use

4.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

4.2 The design and lay-out of at least 35% of dwelling units, 50% of affordable housing units, and 25% of dwelling units that are not affordable housing units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

4.3 All uses except dwelling uses must have direct access to grade.

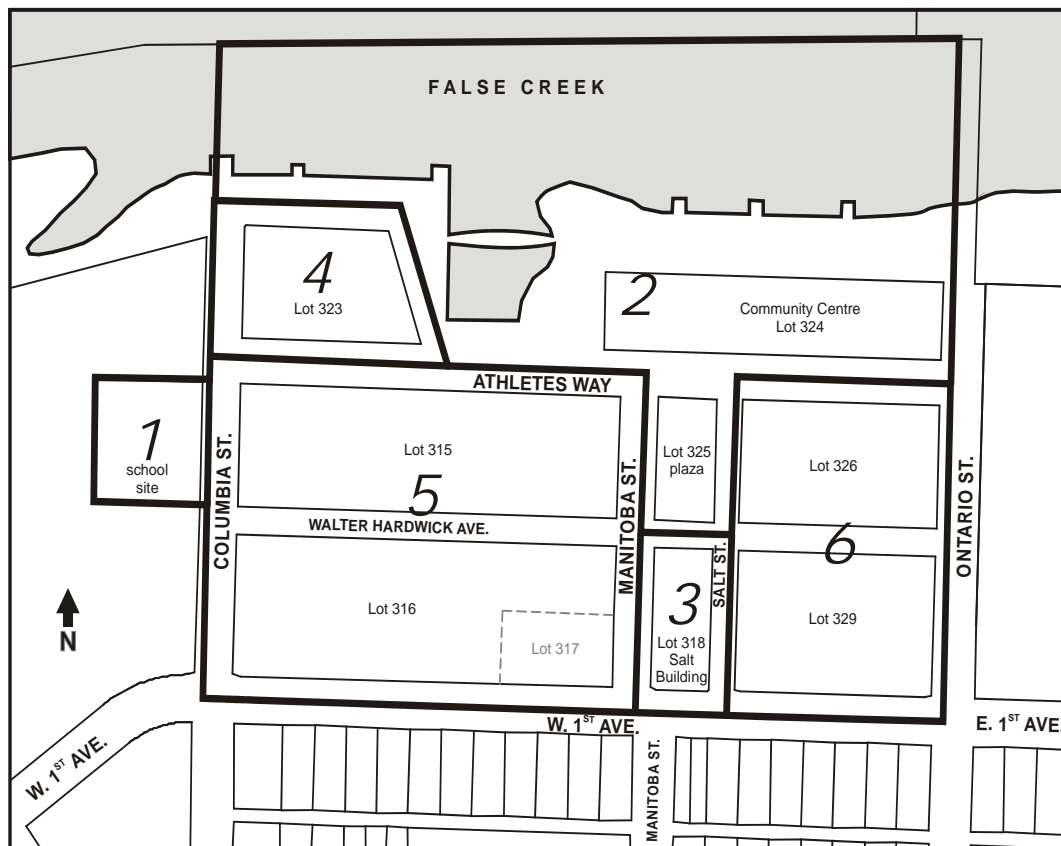
4.4 Any development permit issued for live-work uses must stipulate as permitted uses:

- (a) dwelling units;
- (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
- (c) dwelling unit combined with any uses set out in subsection (b).

5 Sub-areas

5.1 The site is to consist of sub-areas 1, 2, 3, 4, 5, and 6 illustrated in Diagram 1.

Diagram 1



[9530; 07 09 18]

- 5.2** The only uses permissible in sub-area 1 are school – elementary or secondary, child day care facility, and park or playground.
- 5.3** Dwelling uses and live-work use are not permissible in sub-area 1, sub-area 2, or sub-area 3.
- 6** Density
- 6.1** The floor area for dwelling uses and live-work use combined must not exceed 114 655 m². [9530; 07 09 18]
- 6.2** The floor area for retail uses, service uses, and office uses combined must not exceed 10 212 m². [9530; 07 09 18]
- 6.3** In sub-area 2, the floor area for retail uses, service uses, and office uses combined must not exceed 1 300 m².
- 6.4** In sub-area 3, the floor area for retail uses, service uses, and office uses combined must not exceed 2 462 m².
- 6.5** In sub-areas 4, 5, and 6, the floor area for retail uses, service uses, and office uses combined must not exceed 6 450 m². [9530; 07 09 18]
- 6.6** Computation of floor space ratio must include:
- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
 - (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.
- 6.7** Computation of floor space ratio must exclude:
- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
 - (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
 - (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
 - (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 7 000 m²; and

- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 203 mm thickness.

6.8 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs;
- (d) despite section 6.6(c), open to below spaces or double height volumes on the second storey units if the location of the first floor is within 2 m of grade to a maximum of 15% of the floor area of the first floor of that unit for residential and live-work units;
- (e) structures such as elevator enclosures, stairwells, pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture;
- (f) cultural, recreational, and institutional uses secured to the city's satisfaction for public use and benefit;
- (g) floor space devoted to passive design elements such as larger ventilation shafts, corridors, or other elements providing ventilation and light within buildings, and solar appurtenances on buildings that help mitigate solar gain, subject to urban design acceptable to the Director of Planning within the approved form of development. [9465; 07 04 17]

6.9 The use of floor space excluded under section 6.7 or 6.8 must not include any purpose other than that which justified the exclusion.

7 Building height

7.1 In sub-area 1, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 13.5 m.

7.2 In sub-area 2, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 17.6 m. [9530; 07 09 18]

7.3 In sub-area 4, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 40.5 m. [9622; 08 04 01]

7.4 In sub-area 3, sub-area 5, and sub-area 6, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 40.5 m.

7.5 Despite section 7.1, 7.2, 7.3, and 7.4, maximum building height does not include elevator enclosures and stairwells or garden structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

8 Horizontal angle of daylight

8.1 Each habitable room must have at least one window on an exterior wall of a building.

8.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.

8.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

8.5 An obstruction referred to in section 8.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (454).

8.6 A habitable room referred to in section 8.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

9 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

10 Acoustics

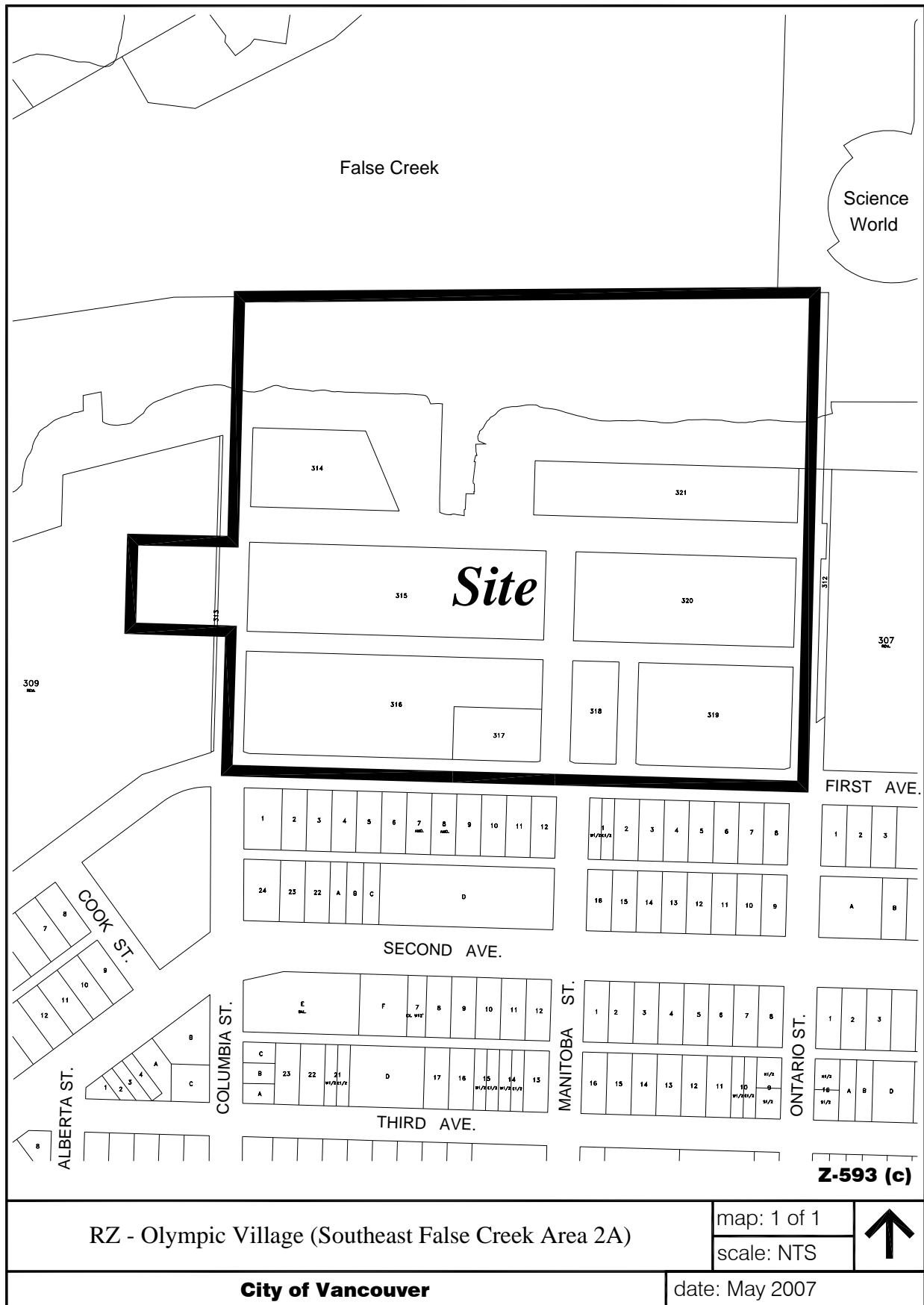
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

| Portions of dwelling units | Noise levels (Decibels) |
|----------------------------------|-------------------------|
| bedrooms | 35 |
| living, dining, recreation rooms | 40 |
| kitchen, bathrooms, hallways | 45 |

11 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

12 *[Section 12 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*



[9530; 07 09 18]

51, 85, 199 and 215 West 1st Avenue
1599 and 1651 Ontario Street
1598 and 1650 Columbia Street

BY-LAW NO. 9454

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-585 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Definitions

2. In this By-law:

‘ “affordable housing” means dwelling units designed to be affordable to persons who make up a core need household where such persons pay more than 30% of their combined gross annual income to rent an adequate and suitable rental unit, including utilities, to meet the basic housing needs of the household at an average market rent.’

Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (454).

3.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (454) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, limited to Multiple Dwelling and Seniors Supportive or Assisted Housing;
- (c) Institutional Uses, limited to Child Day Care Facility, Church, Public Authority Use, School - Elementary or Secondary, Social Service Centre, and Special Needs Residential Facility;

- (d) Live-Work Use;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
- (h) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Bed and Breakfast Accommodation, Catering Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, and School - Business;
- (i) Accessory Uses customarily ancillary to the uses listed in this section 3.2; and
- (j) Interim Uses not listed in this section 3.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (454), and
 - (iv) any development permit for an interim use has a time limit of three years.

Conditions of use

4.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

4.2 The design and lay-out of at least 35% of dwelling units, 50% of affordable housing units, and 25% of dwelling units that are not affordable housing units must:

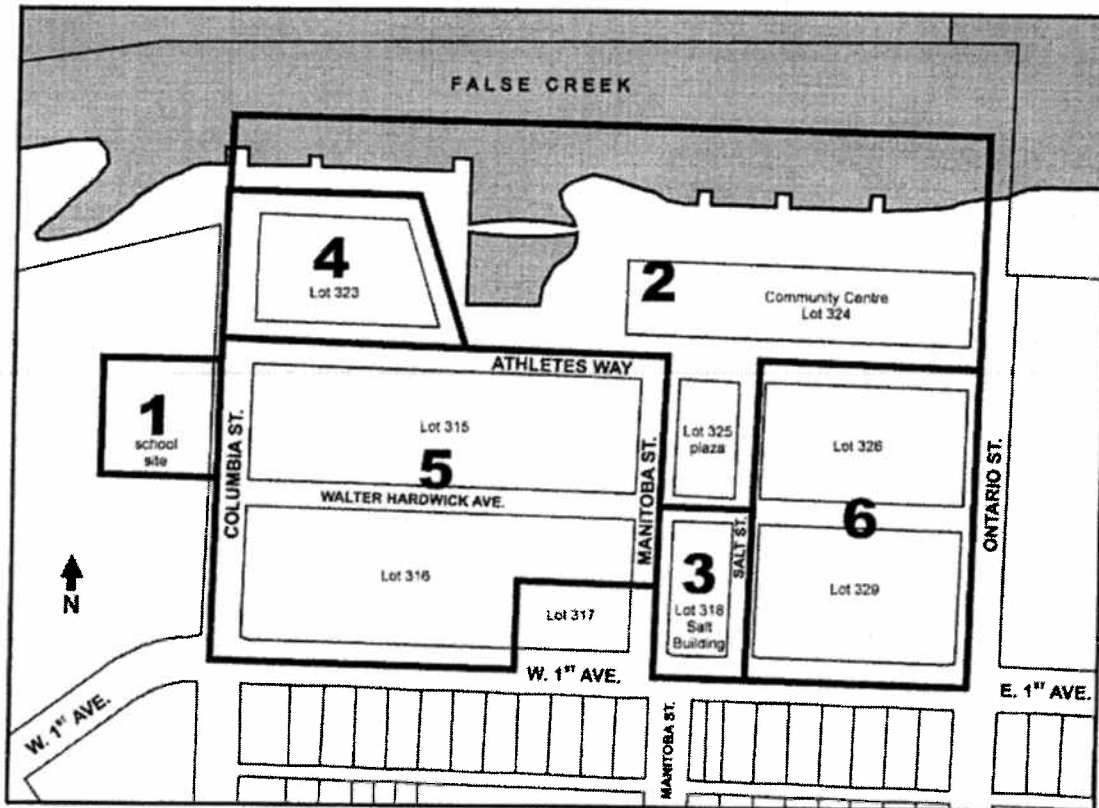
- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

- 4.3 All uses except dwelling uses must have direct access to grade.
- 4.4 Any development permit issued for live-work uses must stipulate as permitted uses:
- (a) dwelling units;
 - (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio - class A; and
 - (c) dwelling unit combined with any uses set out in subsection (b).

Sub-areas

- 5.1 The site is to consist of sub-areas 1, 2, 3, 4, 5, and 6 illustrated in Diagram 1.

Diagram 1



5.2 The only uses permissible in sub-area 1 are school - elementary or secondary, child day care facility, and park or playground.

5.3 Dwelling uses and live-work use are not permissible in sub-area 1, sub-area 2, or sub-area 3.

Density

6.1 The floor area for dwelling uses and live-work use combined must not exceed 109 611 m².

6.2 The floor area for retail uses, service uses, and office uses combined must not exceed 9 674 m².

6.3 In sub-area 2, the floor area for retail uses, service uses, and office uses combined must not exceed 1 300 m².

6.4 In sub-area 3, the floor area for retail uses, service uses, and office uses combined must not exceed 2 462 m².

6.5 In sub-areas 4, 5, and 6, the floor area for retail uses, service uses, and office uses combined must not exceed 5 912 m².

6.6 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

6.7 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;

- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 7 000 m²; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 203 mm thickness.

6.8 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs;
- (d) despite section 6.6(c), open to below spaces or double height volumes on the second storey units if the location of the first floor is within 2 m of grade to a

maximum of 15% of the floor area of the first floor of that unit for residential and live-work units;

- (e) structures such as elevator enclosures, stairwells, pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture;
- (f) cultural, recreational, and institutional uses secured to the city's satisfaction for public use and benefit;
- (g) floor space devoted to passive design elements such as larger ventilation shafts, corridors, or other elements providing ventilation and light within buildings, and solar appurtenances on buildings that help mitigate solar gain, subject to:
 - (i) the total area of the passive design element exclusions not exceeding 2 276 m², and
 - (ii) in the opinion of the Director of Planning, the urban design within the approved form of development being acceptable.

6.9 The use of floor space excluded under section 6.7 or 6.8 must not include any purpose other than that which justified the exclusion.

Building height

7.1 In sub-area 1, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 13.5 m.

7.2 In sub-area 2, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 15 m.

7.3 In sub-area 4, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 30.0 m.

7.4 In sub-area 3, sub-area 5, and sub-area 6, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 40.5 m.

7.5 Despite section 7.1, 7.2, 7.3, and 7.4, maximum building height does not include elevator enclosures and stairwells or garden structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

Horizontal angle of daylight

8.1 Each habitable room must have at least one window on an exterior wall of a building.

8.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.

8.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

8.5 An obstruction referred to in section 8.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (454).

8.6 A habitable room referred to in section 8.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

Parking, loading, and bicycle spaces

9. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

Acoustics

10. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

| Portions of dwelling units | Noise levels (Decibels) |
|----------------------------------|-------------------------|
| Bedrooms | 35 |
| Living, dining, recreation rooms | 40 |
| kitchen, bathrooms, hallways | 45 |


Severability

11. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

12. This By-law is to come into force and take effect on the date of its enactment.

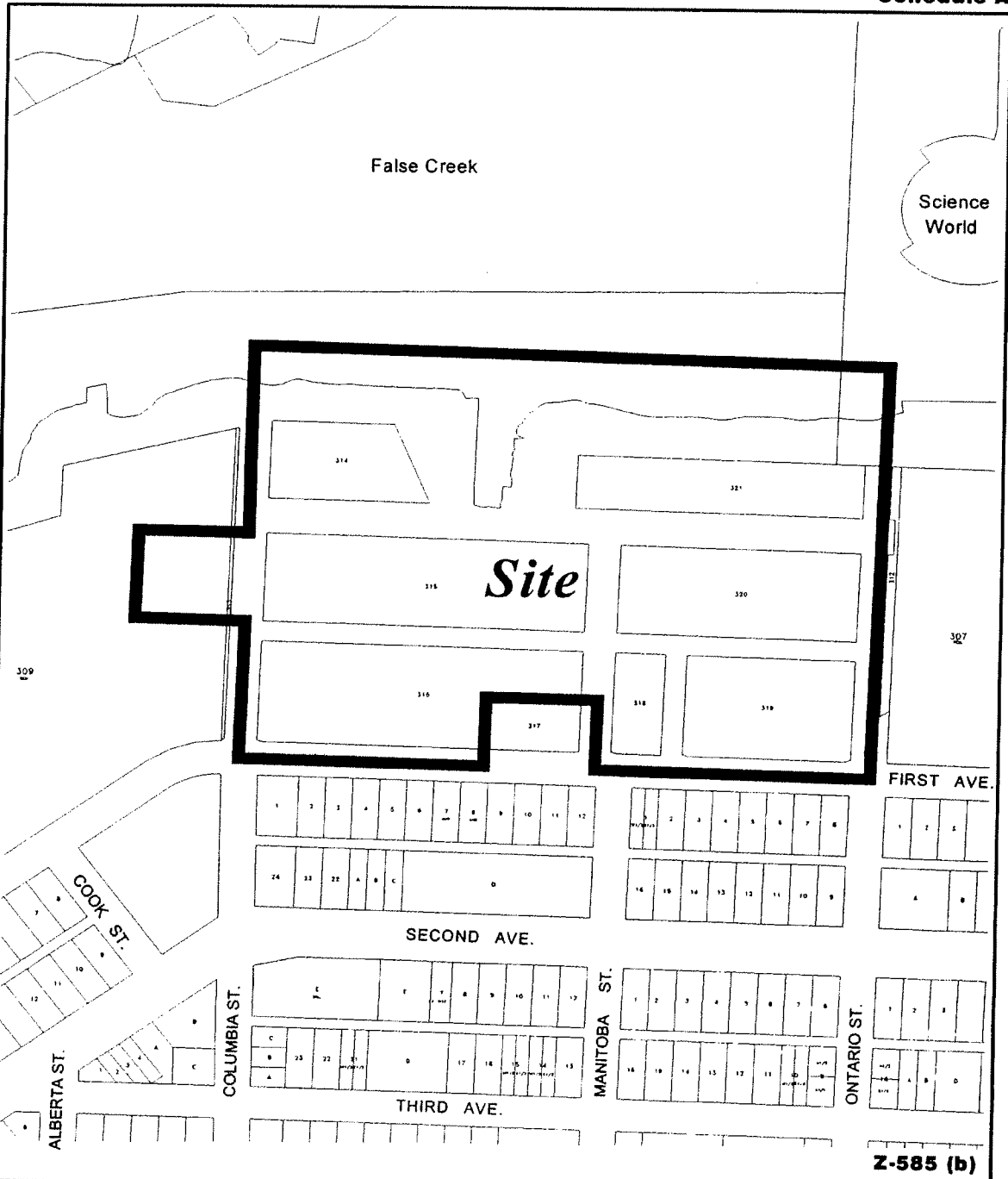
ENACTED by Council this 17th day of April, 2007



Mayor



City Clerk



RZ - 51-85 & 199-215 W 1st Ave, 1599 -1651 Ontario St &
 1598 -1650 Columbia St (Southeast False Creek Area 2A)

map: 1 of 1
 scale: NTS



Z-585 (b)

City of Vancouver

date: Sept. 2006

BY-LAWS

MOVED by Councillor Chow
SECONDED by Councillor Deal

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 11 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re the Olympic Village) (By-law No. 9454)**
2. **A By-law to amend Southeast False Creek Official Development Plan By-law No. 9073 (re the Olympic Village) (By-law No. 9455)**
3. **A By-law to amend Sign By-law No. 6510 (re the Olympic Village) (By-law No. 9456)**
4. **A By-law to amend the Electric By-law regarding miscellaneous text amendments (By-law No. 9457)**
5. **A By-law to amend Vehicles for Hire By-law No. 6066 regarding issuance of 2007 licenses and miscellaneous matters (By-law No. 9458)**
6. **A By-law to amend Street Name By-law No. 4054 re extension of Salt Street (By-law No. 9459)**
7. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re Pacific Centre) (By-law No. 9460)**
(Councillor Cadman and Mayor Sullivan ineligible to vote on By-law 7)
8. **A By-law to amend Downtown Official Development Plan By-law No. 4912 (re Pacific Centre) (By-law No. 9461)**
(Councillor Cadman and Mayor Sullivan ineligible to vote on By-law 8)
9. **A By-law to amend Sign By-law No. 6510 (re Pacific Centre) (By-law No. 9462)**
(Councillor Cadman and Mayor Sullivan ineligible to vote on By-law 9)
10. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 360 West 1st Avenue) (By-law No. 9463)**
11. **A By-law to amend Sign By-law No. 6510 (re 360 West 1st Avenue) (By-law No. 9464)**

implementation plan and a schedule consistent with the objectives and intent of the SEFC Public Art Plan;

COMMUNITY AMENITY CONTRIBUTION

- (xv) execution of Section 219 Covenant (No Development Covenant) providing that prior to issuance of the development permit the agreed Community Amenity Contribution in the amount of \$2,308,916, is to be paid to the City, such Covenant to be on terms and conditions satisfactory to the Director of Legal Services;

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-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 by VIA Architecture to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)) as set out in Appendix C of the Policy Report "CD-1 Rezoning: 201 West 2nd Avenue" dated September 13, 2006, be approved;
- C. THAT the Noise Control By-law be amended to include this CD-1 in Schedule B as set out in Appendix C of the Policy Report "CD-1 Rezoning: 201 West 2nd Avenue" dated September 13, 2006.

CARRIED UNANIMOUSLY

- 5. **REZONING: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)**

An application by Roger Bayley, Merrick Architecture was considered as follows:

Summary: To rezone the site at 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (the Olympic Village Site) from M-2 Industrial District to CD-1 Comprehensive District to permit development of a new residential neighbourhood at the heart of the Southeast False Creek

(SEFC) sustainable community with a mix of affordable and market housing and neighbourhood retail including a grocery store. Also proposed is a community centre with a non-motorized boating centre, an elementary school and childcare facilities. Building heights would vary up to 13 storeys maximum. The site would initially serve as the Athletes Village for the 2010 Olympic Winter Games.

The Director of Planning, in consultation with the General Manager of Engineering Services, the Director of the Housing Centre, and the General Manager of Parks and Recreation, recommended approval, subject to the conditions set out in the agenda of the Public Hearing.

Also before Council was a memorandum dated October 13, 2006, from M. Naylor, SEFC Project Planner, which set out minor changes to the draft CD-1 By-law presented as Appendix A of the Policy Report dated September 26, 2006, entitled "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (Olympic Village Site)". The changes had been incorporated into the draft By-law included in the Public Hearing package.

Staff Opening Comments

Trish French, Assistant Director of Current Planning, gave an overview of the process, and introduced staff available to present the application and respond to questions.

Michael Naylor, Southeast False Creek Planner, provided an overview of the application, noting three open houses were well attended and many people were pleased with what they saw, and explained how the application fits into the Southeast False Creek (SEFC) Official Development Plan.

Applicant Comments

Jody Andrews, Manager of City of Vancouver SEFC/Olympic Village Project Office, noted the project is less than three years away from completion, all public infrastructure is being built to a high standard and described the relationship between the City and Millenium properties, noting both are the developers in this project and are committed to working together to achieve high standards.

Roger Bayley, Merrick Architecture, noted the principal concerns are to deliver a sustainable community with as much modest market housing as possible and to service the needs of the athletes in 2010. Mr. Bayley also noted the developer is on schedule to start pouring concrete on June 1, 2007 and thanked the City for their diligence and efforts in this application.

Ms. French, Mr. Bayley, and Mr. Andrews, along with Cameron Gray, Housing Centre, and Karis Hiebert, Planning, responded to questions regarding:

- levels of housing with current ODP;
- impact of construction on adjacent properties;
- density and costs;

- timeline for staff reporting to Council and the issues that will be dealt with in these reports; and
- liability in the event buildings are faulty (e.g. - leaky), especially if they are social housing.

Summary of Correspondence

Council received one email and one letter in favour of the application; one email opposed to the application and two emails addressing other aspects of the site, since its referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following delegations noted specific concerns with the application and site:

Rita Koutsodimos
Richard Campbell, BEST (Brief Submitted)
Ron Bain, Southeast False Creek Stewardship Group (brief distributed)
Harold Schellekens
Jack Becker, VACC
Thomas Nichols
John Irwin, SPEC/Southeast False Creek Working Group
Leslie Stern

Delegates' comments included:

- concerns about livability and sustainability of the City;
- pleased with mixed-use aspect;
- application falls short in social housing and cycling facilities;
- low-traffic bike routes are important;
- parking is currently at maximum under current ODP; high number of parking spaces will encourage people to drive to the development and potentially increase conflict between bicycles and cars;
- concerns with intersections on Ontario Bikeway and 1st and 2nd Avenues;
- Ontario Street should be kept car-free;
- concerns with missing out on live-work strategy;
- preserving bikeways improves livability of the City;
- need to clearly communicate what will happen with cycling in the area;
- request full cycling facilities that are geared for 10 per cent cycling mode share; should push for 15 per cent in this area;
- need to pay more attention to sustainable transportation;
- commend developers and staff;
- Salt building should be for public use rather than a commercial site;
- LEED ratings must be assessed by Canadian Green Buildings Council; and
- whether there will be another chance for the public to review the design.

Bruno Wall, Wall Financial Corporation, noted his company is building a new development on 1st Avenue between Columbia Street and Manitoba Street, directly across from the proposed Olympic Village and explained his company's preliminary study indicated that 10 per cent of the units in that building will be affected by the higher buildings proposed on the Olympic Village site. Mr. Wall requested Council provide direction to staff regarding this issue.

Throughout the hearing of speakers, Ms. French and Mr. Naylor, along with Brian Crowe, Engineering; Cameron Gray, Housing Centre; Karis Hiebert, Planning; and Paul Pinsker, Parking Management, and Messrs. Andrews and Bayley responded to questions regarding:

- LEED classification, green roofs and parking issues;
- effect of higher buildings on surrounding area and density issues;
- cycling issues, including cycling facilities and traffic concerns, particularly along the Ontario Bikeway;
- severing sale of parking spaces from sale of residential units;
- live-work strategy; and
- clarification of accomplishments of this evening's proceedings, should the application be approved.

Staff Closing Comments

Ms. French summarized staff comments and noted there will be a focus on the affordability of modest market housing, and noted a roof access exclusion from height or density is not standard, offered revised wording to the recommendation so that this exclusion could be acted upon. Ms. French also noted that, at some point, it may be useful to extend the exclusion to other developments in the city and link the exclusion to the provision of green roofs.

Council Decision

MOVED by Councillor Ladner

- A. THAT the application by Merrick Architecture Ltd. on behalf of Millennium Southeast False Creek Properties Ltd. and the City of Vancouver to rezone 51, 85 and 199 West 1st Avenue, 1599 -1651 Ontario Street, 1598 -1650 Columbia Street and a portion of 215 West 1st Avenue (Lots 314, 315, 316, 318, 319, 320 and 321, Plan BCP24394, a portion of Lot 309, Plan BCP20726 and a portion of Lot 313, Plan BCP24394) from M-2 (Industrial) to CD-1 (Comprehensive Development District), generally as presented in Appendix A to Policy Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006, and as amended in the memorandum dated October 13, 2006, from M. Naylor, SEFC Rezoning Planner, be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Merrick Architecture Ltd. and stamped "Received Planning Department, August 10, 2006", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT – GENERAL

Precinct Conditions

- (i) design development to reduce floor area, and re-distribute project massing, to improve precinct scale, character and better integrate with adjacent context.

Note to applicant: This can be achieved as generally outlined below subject to further detailed resolution of each building design:

Parcel 3 – eliminate one floor from the southeast residential area (represented as 8 typical units) and one floor from northeast residential area (represented as 3 typical units and elevator/stair core). A consistent north-south gap width is also required.

Parcel 4 – eliminate/relocate sufficient fifth floor residential area to achieve a demonstrable breakdown into three distinct massing components and ensure a two storey high gap.

Parcel 5 – eliminate sufficient residential area on the north side by introducing stepped massing that is derived by applying a 60 degree angle to ensure adequate daylight penetration to the north.

Note to applicant: Consideration may be given to introducing relocated affordable housing floor area immediately adjacent to the Salt Building while respecting the eave height and ensuring a proper transition to building scale adjacent to the public plaza.

Note to applicant: In reviewing the application, staff considered that up to 557 m² (6,000 sq. ft.) of floor space would have to be eliminated to achieve these massing changes. While this floor space has not been subtracted from the CD-1 floor space maximum allowance, staff note that achieving this floor space is subject to design development demonstrating it can be accommodated in a satisfactory way.

- (ii) design development to clarify architectural expression design intent, and related design development strategies, to ensure a high quality, distinguished and coherent identity that is recognized for sustainability performance.

Note to applicant: A range of architectural responses that are characterised by varied approaches to expressing passive and active sustainable design systems is anticipated for all buildings to ensure that the Olympic Village precinct achieves a recognizable identity while properly managing respective block and building scale. Strategies to ensure different approaches to design systems detailing should be considered.

- (iii) design development to more clearly distinguish individual building massing components from each other within each parcel as a strategy to improve project and precinct scale. Further design development to more clearly differentiate between lower two/three-storey scaled streetwall, from upper floors and penthouses is also required.

Note to applicant: Further attention to articulation of massing, provision of substantive "breaks" between massing, materiality strategies and related building envelope detailing will assist in mitigating project and individual block scale. Penthouse units should be adequately setback and present a lighter, more transparent architectural expression while achieving sustainable performance.

- (iv) design development to optimize pedestrian interest and commercial use exposure by appropriately locating retail anchor tenant entries and related residential entries.

Note to applicant: An assessment of proposed anchor entry locations is necessary to conclude on the proper strategy to maximize pedestrian exposure. Further design development to maximize fine grain commercial retail unit (CRU) opportunities along Manitoba and Slipway streets based on the expression of an approximate frontage module of 7.6 m (25 feet) is also required.

- (v) design development to confirm perimeter setbacks dimensions, landscape setback treatment and the design of ground-oriented entries/porches/patios and related articulation to ensure that all buildings achieve streetwall definition while clearly demarcating private and public realms.

Note to applicant: Design development to ensure proper integration with the Council-approved SEFC Public Realm Plan and to ensure that buildings contribute to coherent street identity is required. Perimeter alcoves for residential uses at grade are not supported.

- (vi) provide design development wall section information, including confirmation of detail intent for building envelope, related passive and active architectural systems and other innovative features to ensure that anticipated design quality conveyed in the proposed character examples is achieved at construction.

Note to applicant: Sustainable precinct character will be achieved by a strategy of robust architectural expression of passive and active systems that are well designed and carefully integrated into buildings.

- (vii) design development to affordable housing buildings to ensure that architectural expression and quality is well integrated with market housing buildings.

Note to applicant: Careful attention to building envelope quality, including the provision of substantive materials and related detailing, to avoid these buildings from being overly distinguished from market residential buildings is required.

- (viii) provide an exterior lighting strategy (white light) for all buildings, including pedestrian routes, and courtyards, to ensure that adequate lighting levels are achieved for CPTED performance while minimising glare for residents.

Note to applicant: Provision of anticipated exterior lighting fixture character that is consistent with the design intent for precinct lighting in the Council-approved SEFC Public Realm Plan is required.

- (ix) provide a conceptual signage plan that confirms design intent for general precinct related signage aspirations, retail frontages, anchor tenancies, individual buildings and addressing.

Note to applicant: The conceptual signage package should carefully consider the overall design intent established in the Council-approved SEFC Public Realm Plan with respect to character.

- (x) design development to all loading zone, utility enclosure and underground parking ramp opening locations to ensure optimal integration, high quality visual screening, ground surface/public realm quality and public safety.

Note to applicant: Careful attention to ramp opening bulkhead design, and related parking garage ceiling treatment is required.

- (xi) design development to maximise privacy between residential suites and commercial uses/activities including careful attention towards entry door locations, window openings and the provision of properly located, and visually effective, privacy screening.

- (xii) provide substantive weather protection in the form of fixed canopies for all retail, or future potential retail, frontages.

Note to applicant: Careful integration of canopy systems with storefront system, entries, signage, lighting and drainage is required. Opportunities to distinguish between anchor tenancies and small CRUs should be pursued.

- (xiii) design development to provide a retail storefront design strategy that ensures maximum transparency/display/visual interest and opportunities to optimize sidewalk activity and "openness" to the exterior utilizing high quality building systems and detailing.

- (xiv) design development to minimize the size, carefully integrate and screen all mechanical equipment, and related systems, that do not visually convey sustainable principles into the overall massing, form and architectural response for each building.

- (xv) design development to optimize the architectural expression of vertical circulation systems, including common stairways and elevators, as a design response to sustainability expression and as a form of social animation. Careful attention to enclosure systems, and related lighting is required.
- (xvi) design development to fully integrate the design intent of the Council-approved SEFC Public Realm Plan for all parcels, blocks, buildings and respective courtyards.

Note to applicant: Further design development, in consultation with the SEFC/OV Project Office and their consultants, to ensure a seamless, innovative and expressive public realm is required.

Note: Refer to heritage conditions for related requirements of the Council-approved SEFC Interpretive Plan.

- (xvii) design development to ensure a seamless integration, and transition, of private realm landscaping with public realm design intent. Further design development to maximize opportunities to integrate sustainable landscape systems at grade with public realm requirements is also required.
- (xviii) design development to provide adequate on-site communal open space, including opportunities for communal gardening, for each parcel.
- (xix) design development to green roof systems to ensure optimal stormwater management performance and long term viability while clarifying active and passive programming opportunities.
- (xx) provide a Green Roof Management Plan to clarify requirements that will ensure usage and longevity.

Note to applicant: The plan should outline roles and responsibilities of the owner and future strata(s) with respect to green roof system opportunities, constraints and related maintenance performance requirements.

Site Specific Conditions applying to individual parcels and further to Condition (b)(i).

Parcel 3

- (xxi) design development to Salt Avenue fronting units to achieve more direct ground-oriented access, and related entry and porch expression.
- (xxii) design development to more clearly express 3-storey scale for street and lane front units.

Parcel 4

- (xxiii) design development to express the overall massing as three distinct components.

- (xxiv) design development to extend and express the north-south corridor as a 2-storey volume in alignment with sites immediately south.

Parcel 5

- (xxv) design development to consider opportunities to introduce relocated affordable housing floor area immediately adjacent to the Salt Building while respecting the eave height and ensuring a proper transition to building scale adjacent to the public plaza.

Parcel 6

- (xxvi) design development to improve the scale relationship of the adjoining façade to the public plaza, noting that this can probably be done without loss of floor area.

Note to applicant: This can be achieved by refinements to articulation, vertical proportioning, and related architectural expression. French balconies or similar projections from the façade to improve the scale relationship will be considered.

- (xxvii) design development to reduce the visual impact of loading requirements including the provision of high quality surface treatment.
- (xxviii) liquor store entry on Manitoba Street to be located at south corner to maximize distance from community centre.

Note to applicant: This is to better ensure compliance with City guidelines related to proximity of liquor stores and community centres.

Parcel 7 (Salt Building)

- (xxix) design development to the north end of the building to achieve maximum pedestrian interest in a manner compatible with accepted heritage practices.

Note to applicant: Provision of food service tenant(s), and related outdoor seating, is strongly encouraged. A more contemporary, transparent architectural expression should be considered.

- (xxx) design development to introduce a north-south public passage through the centre of the building to connect the future streetcar stop to the public plaza.

Note to applicant: A means of providing this passage will have to be worked out with the selected operator/tenant.

- (xxxi) design development to optimize pedestrian interest, including the consideration of additional wall openings, for the east and west frontage of the existing structure in a manner compatible with accepted heritage practices.
- (xxxii) design development to identify anticipated programmatic requirements for building tenancy, including mezzanine opportunities and storage, and to ensure inherent flexibility for future users yet to be determined.

Note to applicant: Consideration should be given to full, or partial, cost effective basement storage potential given the close proximity to the public plaza which will have related storage needs.

Parcel 9

- (xxxiii) design development to relocate the anchor food store tenant to this site while maximizing opportunities to animate the Slipway Street frontage.

Note to applicant: Further design development to increase CRU frontage on Slipway Street and partially on 1st Avenue, while ensuring commercial viability for the south corner is required. In order to ensure maximum animation on the plaza and as a consequence of support for locating the grocery store on Parcel 9 instead of Parcel 10, the primary entrance for the food store is to be at the northwest corner, oriented toward the public plaza. A specific signage strategy for 1st Avenue is required to properly announce the food store, however no entry on the northwest corner of 1st Avenue will be permitted.

- (xxxiv) design development to consider opportunities to introduce relocated affordable housing and modest market housing floor area immediately adjacent to the Salt Building while respecting the eave height and ensuring a proper transition to building scale adjacent to the public plaza.
- (xxxv) design development to reduce the visual impact of loading requirements including the provision of high quality surface treatment.
- (xxxvi) design development to maximize the passive design performance of the affordable housing component (e.g. passive space heating, daylighting and natural ventilation) through enhanced orientation, corridor design, and envelop in order to meet net-zero energy, greenhouse gas (GHG), water, and waste minimization goals.

Parcel 10

- (xxxvii) design development to improve the scale relationship of the adjoining façade to the public plaza, noting that this can probably be done without loss of floor area.

Note to applicant: This can be achieved by refinements to articulation, vertical proportioning, and related architectural expression. French balconies or similar projections from the façade to improve the scale relationship will be considered.

- (xxxviii) design development to relocate the second anchor drug store tenant on to this parcel while maximizing opportunities to animate the Slipway Street and the public plaza frontage.

Note to applicant: Further design development to increase CRU frontage on Slipway Street and partially on Shipyard Avenue, while ensuring commercial viability for the north corner, is required.

- (xxxix) design development to reduce the visual impact of loading requirements including the provision of high quality surface treatment.

Parcels 8 and 11 (Vancouver Park Board sites)

- (xl) design development to substantively increase overall building scale at the easterly edge to achieve a better transitional relationship to adjacent building massing.
- (xli) design development to more clearly define programmatic requirements, requisite massing and architectural expression.
- (xlii) design development to maximize commercial frontage for food operations onto the public plaza and Shipyard Avenue.
- (xliii) design development to optimize building envelope transparency, balanced with sustainable performance, to more clearly announce internal recreational activities as a strategy to activate the water frontage, park/plaza and Shipyard Avenue adjacencies.
- (xliv) design development to the north building frontage, related internal spaces/activities and ground plane to enhance the seawall pedestrian experience.
- (xlv) design development to ensure high architectural quality appropriate for public facilities on the waterfront.
- (xlvi) design development to adjacent open spaces (north and east sides) to ensure opportunities for recreational programming/outdoor expansion of internal activities and to maximise outdoor seating onto the public plaza (west side for Parcel 8/east and north sides for Parcel 11).
- (xlvii) design development to include a licensed 69-space childcare centre as part of the community centre, in accordance with the Community Care Facilities requirements and the City's Childcare Design Guidelines (1993) and to the satisfaction of the Director of Social Planning, Facilities Development, and Community Care Facilities Licensing;

LANDSCAPE DESIGN

Environmental Sustainability

- (xlviii) provide, at time of development permit, a detailed rationale and supporting documents for fulfillment of "Landscape Design Requirements", Chapter 11 of Rezoning Submission, Aug. 10, 2006, and additional landscape related conditions, including related LEED™ scorecard sections.

Open Space and Landscape Treatment

- (xlix) provide, at time of development permit application, a detailed rationale outlining intent for the specific programming of individual outdoor spaces and landscape elements, including overall use, pedestrian capacity, storage (for example, compost,

gardening tools), access, security, sustainable design requirements (planting, water, waste, soil, habitat); provision of continuous soil trough to establish climbing plants on walls and structures; provision of durable landscape materials and structures such as plant specific soils, durable planters, wall trellis structures;

Note to Applicant: written submission should include a summary reference "Handbook for Maintenance and Stewardship of Sustainable Systems" which could assist various stakeholders with routine monitoring and upkeep of landscape systems and any special requirements of sustainable technologies. Strong consideration should be given to outlining the maintenance expectations of the following sustainable systems: on-site storm water management, green roof, urban agriculture, soil quality (mulching), compost, pruning, edible food harvesting, successional plant/tree management, habitat and Integrated Pest Management. Documents should include brand specifications, where applicable (for example, cistern and rainwater harvesting manufacturer specifications).

Technical

- (l) provide, at time of development permit application, a detailed Landscape Plan;

Note to Applicant: The Landscape Plan should be at minimum scale 1:100 (1/8" = 1'-0"). Aspects to include: public realm, plants, trees, grading, special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, permanent site furniture, trees, storm water retention, rain gardens, public art, demonstration projects, urban agriculture, weather protection, utilities, garbage storage, recycling and loading facilities. Grades, retaining walls, walkways and structural elements, such as underground parking, to be designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard). Where applicable, reconfigure underground parking design to increase soil depth to angle downward at the corner (3 feet across and 4 feet down) to increase planting depth for inner boulevard trees/planters. Planted areas adjacent to structures and on slab to contain continuous soil volumes; provision of large scale partial plans, elevations and sections illustrating the detailed treatment of the public realm interface at the streets and lanes; including planters, retaining walls, stairs, planting, soil depth, underground structures, patios and privacy screens;

Trees

- (li) protect lane edge trees and planting from vehicular impacts by providing metal tree surrounds, bollards or low curbs as needed. Modify or stagger overhead canopies, where necessary, if trees can be provided to inner boulevard;

Green Roofs

- (lii) provide 50% roofscape area to be surfaced in growing medium and appropriate vegetation. Roofscapes should be highly programmed, useable and accessible (noting that extensive green roofs are often access-limited). Urban agriculture, intensive and extensive green roofs are encouraged and should respond to functional needs, particularly microclimate conditions;

Note to Applicant: Where green roof cover is prohibitive due to architectural constraints, roofing material should be high reflective following the EPA Energy Star roofing requirements.

- (liii) provide premium standard green roof membrane for chosen brand technology, including an electronic leak detection system and root protection. Details and sections to be submitted at time of development permit application. At time of building permit application provision of technical details, sections and specifications. Provide a letter of assurance that a roofing consultant has been hired to oversee the roofing process.

Water Efficiency and Stormwater Management

- (liv) provide best current practices for managing water conservation including high efficiency irrigation, moisture sensing, special soils, aspects of xeriscaping including drought-tolerant plant selection and mulching;
- (lv) design development to meet the LEED™ Canada 1.0 stormwater management credits (Sustainable Sites Credits 6.1 and 6.2). Stormwater treatment/storage facilities should be integral to the open space design, detailed technical drawings to be submitted at time of development permit application;
- (lvi) design development to significantly limit the use of potable water for irrigation through the provision of a stormwater cistern(s) system;

Note to Applicant: Provide a cistern(s) separated from the potable water system (dual system) sized properly to reduce annual overall building water use for the irrigation of the ground-level common open spaces and public realm landscaping to be sized for the summer drought periods. Strong consideration should be given to maximizing the function of the cistern by using cistern water for landscape irrigation purposes in the water-deficit periods and for toilet flushing during the water-surplus periods, allowing the cistern to circulate supply regularly. Where it is prohibitive to service outdoor patios with stored cistern water, the potable water system should be directed to required patio hose bibs. This system to be designed in coordination with Building/Plumbing Code Processing.

- (lvii) provide details and arrangements to meet the SEFC Stormwater Management Plan;

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- (lviii) design development to take into consideration the principles of CPTED having particular regard for:
 - maximizing surveillance provided by ground level residential units to the pedestrian mews,
 - providing clear definition between public to private spaces,
 - providing secure access to services such as residential mail and garbage without using public property,
 - providing convenient and secure access if residential parking is proposed off

- site,
- reducing the scale of large areas of underground parking to serve specific buildings where possible,
- reducing opportunities for crime in underground parking areas including full separation between user groups and improving visibility,
- reducing opportunities for break and enter,
- reducing opportunities for mail theft, and
- reducing opportunities for graffiti and skateboarding where not programmed in open spaces.

SOCIAL PLANNING

- (lix) design development of the amenity spaces provided in Parcel 2, to meet or exceed the minimum area required under the High Density Housing for Families with Children Guidelines (section 3.7), to the satisfaction of the Director of Social Planning. Staff recommend a space of at least 37 m² (400 sq. ft.).
- (lx) design development to ensure that the internal courtyards for each parcel provide a covered outdoor area or amenity space adjacent to the children's outdoor play areas for adult supervision and with a fully accessible amenity washroom within close proximity. Design of the outdoor areas should meet the High Density Housing for Families with Children Guidelines (sections 3.2, 3.3 and 3.4), to the satisfaction of the Director of Social Planning.

ENGINEERING

- (lxi) provide a detailed transportation study, which provides information on vehicular access, volumes, and circulation to and from all developments (both cars and trucks) for the rezoning site, and shows how street/walkway/bikeway connections are proposed. The report should address impacts at the p.m. peak hour, identify conflicts of concern, and recommend design changes and mitigation measures (whether already planned or additional) both within Sub-Area 2A and extending to intersections of 1st Avenue from Quebec to Columbia, and intersections along 2nd Avenue from Quebec to Columbia. Sites of uncertain development or use within Sub-Area 2A (e.g. Salt Building, Parcels 5ii and 8, plus the seawall) should be assessed with assumed programs, trip generation, etc. Statements on the mode-split sensitivity as to whether or not the Downtown Streetcar is in operation in the short term (2010 vs. 2020), provisions for on-street parking and loading, and accommodation of the ferry landing should also be included;
- (lxii) access to parking and loading should adhere to the SEFC ODP;
- (lxiii) design development on all parcels to finalize parking and loading locations and required curb cuts to enable streetscape design work to proceed;

Note to applicant: This may entail completing parking level design well in advance of development permit submission for some parcels.

- (lxiv) design development to provide bicycle parking spaces meeting Parking By-law requirements;
- (lxv) provide three streams of waste removal for the development (regular garbage, recyclable materials and organics). The development site is to provide adequate space to accommodate three streams of waste removal include fully outfitted areas that can be made active upon implementation of organics collection system;
- (lxvi) building design is to include provision for connections to, and be compatible with, the "False Creek Neighbourhood Energy Utility";
- (lxvii) design development to delete portions of buildings (underground parking) encroaching into the corner-cuts established as road by Plan BCP24394 adjacent to lots 316, 317 and 319;
- (lxviii) design development on Parcel 9 (grocery store location) to allow for truck access from the west (via Manitoba Street) or east (via Ontario Street) along Salt Avenue;
- (lxix) design development on Parcel 9 to examine the private rear lane to optimize loading bay configuration for truck movements (this may include re-locating the residential parking entry) while minimizing pedestrian impacts along Salt Avenue and 1st Avenue, and not compromising the operation of the Downtown Streetcar;

ENVIRONMENTAL SUSTAINABILITY

- (lxx) for all buildings in the City Lands of Sub-Area 2A, achieve the SEFC Green Building Strategy and meet a minimum LEED™ Gold Canada Certified standard (with a target of no less than 42 points, including City of Vancouver prerequisites) (with full LEED™ registration and documentation) or equivalency. Registration with the Canada Green Building Council (CaGBC) is required for all buildings. The applicant must submit full documentation, including initial certified design credits, required for LEED™ certification to the City for verification prior to issuance of a long-term occupancy permit.

Note to applicant: The City encourages the applicant to complete full LEED™ certification for LEED Gold with the CaGBC.

Energy

- (lxxi) provide energy efficient design and modelling results to meet or exceed the CBIP (Commercial Buildings Incentive Program) standard for energy efficiency.
- (lxxii) provide full building design to meet ASHRAE 90.1 2004 in its entirety (with the exception of outright energy efficiency, which is covered under provision "lxx", above, including:
 - improved envelope options such as "continuous insulation", increased r-values, and thermal breaks for balconies and slab extensions;
 - energy efficient lighting;

- air exchange effectiveness;
- full best practice building systems commissioning;
- daylighting; and
- provision of vestibules where necessary;

Note to Applicant: A letter, from a professional engineer trained in building commissioning, outlining provision for this service to be submitted at the time of application for Building Permit.

- (lxxiii) provide compatible, energy efficient design and details of the in-building heating and domestic hot water for the referenced connection to the False Creek Neighbourhood Energy Utility proposed for the area;
- (lxxiv) provide vertical glazing to a maximum of 40 percent or provide additional thermal measure such as low-e glass to compensate for the additional heat loss;
- (lxxv) provide roughed-in capacity for future individual suite metering for energy and water use;
- (lxxvi) provide climate zone control for residential and live-work units that is compatible with the False Creek Neighbourhood Energy Utility;
- (lxxvii) no natural gas fireplaces are to be installed within dwelling units. Ornamental non-combustion fireplaces are permitted if they are not heat producing.

Note to Applicant: All fireplaces are discouraged. A letter from a professional engineer outlining any provision for ornamental fireplaces is to be submitted at the time of application for Building Permit.

Stormwater Management and Green Roofs

- (lxxviii) provide a green roof (including a useable, intensive roof and/or inaccessible, extensive roof) on principle building roofs;
- (lxxix) provide an effective impervious area of no more than 60 percent of total site area with 30 percent of useable intensive green roof area in soft landscape (this includes drop off areas, walkways rooftops and plazas);
- (lxxx) provide details and arrangements for connection and flow rates to meet the SEFC Stormwater Management Plan;
- (lxxxii) provide a green roof design to meet structural load, soil depths, and access and egress conditions necessary for an intensive green roof/urban agriculture (regardless of initial roof design – intensive or extensive);

Note to Applicant: A letter from a professional engineer outlining provision for these features to be submitted at the time of application for Building Permit.

In-Building Water Efficiency

- (lxxxii) provide low-water-use plumbing fixtures at or below 1.8 gpm for faucets and showerheads and 6L/3L dual flush toilets. Specify in-suite water conserving appliances and building equipment (meet Energy Star requirements);

Note to Applicant: A letter from a professional engineer outlining provision for these features to be submitted at the time of application for Building Permit.

Urban Agriculture

- (lxxxiii) design development to provide wheel chair accessible garden plots for use by people with disabilities, where possible.
- (lxxxiv) design development for the larger rooftop gardens that have designated garden plot sections to provide a small adjacent indoor amenity area with a fully accessible washroom.
- (lxxxv) design development to provide a small children's play area and/or specifically designated children's gardens within sight range of any rooftop garden plots so that adults may engage in their own activities while supervising their children's play for a maximum synergy of uses, where possible.
- (lxxxvi) design development to incorporate the objectives of urban agriculture including provision of garden plots of an adequate size and number to be productive and viable. The total amount of gardening spaces should be appropriate for the size of development. Locate gardening plots to maximize sunlight and respond to programming requirements such as providing an area for composting, non-potable water/irrigation systems, and suitable soil volumes;

Note to Applicant: Explore opportunities to expand the area designated for garden plots, e.g. by using the green roof panels on the tower roof, so that a minimum of 30% of the units without private garden space (not balconies) have access to a private garden plot. Note that the existing garden plots of approximately 4 by 12 ft. can be counted as 2 plots, if needed, to reach the 30% goal. Regarding the relationship between the proposed play areas and the proposed garden plots on Landscape level 1, explore opportunities to further integrate these areas in order to facilitate children's involvement in gardening and to support parent's ability to garden and monitor children's activities.

Building Durability

- (lxxxvii) provide high quality, durable architectural materials and detailing to meet or exceed CSA Guidelines on Durability in Buildings;

Waste Management

- (lxxxviii) provide a Construction and Demolition Waste Management Plan at the time of application for Building Permit ensuring that a minimum of 75 percent landfill diversion through the construction process;

Note to Applicant: Submit a Construction and Demolition Waste Management Plan. Follow the waste management requirements in LEED Canada 1.0 Materials and Resource Credit 2.

UNIVERSAL DESIGN

- (lxxxix) applicant to work with a Universal Design consultant to achieve the objectives for Universal Design in reference to "The Safer Home Certification Criteria" as outlined in Appendix H.

AGREEMENTS

- (c) THAT, prior to enactment of the CD-1 By-law, each of the registered owners shall, at no cost to the City make arrangements for the following, on terms and conditions satisfactory to the Director of Legal Services:

ENGINEERING

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, in consultation with the Director of Planning, for:
- a. the provision, operation, and maintenance of co-operative vehicles and the provision and maintenance of parking spaces for use exclusively by such co-operative vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law and;
 - b. designation of visitor or surplus parking spaces which are publicly accessible for future use by co-operative vehicles, with such spaces not to be in addition to required parking for residents or visitors;

all as outlined in the table below:

| Dwelling Units | Co-operative Vehicle | Co-operative Vehicle Parking Space | Future Converted Co-operative Parking Space |
|--------------------------------------|----------------------|------------------------------------|---|
| 1 - 49 | None | None | 1 |
| 50 - 149 | 1 | 1 | 1 |
| 150 - 249 | 2 | 2 | 2 |
| 250 - 349 | 2 | 2 | 3 |
| Each additional 100 units or portion | +0 | +0 | +1 |

| | | | |
|---------|--|--|--|
| thereof | | | |
|---------|--|--|--|

- (ii) provision of a single operator for garbage pickup and recycling pick up within the City Lands of Sub-Area 2A.
- (iii) reconfiguration of Lot 321, Lot 314 and a portion of Lot 302, Plan BCP17012, and adjacent road to accommodate the relocated community centre. Note: delete all portions of the proposed community centre building overhanging the ultimate, re-defined property line for Lot 321.
- (iv) statutory rights-of-way and option-to-purchase agreements over the southerly 4 metres of Lots 316, 318 and 319 for public access and use, and for utility purposes. Note: if the final building designs move the proposed underground parking out of this area, the City may seek to establish these portions as road.
- (v) dedication as road of a 12-metre wide portion of Lot 320 in alignment with the road between Lots 318 and 319, as a northerly extension of such road.
- (vi) creation of a legal lot for the proposed school measuring 50 by 54 metres, fronting on Columbia Street, and sited immediately to the west of and parallel to Lot 315.
- (vii) surface statutory right-of-way over the west one metre of Lot 319 and Lot 320 for public access purposes. Note: the one-metre wide portion of Lot 320 is immediately east of the 12-metre wide road dedication described above in subparagraph (c)(v).
- (viii) blanket statutory rights-of-way over Lots 314, 315, 316, 318, 319, 320 and 321 for public access purposes, the rights-of-way are to be modified at a later date to reflect final approved designs.
- (ix) blanket statutory rights of way and options to purchase over Lots 312 and 313 for public access and use, and for utility purposes.
- (x) release of any redundant charges on titles of all lots.

SOILS

- (xi) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (xii) execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance have been provided to the City by the Ministry of Environment;

HOUSING

- (xiii) execute agreements, satisfactory to the City Manager and the Director of Legal Services, ensuring development of a total of at least 19,788 m² (213,000 sq. ft.) of floor area on Parcels 2, 5 and 9 for Affordable Housing as defined in the South East False Creek Official Development Plan, such proposed floor space to be sufficient to accommodate 250 Affordable Housing units of which 125 must be designed for families with children.
- (xiv) execute agreements, satisfactory to the City Manager and the Director of Legal Services ensuring the development of a total of at least 8,342 m² (89,800 sq. ft.) of floor area on Parcels 3, 6 and 9 for Modest Market Housing as defined in the South East False Creek Official Development Plan.

PUBLIC ART

- (xv) execute an agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs, for the provision of public art in accordance with the City's Public Art Policy and the SEFC Public Art Plan, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and
- (xvi) submit a preliminary public art plan, to the satisfaction of the Managing Director of Cultural Services, setting out the proposed public art program aims, the artist terms of reference, the site and artist selection methods, the project budget, the implementation plan and a schedule consistent with the objectives and intent of the SEFC Public Art Plan.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, 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 necessary amendments to the Southeast False Creek Official Development Plan By-law generally in accordance with Appendix C of the Policy

Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006, be approved.

- C. THAT the consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)) as set out in Appendix C of the Policy Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006, be approved.
- D. THAT the Noise Control By-law be amended to include this CD-1 in Schedule B as set out in Appendix C of the Policy Report "CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated September 14, 2006.
- E. THAT the draft by-law entitled "A by-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1", contained in the Public Hearing agenda of October 17, 2006 be amended as follows:

Section 6.8(e) to read

"structures such as elevator enclosures, stairwells, pergolas, trellises and tool sheds which support the use of intensive green roofs and urban agriculture"

Section 7.5 to read

"Despite section 7.1, 7.2, 7.3 and 7.4, maximum building height does not include elevator enclosures and stairwells, or garden structures such as pergolas, trellises and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

CARRIED
(Councillor Cadman opposed)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

51, 85, 199 and 215 West 1st Avenue
1599 and 1651 Ontario Street
1598 and 1650 Columbia Street

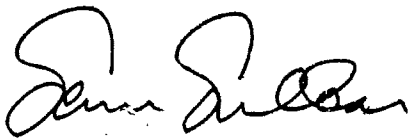
BY-LAW NO. 9465

A By-law to amend CD-1 By-law No. 9454


THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. Council repeals section 6.8(g) of By-law No. 9454, and substitutes:
 - “(g) floor space devoted to passive design elements such as larger ventilation shafts, corridors, or other elements providing ventilation and light within buildings, and solar appurtenances on buildings that help mitigate solar gain, subject to urban design acceptable to the Director of Planning within the approved form of development.”
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 17th day of April, 2007



 Mayor



 City Clerk

BY-LAWS

MOVED by Councillor Chow
SECONDED by Councillor Ball

THAT Council enact the by-law listed on the agenda for this meeting as number 1 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. **A By-law to amend CD-1 By-law No. 9454 re the Olympic Village (re 51, 85, 199 and 215 West 1st Avenue, 1599 and 1651 Ontario Street, 1598 and 1650 Columbia Street) (By-law No. 9465)**

The Special Council adjourned at 9:10 p.m.

* * * * *

Staff Comments

Desiree Drewitt, Rezoning Planner, Rezoning Centre, was present to respond to questions.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

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

Council Decision

MOVED by Councillor Anton

THAT the application by the Director of Planning to amend CD-1 By-law No. 4634 for 4255 Arbutus Street to add to the list of permitted uses in accordance with Appendix A to Policy report "CD-1 Text Amendment: 4255 Arbutus Street (Arbutus Village)" dated February 27, 2007 be approved.

CARRIED UNANIMOUSLY

4. TEXT AMENDMENT: 51-85 & 199-215 West 1st Avenue, 1599-1651 Ontario Street, and 1598-1650 Columbia Street (Olympic Village - Southeast False Creek)

An application by the Director of Planning was considered as follows:

Summary: To amend the Olympic Village CD-1 to remove the 2% limit on passive design exclusions allowing for more sustainable features to be incorporated in the residential buildings which will serve initially as accommodation for 2010 athletes and officials.

The Director of Planning recommended approval.

Staff Comments

Michael Naylor, Rezoning Planner, Rezoning Centre, made a brief presentation, and along with Karis Heibert, Planner, Current Planning, responded to concerns raised by Council members regarding the potential abuse of balcony space to create additional rooms.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

Ron Bain, Chair, Southeast False Creek Stewardship Group, spoke in support of the text amendment, noted the benefit of passive solar devices, and requested staff consider this a guideline to be incorporated into the City's overall building strategy in future.

Leslie Stern, Affordable Housing, suggested the increased bulk and living space achieved by the added capacity, if approved, be used for affordable housing to achieve a better social mix and allow people to live and work in the same neighbourhood. Ms. Stern also suggested monies from amenity contributions be put toward the design of park space.

Council Decision

MOVED by Councillor Capri

THAT, the application by the Director of Planning to amend CD-1 By-law No. 9454 generally in accordance with Appendix A to Policy report "CD-1 Text Amendment – 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated January 30, 2007 be approved.

CARRIED UNANIMOUSLY

5. TEXT AMENDMENT: 1598 Columbia Street (Olympic Village - Parcel 4)

An application by Nick Milkovich Architects Inc. was considered as follows:

Summary: To amend the Olympic Village CD-1 to increase the permitted building height from 30.0 m to 40.5 m (98 ft. to 133 ft.) allowing a better form of development for this waterfront parcel.

The Director of Planning recommended approval.

Also before Council was the following:

- Memorandum dated April 12, 2007, from M. Naylor, Rezoning Planner, which submitted a further recommendation as noted below:

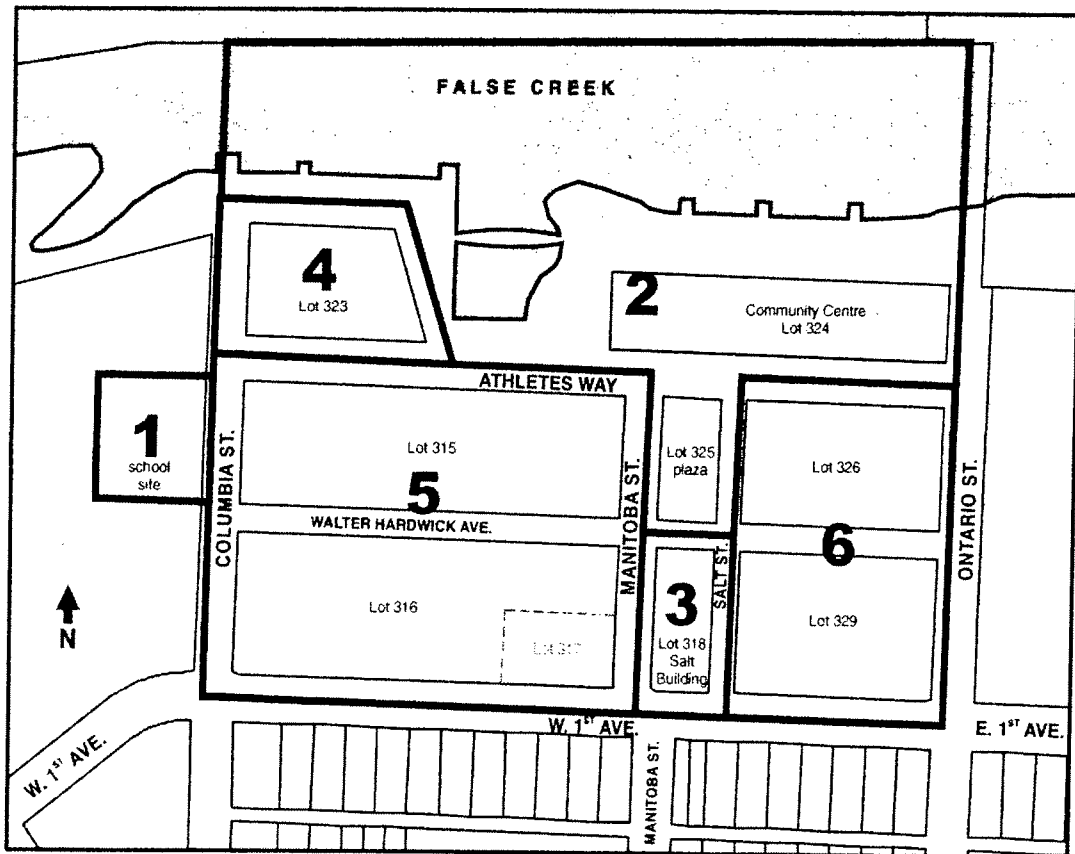
THAT Council accept the offer from Millennium Southeast False Creek Properties Ltd. to make an amenity contribution of \$225,000 to be put toward the cost to design and develop a triangle open space along the Southeast False Creek waterfront, and that receipt of payment of the contribution be secured prior to enactment of the by-law to amend the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

BY-LAW NO. 9530

A By-law to amend CD-1 By-law No. 9454

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions, diagrams, and schedules of CD-1 By-law No. 9454.
2. Council strikes out the addresses that appear before the By-law title, and substitutes "Olympic Village".
3. From section 1, Council strikes out "Z-585 (b)", and substitutes "Z-593 (c)",
4. Council repeals section 3.2(b), and substitutes:
 "(b) Dwelling Uses, limited to Multiple Dwelling, Seniors Supportive or Assisted Housing and Dwelling Units, in conjunction with any use listed in this section 3.2;"
5. Council repeals Diagram 1 of section 5, and substitutes:

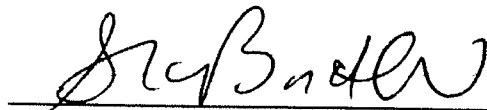


6. From section 6.1, Council strikes out "109 611", and substitutes "114 655".
7. From section 6.2, Council strikes out "9 674", and substitutes "10 212".
8. From section 6.5, Council strikes out "5 912", and substitutes "6 450".
9. From section 7.2, Council strikes out "15", and substitutes "17.6".
10. Council repeals Schedule A, and substitutes Schedule A attached to this By-law which new Schedule A is to form part of CD-1 By-law No. 9454.
11. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
12. This By-law is to come into force and take effect on the date of its enactment.

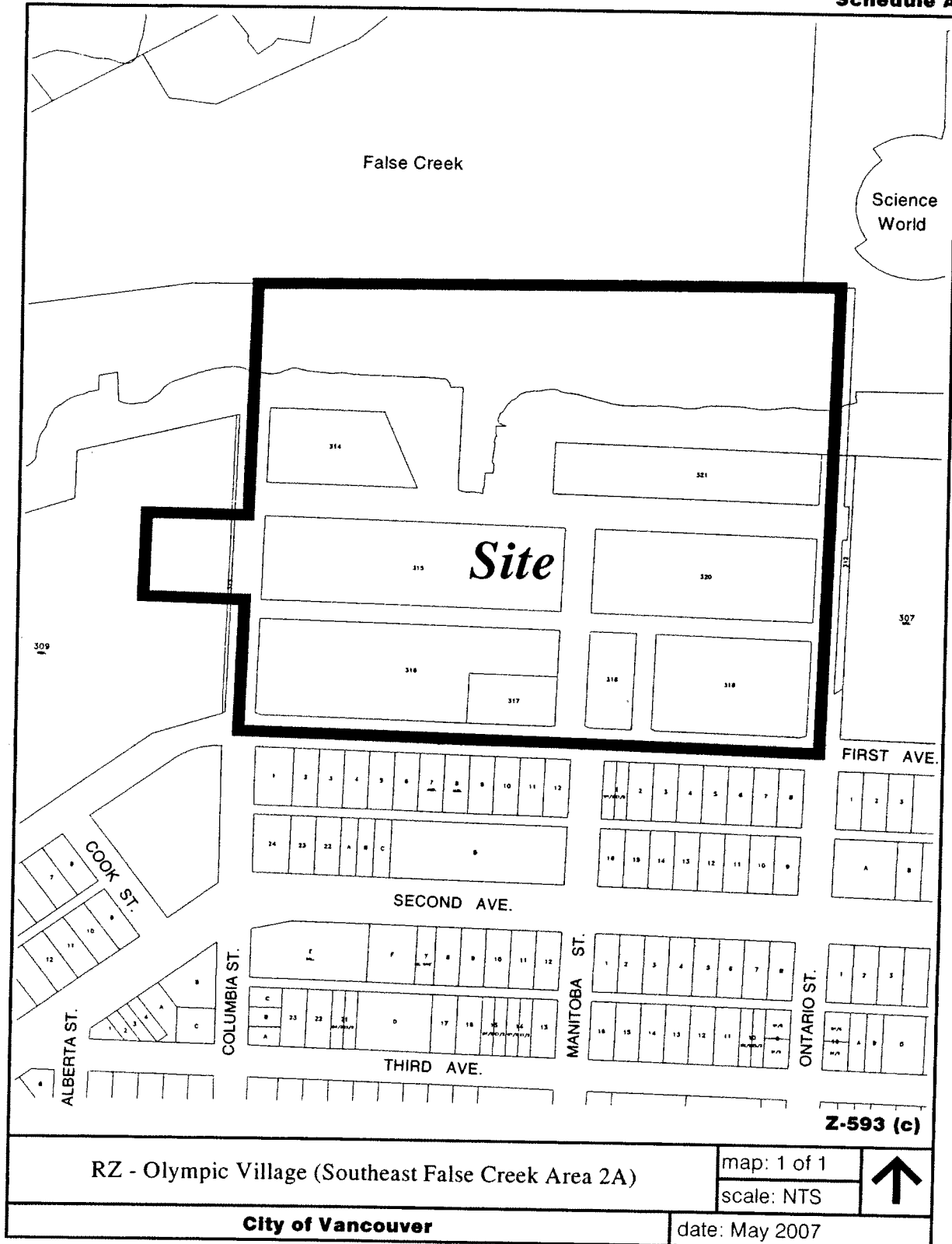
ENACTED by Council this 18th day of September, 2007



Mayor



City Clerk



RZ - Olympic Village (Southeast False Creek Area 2A)

map: 1 of 1
scale: NTS



City of Vancouver

date: May 2007

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

THAT the report of the Committee of the Whole be adopted.

BY-LAWS

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-law(s) listed on the agenda for this meeting as numbers 1 to 3 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-law(s).

1. A By-law to set the interest rate for delinquent real property taxes for 2008 at 10.25%. (By-law No. 9529)
(Subject to approval of Administrative Report A1)

2. A By-law to amend CD-1 By-law No. 9454 to add 125 West 1st Avenue to the Olympic Village. (By-law No. 9530)

3. A By-law to amend the Southeast False Creek Official Development Plan By-law No. 9073. (By-law No. 9531)

CARRIED UNANIMOUSLY

4. CD-1 REZONING: 125 West 1st Avenue

An application by Stu Lyon, Gomberoff Bell Lyon Architects Group Inc. was considered as follows:

Summary: To amend existing CD-1 By-law No. 9454 (reference number 454) to add this site to the Olympic Village to permit a mixed-use development on an expanded Parcel 5 consisting of two buildings over underground parking. One building is for 99 units of affordable housing and the other for 58 market units with retail at grade. Buildings would be a maximum of 8 storeys. Consequential amendments to the Southeast False Creek Official Development Plan are also to be considered.

The Director of Planning recommended approval, subject to conditions set out in the agenda of the Public Hearing.

Also before Council was the following:

- Memorandum dated May 30, 2007, from M. Naylor, Rezoning Planner, Rezoning Centre, advising of additional rezoning conditions to be included in Appendix B of the Policy Report for this item. It also reported the advice of the Urban Design Panel on the rezoning application for Expanded Parcel 5.

Staff Opening Comments

Michael Naylor, Planner, Rezoning Centre, provided an overview of the application.

Applicant Comments

Stu Lyon, Gomberoff Bell Lyon Architects Group Inc. was present to respond to questions,

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

Daniela Staiano, spoke in general support for the project and its garden, but expressed concern in regard to the flat roofs proposed for the development, and leakage problems associated with flat roof construction. Ms. Staiano also noted the need for sufficient patrols to assist with crime prevention in the area.

Staff Closing Comments

Mr. Naylor responded to concerns raised by the speaker in regard to roof elements, and safety concepts for the neighbourhood.

Council Decision

MOVED by Councillor Deal

- A. THAT the application, by Gomberoff Bell Lyon Architects Group Inc. on behalf of Millennium Southeast False Creek Properties Ltd. and the City of Vancouver, to rezone 125 West 1st Avenue (PID 026-723-930, Lot 317, False Creek, New Westminster District, Plan BCP24394) ("Lot 317") from M-2 (Industrial) to CD-1 (Comprehensive Development District) by amending CD-1 By-law No. 9454 (#454) to include Lot 317, generally as presented in Appendix A to Policy Report "CD-1 Rezoning of 125 West 1st Avenue (Lot 317) by Plan and Text Amendments to Olympic Village CD-1 By-law No. 9454 (#454)" dated May 8, 2007, be approved, subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Gomberoff Bell Lyon Architects Group Inc. and stamped "Received Planning Department, April 19, 2007", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall consider the following conditions:

DESIGN DEVELOPMENT – GENERAL

- (i) design development to clarify architectural expression, design intent, and related design development strategies, to ensure a high quality, distinguished and coherent identity that is recognized for sustainability performance;

Note to applicant: A range of architectural responses that are characterized by varied approaches to expressing passive and active sustainable design systems is anticipated for all buildings to ensure that the Olympic Village precinct achieves a recognizable identity while properly managing respective block and building scale. Strategies to ensure different approaches to design systems detailing should be considered.

- (ii) design development to more clearly distinguish individual building massing components from each other within the parcel as a strategy to improve project and precinct scale; further design development to more clearly differentiate between lower two/three-storey scaled streetwall, from upper floors and penthouses is also required;

Note to applicant: Further attention to articulation of massing, provision of substantive “breaks” between massing, materiality strategies and related building envelope detailing will assist in mitigating project and individual block scale. Penthouse units should be adequately setback and present a lighter, more transparent architectural expression while achieving sustainable performance.

- (iii) design development to optimize pedestrian interest and commercial use exposure by appropriately locating retail tenant entries and related residential entries;

Note to applicant: Further design development to maximize fine-grain commercial retail unit (CRU) opportunities along Manitoba Street based on the expression of an approximate frontage module of 7.6 m (25 ft.) is also required.

- (iv) design development to confirm perimeter setback dimensions, landscape setback treatment and the design of ground-oriented entries/porches/patios and related articulation to ensure that all buildings achieve streetwall and adjacent pocket park definition while clearly demarcating private and public realms;

Note to applicant: Design development to ensure proper integration with the Council-approved SEFC Public Realm Plan and to ensure that buildings contribute to coherent street identity is required. Perimeter alcoves for residential uses at grade are not supported.

- (v) provide design development wall section information, including confirmation of detail intent for building envelope, related passive and active architectural systems and other innovative features to ensure that anticipated design quality is achieved at construction;

Note to applicant: Sustainable precinct character will be achieved by a strategy of robust architectural expression of passive and active systems that are well designed and carefully integrated into buildings.

- (vi) design development to affordable housing buildings to ensure that architectural expression and quality is well integrated with market housing buildings;

Note to applicant: Careful attention to building envelope quality, including the provision of substantive materials and related detailing, to avoid these

buildings from being overly distinguished from market residential buildings is required.

- (vii) provide an exterior lighting strategy (white light) for all buildings, including pedestrian routes, and courtyards, to ensure that adequate lighting levels are achieved for CPTED performance while minimizing glare for residents;

Note to applicant: Provision of anticipated exterior lighting fixture character that is consistent with the design intent for precinct lighting in the Council-approved SEFC Public Realm Plan is required.

- (viii) provide a conceptual signage plan that confirms design intent for general precinct related signage aspirations, retail frontages, anchor tenancies, individual buildings and addressing;

Note to applicant: The conceptual signage package should carefully consider the overall design intent established in the Council-approved SEFC Public Realm Plan with respect to character.

- (ix) design development to all loading zone, utility enclosure and underground parking ramp opening locations to ensure optimal integration, high quality visual screening, ground surface/public realm quality and public safety;

Note to applicant: Careful attention is required to the bulkhead design at the ramp opening and to related ceiling treatment in the parking garage.

- (x) design development to maximize privacy between residential suites and commercial uses/activities including careful attention to entry door locations, window openings and the provision of properly located, and visually effective, privacy screening;

- (xi) provide substantive weather protection in the form of fixed canopies for all retail, or future potential retail, frontages;

Note to applicant: Careful integration of canopy systems with storefront system, entries, signage, lighting and drainage is required. Opportunities to distinguish between CRUs should be pursued.

- (xii) design development to provide a retail storefront design strategy that ensures maximum transparency/display/visual interest and opportunities to optimize sidewalk activity and "openness" to the exterior utilizing high quality building systems and detailing;

- (xiii) design development to minimize the size, carefully integrate and screen all mechanical equipment, and related systems, that do not visually convey sustainable principles into the overall massing, form and architectural response for each building;

- (xiv) design development to optimize the architectural expression of vertical circulation systems, including common stairways and elevators, as a design response to sustainability expression and as a form of social animation. Careful attention to enclosure systems, and related lighting is required;
- (xv) design development to fully integrate the design intent of the Council-approved SEFC Public Realm Plan for this parcel's buildings, courtyards and open spaces;

Note to applicant: Further design development, in consultation with the SEFC/OV Project Office and their consultants, to ensure a seamless, innovative and expressive public realm, is required.

- (xvi) design development to ensure a seamless integration, and transition, of private realm landscaping with public realm design intent; further design development to maximize opportunities to integrate sustainable landscape systems at grade with public realm requirements is also required;
- (xvii) design development to provide adequate on-site communal open space, including opportunities for communal gardening;
- (xviii) design development to green roof systems to ensure optimal stormwater management performance and long term viability while clarifying active and passive programming opportunities;
- (xix) provide a Green Roof Management Plan to clarify requirements that will ensure usage and longevity;

Note to applicant: The plan should outline roles and responsibilities of the owner and future strata(s) with respect to green roof system opportunities, constraints and related maintenance performance requirements.

- (xx) design development to improve the quality of exterior space between the market housing building and the affordable housing building, and to mitigate privacy impacts of this adjacency;
- (xxi) design development to achieve a more pronounced two-storey expression for the Walter Hardwick Avenue frontage, as well as a more consistent rhythm of ground-oriented entries or porches that is evident in previously approved developments adjoining this street;

LANDSCAPE DESIGN

Open Space and Landscape Treatment

- (xxii) design development to the building entrances to provide paving materials that are substantive, reflect the robust character of the site and are tied to the palate of the building;

- (xxiii) design development to the retail frontage on Manitoba Street to provide a seamless interface between the public realm and private property by providing the same paving pattern to both areas, as well as a band of pavers indicating the property line;
- (xxiv) provide, at time of development permit application, a detailed rationale outlining the specific programming of outdoor spaces and landscape elements, including use, pedestrian capacity, storage (for example, compost, gardening tools), access, security, sustainable design requirements (planting, water, waste, soil, habitat); provision of continuous soil trough to establish climbing plants on walls and structures; provision of durable landscape materials and structures such as plant specific soils, durable planters, wall trellis structures;

Note to Applicant: Strong consideration should be given to outlining the maintenance expectations of the following sustainable systems: on-site stormwater management, green roof, urban agriculture, soil quality (mulching), compost, pruning, edible food harvesting, habitat and Integrated Pest Management. Documents should include brand specifications, where applicable (for example, cistern and rainwater harvesting manufacturer specifications).

- (xxv) clarify the planter height along Walter Hardwick Avenue at the sidewalk edge; the Landscape Plans appear to show a grade condition for the sidewalk edge planting and the architectural elevation appears to show a raised planter;
- (xxvi) provide a Plant List which contributes to the place-making character of the precinct and accentuates the individuality of the site;

Note to applicant: The plants should be hardy and drought tolerant, and shade tolerant in the case of north facing planters.

- (xxvii) provide hose bibs on all private decks that are 100 sq. ft. or greater;
- (xxviii) provide an overlay of all roofs, in order to illustrate the amount of roof coverage by intensive and extensive green roofs;

Note to applicant: Green roofs covering 50% of all roof surfaces are encouraged but not required. Where green roofs are not provided, roofing should be of high reflective material following the EPA Energy Star roofing requirements.

- (xxix) for green roofs: provide premium standard green-roof membrane for chosen brand technology; submit with development permit application details and sections; submit with building permit application technical details, sections and specifications; provide a letter of assurance that a roofing consultant has been hired to oversee the roofing process;

Technical

- (xxx) provide, at time of development permit application, a detailed Landscape Plan;

Note to Applicant: The Landscape Plan should be at minimum scale 1:100 (1/8" = 1'-0"). Aspects to include: public realm, plants, trees, grading, special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, site furniture, trees, stormwater retention, rain gardens, public art, demonstration projects, urban agriculture, utilities, garbage storage, recycling and loading facilities. Grades, retaining walls, walkways and structural elements, such as underground parking, to be designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard). Where applicable, reconfigure underground parking design to increase soil depth to angle downward at the corner (3 ft. across and 4 ft. down) to increase planting depth for inner boulevard trees/planters. Planted areas adjacent to structures and on slab to contain continuous soil volumes; provision of large-scale partial plans, elevations and sections illustrating the detailed treatment of the public realm interface at the streets and lanes; including planters, retaining walls, stairs, planting, soil depth, underground structures, patios and privacy screens.

- (xxxi) provide additional planting plans for the sixth floor urban agriculture terrace and seventh floor private patio planters;
- (xxxii) provide large-scale sections (1/8"= 1'-0" or 1:100) illustrating the planter depths for the second, sixth and seventh floor all garden terraces;
- (xxxiii) provide large-scale sections (1/4"= 1'-0" or 1:50) illustrating the townhouse to public realm interface along 1st Avenue as well as the interface between the townhouses and the childcare terrace with the pocket park; the sections should include planter walls, stairs, gates, guardrails, landscaping, soil depth, including any underground structures, patios and privacy screens;

Trees

- (xxxiv) protect trees and planting from vehicular impacts by providing metal tree surrounds, bollards or low curbs as needed; modify or stagger overhead canopies, where necessary, if trees can be provided to inner boulevard;

Water Efficiency and Stormwater Management

- (xxxv) provide a notation on the landscape plans regarding the methods to be used for reducing the use of potable water for irrigation (e.g., high efficiency irrigation, moisture sensing, special soils and mulching, use of drought-tolerant plants, provision of a stormwater cistern);
- (xxxvi) design development to meet the LEED™ Canada 1.0 stormwater management credits (Sustainable Sites Credits 6.1 and 6.2); stormwater treatment/storage

facilities should be integral to the open space design; detailed technical drawings to be submitted at time of development permit application;

- (xxxvii) design development to significantly limit the use of potable water for irrigation through the provision of a stormwater cistern system; indicate on the architectural plans of the size, location and capacity of the cistern;

Note to Applicant: Provide cistern(s) separated from the potable water system (dual system), sized properly to reduce annual overall building water use for the irrigation of the ground-level common open spaces and public realm landscaping, and sized for the summer drought periods. Strong consideration should be given to maximizing the function of the cistern by using cistern water for landscape irrigation in the water-deficit periods and for toilet flushing during the water-surplus periods, allowing the cistern to circulate supply regularly. Where it is prohibitive to service outdoor patios with stored cistern water, the potable water system should be directed to required patio hose bibs. This system is to be designed in coordination with Building /Plumbing Code Processing.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- (xxxviii) design development to take into consideration the principles of CPTED having particular regard for:
- theft in the underground,
 - improving visibility in the underground, and
 - mail theft;

SOCIAL PLANNING

- (xxxix) design development to ensure that indoor amenity rooms comply with the High Density Housing for Families Living With Children Guidelines;

Note to applicant: An accessible washroom, kitchenette and storage should be provided in multi-purpose amenity rooms. Consideration should be given to locating amenity rooms adjacent to shared outdoor amenity space.

ENGINEERING

- (xl) undergrounding of all new utility services from the closest existing suitable service point; all services, in particular electrical transformers accommodating a primary service, must be located on private property; the development site is not to rely on secondary voltage from the existing overhead network; any alterations to the existing underground/ overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch; early contact with the Utilities Management Branch is encouraged;

(xli) provide for a minimum 3% of residential parking stalls with 120 V AC single phase outlets (per section 86 of the Canadian Electrical Code) with provision for future expansion to 15% of all residential parking stalls to allow for charging of e-vehicles and scooters;

(xlii) provide for SEFC public realm treatments adjacent to the site;

Note to Applicant: Engineering will seek a copy of the finalized landscape plan for review and record purposes.

(xliii) provide three streams of waste removal for the development (regular garbage, recyclable materials and organics); the development site is to provide adequate space to accommodate the three streams of waste removal; include fully outfitted areas that can be made active upon implementation of organics collection system;

(xliv) provide for the applicants' "best commercial effort" to secure a single operator for waste removal from the site;

(xlv) building space heating and domestic hot water design is to include provision for connections to, be compatible with, and maximize efficiency of, the "False Creek Neighbourhood Energy Utility";

Note to Applicant: The ETS room shall be located at the basement or ground level, preferably at or adjacent to an outside wall with suitable space for the installation of the NEU system ETS equipment, and with adequate provision for connection to outside NEU distribution piping and communications conduit all to the satisfaction of the General Manager of Engineering Services. The developer shall make available use of sewer and potable water piping in each ETS room. The ETS room shall be ventilated as required by the Vancouver Building Bylaw and heated during the winter to minimum 15°C. The developer must provide a dedicated 15 amp 120V, 60 Hz single-phase electrical service for operation of the ETS, all to the satisfaction of the GMES. Please contact Chris Baber, NEU Project Manager at 604-871-6127 or chris.baber@vancouver.ca.

(xlvi) provide details of the flow rates to be transmitted to the site's stormwater connection(s);

ENVIRONMENTAL SUSTAINABILITY

(xlvii) for all buildings, achieve the SEFC Green Building Strategy (as outlined in Appendix F of the September 14, 2006 Policy Report for the CD-1 rezoning of the Olympic Village) and meet a minimum LEED™ Gold Canada Certified standard (with a target of no less than 42 points, including City of Vancouver prerequisites) (with full LEED™ registration and documentation) or equivalency; registration with the Canada Green Building Council (CaGBC) is required for all buildings; the applicant must submit full documentation, including initial

certified design credits, required for LEED™ certification to the City for verification prior to issuance of a long-term occupancy permit;

Note to applicant: The City encourages the applicant to complete full LEED™ certification for LEED™ Gold with the CaGBC.

Energy

- (xlviii) provide energy efficient design and show modeling results that meet or exceed the CBIP (Commercial Buildings Incentive Program) standard for energy efficiency;
- (xlix) provide full building design to meet ASHRAE 90.1 2004 in its entirety (with the exception of outright energy efficiency, which is covered under provision “xlviii”, above, including:
 - improved envelope options such as “continuous insulation”, increased R values, and thermal breaks for balconies and slab extensions,
 - energy-efficient lighting,
 - air exchange effectiveness,
 - full best-practice building systems commissioning,
 - daylighting, and
 - provision of vestibules where necessary;

Note to Applicant: A letter, from a professional engineer trained in building commissioning, outlining provision for this service to be submitted at the time of application for Building Permit.

- (l) provide vertical glazing to a maximum of 40% or provide additional thermal measure such as low-e glass to compensate for the additional heat loss;
- (li) provide roughed-in capacity for future individual suite metering for energy and water use;
- (lii) provide climate zone control for residential and live-work units that is compatible with the False Creek Neighbourhood Energy Utility;
- (liii) no natural gas fireplaces are to be installed within dwelling units; ornamental, non-combustion fireplaces are permitted if they are not heat producing;

Note to Applicant: All fireplaces are discouraged. A letter from a professional engineer outlining any provision for ornamental fireplaces is to be submitted at the time of application for Building Permit.

In-Building Water Efficiency

- (liv) provide low-water-use plumbing fixtures at or below 1.8 gpm for faucets and showerheads and 6L/3L dual flush toilets; specify in-suite water-conserving appliances and building equipment (meeting Energy Star requirements);

Note to Applicant: A letter from a professional engineer outlining provision for these features to be submitted at the time of Building Permit application.

Urban Agriculture

- (lv) design development to provide opportunities for urban agriculture, in particular shared garden plots and edible landscaping, in each of the affordable and market housing buildings, including, where possible, wheelchair-accessible garden plots for use by people with disabilities;

Note to applicant: Approximately 30% of the units without access to private outdoor space of 100 sq. ft. or more should have access to a shared garden plot. Plots should be approximately 24 sq. ft. in size and located to maximize solar access, so as to be productive and viable. Ancillary programming should also be provided, including composting, tool storage and irrigation. Consideration should be given to locating urban agriculture with other shared outdoor amenity spaces and programming for a synergy of uses.

Building Durability

- (lvi) provide high quality, durable architectural materials and detailing to meet or exceed CSA Guidelines on Durability in Buildings;

Waste Management

- (lvii) provide a Construction and Demolition Waste Management Plan at the time of application for Building Permit ensuring that a minimum of 75% landfill diversion through the construction process;

Note to Applicant: Submit a Construction and Demolition Waste Management Plan. Follow the waste management requirements in LEED™ Canada 1.0 Materials and Resource Credit 2.

UNIVERSAL DESIGN

- (lviii) applicant to work with a Universal Design consultant to achieve the objectives for Universal Design in reference to “The Safer Home Certification Criteria” as outlined in Appendix H of the September 14, 2006 Policy Report for the CD-1 rezoning of the Olympic Village.

AGREEMENTS

- a. THAT, prior to enactment of the by-law to amend the CD-1 By-law, the registered owners shall, at no cost to the City make arrangements for the following, on terms and conditions satisfactory to the Director of Legal Services:

ENGINEERING

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, in consultation with the Director of Planning, for:
 - a. the provision, operation, and maintenance of co-operative vehicles and the provision and maintenance of parking spaces for use exclusively by such co-operative vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law; and
 - b. designation of visitor or surplus parking spaces which are publicly accessible for future use by co-operative vehicles, with such spaces not to be in addition to required parking for residents or visitors;

all as outlined in the table below:

| Dwelling Units | Co-operative Vehicle | Co-operative Vehicle Parking Space | Future Converted Co-operative Parking Space |
|--|----------------------|------------------------------------|---|
| 1 - 49 | None | None | 1 |
| 50 - 149 | 1 | 1 | 1 |
| 150 - 249 | 2 | 2 | 2 |
| 250 - 349 | 2 | 2 | 3 |
| Each additional 100 units or portion thereof | +0 | +0 | +1 |

- (ii) consolidation of Lot 317 with Lot 316. Consolidation prior to issuance of Development Permit is required.
- (iii) release of any redundant charges on title of Lot 317.
- (iv) provision of a 1.0 m by 1.0 m corner cut at the southeast corner of Lot 317 is required. (A surface right of way is required).

SOILS

- (v) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (vi) execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance have been provided to the City by the Ministry of Environment;

HOUSING

- (vii) execute revised agreements, satisfactory to the City Manager and the Director of Legal Services, ensuring development of a total of at least 21 151 m² (227,673 sq. ft.) of floor area on Parcels 2, 5, 9 and Lot 317 for Affordable Housing as defined in the South East False Creek Official Development Plan, such proposed floor space to be sufficient to accommodate a minimum of 250 Affordable Housing units of which 50% of all Affordable Housing units must be designed for families with children.

PUBLIC ART

- (viii) execute a revised agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs, for the provision of public art in accordance with the City's Public Art Policy and the SEFC Public Art Plan, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials.

COMMUNITY AMENITY CONTRIBUTION

- (ix) the agreed Community Amenity Contribution in the amount of \$522,215 is to be paid to the City, on terms and conditions acceptable to the Director of Legal Services.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, 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 draft consequential amendments to the Southeast False Creek Official Development Plan ("SEFC ODP"), generally as presented in Appendix C to Policy Report "CD-1 Rezoning of 125 West 1st Avenue (Lot 317) by Plan and Text Amendments to Olympic Village CD-1 By-law No. 9454 (#454)" dated May 8, 2007, be approved;

C. THAT Recommendation A & B be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the 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. CD-1 REZONING: 1409-1477 West Pender Street

An application by Jim Hancock, IBI/HB Architects was considered as follows:

Summary: To rezone the site from DD (Downtown District) to CD-1 (Comprehensive Development District) to permit a mixed-use project containing a 36-storey residential tower, a 10-storey mid-rise residential building, commercial uses at grade across the entire site, and a five-storey podium containing live-work units. The maximum floor space ratio would be increased to 10.66 and maximum building height increased to 107.4 m (352.2 ft.).

The Director of Planning recommended approval, subject to conditions as set out in the agenda of the Public Hearing.

Staff Opening Comments

Phil Mondor, Rezoning Planner, provided a review of the application, and advised after hearing from speakers he would comment on letters received to date expressing concerns with the proposed restaurant use and sunlight access impacts resulting from the proposed five-storey podium. Mr. Mondor, along with Ralph Segal, Senior Development Planner, and Brent Toderian, Director of Planning, responded to question from Council regarding the LED silver rating, shadowing issues on the Dockside building, amenity contributions, potential for daycare and affordable housing, traffic impacts and the rationale for staff's support of live/work residences.

51, 85, 199 and 215 West 1st Avenue
1599 and 1651 Ontario Street
1598 and 1650 Columbia Street

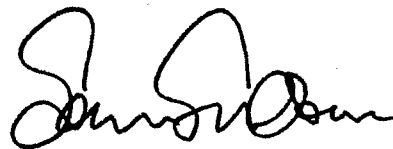
BY-LAW NO. 9622

A By-law to amend CD-1 By-law No. 9454

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. From section 7.3 of By-law No. 9454, Council strikes out "30.0", and substitutes "40.5".
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 1st day of April, 2008



Mayor



City Clerk

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Ladner

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 8 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments) (By-law No. 9616)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 1)
2. A By-law to amend Sign By-law No. 6510 (re miscellaneous text amendments) (By-law No. 9617)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 2)
3. A By-law to amend CD-1 By-law No. 9116 (re miscellaneous text amendments) (By-law No. 9618)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 3)
4. A By-law to amend CD-1 By-law No. 9588 (re miscellaneous text amendments) (By-law No. 9619)
(Councillors Capri, Ladner, Louie and Stevenson ineligible to vote on By-law 4)
5. A By-law to amend Vancouver Development Cost Levy By-law No. 8149 regarding community energy centres (By-law No. 9620)
6. A By-law to amend Area Specific Development Cost Levy By-law No. 9418 regarding community energy centres (By-law No. 9621)
7. A By-law to amend CD-1 By-law No. 9454 (re the Olympic Village) (By-law No. 9622)
(Councillors Deal and Lee ineligible to vote on By-law 7)
8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 801 West Georgia Street) (By-law No. 9623)

Speakers

The Mayor called for speakers for and against the application.

Ron Bain, Chair, Southeast False Creek Stewardship Group, spoke in support of the text amendment, noted the benefit of passive solar devices, and requested staff consider this a guideline to be incorporated into the City's overall building strategy in future.

Leslie Stern, Affordable Housing, suggested the increased bulk and living space achieved by the added capacity, if approved, be used for affordable housing to achieve a better social mix and allow people to live and work in the same neighbourhood. Ms. Stern also suggested monies from amenity contributions be put toward the design of park space.

Council Decision

MOVED by Councillor Capri

THAT, the application by the Director of Planning to amend CD-1 By-law No. 9454 generally in accordance with Appendix A to Policy report "CD-1 Text Amendment – 51-85 and 199-215 West 1st Avenue, 1599 -1651 Ontario Street and 1598 -1650 Columbia Street (Olympic Village site)" dated January 30, 2007 be approved.

CARRIED UNANIMOUSLY

5. TEXT AMENDMENT: 1598 Columbia Street (Olympic Village - Parcel 4)

An application by Nick Milkovich Architects Inc. was considered as follows:

Summary: To amend the Olympic Village CD-1 to increase the permitted building height from 30.0 m to 40.5 m (98 ft. to 133 ft.) allowing a better form of development for this waterfront parcel.

The Director of Planning recommended approval.

Also before Council was the following:

- Memorandum dated April 12, 2007, from M. Naylor, Rezoning Planner, which submitted a further recommendation as noted below:

THAT Council accept the offer from Millennium Southeast False Creek Properties Ltd. to make an amenity contribution of \$225,000 to be put toward the cost to design and develop a triangle open space along the Southeast False Creek waterfront, and that receipt of payment of the contribution be secured prior to enactment of the by-law to amend the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

Staff Opening Comments

Michael Naylor, Rezoning Planner, Rezoning Centre, provided an overview of the application and drew Council's attention to the recommendation contained in the above-referenced memorandum.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following raised concerns related to the Community Demonstration Garden portion of the development:

Elaine Stevens, member, Southeast False Creek Stewardship Group
Ron Bain, Chair, Southeast False Creek Stewardship Group (material filed)
Leslie Stern, Affordable Housing

Points raised included:

- restore the relationship of the Garden and the Community Centre intended in the ODP;
- provide the Garden access to sun, particularly morning sun which is critical to growing food;
- protect the Garden from extreme exposure to winds;
- place the Garden in parkland on a site that is closer to the public greenway and Science World so it will be seen by more visitors;
- the original vision for this area was a mix of incomes and demonstrating sustainability for the entire city; and
- authorize City staff to carry out reassessment for both locations together with the SEFC Stewardship Group and the gardening community stakeholders in the spirit of the work initiated in "Designing Urban Agriculture Opportunities."

Applicant Comments

In response to questions from Council related to the space between the two buildings, Nick Milkovich, Nick Milkovich Architects Inc., advised it is not the intent to gate the development on the south side and noted rest areas are provided at either end of the proposed water features.

Staff Closing Comments

In response to questions from Council, Jody Andrews, Project Manager, Southeast False Creek and Olympic Village, Karis Heibert, Senior Planner, South East False Creek (shadow study material distributed at meeting and on file), Trish French, Assistant Director, Central Area Planning, and Vicki Morris, Senior Social Planner, provided comments in regard to issues

raised by the foregoing speakers and provided the rationale for continuing with excavation for the garden at its present location.

Mr. Andrews recommended staff continue discussions with representatives from the SEFC Stewardship Group and the gardening community, while monitoring this garden, which will provide detailed operating experience in preparation for future garden plans in Area 3a.

Council Decision

MOVED by Councillor Ladner

- A. THAT the application by Nick Milkovich Architects Inc. on behalf of Millennium Southeast False Creek Properties Ltd. and the City of Vancouver to amend CD-1 By-law No. 9454 to increase the maximum building height for 1598 Columbia Street, generally in accordance with Appendix A to Policy report "CD-1 Text Amendment - 1598 Columbia Street (Parcel 4 of Olympic Village site)" dated March 2, 2007 be approved.
- B. THAT the consequential amendment to the Southeast False Creek Official Development Plan (SEFC ODP) generally as presented in Appendix B of the above noted report be approved.
- C. THAT a revised form of development for Parcel 4 of Olympic Village (1598 Columbia Street) be approved by Council in principle, generally as shown in Appendix C of the above-noted report and in posted drawings prepared by Nick Milkovich Architects Inc., provided that the Director of Planning or the Development Permit Board, as the case may be, may allow minor alterations to this form of development when approving the detailed scheme of development.
- D. THAT prior to final approval by Council of the form of development for Parcel 4, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board.
- E. THAT Council accept the offer from Millennium Southeast False Creek Properties Ltd. to make an amenity contribution of \$225,000 to be put toward the cost to design and develop a triangle open space along the Southeast False Creek waterfront, and that receipt of payment of the contribution be secured prior to enactment of the by-law to amend the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

CARRIED UNANIMOUSLY

6. REZONING: 5429-5439 Willow Street

An application by Stuart Howard Architects Inc. was considered as follows:

Summary: To rezone the site from RS-1 (single family residential) to CD-1 (Comprehensive Development) to permit a 10-unit townhouse development.

Special needs residential facilities

BY-LAW NO. 9674

A By-law to amend CD-1 By-law No.'s 3869, 3897, 4271, 4580, 4634, 4671, 5343, 6041, 6070 6072, 6919, 7114, 7193, 7196, 7204, 7210, 7461, 7647, 7679, 7682, 7723, 7852, 8055, 8088, 8111, 8326, 8369, 8457, 8479, 8546, 8880, 9190, 9204, 9454, 9463, 9573, 9594, and 9600

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

- From each of the CD-1 by-laws listed in Column 1 of Table 1, Council strikes out, from each of the sections listed in Column 2, the words set out in Column 3, and variations of those words, and substitutes the words set out in Column 4:

Table 1

| Column 1 | Column 2 | Column 3 | Column 4 |
|----------|------------------|--|---|
| 3869 | 2 (b) 5.1 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 3897 | 2 (c) 6 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 4271 | 2 (a) | special needs residential facility (Community Care Facility) | Community Care Facility |
| 4580 | 3.1 | Special Needs Residential Facility: Community Care Facility | Community Care Facility |
| 4634 | 2 (e) | special needs residential facility (community care facility) | community care facility |
| | 3 Table A | Special Needs Residential Facilities (Community Care Facilities) | Community Care Facilities |
| | 4(c) | special needs residential facility | community care facility |
| 4671 | 2.2 (a) | Special Needs Residential Facility - Community Care - Class B, and Special Needs Residential Facility - Group Living | Community Care Facility - Class B and Group Residence |
| 5343 | 2 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |

| | | | |
|------|-------------|---|---|
| 6041 | 2 (c) | Special needs residential facility - community care - Class B | Community care facility - class B |
| 6070 | 2 (a) (iii) | special - needs residential facility | community care facility or group residence |
| 6072 | 2 (b) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 6919 | 2 (a) | Special Needs Residential Facility (Community Care Facility) | Community Care Facility |
| 7114 | 2 (b) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 7193 | 2 (a) | Special Needs Residential Facility - Community Care | Community Care Facility |
| 7196 | 2 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 7204 | 10 (b) (iv) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 7210 | 2 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 7461 | 6.4 (b) | and special needs residential uses | community care facilities and group residences |
| 7647 | 2.1 (a) | Special Needs Residential Facilities | of the following: Community Care Facilities or Group Residences |
| 7679 | 4.1 (d) | and Special Needs Residential Facility | , Community Care Facility and Group Residence |
| 7682 | 2 (e) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| | 10 (d) | Special Needs Residential Facility | Community Care Facility |
| 7723 | 2 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 7852 | 2.1 (b) | Special Needs Residential Facility - Class B | Community Care Facility - Class B |
| | 5 | Special Needs Residential Facility | Community Care Facility |
| 8055 | 2 (a) | Special Needs Residential Facility | Community Care Facility and Group Residence |
| 8088 | 2 (b) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |

| | | | |
|------|--------------|---|---|
| 8111 | 2 (a) 5.1 | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 8326 | 2 (b) | Special Needs Residential Facility - Group Living | Group Residence |
| 8369 | 2 (a) | Special Needs Residential Facility - Community Care - Class B | Community Care Facility - Class B |
| 8457 | 2 (b) | Special Needs Residential Facility - Community care - Class B | Community Care Facility - Class B |
| 8479 | 2 (b) | Special Needs Residential Facility - Group Living | Group Residence |
| 8546 | 2.2 (b) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 8880 | 3 | Special Needs Residential Facility | Community Care Facility, Group Residence |
| 9190 | 3 (c) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 9204 | 3 (b) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 9454 | 3.2 (c) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 9463 | 3.2 (b) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 9573 | 2.2 (b) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 9594 | 3.2 (c) | and Special Needs Residential Facility | Community Care Facility and Group Residence |
| 9600 | 3.2 (b) | and Special Needs Residential Facility | Community Care Facility and Group Residence |

2. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 24th day of June, 2008

Mayor

City Clerk

EXPLANATION

A By-law to amend certain CD-1 By-laws re special needs residential facilities

After the public hearing on June 10, 2008, Council resolved to amend certain CD-1 By-laws to refer to community care facilities rather than special needs residential facilities. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services
June 24, 2008

17. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 2978 West 5th Avenue) (By-law No. 9687)**
(Councillors Ball, Cadman and Louie ineligible to vote)
18. **A By-law to designate certain real property as protected heritage property (re 2978 West 5th Avenue) (By-law No. 9688)**
(Councillors Ball, Cadman and Louie ineligible to vote)

MOVED by Councillor Lee
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 3 to 7, 9, 10 and 16, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. **A By-law to amend Zoning and Development By-law No. 3575 (re special needs residential facilities) (By-law No. 9673)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
4. **A By-law to amend certain CD-1 By-laws re special needs residential facilities (By-law No. 9674)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
5. **A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re special needs residential facilities) (By-law No. 9675)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
6. **A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re special needs residential facilities) (By-law No. 9676)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
7. **A By-law to amend By-law No. 9488 Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts (re special needs residential facilities) (By-law No. 9677)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
9. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 125 Boundary Road) (By-law No. 9679)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)
10. **A By-law to designate certain real property as protected heritage property (re 125 Boundary Road) (By-law No. 9680)**
(Councillors Anton, Ball, Capri and Louie ineligible to vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Deal

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Anton
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1, 2, 8, 11, 12, 14, 15, 17 and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

1. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$5,722.78 for certain local improvement lane lighting projects, and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9671)**
2. **A By-law to contract a debt by the issue and sale of debentures in the aggregate principal amount of \$554,777.99 for certain local improvement street work projects, including pavement, curbs, trees and bulges, and lane pavement and for imposing an annual special rate on real property specially benefited by such local improvements (By-law No. 9672)**
8. **A By-law to amend Parking By-law No. 6059 (re special needs residential facilities) (By-law No. 9678)**
11. **A By-law to amend Subdivision By-law No. 5208 regarding miscellaneous amendments (By-law No. 9681)**
12. **A By-law to amend Parking By-law No. 6059 (re bicycle spaces) (By-law No. 9682)**
14. **A By-law to amend Subdivision By-law No. 5208 (re 5475 Dunbar Street and 3625 and 3641 West 39th Avenue) (By-law No. 9684)**
15. **A By-law to amend CD-1 By-law No. 8131 (re Great Northern Way Campus) (By-law No. 9685)**

4. TEXT AMENDMENT: SNRF ZONING AND DEVELOPMENT BY-LAW REVISIONS

An application by the Director of Planning was considered as follows:

Summary: To amend the definitions of Special Need Residential Facilities (SNRF) in the Zoning & Development By-law and make consequential changes to the Zoning & Development By-law and relevant CD-1 By-laws; amend references in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws; and amend the Parking By-law. These are housekeeping amendments to update the definitions.

The Directors of Social Planning, Planning, Development Services, Housing Centre, Legal Services, and General Manager of Engineering Services recommended approval.

Also before Council was a memorandum from Anne Kloppenborg, Social Planning, dated May 20, 2008, which noted an addition to Appendix B of the Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines" dated April 15, 2008, in order to conform with the draft By-laws prepared by staff.

Staff Opening Comments

Anne Kloppenborg, Social Planning, reviewed the application, including the memo distributed with the agenda package for the Public Hearing.

Summary of Correspondence

No correspondence had been received on this application since referral to Public Hearing.

Speakers

Sister Elizabeth Kelliher and Johnn Olldym spoke in opposition to the application.

Council Decision

MOVED by Councillor Chow

- A. THAT the application to:
 - i) amend the definitions of Special Needs Residential Facilities in section 2 of the Zoning and Development By-law, and make the necessary consequential changes to the Zoning and Development By-law and to the CD-1 By-laws listed in Appendix A; and
 - ii) amend references to "Special Needs Residential Facilities" in the Downtown Eastside/Oppenheimer, Rental Housing Stock and First Shaughnessy Official Development Plan By-laws,

generally in accordance with Appendix A and B to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008, be approved with the following changes to Appendix B noted in the Memorandum dated May 20, 2008, from Anne Kloppenborg, Social Planning:

In Section 1.1 of the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts, delete *special needs residential facility* and substitute *community care facility or group residence*; and in Section 2.5, delete the reference to *Special Needs Residential Facility Guidelines* and substitute *Community Care Facility and Group Residence Guidelines*.

- B. THAT Council approve amendments to the Parking By-law, generally in accordance with Appendix C to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.
- C. THAT if approved at Public Hearing, the by-laws be accompanied at the time of enactment by the Community Care Facilities and Group Residences Guidelines and the Application Procedures for Development Permits for Community Care Facilities and Group Residences, as outlined in Appendix D to Policy Report "Special Needs Residential Facilities: Amendments to Definitions and Guidelines", dated April 15, 2008.

CARRIED UNANIMOUSLY