

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
J. Olinek, Urban Design & Development Planning
C. Chant, Engineering Services

Also Present:

K. Spaans, Urban Design & Development Planning
K. Hsieh, Development Services
S. Farmand, Landscape Planning
T. Lam, Housing Review
P. Fouladianpour, Development Services

APPLICANT:

Skyllen Pacific Real Estate Ltd.
430-1650 W. 2nd Ave.
Vancouver BC
V6J 1H4

PROPERTY OWNER:

Skyllen Pendrell Holding Ltd.
430-1650 W. 2nd Ave.
Vancouver BC
V6J 1H4

EXECUTIVE SUMMARY

- **Proposal:** To develop on this site an 18-storey multiple dwelling building (109 units) and two 3-storey secured market rental multiple dwelling buildings (16 units), all over 4 levels of underground parking having vehicular access from the rear lane. Including a 10% Heritage Density Transfer from a donor site located at 40 Powell St.

See Appendix A Standard Conditions
Appendix B Standard Notes and Conditions of Development Permit
Appendix C Plans and Elevations
Appendix D Applicant's Design Rationale
Appendix E Shadow Studies

● **Issues:**

1. Compliance with separation requirements of 121.9m for taller buildings;
2. Neighbourhood contextuality and fit; and
3. Shadowing of neighbourhood to the north.

- **Urban Design Panel:** Resubmission Recommended with comments addressed (7-3)
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DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DP-2020-00054 submitted, the plans and information forming a part thereof, thereby permitting, to develop on this site an 18-storey multiple dwelling building (109 units) and two 3-storey secured market rental multiple dwelling buildings (16 units), all over 4 levels of underground parking having vehicular access from the rear lane, including a 10% Heritage Density Transfer from a donor site located at 40 Powell Street., subject to the following conditions:

1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:

- 1.1 design development to present a more contextually sympathetic relationship with the neighbouring community, and particularly the Davie Village and Mole Hill as follows:
- i. relocating the tower further back on the site to reduce its apparent prominence when viewed from the Pendrell Street, and to further mitigate the impacts of shadowing on residential areas to the north;
 - ii. design development to the uppermost floors of the building as follows:
 - a. introducing stepping or other modulation to formally define a building crown, giving consideration to visual interest from multiple aspects, and as a means to further reduce the impacts of shadowing on the residential areas to the north; and
 - b. exploring opportunities to use light, change of material, glazing, or other architectural design strategies to add visual interest when viewed from Davie Street.

Note to Applicant: the top of the proposed building will be highly visible from Davie Street even with redevelopment of the property to the south. Consideration should be given to its potential impact to the character of the Davie Village, and to the skyline of the West End as a whole, at all hours of the day.

- 1.2 design development to the low-rise buildings to better relate in scale, materiality, and general architectural expression with the heritage houses of Mole Hill;

Note to Applicant: while duplication or mimicry of the heritage houses is not required or recommended, designing the low-rise buildings to correlate with these important community assets will help to better define the development site as a part of the established West End community. Strategies to consider may include:

- a. matching the overall proportions of the heritage houses (height, width, location of openings, etc.);
- b. reinterpreting the Late-Victorian / Edwardian vernacular form of the houses into a contemporary architectural expression;
- c. specifying a material and / or finish palette reflective of that used on the houses; and/or
- d. any similar architectural design strategy intended to present a form and expression that is visually small-scale residential in nature.

- 1.3 provision of revised shadow studies which accurately demonstrate that the proposed building form performs as well or better than that generally anticipated on this site by the *West End Community Plan* and the *Design Guidelines*, and which demonstrate that the proposed tower does not, at any time between the Equinoxes, shadow Nelson Park to the north;

Note to Applicant: while staff recommend that the Development Permit Board exercise its authority to relax the provisions for high building separation in subsection 4.3 of the *Design Guidelines*, staff do not support any additional shadowing whatsoever of Nelson Park by the subject application. Further review of the applicants' response to this condition may result in additional design development conditions.

- 2.0 **That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.**
- 3.0 **That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.**

• Technical Analysis:

Technical Review For: 1116 Pendrell St.				DP-2019-00054		Zone:RM-5B	
Metric	Permitted/Required			Proposed			
Site Area ¹	n/a			2,810.90 sq. m			
Use ²	Multiple Dwelling Secured Market Rental			Multiple Dwelling: Secured Market Rental			
Yards ³	<u>Outright Minimum</u>						
	Front (Pendrell)	3.7	m			4.6	m
	Rear (See-Em-la Lane)	2.1	m			0.9	m
	Side (south east)	2.1	m			0.0	m
	Side (north west)	2.1	m			2.1	m
	Front, Rear, Side – DOP discretion						
Height ⁴			<u>Maximum</u>				
	Outright	18.3	m				
	DOP Discretion	58.0	m	Top of Roof Parapet	54.47	m	
View Cone				complies			
FSR ⁵			<u>Maximum</u>				
	DOP Discretion	2.75	FSR	Market Rental		0.34	FSR
	10% Heritage Density Transfer	0.28	FSR	Strata	2.72		FSR
	Total:	3.03	FSR	Total:	3.06		FSR
Floor Area ⁵							
	DOP Discretion	7,729.9	sq. m	Market Rental		949.4	sq. m
	10% Heritage Density Transfer	773.0	sq. m	Strata		7,651.0	sq. m
	Total:	8,502.9	sq. m	Total:	8,600.3		sq. m
Exclusions			<u>Maximum</u>				
	Amenity (10%)	860.03	sq. m			126.3	sq. m
	Storage (3.7 m ² per unit)	462.5	sq. m			440.5	sq. m
	Thermal + Rain screen	172.0	sq. m			92.4	sq. m
	Open Balconies (12%)	1,032.0	sq. m			1,105.6	sq. m
Dwelling Unit Type ⁶			<u>Minimum</u>	<u>Rental</u>	<u>Strata</u>	<u>All</u>	<u>%</u>
	Studio			3	0	3	2%
	1 bedroom			7	69	76	61%
	2 bedroom			6	37	43	34%
	3+ bedroom			0	3	3	2%
				16	109	125	100%
	Rental 2+ bedrooms					6	38%
	Site Total						
2+ bedrooms	35%	44 units			46	37%	

Continued...

Metric	Permitted/Required				Proposed			
Horizontal Angle of Daylight⁷	50° at 4.0m distance / Habitable Room				confirmation of compliance			
Site Coverage⁸		50%	<u>Maximum</u> 1,405.5	sq. m		34%	958.9	sq. m
Acoustic⁹					confirmation of compliance			
Parking¹⁰	Residential		<u>Minimum</u> 73	sp.			155	sp.
	Accessible:		7	sp.	5 physical spaces		10	sp.
	Visitor:		6	sp.			4	sp.
		Total:	86	sp.			169	sp.
	Standard		58	sp.			165	sp.
	Small	25%	<u>Maximum</u> 22	sp.			0	sp.
Loading¹¹	Class	<u>A</u>	<u>B</u>	<u>C</u>		<u>A</u>	<u>B</u>	<u>C</u>
		0	1	0		0	1	0
Bicycle¹²			<u>A</u>	<u>B</u>			<u>A</u>	<u>B</u>
			234	7			235	3
	<u>Class A size/type</u>		<u>Minimum</u>					
	Horizontal		129				164	
	Oversized	5%	12				12	
	Lockers	10%	23				25	
	Vertical	30%	<u>Maximum</u> 70				34	
Vertical + stacked	60%	140				none		
Passenger Loading¹³	Class	<u>A</u>	<u>B</u>	<u>C</u>		<u>A</u>	<u>B</u>	<u>C</u>
		1	0	0		0	0	0

Notes:

- Note on Site Area:** Site area is based on the provided site survey and prior to any consolidations.
- Note on Use:** This application is proposing 16 Market Rental dwelling units through the Rental 100 Policy, and 109 strata units. In accordance with Section 3.3.4 of the RM-5 B District Schedule, this new development must enter into a housing agreement, satisfactory to Council, securing a one for one replacement of existing rental housing units with dwelling units. Standard condition A.1.31 seeks confirmation of this legal registration.
- Note on Yards:** This application proposes a compliant front yard of 4.6m and one side yard (northwest) of 2.1m. The application seeks a variance for the southwest side yard of 2.1m measured from the property line to the vehicular ramp, and the rear yard of 1.2m, measured from the property line to the parkade stairs. The annotated yards on the project summary and site plan

illustrate the required setbacks rather what is proposed. Standard Condition A.1.6 seeks coordinated and matching yard information and removal of development (trellis) in the front yard.

4. **Note on Height:** Height is calculated to the top of stair roof parapet. This application seeks a discretionary height increase to approx. 54.5m in accordance with Section 4.3 (Height) of the RM-5 B District Schedule, which allows the Director of Planning or the Development Permit Board to permit an increase to a maximum of 58.0m. A view cone analysis was completed and confirmed the development does not intrude into any view cones.
5. **Note on Floor Space Ratio:** This application seeks an FSR increase in accordance with Section 4.7.1 (a) 4.7.7, RM-5 B District Schedule, which allows the Director of Planning or the Development Permit Board to vary FSR from 1.0 to 2.75 FSR. This application also seeks an additional 10 % floor area from a heritage density transfer. Standard Condition A.1.7 seeks compliance with the 3.03 FSR and Standard Condition A.1.24 seeks confirmation of donor site.

Areas covered by trellises, and parking access above grade are considered floor area and account for the overage in FSR of approximately 97.0 sq. m. In addition, proposed FSR exclusions for open balconies (max. 12%) and above grade storage (max. 3.7 sq. m. per unit) exceed the maximum permitted. Standard Condition A.1.7 seeks compliance with the 3.03 FSR and Standard Condition A.1.24 seeks confirmation of donor site.

6. **Note on Dwelling Unit Type:** 3 Studio, 76 one-bedroom, 43 two-bedroom, and 3 three-bedroom dwelling units are proposed and this meets the required 35% of dwelling units being two or more bedrooms. Unit RC-102 in west rental building is labelled as a studio unit, but is illustrated as an one-bedroom unit. Standard condition A.1.13 seeks correction of labelling and A.1.8 confirmation of unit type and sizes.
7. **Note on Horizontal Angle of Daylight (HAD):** HAD is not illustrated on the drawings. Standard condition A.1.9 seeks confirmation of compliance with HAD requirements.
8. **Note on Site Coverage:** Application notes a proposed site coverage of 34% but illustrates a different percentage of site coverage. Standard condition A.1.10 seeks illustration of compliance for site coverage and coordinated drawings and data.
9. **Note on Parking Spaces:** Required parking was calculated per Sections 4.3.3, 4.3.4 and 4.8.4. Total parking spaces proposed exceeds the required site total parking, but does not meet the required accessible and visitor parking spaces. Standard condition A.1.12 seeks compliance with accessible and visitor parking requirements.
10. **Note on Loading Spaces:** Required loading space was calculated per Section 5.2.1. The proposed one Class B loading space complies with loading requirements, but is not compliant with size requirements. Refer to Engineering standard condition A.2.2 i.
11. **Note on Bicycle Spaces:** Required bicycle parking was calculated per Section 6.2.1.2, which calculates the required number of spaces based on the dwelling unit size. This application illustrates a total of 235 bicycle spaces which meets the minimum required number of spaces. The illustrated bicycle spaces do not match the project data. Standard condition A.1.12 seeks updated and matching project data, and confirmation of unit sizes.
12. **Note on Passenger Spaces:** Required passenger loading was calculated per Section 7.2.1. One Class A passenger loading space is required. No passenger loading space is proposed. Standard condition A.1.12 seeks compliance with required loading space.

• **Legal Descriptions:**

Lot: 3 Lot: 1
 Block: 24 Block: 24
 District Lot: 185 District Lot: 185
 Plan: 92 Plan: EPP90398

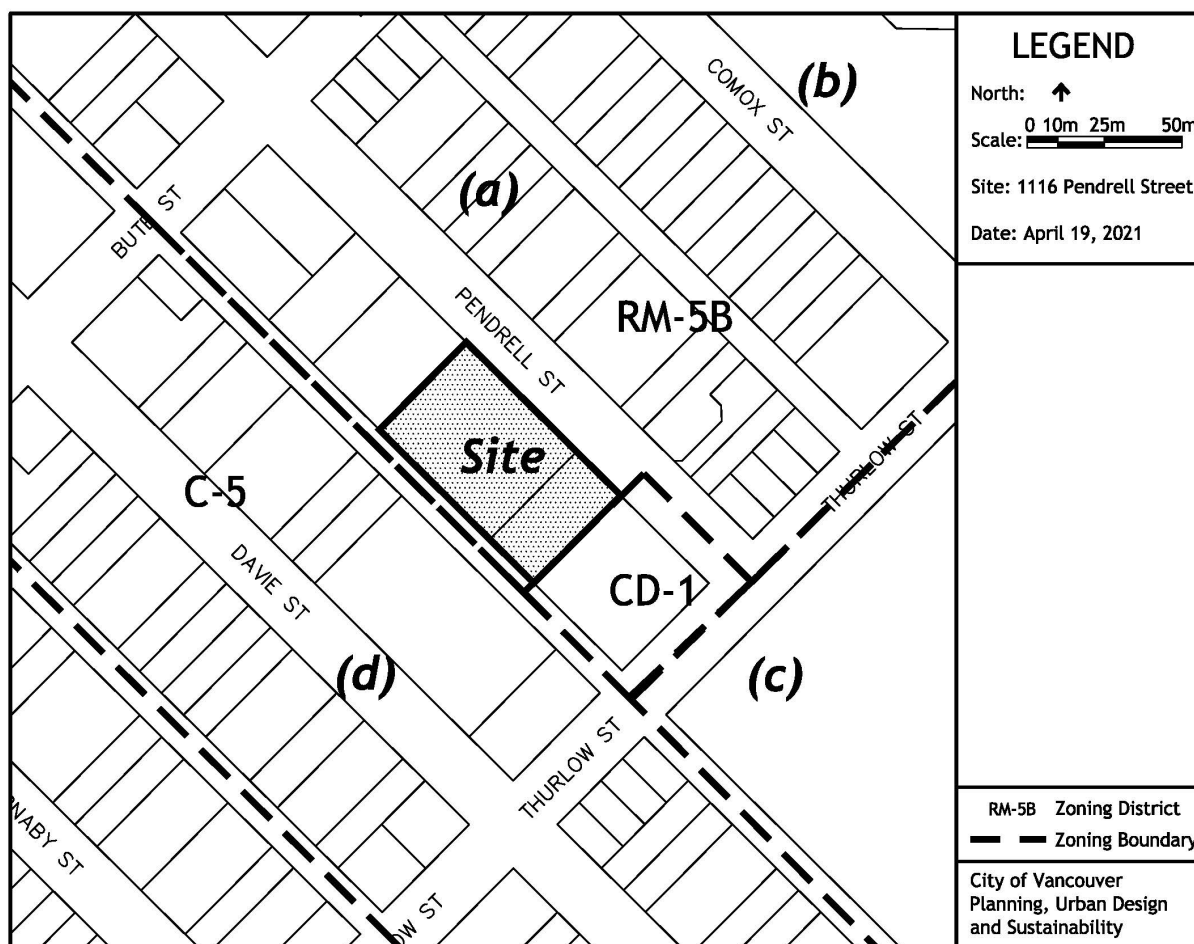
• **History of Application:**

01 23 2020 Complete DP submitted
 11 25 2020 Urban Design Panel
 04 28 2021 Development Permit Staff Committee

• **Site:** The site is located on the south side of Pendrell Street, mid-block, with See-am-ia Lane to the south. There are a number of mature trees located throughout the two assembled properties.

• **Context:** Significant adjacent development includes:

- (a) Mole Hill Community
- (b) Nelson Park
- (c) St. Paul's Hospital
- (d) Davie Village



• **Background:**

Located mid-block, the site fronts on Pendrell Street and abuts See-am-ia Lane to the south. It is noteworthy for its relationship with locally significant Mole Hill (RM-5B) to the immediate north and Davie Village (C-5) to the immediate south. To the east is a recently completed 23-storey mixed-use institutional / residential tower (CD-1), and to the west is a 12-storey market rental building (RM-5B).

Two lots are assembled for the proposed development, one with a sixteen-unit market rental residential building, and the other with a newer strata building. The site sits within the Nelson Plateau neighbourhood subarea, with Nelson Park located two blocks to the northwest.

Development of the site is governed by the *West End Community Plan*, the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedule*, and the *West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Design Guidelines*. The applicants' response to the provisions of each of these policy documents is summarized later in this document.

The subject conditional development proposal was first reviewed by staff in 2019 who provided preliminary feedback to the applicant based on their interpretation of the aforementioned policies and guidelines. The applicant was informed before formal application submission of the sensitive nature of developments in the West End community, and that support of relaxations sought would be contingent upon neighbourhood response to notification. As such, staff recommended that the proponent conduct pre-application engagement with the community to gauge their support of the development. Having completed that, the application was submitted in early 2020.

The proposal was reviewed by the Urban Design Panel on November 25, 2020. With a vote of 7 to 3, the Panel recommended resubmission of the application with the following changes reflected: that the applicant sculpt the upper storeys of the building on the north side to reduce shadowing of the community to the north, and that the applicant redesign the low-rise buildings to better relate to their context. On review of the Panel's feedback, and the design development required to comply with its recommendations, staff determined that another visit to the Panel was not required, and that all necessary design development could be secured by way of conditions of approval.

● **Applicable By-laws and Guidelines:**

- *West End Community Plan* (2018)
- *RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedule* (1956, last amended 2021)
- *West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Design Guidelines* (1989, last amended 2019)
- *High-Density Housing for Families with Children Guidelines* (1992, last amended 2020)

● **Response to Applicable By-laws and Guidelines:**

West End Community Plan

The proposal is governed overall by the *West End Community Plan*, falling within the Nelson Plateau neighbourhood subarea. The *Plan* identifies quiet, tree-lined streets, a diverse population, and affordable but aging housing stock as being defining characteristics of the Nelson Plateau neighbourhood, among others. Furthermore, the *Plan* outlines select objectives for developments in the neighbourhood, including: incremental change; primarily six storey height limit; landscaped setbacks; and, punched window façades. Most critically, it identifies maintenance of existing RM zoning regulations, and mid-rise and high-rise tower separation guidelines as being key objectives for the neighbourhood. Understanding this, the development varies from the general expectations of the *West End Community Plan* without discretionary variances granted by the Development Permit Board.

RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedule

The *District Schedule* provides the regulatory framework for development on the site, which anticipates a discretionary density of up to 2.75 FSR and a discretionary height of up to 58m. At 54.47m, the application is proposed to comply with this maximum allowable height, and is seeking support of a Heritage Density bonus of 10% for a total density of 3.025 FSR.

West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Design Guidelines

The *Design Guidelines* provides the parameters for support for discretionary increases in height and density, with the following select objectives, supplemental to those in the Plan: balance objectives; maintain the West End as a pedestrian neighbourhood; and, emphasize simple building massing and express. For high buildings (33.6m+), such as that proposed, the *Guidelines* dictate that they contribute to a skyline with an evident pattern, and that they be separated from other high-rise building within the same block by a minimum distance of 121.9m. This proposal solicits a relaxation to this requirement on the grounds of improved contextual fit, contribution to the skyline, and urban design performance. Approximately 26m of separation is achieved between the tower and the adjacent building to the west, and 35m separates the tower from the high-rise to the east.

High-Density Housing for Families with Children Guidelines

The project generally complies with the provisions of the *Guidelines*. Residential amenities are provided for both rental and strata residents in the form of child play areas, amenities rooms, and substantial at-grade outdoor common spaces.

• Conclusion:

The proposal at 1116 Pendrell Street represents a significant intervention at a highly visible and unique part of the West End, at the boarder of two of the area's most culturally defining communities. The applicant has demonstrated consideration of this context with a tower form that measurably bridges between the scale of the new 23-storey building to the east with the lower, established typologies of the west. At grade, the low-rise rental buildings act to relate the site with the Mole Hill community, and publicly accessible walking paths provide a link from Pendrell to the Davie Village.

Staff recommend approval of this proposal subject to the outlined Recommended Conditions, and those in Appendix A.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on November 25, 2020, and provided the following comments:

EVALUATION: Resubmission recommended with comments addressed (7-3)

• Introduction:

Development Planner, Kevin Spaans, provided an introduction and overview of the proposal and its urban context, as follows: The subject site is zoned RM-5B and is situated mid-block, fronting Pendrell Street and abutting See-em-ia Lane to the south. Davie Village (C-5) is directly to the south, and the Mole Hill community (RM-5B) is to the north, both of which carry cultural significance for the residents of the West End. Sharing the east property line is a recently-constructed 23-storey mixed-use institutional / residential tower (CD-1), and to the west is a 12-storey market rental building (RM-5B). The two assembled development properties are currently occupied by a sixteen-unit market rental residential building constructed in 1937 and a larger strata residential building.

The proposal is governed overall by *West End Plan*, falling within the Nelson Plateau neighbourhood subarea. The *Plan* identifies quiet, tree-lined streets, a diverse population, and affordable but aging housing stock as being defining characteristics of the Nelson Plateau neighbourhood, among others. Furthermore, the *Plan* outlines select objectives for developments in the neighbourhood, including: incremental change; primarily six storey height limit; landscaped setbacks; and, punched window

façades. Most critically, it identifies maintenance of existing RM zoning regulations, and mid-rise and high-rise tower separation guidelines as being key objectives for the neighbourhood.

Further to the *West End Plan*, the proposal is governed by the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedule*, which anticipates a discretionary density of up to 2.75 FSR and a discretionary height of up to 58m. The *West End RM-5, RM-5A, RM-5B, RM-5C and RM5-D Design Guidelines* provides the parameters for support for discretionary increases in height and density, with the following select objectives, supplemental to those in the *Plan*: balance objectives; maintain the West End as a pedestrian neighbourhood; and, emphasize simple building massing and express. For high buildings (33.6m+), such as that proposed, the *Guidelines* dictate that they contribute to a skyline with an evident pattern, and that they be separated from other high-rise building within the same block by a minimum distance of 121.9m. This proposal solicits a relaxation to this requirement on the ground of better contextual fit and urban design performance.

Proposed are three buildings generally arranged as a tower-in-the-park typology; two 3-storey low-rise market rental residential buildings flank a central 18-storey strata residential tower with an overall prospective density of 3.025 FSR (2.75 FSR + 10% heritage bonus). The tower is approximately 54.5m tall. Approximately 26m of separation is achieved between the tower and the adjacent building to the west, and 35m separates the tower from the high-rise to the east.

Mr. Spaans then explained that the *Plan* generally anticipates a lower building with a broader expression at the streetscape, as demonstrated diagrammatically in the design package. As illustrated in the supplemental shadow analyses, a lower, broader building would have marginally increased shadowing of Mole Hill at select times of the year. Mr. Spaans explained that the shadow study provided is as required for applications in the West End, and no enhanced study was requested or provided.

Mr. Spaans presented a number of images from the design package, including views of the proposed landscape design which includes both private and public north-south connections between Pendrell Street and See-em-ia Lane.

Advice from the Panel on this application is sought on the following:

Tower Separation

1. Please provide feedback on the applicants' rationale for a relaxation to the minimum same-block high-rise separation anticipated in the *RM-5B Guidelines*, with consideration given to the following:
 - a. the impacts to the Mole Hill community;
 - b. the contribution of the building to the skyline of the West End;
 - c. the overall urban design performance of a taller building when compared to that anticipated by zoning.

Public Realm

2. Please provide feedback on the treatment of the at-grade public and semi-public realms as they relate to the character of the Nelson Plateau neighborhood.

• **Applicant's Introductory Comments:**

The project architect, W.T. Leung, began by addressing the design logic behind the taller highrise tower form building, and the subsequent permeability of the site. This permeability, the applicant proposed, provides for a more contextually-sensitive design solution that relates better to Mole Hill than what

would be provided for in the West End Plan. The applicant proposed that it also provides for a more pedestrian-friendly relationship with Davie Village.

Mr. Leung noted the close adjacency of the towers on Burrard Street, and that the tower proposed on the subject site provides an incremental scaling down of building form from east to west. Further, they suggested that the tower-in-the-park context is seen a lot in the West End. The uses, when divided into three separate buildings, rather than one wider building, allows for the aforementioned site permeability.

Mr. Leung addressed the benefit of a slimmer tower form and smaller floor plate, suggesting that this is a more modern volumetric than older examples in the neighbourhood. Architectural expression is defined by a series of shifting planes, punched windows mixed with larger, more modern-style glazing units, and balconies providing shading on the west and south frontages, which Mr. Leung suggested to be a modern interpretation of a West End building.

The project landscape architect then presented the proposed landscape and public realm design, as follows:

The overall concept of the landscape design is to pull the park-like setting of the West End into the development site. There is a physical connection to Nelson Park, with access across the street that is continued through the site to link with Davie Village. The planting plan is exuberant and both sides of the tower have arbors of various sizes. The at-home daycare rental unit is afforded easy access to the outdoor play area on the site, and amenity rooms. An urban agriculture area is provided on the south side of the site, trees are provided with significant soil depth to become healthy, mature specimens, and there are numerous opportunities for stormwater management. Resting areas are provided throughout the semi-private area of the site. Activation of See-em-ia Lane was an important consideration of the landscape design.

Mr. Leung then noted that the proposal has always been approached with consideration given to high energy efficient standards, and that these will be well-performing building exceeding current and future Vancouver Building By-law green building requirement. Staff and the applicant team then took questions from the panel.

• **Panel's Consensus on Key Aspects Needing Improvement:**

Having reviewed the project it was moved by **MS. MARCEAU** and seconded by **MS. SCHWARTZ** and was the decision of the Urban Design Panel:

THAT the Panel **RECOMMENDS RESUBMISSION OF** the project with the following recommendations to be reviewed by staff:

- Design development to top the tower for further sculpt on the north to mitigate shadow impact on the adjacent neighbourhood;
- Design development to the lower rise rental form expression materiality and scale to better relate to the neighbourhood and tower.

• **Related Commentary:**

The Panel was divided on the proposed building design. Some panelists felt the tower-in-the-park typology, and comprehensive landscaping on the ground plain is supportable. Others felt that due to the high proportion of building-to-open space, the proposal does not feel like a true tower-in-the-park concept, and is not appropriate for this site.

There was concern from the Panel with the deviation from the Design Guidelines, particularly regarding the height and relaxation of provisions for tower separation requirements for high rises. The majority of the panel did not support the applicant's rationale for the relaxations proposed. A panelist expressed concern about overlook.

A panelist noted that they did not feel that the provision of low-rise buildings flanking a taller, slender tower represented an improvement over the base form of development generally anticipated by zoning and guidelines.

In regards to the low-rise rental buildings, some panelists felt they were well-proportioned, while others felt they were too out of scale when related to the tower and the context. The Panel generally concurred that the material and expression of the rental buildings should reflect the materiality of the rest of the building.

Some panelists expressed support for the idea of ground-oriented rental units, but felt that a character, orientation, and expression similar to the heritage houses in the Mole Hill community do a better job of engaging with the public realm. Furthermore, some panelists expressed concern about the high stairs proposed to access the upper town houses, as these are not in keeping with the character of the community.

A panelist noted concern about wayfinding in the site, particularly as regards the entrances to the rental units.

There was general support amongst the Panel for the approach to the landscape design but felt that there needed to be more done to engage with the public realm at street level.

A number of panelists expressed concern that, despite the increase in height, no enhanced shadow studies were elicited by staff nor provided by the applicant to demonstrate potential shadow impacts on nearby Nelson Park. These panelists noted that such a study should be provided before the project is reviewed further, as maintenance of maximal daylighting of Nelson Park is critical to the park's success as a public amenity.

Some panelists suggested design improvements that may assist in mitigating undue overshadowing include stepping back the upper levels of the building. These moves would also serve to improve the expression of the crown of the building.

- **Applicant's Response:** The applicant expressed concern that the Panel was basing their decision on an inaccurate assumption that Nelson Park was closer to the subject site than it is, further noting that the shadow studies provided sufficiently demonstrated the overall shadow impacts of the proposal on the neighbourhood. The team then thanked the Panel for their comments.

ENGINEERING SERVICES

The recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The recommendations for CPTED are contained in the prior-to conditions noted in Appendix A attached to this report.

LANDSCAPE

The recommendations for Landscape Planning are contained in the prior-to conditions noted in Appendix A attached to this report.

HERITAGE PLANNING

The recommendations for Heritage Planning are contained in the prior-to conditions noted in Appendix A attached to this report.

HOUSING POLICY & PROJECTS / SOCIAL POLICY & PROJECTS / CULTURAL SERVICES

The recommendations of Housing Policy & Projects are contained in the prior-to conditions noted in Appendix A attached to this report.

BUILDING REVIEW BRANCH

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Building Review Branch staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, firefighting access and energy utilization requirements.

NOTIFICATION

On October 30, 2020, the applicant confirmed installation of the development notification site sign. On November 2, 2020, staff sent 1,080 notification postcards to neighbouring property owners advising them of the development application and posted information regarding the application on the Shape Your City website.

A virtual open house ran from November 9 to November 15, 2020. Visitors were able to view the application drawings, presentation boards and a virtual video fly-over of the proposed development. There were 634 visits to the website during the open house period and three questions submitted from the public. Staff responses to the questions submitted during the virtual open house are below.

Throughout the entire review period, we received 87 survey comments, 24 in support of the application, 6 mixed and 57 opposed noting concerns/objections with the proposal. Of the supportive responses, neighbours indicated that they:

- are in favour of the design
- believe the increased density is positive for the West End
- would like to see even greater FSR under the proposal

Of the opposing responses, comments received included concerns that:

- the proposal is not in keeping with the West End Community Plan
- the overall design does not fit in with the character of the West End
- the tower portion is too high
- the Mole Hill development to the north will be shadowed
- there is not enough separation with neighbouring towers
- the proposed market and rental housing will be unaffordable
- there is too much proposed underground parking

Virtual Open House Questions and Staff Responses

1. Will the highrise be built to withstand an earthquake up to 9 on the Richter Scale? If not, to what level of safety? Will the parkade have chargers for electric cars? Washing machines/dryers ensuite? Any info on how Shoppers will redevelop its property across the lane? (Watch out for Japanese Knotweed growing across the lane.) Thanks.

Staff Response: All new developments in the City of Vancouver, including this proposal, are built to Vancouver Building By-Law. All parking spaces provided for residential use, excluding visitor parking spaces, shall be provided with an energized outlet capable of providing Level 2 charging or higher to the parking space. As per the submitted floor plans, all of the market and rental units have dedicated spaces to accommodate washers and dryers. If you are referring to the site at 1125 Davie St., our records do not show an active rezoning or development application.

Having reviewed the aforementioned question and applicable parts of the application package, staff have determined that the above response has sufficiently satisfied all matters related to the enquiry. No further design development is sought.

2. Why is the city considering knocking down buildings that currently provide affordable housing only to be replaced by towers with units much smaller and rental rates unobtainable by a large percentage of West Enders? It's not difficult to find a place to rent in the West End. It IS difficult to find a place that's close to being affordable and in turn, safe.

Staff Response: The proposed 16 secured market rental units and 109 strata residential units will contribute to meeting housing need in the Downtown area and Citywide.

In 2019, the purpose-built apartment vacancy rate was 1.0 per cent in Vancouver. The vacancy rate (based on the CHMC Market Rental Survey) for the Downtown area within which this site is located is 1.3 per cent. This means that 13 out of every 1,000 market rental units in this area were empty and available for rent. A vacancy rate of 3 per cent represents a balanced market. Low vacancy rates can contribute to property price inflation. The proposed rental and strata units will contribute to increasing housing supply and towards achieving a healthy vacancy rate in Downtown area and City wide.

The proposed development is a consolidation of two sites, one containing an existing 16-unit rental building and the other containing a 43-unit strata building. The 16 purpose-built rental units are covered by the Rental Housing Official Development Plan (ODP), which requires the applicant to provide one-for-one replacement of existing secured rental units. In accordance with the ODP, the proposed project provides 16 secured market rental units, which will be secured for the greater of 60 years or the life of the building through a Housing Agreement. The proposed project also includes 109 strata residential units. Some of these units may be rented out, which would contribute to the secondary rental stock in the City.

Overall the project provides a net increase of 66 strata residential units as well as one-for-one replacement of existing secured rental. As the project is not seeking the DCL Waiver, the City has no mechanism to control the secured rental rates set by the applicant. However by not seeking the waiver, the City will collect DCLs for the rental portion of the development, which will provide funds into development of new City amenities such as social and non-profit housing, childcare and parks.

Existing tenants living in the purpose-built rental building, as well as secondary rental tenants (strata condo rented suites), may be eligible for the provisions under the TRP Policy. The TRP policy is intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that some renewal is necessary to maintain the health

of the overall rental stock. A Tenant Relocation Plan is required when tenants are displaced as a result of redevelopment or major renovation activity. At a minimum, these terms include four months of free rent or more based on length of tenancy, a flat-rate payment towards moving expenses, and assistance finding three alternate accommodations that best meet the tenants identified priorities. Eligible tenants may also exercise a Right of First Refusal to return to one of the replacement rental units in the new building at 20 per cent discount off starting market rents. Eligibility is based on length of tenancy and date of site acquisition.

Having reviewed the aforementioned question and applicable parts of the application package, staff have determined that the above response has sufficiently satisfied all matters related to the enquiry. **Housing Policy and Projects** have prepared conditions to provide a Tenant Relocation Plan and a notarized declaration that existing tenants have been sufficiently notified of the intent to redevelop the property.

3. By whose authority and direction has this development been posted on Shape Your City when it is not listed on the COV Rezoning Application page?

Staff Response: This is a conditional development permit application submitted based on the RM-5B District Schedule. This is not a rezoning application.

Having reviewed the aforementioned question and applicable parts of the application package, staff have determined that the above response has sufficiently satisfied all matters related to the enquiry. No further design development is sought.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

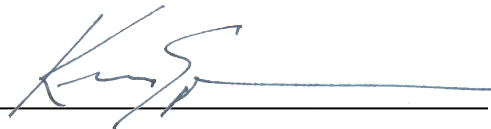
The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By- it requires decisions by both the Development Permit Board and the Director of Planning.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

Staff Committee supports this application with the conditions contained within this report.



J. Greer
Chair, Development Permit Staff Committee



Kevin Spaans
Development Planner



Katrina Hsieh
Project Coordinator

Project Facilitator: Payam Fouladianpour

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

A.1 Standard Conditions

Urban Design Conditions

A.1.1 provision of an architectural lighting and signage strategy, with particular attention given to the illumination of at-grade publicly accessible and private outdoor areas and the primary entries of each of the buildings on the site;

A.1.2 confirmation that access to all common amenity areas is barrier free;

Note to Applicant: Refer also to Housing Policy & Projects condition A.1.25.

A.1.3 design development to the slab soffit at the south side of the site as necessary to provide sufficient planting medium for the long-term health of the all proposed plantings at the rear of the property;

Note to Applicant: Refer also to Landscape Review condition 1.19.

A.1.4 identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design;

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted.

A.1.5 design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impacts on the building's open space and the Public Realm;

Development Review Conditions

A.1.6 compliance with Section 10.31 (Development in Yards) of the Zoning and Development By-Law;

Note to Applicant: Per Section 10.31 no development is permitted in the front yard. The trellis in front of tower building facing Pendrell Street is considered to be development in the front yard. Removing trellis will satisfy compliance. Refer also to Development Review condition A.1.7.

A.1.7 compliance with Section 4 (Floor Space Ratio) (FSR) of the RM-5B District Schedule;

Note to Applicant: Removing the front yard and roof deck trellis, and the office furniture in the "storage" room will help resolve some of the FSR overage. Reduce open balconies to meet maximum floor area exclusions. Refer also to Development Review condition A.1.7

A.1.8 confirmation of compliance with Section 11.10 (Dwelling Unit Size) of the Zoning and Development By-Law;

Note to Applicant: The minimum dwelling size shall not be less than 37.0 sq. m. for strata units. Director of Planning can consider a reduction of rental dwelling unit sizes to a minimum 29.7 sq. m. Provide dwelling unit size data. Refer also to Development Review condition A.1.13.

A.1.9 confirmation of compliance with Section 4.10 (Horizontal Angle of Daylight) (HAD) of the RM-5B District Schedule;

Note to Applicant: Provide drawings illustrating that each habitable room meets HAD requirements.

A.1.10 confirmation of compliance with Section 4.8 (Site Coverage) of the RM-5B District Schedule;

Note to Applicant: Provide dimensioned illustration of site coverage and provide summary of calculations. Ensure illustration matches project data.

A.1.11 confirmation of compliance with Section 4.15.1 (Acoustic) of the RM-5B District Schedule;

A.1.12 compliance with Sections 4 to 7 (Parking, Loading, Bicycle and Passenger spaces) of the Parking By-Law as follows:

- i. provide a minimum 7 physical accessible parking spaces as per Section 4.8.4;
- ii. provide a minimum of 6 visitor parking spaces as per Section 4.3.4;
- iii. provide a minimum of 1 Passenger Class A space as per Section 7.2.1;
- iv. coordinate and match bicycle technical data summary to match drawings; and

Note to Applicant: Project data notes 133 spaces, but drawings illustrate 135 spaces.

- v. provide bicycle space size and type legend.

Note to Applicant: Refer also to Engineering Services condition A.2.1

A.1.13 provision of revised drawing package that includes the following:

- i. updated project data, which includes:
 - a. dwelling unit summary with the proposed unit types and sizes for each unit; and
 - b. matching data to drawings.
- ii. updated FSR overlays reflecting required changes;
- iii. updated site plans that dimension and note proposed front, side and rear yards;
- iv. updated floor plans that:
 - a. include dimensions of exterior walls, balconies, patios, overhangs etc.;
 - b. remove reference to “future” uses;
 - c. provide layout and mechanical equipment inside mechanical room;
 - d. include dimensions of all structures on the roof; and
 - e. correct unit label from studio to one-bedroom for RC-102 in rental building.
- v. notations on plans:
 - a. “All building dimensions, setbacks and yards are to the outside of cladding”;

- b. “Mechanical equipment (ventilators, generators, compactors, and exhaust systems) will be designed and located to minimize noise impacts on the neighbourhood and comply with Noise By-law No. 6555”;
- c. “The acoustical measures will be incorporated into the final design and construction, based on the consultant’s recommendations”; and
- d. “Adequate and effective acoustical separation will be provided between the residential and non-residential portions of the building”.

A.1.14 submission of an original, sealed copy of a survey plan of the site, verified by a British Columbia Land Surveyor.

Note to Applicant: Minimum two (2) are required for issuance.

Landscape Conditions

A.1.15 design development of the planting plan to:

- i. maximize opportunities to plant medium to large size trees on-grade (i.e.: off the parkade slab) wherever possible; and

Note to Applicant: It appears that certain areas off-grade could benefit from planting larger specimen trees. For example, at the southwest corner of the site (sheet L3.2 notes there is a parkade exhaust in this area and refers to the architectural set, but no vent is shown on the architectural set) or in the area at gridlines 2-E.

- ii. provide a climbing vine that will successfully grow onto and cover the parkade ramp’s overhead trellis.

Note to Applicant: Other than the image of a clematis on the “Bird Friendly Plantings” sheet, there are no other references made to any proposed vines.

A.1.16 design development to ensure no proposed hard landscape elements are unnecessarily proposed within tree protection zones;

Note to applicant: The pathway at the northwest corner of the site to “Building A” may be in conflict with the tree protection zone of Tree #329, but this cannot be confirmed since drawings that show required tree barriers for retained trees with proposed landscape elements have not been provided (refer also to Landscape condition A.1.17). This pathway should be located outside the TPZ of Tree #329, unless required by code. Also, confirm no conflicts with any other tree protection zones, including but not limited to, Tree #323.

A.1.17 provision of a fully coordinated tree management plan that shows proposed landscape elements, dimensioned tree protection barriers, and areas that require arborist supervision graphically indicated and described;

Note to Applicant: The provided Tree Management Plan (sheet L1.1) does not show any of the proposed landscape elements. Only proposed building elements are shown, and the extent of the underground parkade appears to be incorrect. All proposed elements, especially hard landscape such as pathways and patios, need to be shown, along with the current underground parkade extent. This is more so important where these elements are proposed near existing trees that are being retained. Refer also to Landscape condition A.1.16.

- A.1.18 confirmation from Project Arborist whether “retaining wall A” and/or “retaining wall B” (as referred to in submitted Arborist Report from BC Plant Health Care) need to remain in place, or have their footings remain in order to safely retain Trees #329 to #331, with appropriate coordination between all applicable application documents as required;

Note to Applicant: The arborist report notes that the tree roots come in contact with the above noted retaining walls. Arborist to provide detailed commentary on the anticipated impact of the removal of these walls in relation to safe tree retention, if removal of the walls is being proposed, as well as recommended mitigation measures. If retention of the walls, or their footings, is recommended, this needs to be clearly noted on all applicable application documents including the site plan, landscape plan, and tree management plan.

- A.1.19 design development to lower the height of the raised planters along the lane to the minimum height required, while maintaining minimum soil depths and programming requirements;

Note to Applicant: This can be achieved by lowering the parkade slab under the proposed urban agricultural planters to the greatest extent possible. This will require integration of the landscape design and the structural plan. At the perimeter of the parkade slab, the slab can be angled downward or notched, if not conflicting with overhead clearance requirements of the level below. Soil depths should meet or exceed CSLA Landscape Standards. Refer also to Urban Design condition A.1.3.

- A.1.20 provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note:

“Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board”.

Note to Applicant: Methods of tree protection for street trees (as approved by Park Board) to be shown on plan. Relocation of trenching locations are required if in conflict with tree protection. Two separate applications must be applied for: A commercial water permit and another commercial sewer permit. It appears that only the latter has been applied for. Please contact Engineering Services as soon as possible to begin the process for confirming the trenching locations for sewer and water.

- A.1.21 coordination of new proposed street trees with Engineering Services and Park Board, confirming quantities, species, sizes and locations, including the addition of the following note on the plans:

“Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm caliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 2.9m deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.”

- A.1.22 provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is necessary when any work is required within a minimum root protection zone of a retained tree. The arborist should discuss the details of any supervision requirements within the arborist report, particularly if the plans depict any work that encroaches into a minimum root protection zone. Typically, an assurance letter will outline the critical construction points where the arborist shall be contacted to attend the site. The Letter must be signed and dated by the owner, arborist and contractor.

Crime Prevention Through Environmental Design (CPTED) Conditions

A.1.23 provisions for Crime Prevention Through Environmental Design (CPTED) including:

- i. having particular regard for mischief in alcoves and vandalism such as graffiti;

Note to Applicant: Particular care should be taken to ensure the secondary entrance off of Granville St, currently identified as a future residential lobby, expresses a highly-permeable and maximally active interface in its interim condition. A rigorous lighting and security strategy should be employed at this entrance to mitigate CPTED issues that often arise at infrequently active building entrances on major streets.

- ii. outdoor common area and path lighting, and;
- iii. visibility and security in the underground parking garage in accordance with the Parking By-law including:
 - a) providing 24 hour overhead lighting at exit doors and steps lights;
 - b) providing white-painted walls, and;
 - c) ensuring a high degree of visibility at doors, lobbies, stairs, and other access routes.

Note to Applicant: Light fixture types, locations, and illumination levels should be indicated on the landscape or site plans, and should be integrated into the site and building design. Site lighting should address strategies for path and exit lights, wayfinding, security, decoration, and mail delivery. Exterior lights should be oriented away from adjacent residential properties.

Heritage Planning Conditions

A.1.24 provision of a heritage density transfer Letter “B”, which includes confirmation from the owner of a “donor” site that the agreement has been finalized, and confirming the new “balance” of transferable density remaining on the donor site, or a statement of intent to secure the required amount of density through the purchase of heritage amenity shares to the City’s Heritage Conservation Reserve, explaining the circumstances that made transfer of density from the density bank unviable.

Housing Policy & Projects Conditions

A.1.25 design development of the common outdoor and indoor amenity areas and bulk storage provision in accordance with High-Density Housing for Families with Children Guidelines:

- i. indoor amenity to include a kitchen, storage closet and accessible washroom equipped with baby change table, adjacent to an outdoor amenity area; and
- ii. a minimum of 2.3 sq. m. of bulk storage for each family-sized dwelling unit.

A.1.26 provision of the proposed mix of the market rental units in this development, including 3 studio units (19%), 7 one-bedroom units (44%) and 6 two-bedroom units (37%) is to be included in the development permit drawings;

Note to Applicant: Any changes in the unit mix from the proposed development permit

application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units designed to be suitable for families with children.

A.1.27 provision of a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design and Sustainability as per the Tenant Relocation and Protection Policy effective at the time of submission of the Development Permit Application;

A.1.28 provision of a notarized declaration demonstrating that each tenant has been given written notice of the intent to redevelop the property;

Note to Applicant: The declaration must indicate the number of units occupied on the date of the notice and include copies of letters signed by each tenant summarizing the Tenant Relocation Plan offer.

A.1.29 provision of an Interim Tenant Relocation Report prior to issuance of the Demolition Permit;

Note to Applicant: The Report must outline the names of any tenants who have ended their Tenancy and include:

- i. the reason for the end of tenancy (e.g. tenant decision or mutual agreement to end tenancy);
- ii. the outcomes of searches for alternate accommodation (if assistance was requested by the tenants);
- iii. the names of tenants still remaining in the building; and
- iv. the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.

A.1.30 provision of a Final Tenant Relocation Report prior to issuance of the Occupancy Permit;

Note to Applicant: The Report must outline:

- i. the names of tenants;
- ii. indicate the outcome of their search for alternate accommodations;
- iii. summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and
- iv. include a summary of all communication provided to the tenants.

A.1.31 make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services to enter into a Housing Agreement and Section 219 Covenant securing 16 residential units, as secured market rental housing for the longer of 60 years or the life of the building, subject to the following additional conditions:

- i. a no separate-sales covenant;
 - ii. a no stratification covenant;
 - iii. that none of such units will be rented for less than one month at a time; and
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- iv. such other terms and conditions as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services may in their sole discretion require.

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

A.2 Standard Engineering Conditions

- A.2.1 provision of improved access and design of bicycle parking and compliance with the Bicycle Parking Design Supplement, including the following:

- i. provision of secure Class A bicycle parking located behind an overhead security gate;

Note to Applicant: An overhead security gate separating the Class A bicycle spaces from the visitor parking spaces has not been provided.

- ii. provision of an alcove for the bike room access off the vehicle parking ramp and maneuvering aisle;
- iii. provision of automatic door openers for all doors providing access to Class A bicycle storage;
- iv. provision of a minimum 1.5m access aisle in front of oversize bicycle spaces;

Note to Applicant: Refer to oversize bicycle spaces number 14, 15 and 23.

- v. dimensioned aisle widths in the bicycle rooms; and
- vi. indication of stair-free access route from the Class A bicycle spaces to the outside.

Note to Applicant: Show and label the access route on the drawings.

- A.2.2 provision of improved access and design access and design of loading spaces and compliance with the Parking and Loading Design Supplement, including the following:

- i. provision of a minimum 10.7m stall length for the parallel Class B loading space;
- ii. provision of turning swaths demonstrating functional maneuvering in/out of the Class B loading space;
- iii. removal of “Car Washing” from Class B loading space; and

Note to Applicant: Car wash to be independent of the Class B loading space.

- iv. provision of a clear unloading area or raised rear dock, minimum 1.8m wide, with suitable access to facilitate goods loading /unloading.

Note to Applicant: Landscaping around the Class B loading bay may need to be relocated to achieve this.

- A.2.3 provision of improved access and design access and design of the parkade layout in compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:

- i. provision of turning swaths demonstrating functional two-way vehicle movements through the curved section of the parking ramp to enable two vehicles to pass unobstructed;
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Note to Applicant: A corner cut into the Garbage & Recycling room may be required, and a parabolic mirror at the bottom of the parking ramp is recommended.

Note to Applicant: Mirrors are recommended at all corners of the internal parking ramps to improve visibility.

- ii. provision of secure residential parking behind an overhead security gate;

Note to Applicant: The parking spaces for the market units are located behind an overhead security gate, but the parking spaces for the rental units are not separated/secured from the visitor parking spaces with an overhead gate. Provide 6.1m of clear width through all overhead security gates.

- iii. provision of visitor parking spaces in front of an overhead security gate; and
- iv. provision of minimum 6.6m maneuvering aisle widths.

Note to Applicant: Refer to accessible rental parking space number 2.

A.2.4 provision of additional section drawings as follows:

- i. north-south section drawing showing entire length of parking ramp from the lane down to Level P1; and

Note to Applicant: Show overhead gate and vertical clearance under overhead gate. Clearances must consider mechanical projections and built obstructions.

- ii. section drawings through the residential overhead gates on Level P1.

Note to Applicant: Show overhead gate and vertical clearance under overhead gates.

A.2.5 provision of minimum 2.14m wide broom finish saw-cut concrete sidewalk along Pendrell Street, adjacent to the site; and

A.2.6 provision of correctly labeled building grades and interpolated building grades, including:

- i. at northeast corner of the property and 2 on the southeast corner;.
- ii. on Pendrell Street – missing a design elevation (DE) at the northwest entrance (140.30' is not a BG); and
- iii. at lane – missing DE at west and east edge of loading bay and at west edge of parkade ramp driveway.

A.2.7 provision of upgraded lane lighting adjacent to the site to current COV standards and IESNA recommendations;

Note to Applicant: Hydro poles, where they exist, may be used to mount lane lights with overhead supply provided the applicant/applicant's consultant obtains written approval from BC Hydro.

A.2.8 arrangements to be made to the satisfaction of the General Manager of Engineering Services and

the appropriate public utility companies for relocating the existing wood pole in the lane that conflicts with access to the proposed loading space if the driveway, loading bay and walkway, etc. cannot be relocated;

- A.2.9 arrangements to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lot 1 (Plan EPP90398) and Lot 3 (Plan 92), Block 24, District Lot 185 to create a single parcel;
- A.2.10 provision of a surface statutory right of way (SRW) for public pedestrian use of the path proposed at the east side of the site connecting Pendrell Street to the lane;

Note to Applicant: Provide confirmation that the east midblock connection path remains free and clear for public access – gates are not to be installed along the public walkway.

- A.2.11 provision of all utility services to be underground from the closest existing suitable service point for this “conditional” development. In addition, submission of a written confirmation from BC Hydro that all required electrical plant is provided for on the development property;

Note to Applicant: BC Hydro service to the site shall be primary. All BC Hydro infrastructure (e.g. pad mounted transformer, vista switch and control kiosks) shall be located on the development property.

- A.2.12 submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan. All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant shall acquire written acceptance from the third party utilities prior to submitting to the city. The review of third party utility service drawings will not be initiated until the Key Plan is completed.

Note to Applicant: Use of street for temporary power (e.g., temp pole, pole mounted transformer or ducting) shall be coordinated with the city well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. Alternate means of providing power will need to be proposed if use of street is not approved. Electrical permit required.

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

- A.2.13 submission of a letter confirmation construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License.

Note to Applicant: Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province’s online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act.)

- A.2.14 submission of written acknowledgment that detailed confirmations will be submitted at building permit stage for construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic

evidence of removals and protection of adjacent utilities prior to building occupancy. Please contact Engineering Services for details.

B.1 Standard Notes to Applicant

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **(November 30, 2021)**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.3 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.4 A new development application will be required for any significant changes other than those required by the above-noted conditions.
- B.1.5 The development permit for the new development shall not be issued unless and until all building permits for the new development and a building permit for the demolition are issuable.

As per Section 10.8.2 and except as set out in section 10.8.3, where development necessitates the demolition of existing residential rental accommodation, no development permit shall be issued for the demolition unless and until a development permit for the new development has been issued. No development permit shall be issued for the demolition unless and until a development permit for the new development has been issued.

- B.1.6 Detailed drawings of the Child Care Facility to be submitted to and reviewed by CCFL for compliance with the CCF Act and Child Care Regulation.

Note to Applicant: The application must meet the requirements of the CCF Act and Adult Care Regulations prior to approval at Building Permit stage.

B.2 Conditions of Development Permit:

- B.2.1 Waste Discharge Permit may be required for any dewatering on the site.
- B.2.2 A qualified environmental consultant must be available to identify, characterize any soil, groundwater, sediment and/or vapour of suspect environmental quality encountered during any subsurface work.
- B.2.3 In the event, contamination of any environmental media are encountered, a Notice of Commencement of Independent Remediation must be submitted to the Ministry of Environment and Climate Change Strategy and a copy to the City of Vancouver.
- i. upon completion of remediation, a Notification of Completion of Independent Remediation must be submitted to the Ministry of Environment and Climate Change Strategy, and a copy to the City of Vancouver;
 - ii. dewatering activities during remediation may require a Waste Discharge Permit; and
 - iii. submit a copy of the completion of remediation report (with supporting data) signed by an Approved Professional stating the lands have been remediated to the applicable land use prior to Building Permit issuance.

- B.2.4 Must comply with all relevant provincial Acts and Regulations (e.g. Environmental Management Act, Contaminated Sites Regulation, Hazardous Waste Regulation) and municipal By-laws (e.g. Fire By-law 8191, Sewer and Watercourse By-law 8093).
- B.2.5 Above ground and underground heating oil storage tanks must be decommissioned under a Fire Permit and an environmental report must be submitted to Environmental Protection for review prior to building permit issuance.
- B.2.6 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.7 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.8 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.9 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12th floor of 601 West Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
- B.2.10 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- B.2.11 This site is affected by a Development Cost Levy By-law and levies will be required to be paid prior to issuance of Building Permits.**
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