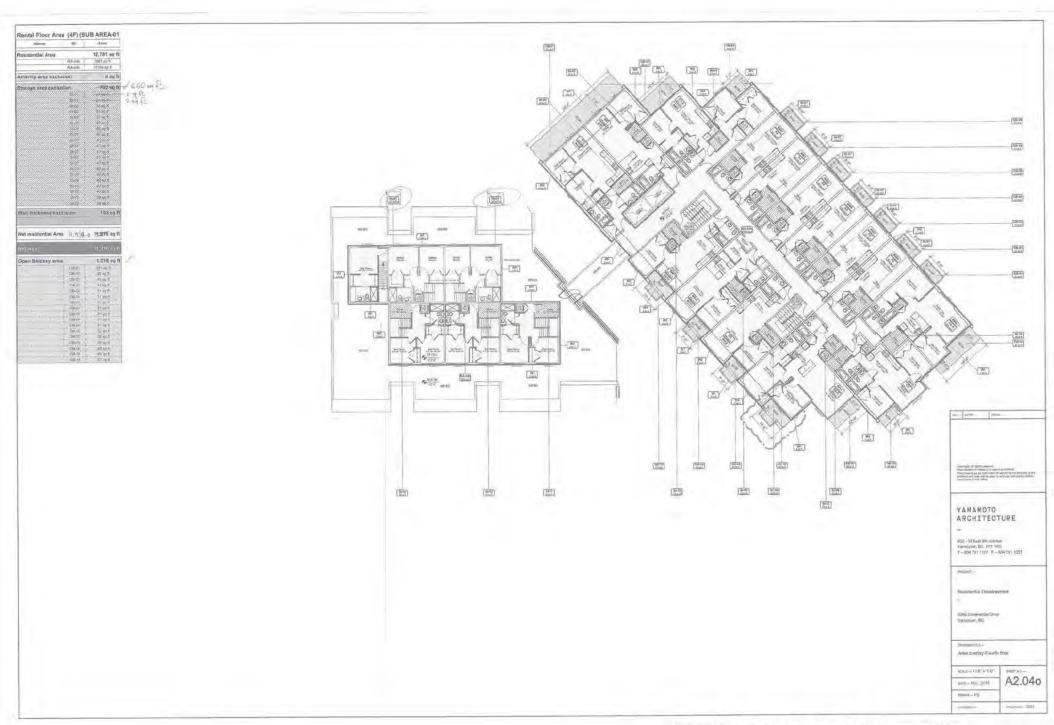
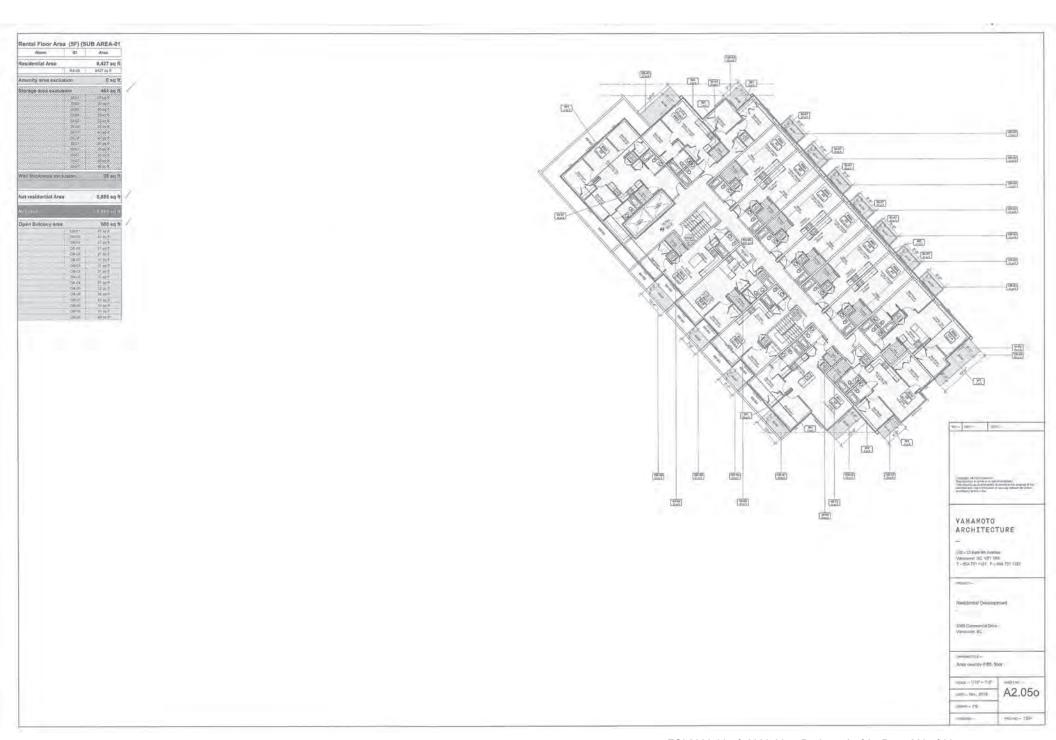
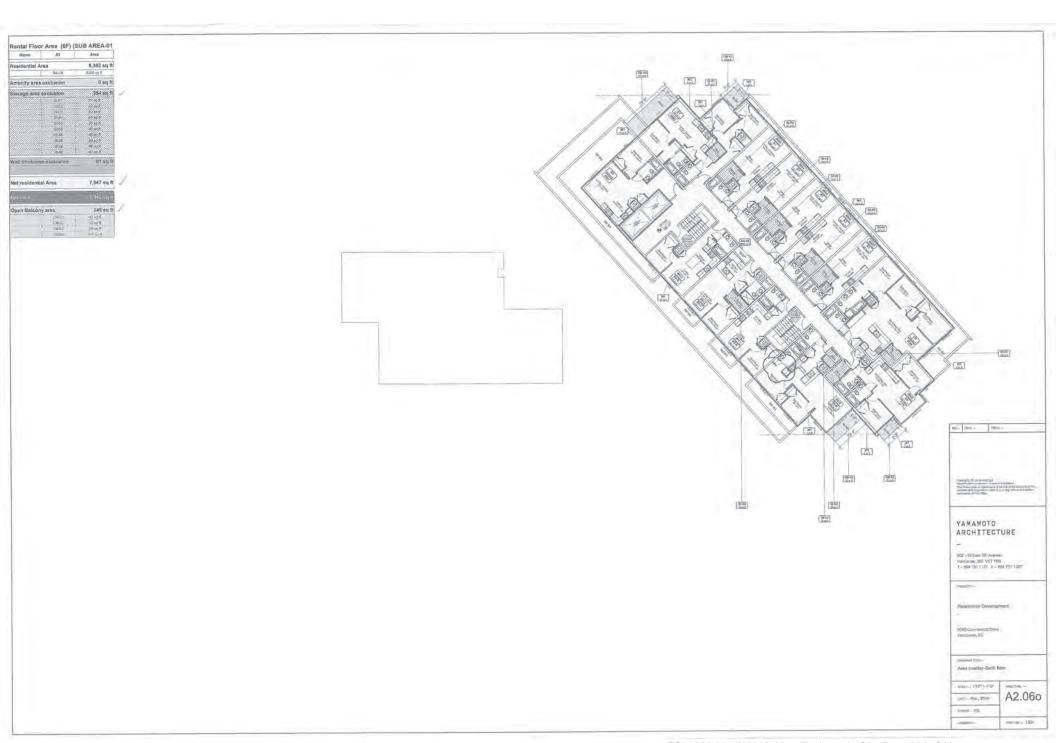


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3365 Commercial Drive and 1695-1775 East 18th Avenue PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Yamamoto Architecture Inc. and stamped "Received December 2, 2015", subject to the following conditions, provided that the Acting General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Acting General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Architectural expression will employ an improved palette of high quality durable materials and a refined detail finish throughout the buildings.

Note to Applicant: Materials and architectural expression at detailed design stage should ensure legibility of the buildings as residential rather than institutional use.

Architectural expression has been developed keeping high quality durable materials like brick and fibre cement panels to bring out the residential character of the buildings.

2. Provision of extensive green roof to the 3½-storey rental block to improve sustainability measures.

Note to Applicant: This will also provide visual relief to the occupants of the 6-storey rental block.

We have incorporated a low profile green roof over the 3 ½ storey rental block to improve sustainability and to provide visual relief to the residents of 6 storey rental block.

3. Design development to provide a 2.1 m setback to the north corner of the 6-storey building to improve the transition to the neighbouring site.

Note to Applicant: Adjustments to the form should be in-keeping with the overall design, noting that the angled corner should be maintained. Staff do not anticipate a reduction in floor area as a consequence of this condition.

The building massing has been revised to achieve 2.1m setback from the north corner of the 6 storey building while retaining angled corner.

4. Design development to mitigate direct overlook between the infill building and adjacent

development to the west.

Note to Applicant: Detailed design development should include reflected elevations of the building at 1665 E18th Avenue.

Special care has been taken in planning of the infill unit adjacent to the west lot line to eliminate windows looking towards neighboring lot to the west. Planting along the PL further enhances privacy of the existing development to the west.

5. Design development to substantially enclose the upper level of the infill building within a pitched roof form to improve compatibility with the adjacent development.

In keeping with discussions with Planning at CoV the form of infill development has been revised to have upper level substantially enclosed within a pitched roof form.

6. Design development to mitigate direct overlook from upper levels of the 6-storey building to existing adjacent development to the west.

Note to Applicant: This can be accomplished with the use of translucent glazing to a 36 inch height at the balcony guard rail or similar measures.

As seen in the section #1 on sheet A3.01 the building form of 3.5 storey and the relocated heritage building to the west of the 6 storey block prevents Direct overlook from the upper levels of this 6 storey building to the existing adjacent development to the west.

7. Consideration of design development to the bridge component on the rental building to add visual interest and improve lobby entrance legibility.

All the massing behind the bridge connector has been removed and as a result this connection now works as a true bridge connecting the 6 storey building and the ground oriented 3.5 storey.

As a way of enhancing the entry experience, we have pulled the lobby out by \sim 20'. This makes the lobby more legible and more a part of the landscaped plaza in the front.

8. Design development to emphasize townhome scale massing of Levels 1-3 on the 3½-storey rental block fronting East 18th Avenue.

With the ramp to the parkade moved to the right, massing of the $3\frac{1}{2}$ storey was grouped into to 3 blocks relatable in size and form of 3 storey town house.

Through design resolution we have broken the 3 storey volume further into a 2-storey frame element on top sitting on brick clad ground floor which integrates with the surrounding landscape as a way of grounding the built form to the site.

9. Design development to mitigate solar heat gain on the south elevation.

Note to Applicant: This can be accomplished through the provision of external solar shading devices.

The frame element with balconies shading the large glazed portions mitigate the heat gain on the 3.5 storey building.

On the 6 storey block solar heat gain is reduced by increasing shadowing using deeper balcony projections and facetted facade.

Crime Prevention through Environmental Design (CPTED)

10. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing

opportunities for:

- (i) theft in the underground,
- (ii) break and enter,
- (iii) mischief and vandalism such as graffiti, and
- (iv) mitigate possible CPTED concerns in the parking area.

Landscape Design

11. Design development to retain trees #1646, 1647, 1648, 1649, 1650 and #1678;

Note to Applicant: The analysis will require additional arborist reporting and details of construction work near trees. Explore opportunities to retain additional healthy trees, with special consideration to companion trees. Retention of tree no. 1678 will require modifications to the underground parkade and open space plan including the child's play area. To optimize tree protection, employ special construction methods, such as vertical shoring and setback and limit excavation outside the dripline. The proposal should not rely on canopy encroachments or surface disturbances (such as intensive re-landscaping). Avoid landscape or grading proposals that may cause unnecessary compaction of roots and changes to the existing growing conditions (i.e. water availability and drainage).

A revised arborist report is attached. Trees #1646 – 1650, and #1678 are retained. Tree #1677 is also proposed to retained. As a result the underground parking has been pulled back from the root protection zone. The children's play area has been modified to maintain the same grades in the root protection zone. The surface of the root zone will be partially pocket planted with native, non toxic plants and partially covered with Fibar (wood chip play surfacing that will be installed on top of the existing grade – ie. no excavation).

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

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

The suspended slab under the north amenity garden has been dropped 12"/300mm at the building face and stepped at the north edge. The result is lower planter walls and maximized soil depth (36"/900mm soil and 4"/100mm drain rock) for the proposed trees along the north property line.

13. Design development to location of utilities;

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Where utilities must be located near a street or

sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping. Currently all electrical infrastructure is planned underground in parkade. If LPT etc. is required in future, it will be coordinated and integrated with Landscape design.

14. Consideration to explore design options that respect the City of Vancouver, Bird Friendly Design Guidelines; Note to Applicant: refer to http://www.vancouver.ca/commsvcs/guidelines/B021.pdf

Please see notes on drawing with regards to meeting the bird friendly strategy. Also the planting plan includes many plants that attract birds and insects (bird food source).

15. Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

The landscape plans are at 1/8" scale and include a planting plan/list as well as a materials legend, and all new/proposed utilites.

16. Provision of a "Tree Management Plan".

Note to Applicant: Provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including dimensioned tree protection barriers and important construction management directives drawn out of the arborist report(s) such as clearly illustrating the limit of excavation and footing design strategy (i.e. vertical shoring, shotcrete).

A tree management plan has been provided.

17. Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through tree protection zones, all proposed common open spaces and semi-private patio areas.

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

Detailed sections provided. (YAI & DKL)

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

All common outdoor areas have barrier free access from the building.

18. Provision of the necessary infrastructure to support urban agriculture, such as tool

storage, hose bibs and potting benches at all common amenity locations.

All the infrastructure is provided and shown on the landscape plans.

19. Provision of a partial irrigation plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 square feet (9.29 sq. m). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

Hose bibs and irrigation connections are indicated on the landscape plans.

20. Provision of an outdoor Lighting Plan.

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

Outdoor lighting is indicated on the landscape plans.

21. Provision of an updated, detailed arborist report.

Note to Applicant: The expanded arborist report should inform design. Include any construction limitations such as the location of construction materials, temporary structures, utility conflicts, site access, development phasing and temporary irrigation requirements.

A revised arborist report is provided.

22. Provision of a registered biologist report, where applicable.

Note to Applicant: The report is a cautionary measure should tree removals be scheduled from Mar.15-Aug.15, the period generally accepted as the bird nesting window.

23. Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is typically 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 up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

Attached is a letter of assurance between the owner and the arborist.

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

Note to Applicant: The strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or measures to reduce these risks. For more information, refer to attached Guidelines

http://former.vancouver.ca/commsvcs/guidelines/B021.pdf.

Please see notes on drawing with regards to meeting the bird friendly strategy.

Also the planting plan includes many plants that attract birds and insects (bird food source).

Housing

25. That the proposed total rental unit mix of 28 % studio, 34 % one-bedroom and 37 % two and three bedroom units (which includes 11 three-bedroom units), be included in the Development Permit drawings.

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

The total number of units have increased to 111 from 110 from rezoning. The studios and 1 beds got revised to **35%** and **29%** respectively. There is a total of 40 (36%) of family oriented units which includes 26 two beds and 14 three beds.

26. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

A children's play area is provided in the common amenity garden.

27. The rental building is to comply with the High Density Housing for Families with Children Guidelines and include a common amenity room with a kitchenette (and an accessible washroom adjacent to this amenity room).

Rental building complies with the guideline.

Sustainability

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

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

A letter from Kane consulting confirming buildings sustainability performance is attached. Aslo attached is the LEED checklist.

Heritage Conservation

29. Revise the Statement of Significance (SOS) for the building at 3365 Commercial Drive to reflect advice from the Vancouver Heritage Commission SOS Sub-Committee.

Revised SOS Attached.

Engineering

30. Provision of crossings to the satisfaction of the General Manager of Engineering Services, please show a standard commercial crossing design on site and landscape plans. A crossing application is required.

The landscape plan shows a standard commercial crossing design as per COV Engineering standards.

31. Clarification of the garbage pick-up operations for the heritage building. It appears residents must travel through unsecured portions of the parkade to access the garbage room.

Parkade layout revised to ensure a secured access to the garbage room.

32. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas

immediately after emptying.

33. Make arrangements for provision of additional street trees between the property line and back of city sidewalks to the satisfaction of the General Manager of Engineering Services in consultation with the General Manager Vancouver Board of Parks and Recreation.

A double row of street trees is indicated on the landscape plans as well as standard notes in terms of coordination of tree locations with CoV Engineering and tree species with CoV Parks

34. Update landscape and site plan to reflect the change in sidewalk locations and size sought by this rezoning application. Show front boulevard trees and offset sidewalk along the Commercial Drive frontage of the site.

The revised landscape plans show the proposed public realm.

35. Delete pavers and special sidewalk treatments from public property and show standard concrete treatments. Note to applicant: An interconnected water service will be required for this development. Please contact Water Design branch for details.

The pavers have been deleted.

- 36. Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-law except that a minimum of 2 Class A loading spaces shall be provided for the site.
 - 2 class A Loading spaces have been provided.
- 37. Compliance with the Bicycle Parking and Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Please refer to the Bicycle Parking and Parking and Loading Design Guideline and Supplements for details.

Bicycles:

- (i) Clearly label the path intended to be used by residents to bring bikes to and from the bicycle rooms to outside the building.

 Bike route has been marked on the parkade layout.
- (ii) Provision of horizontal bicycle spaces not located within a bicycle room to be within a hard shell locker.

 Noted
- (iii) Provide automatic door openers on the doors along routes providing access to the bicycle room(s).

ADO's shown on the bike room doors.

Parking Spaces

(iv) Any column 2' in length must be set back 2' from either end of the parking space.

Noted

- (v) Dimension all columns encroaching into parking stalls.
- (vi) Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4' from the end of the stall.

 Noted

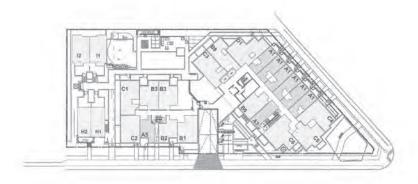
Parking Ramps and Drive Aisles

- (vii) Relocate loading space to a more typical stall configuration, its current location obstructs maneuvering for passenger vehicles.

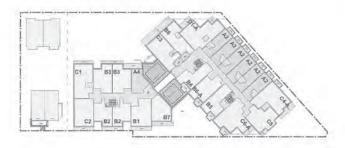
 Relocated
- (viii) Provision of design elevations on both sides of the parking ramp at all breakpoints.Shown on the drawings
- (ix) Provision of a minimum 20' wide overhead security gate between the visitor parking area and the secured residential parking.

 Security gate (20' wide) have been relocated to base of entry ramp making entire parkade secure. For the ease of circulation further screening between visitor and resident parking has been removed.
- (x) Note to Applicant: if it is not possible to provide a 20' opening, then a 12' gate should be provided to prevent the possibility of vehicle conflict when two cars are passing through the gate.
- (xi) Mark hatchings on the floor in the gap between two parking spaces at the southwest corner of the main parkade to identify this as pedestrian space.

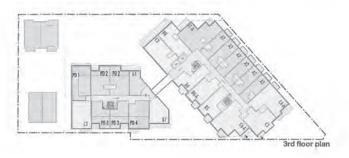
Floor hatchings have been shown on the drawings.

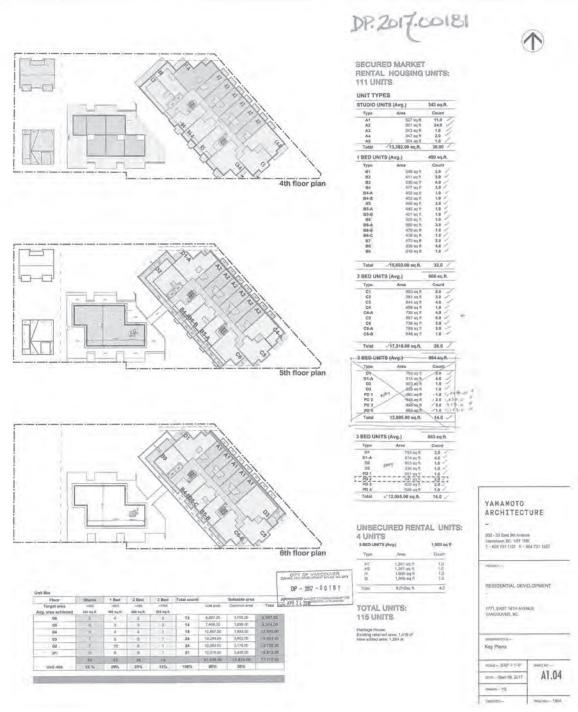


Ground floor plan

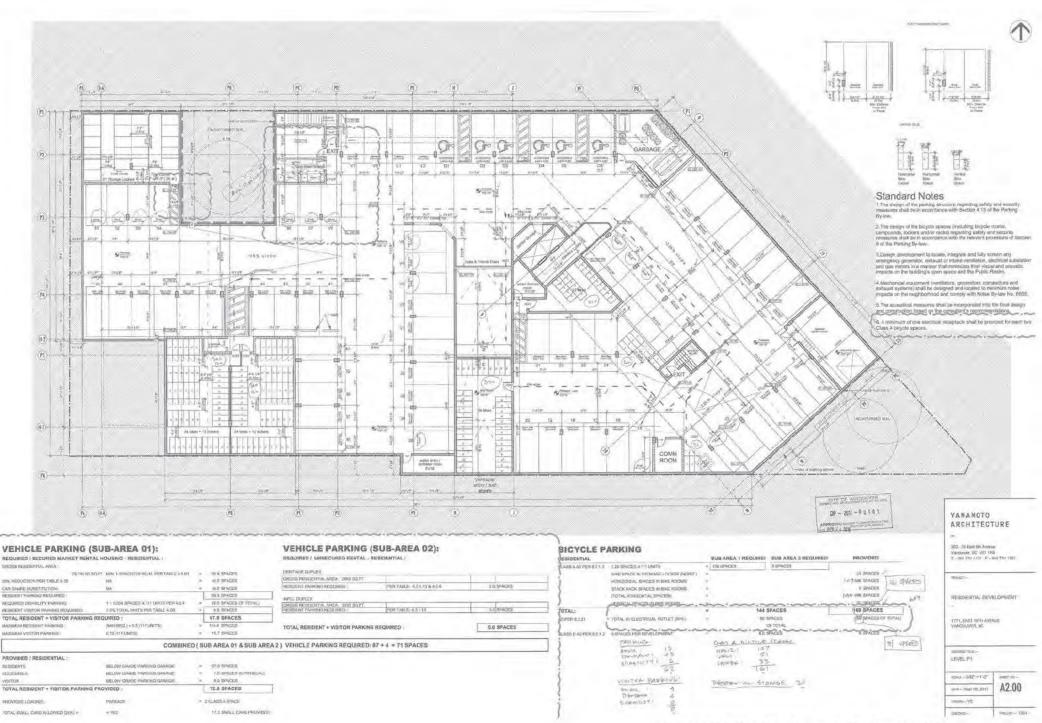


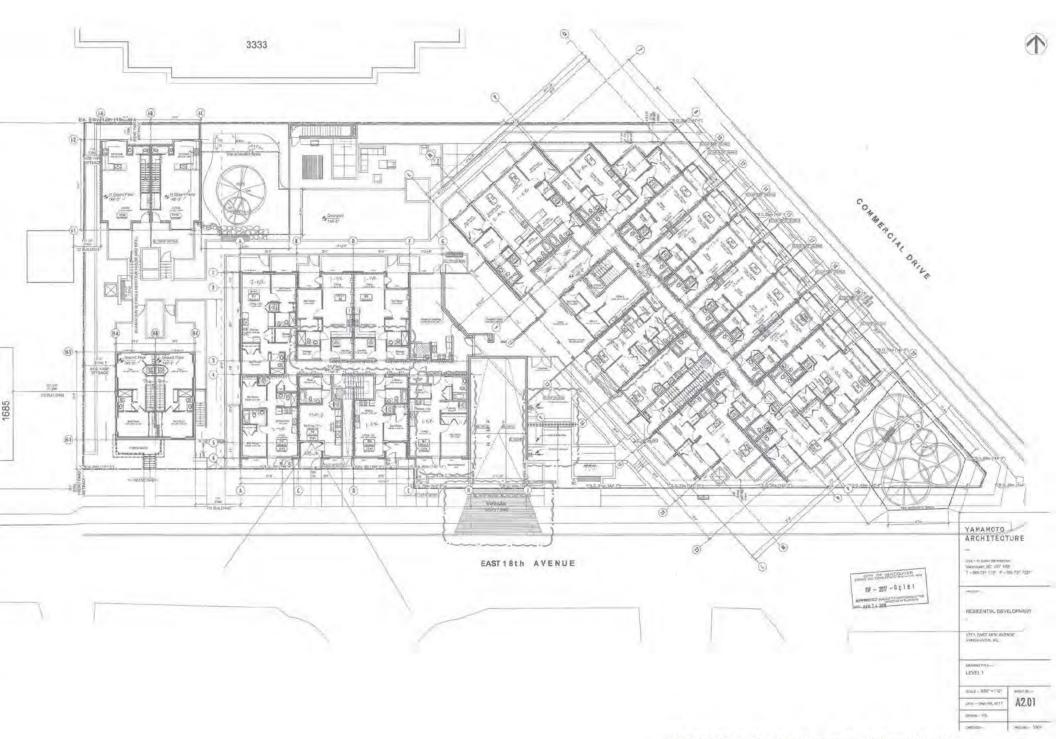
2nd floor plan



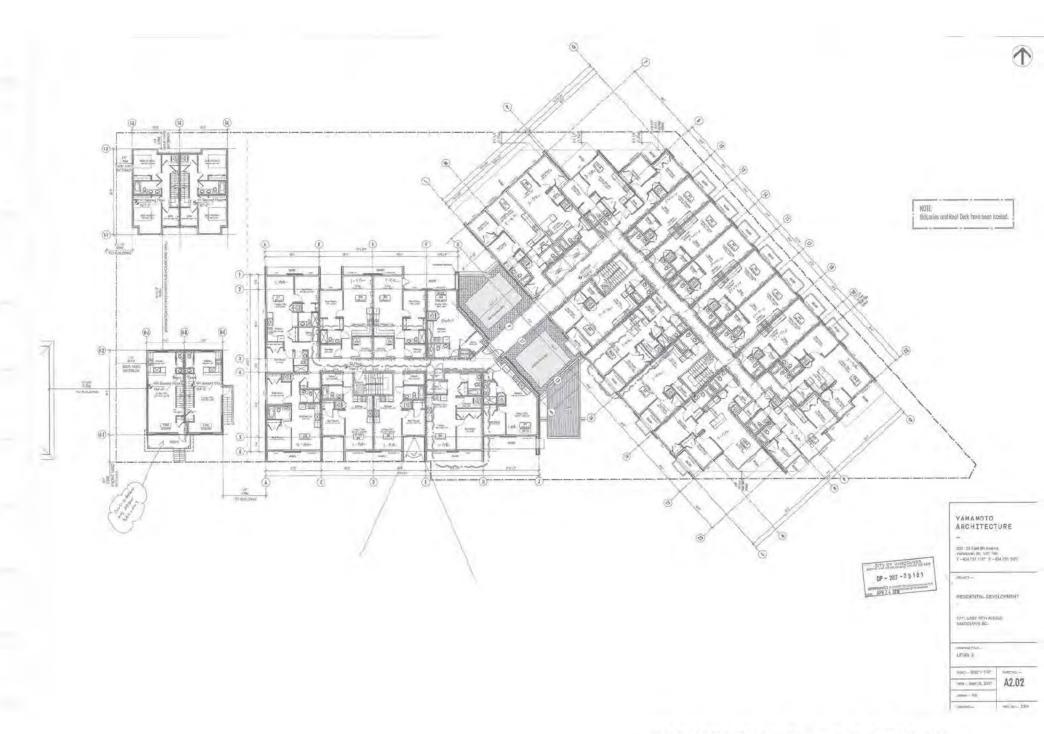


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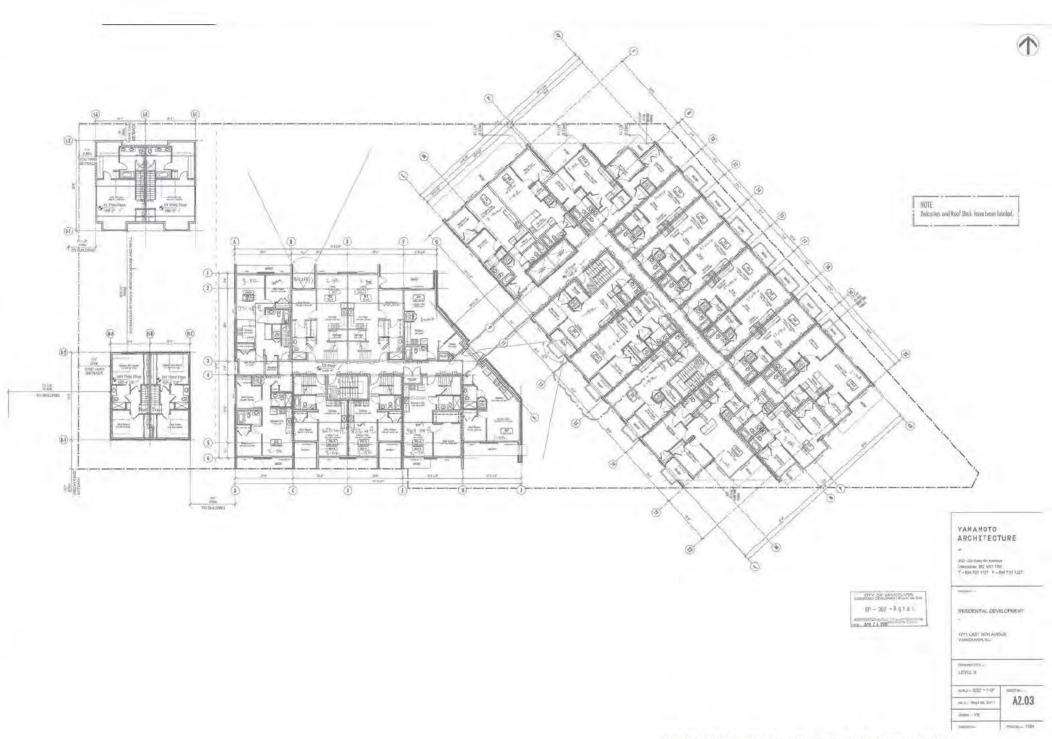




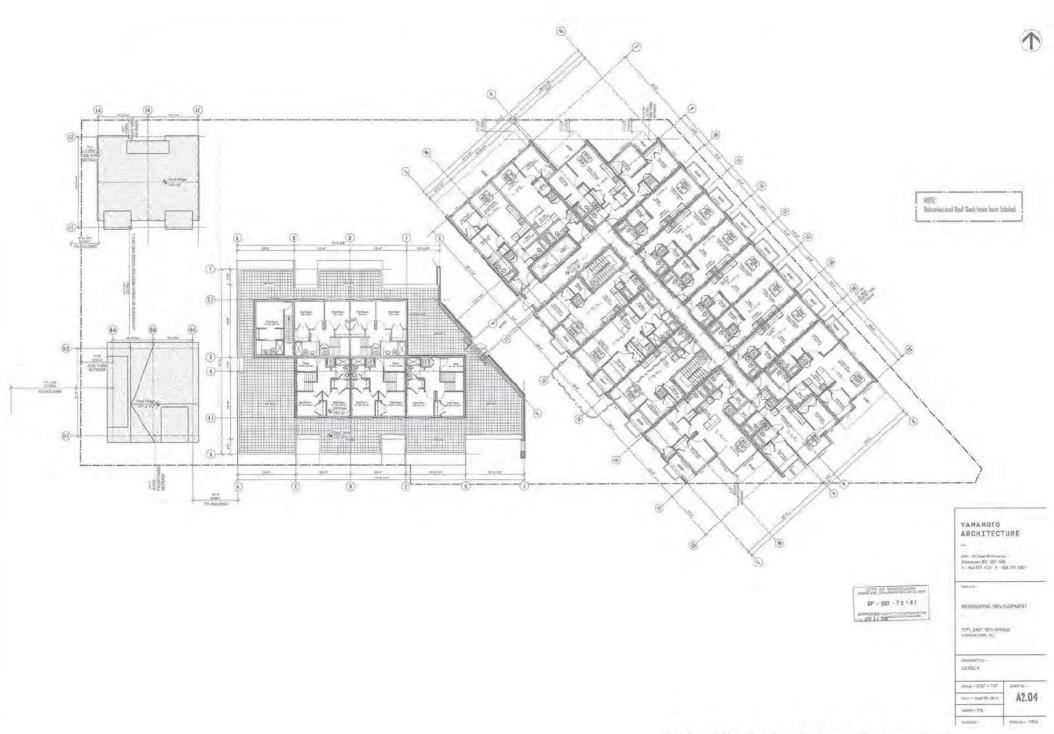
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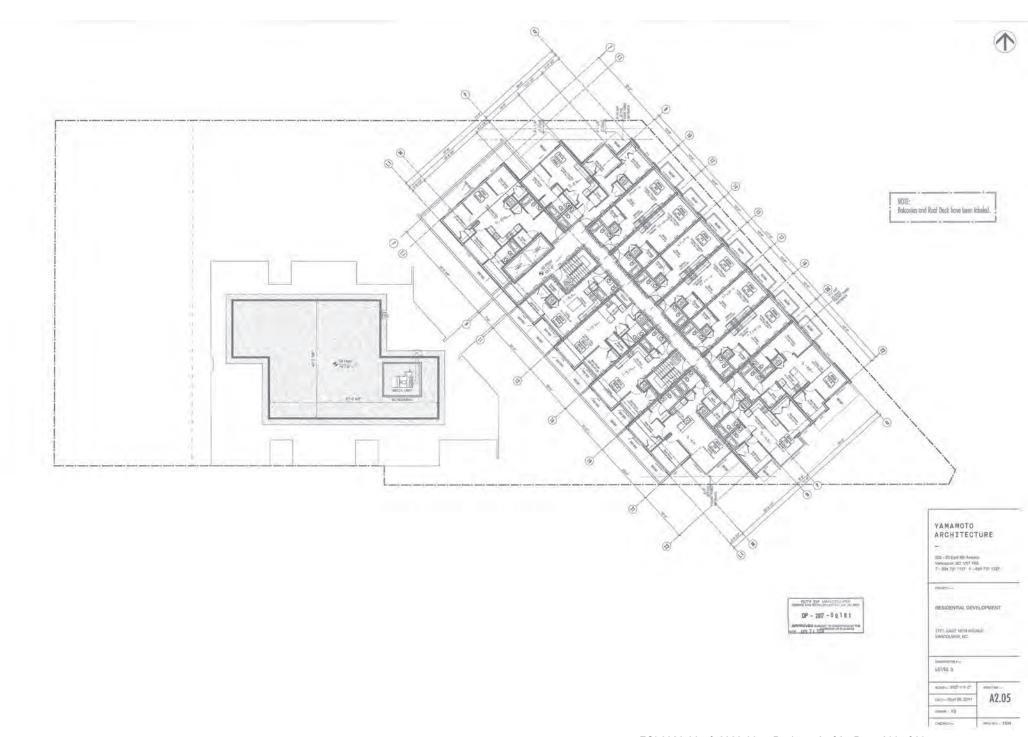
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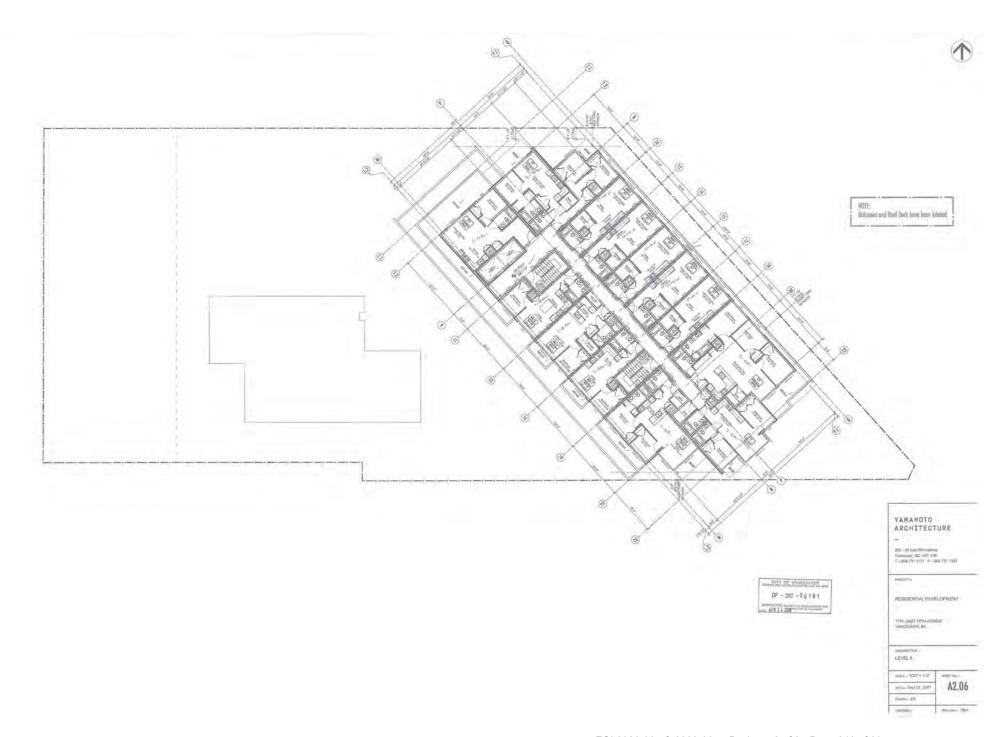
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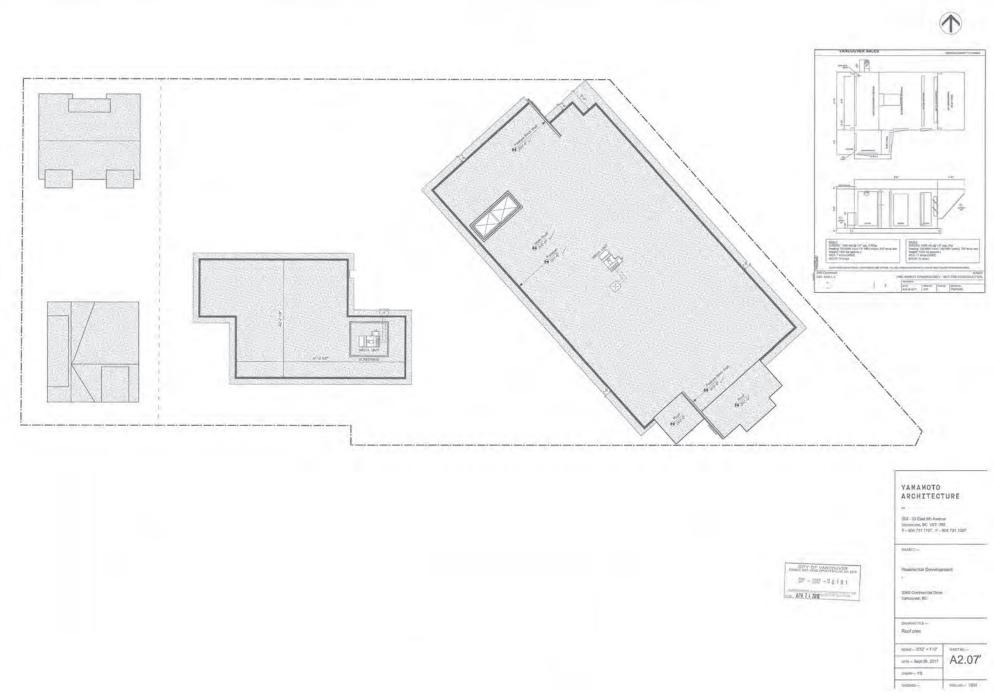
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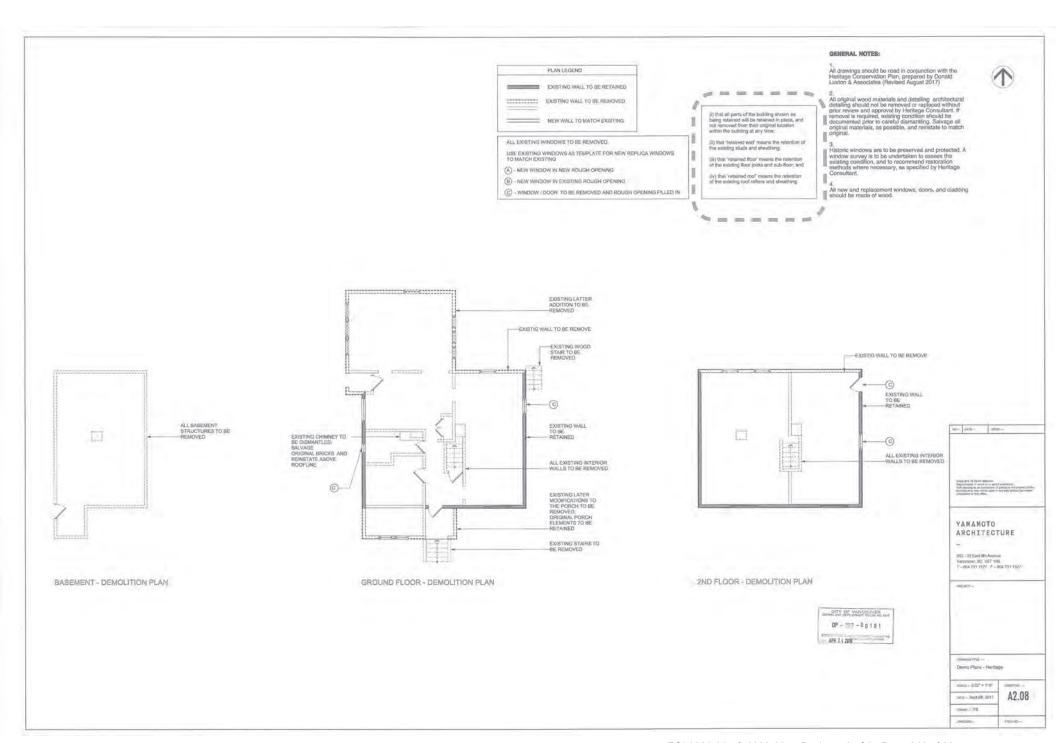


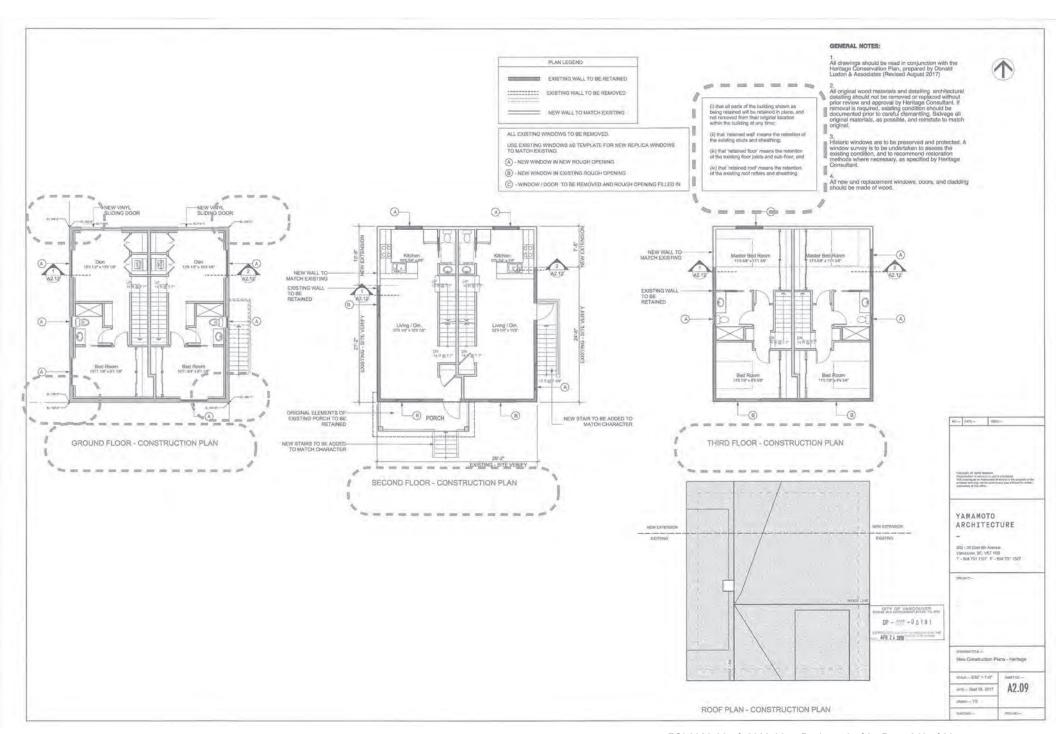
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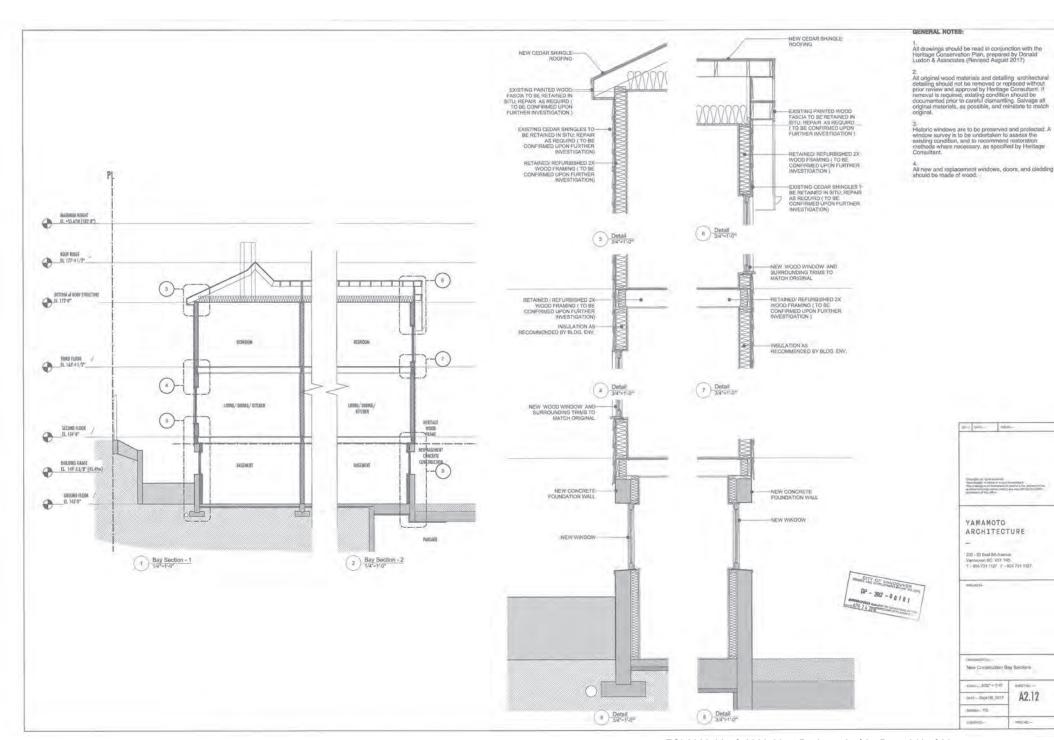


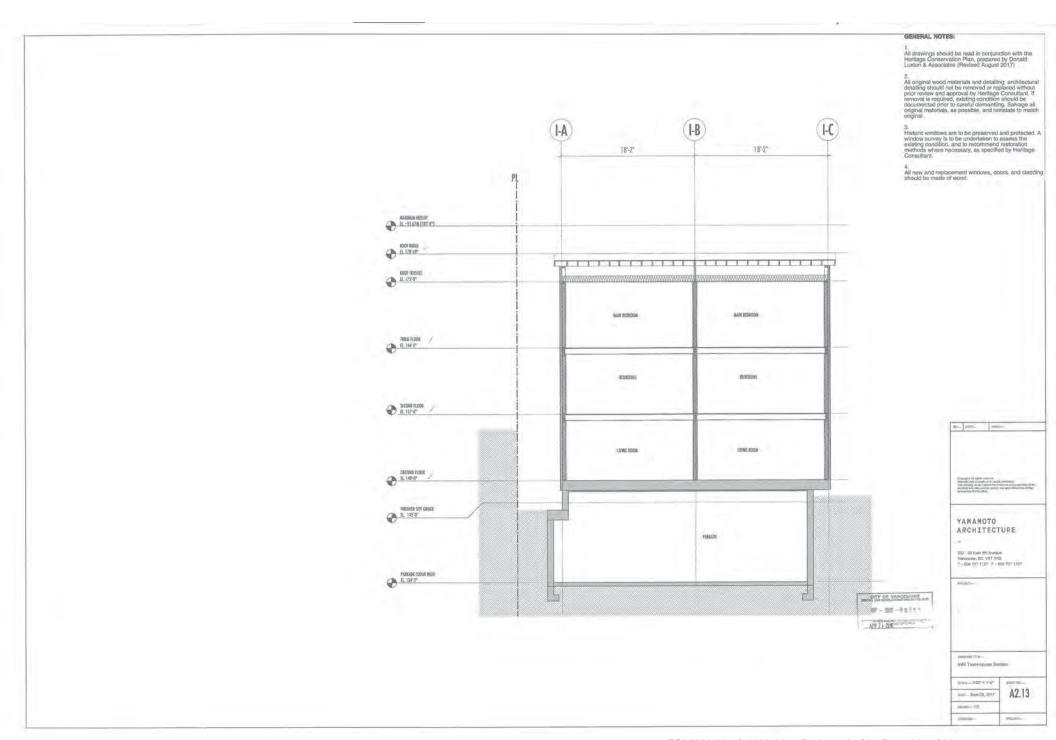
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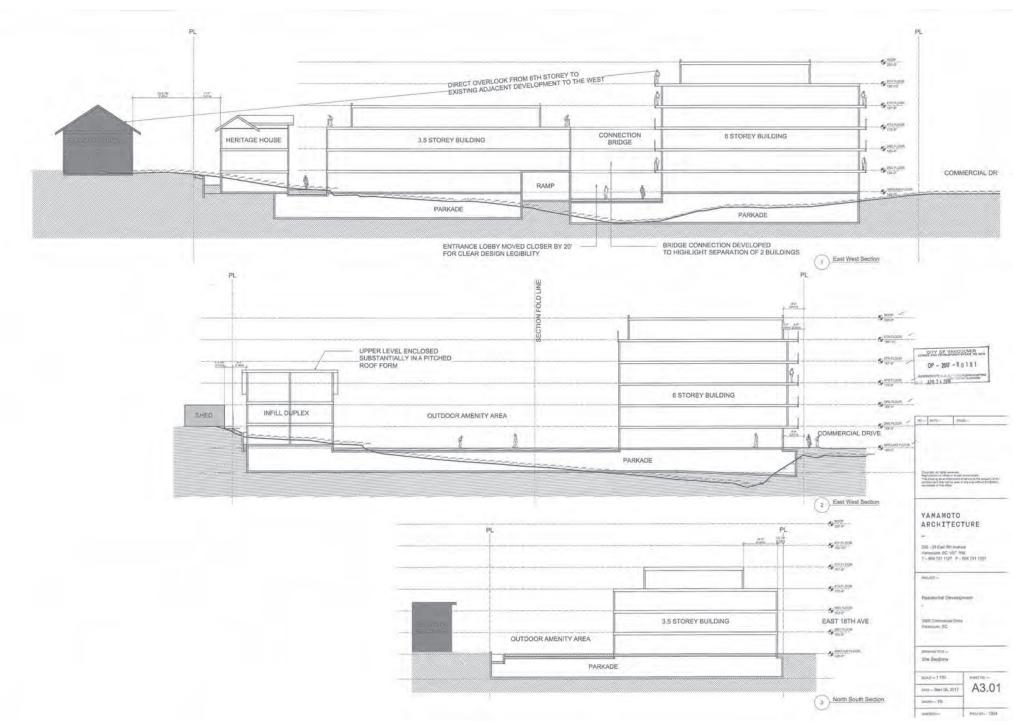




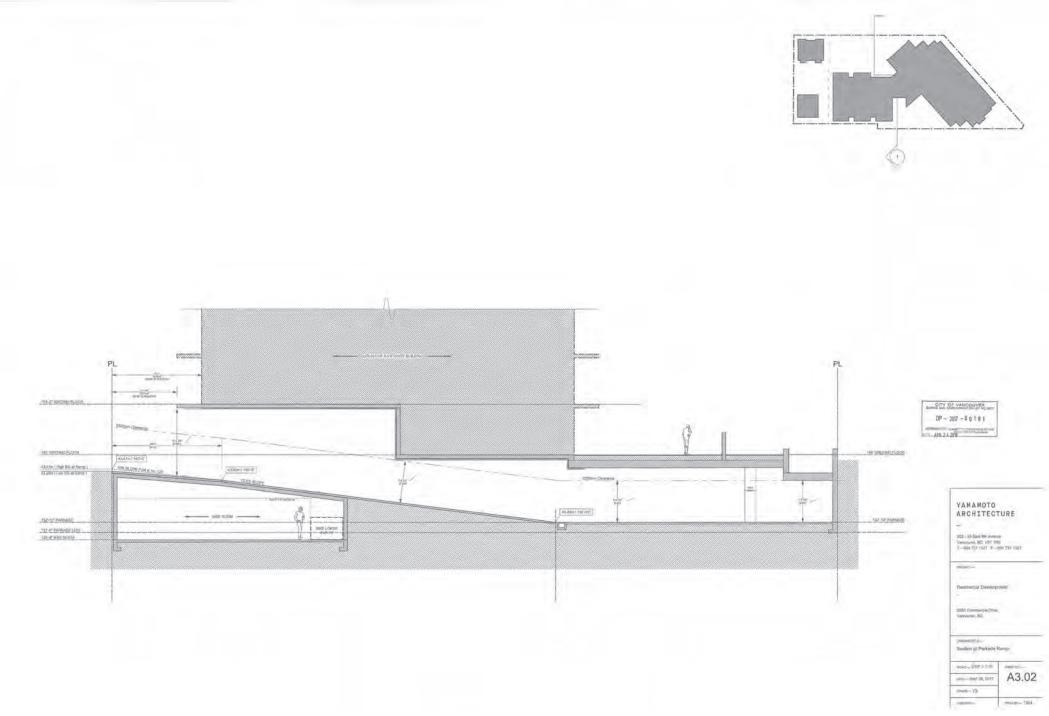
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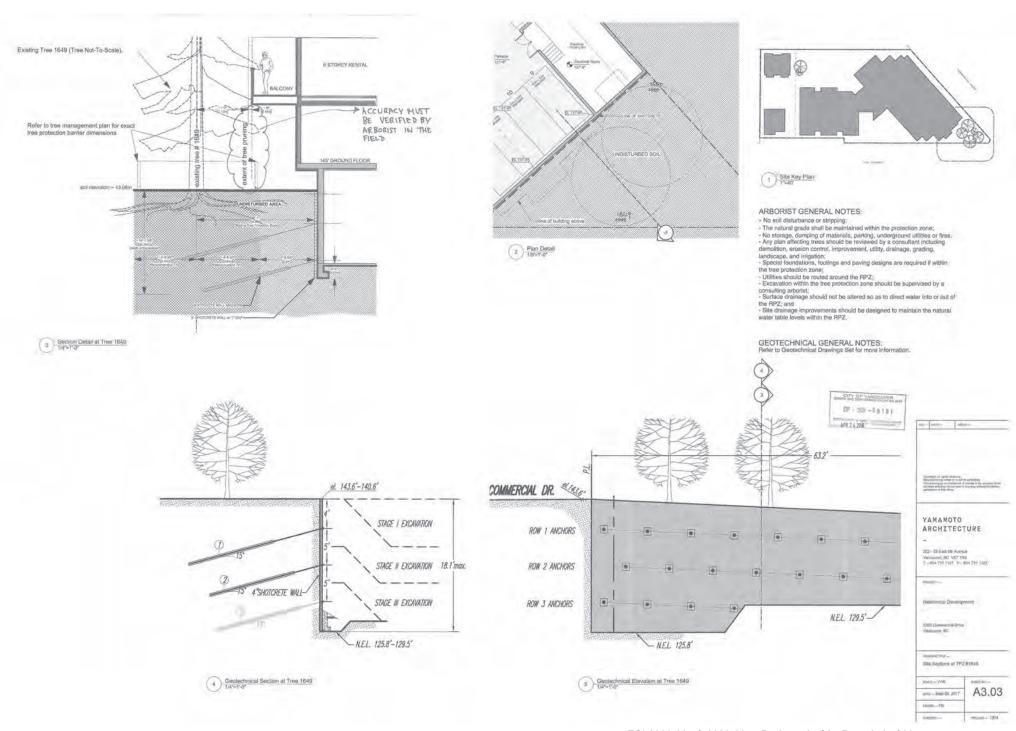




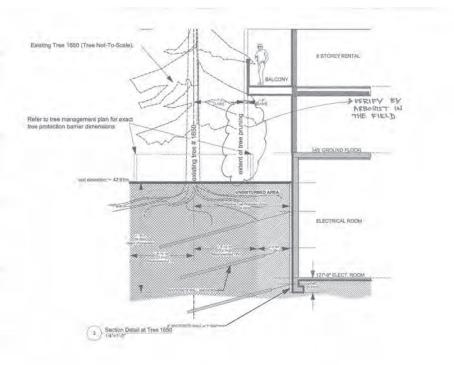
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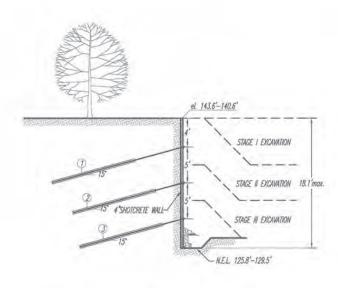


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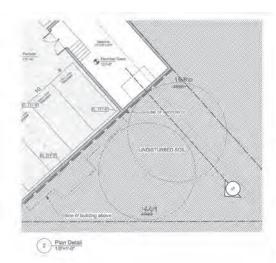


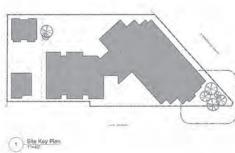
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Geotechnical Section at Tree 1650





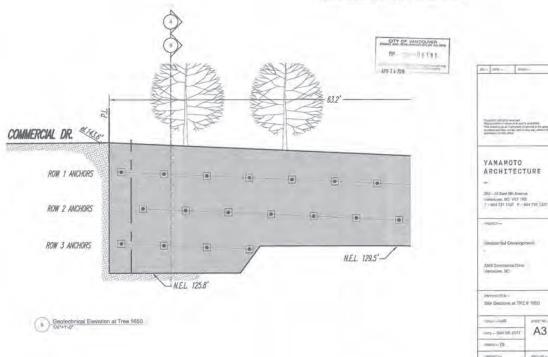
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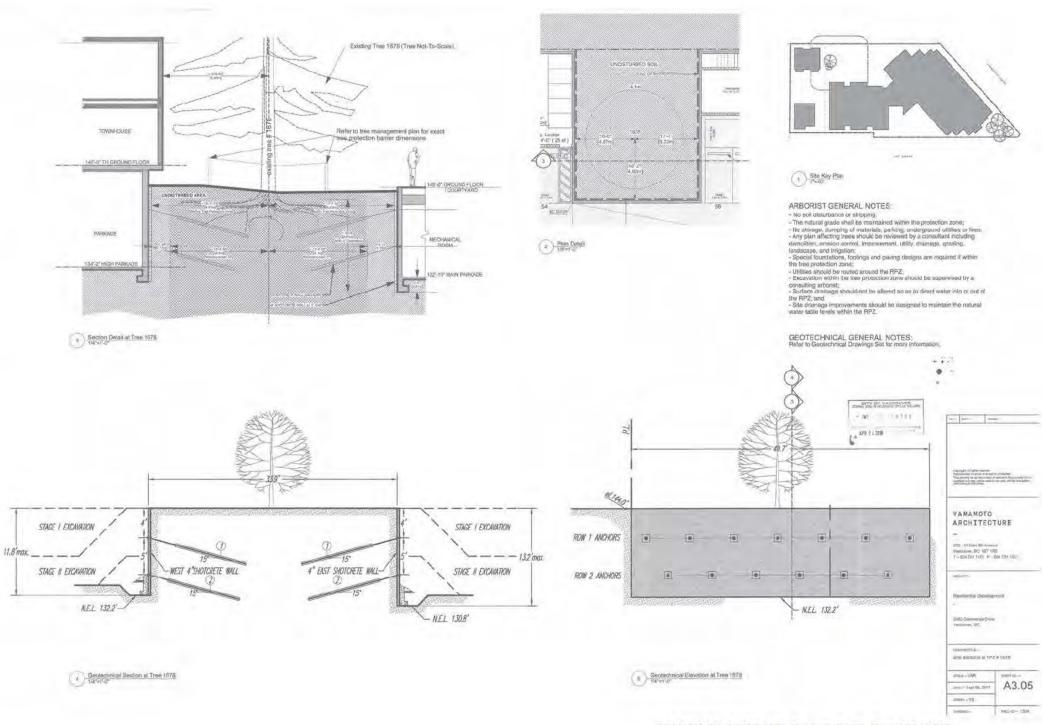
- No soil disturbance or stripping:
- The natural grade shall be maintained within the protection zone;
- No storage, dumping of materials, parking, underground utilities or fires;
 Any plan affecting trees should be reviewed by a consultant including demolition, erosion control, improvement, utility, drainage, grading. landscape, and irrigation;
 - Special foundations, footings and paving designs are required if within

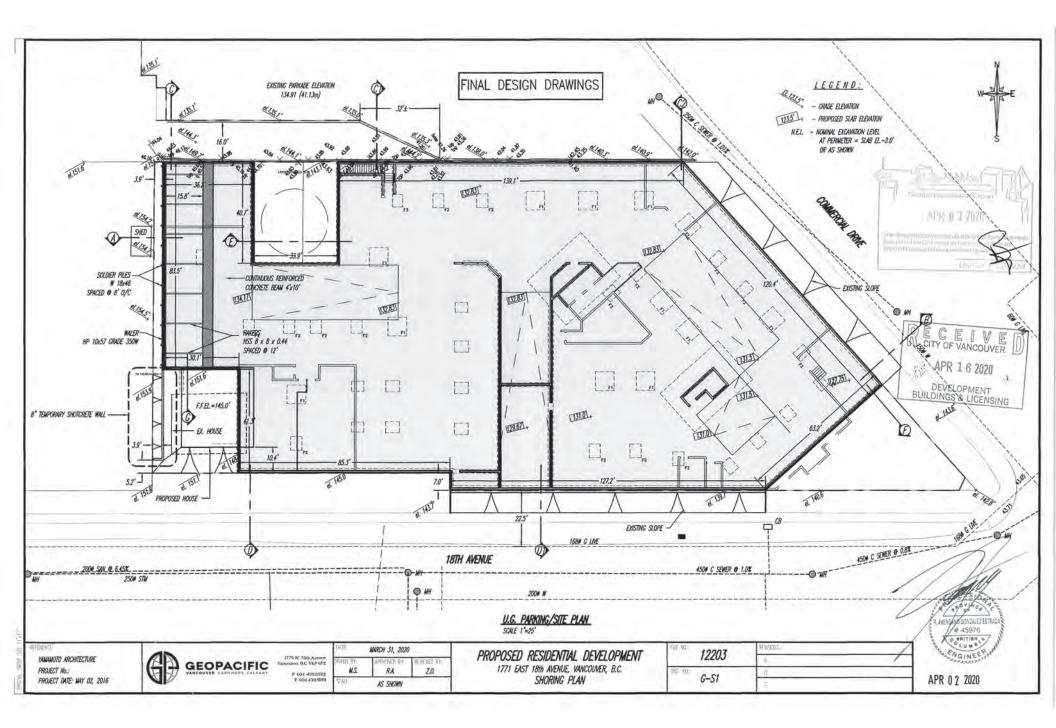
- Utilities should be routed around the RPZ;
 Excavation within the tree protection zone should be supervised by a
- consulting arborist;
 Surface drainage should not be altered so as to direct water into or out of the RPZ; and
- Site drainage improvements should be designed to maintain the natural water table levels within the RPZ.

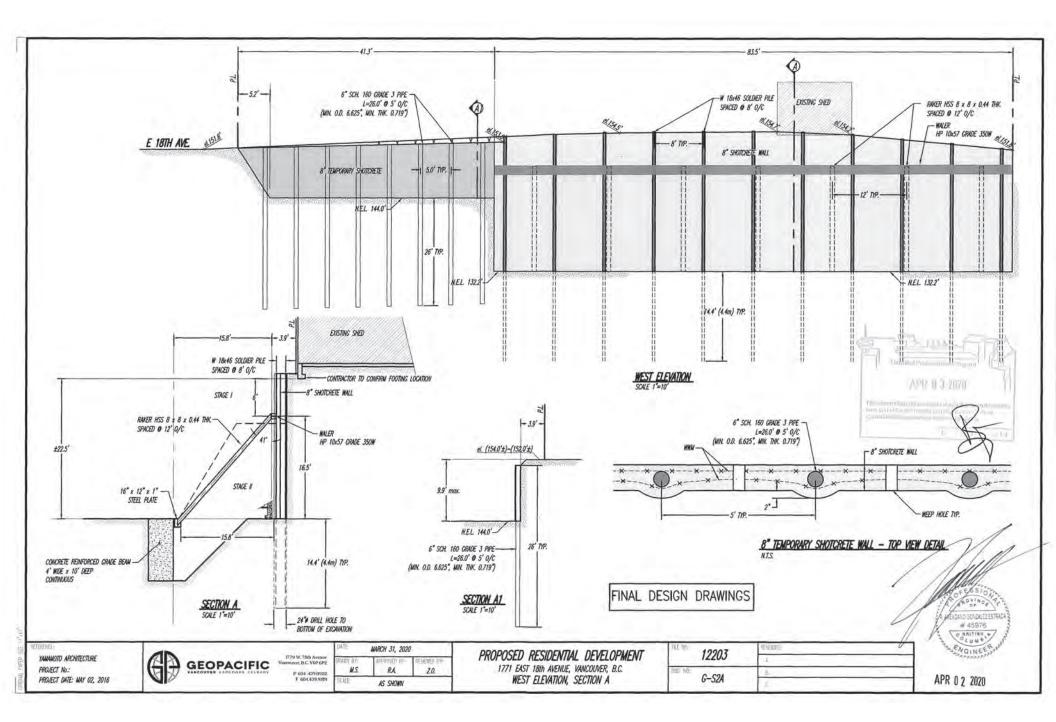
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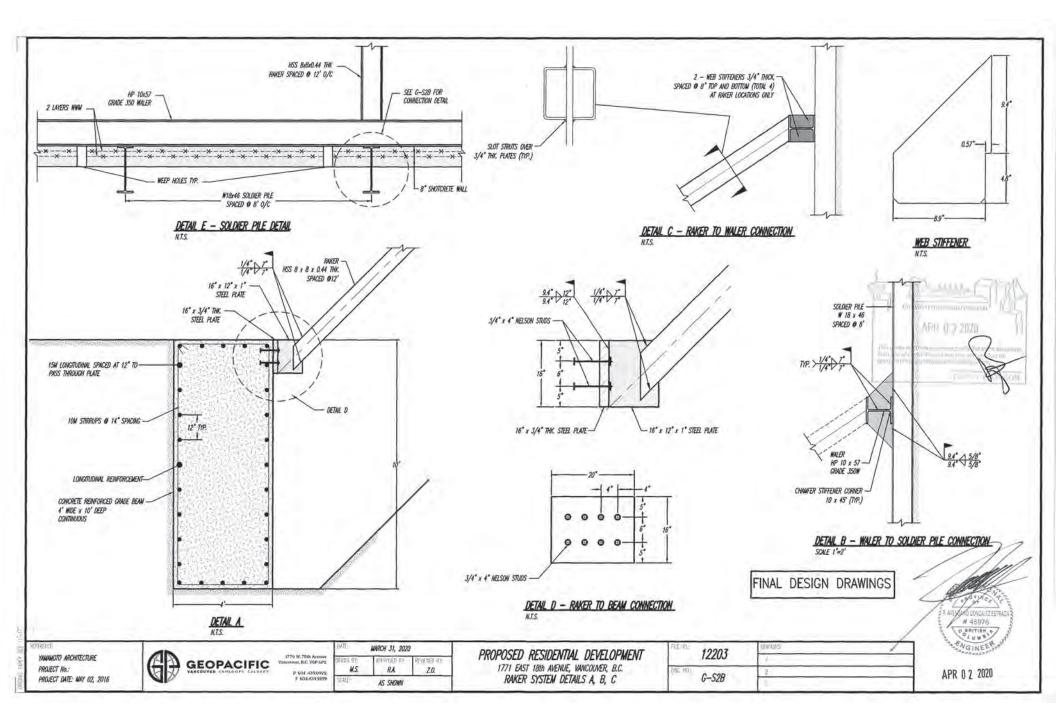
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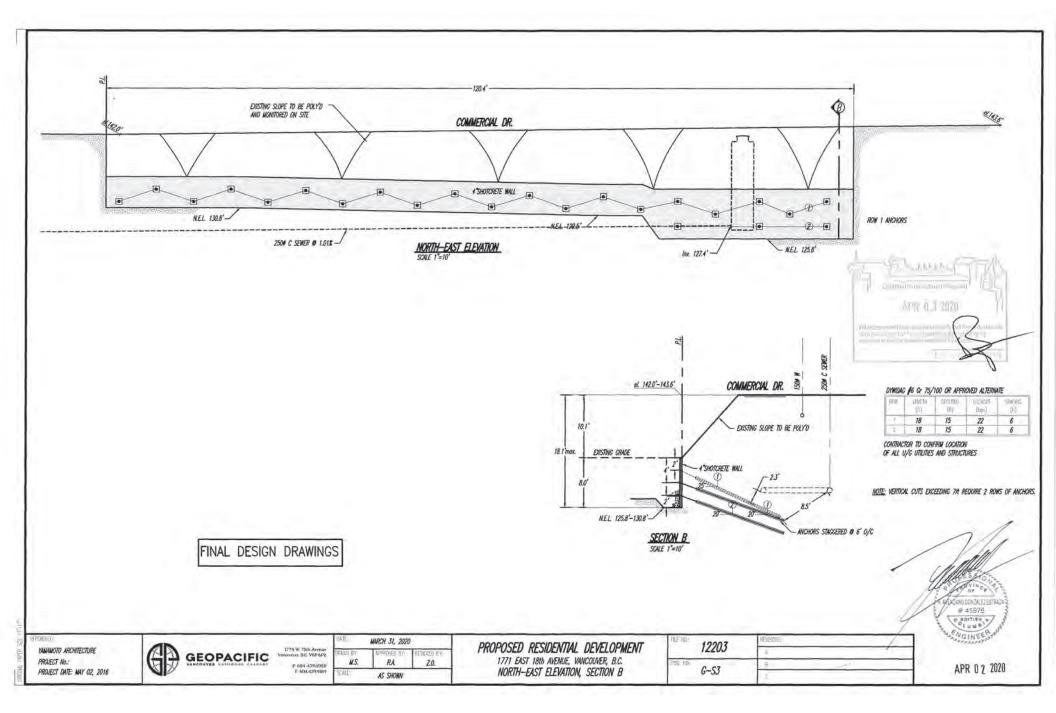


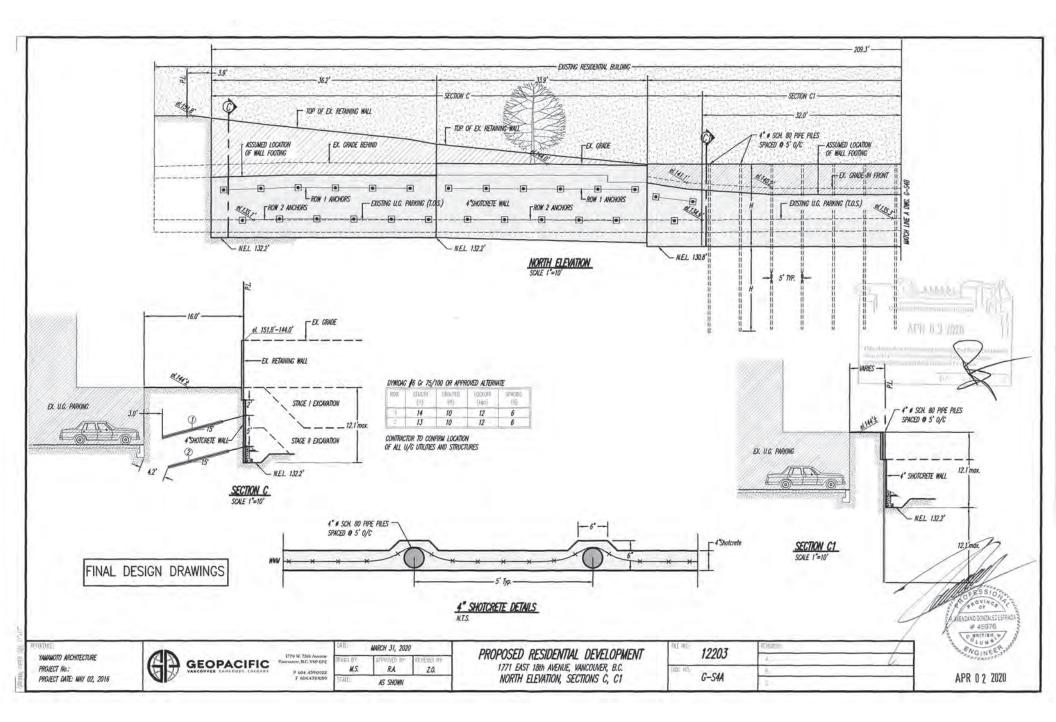


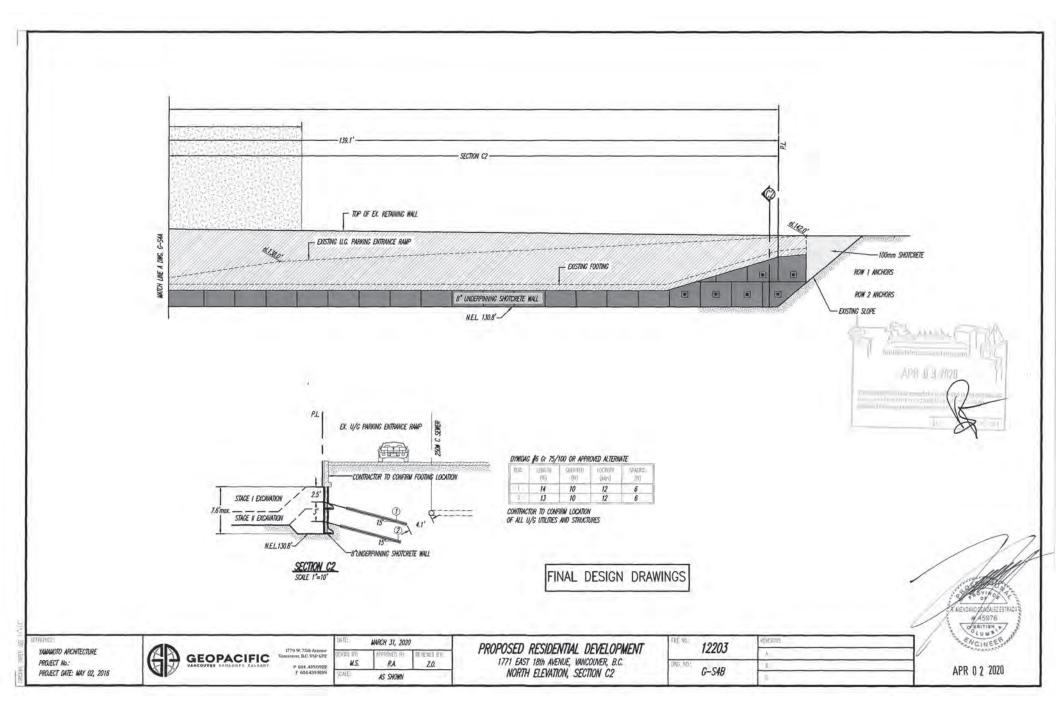


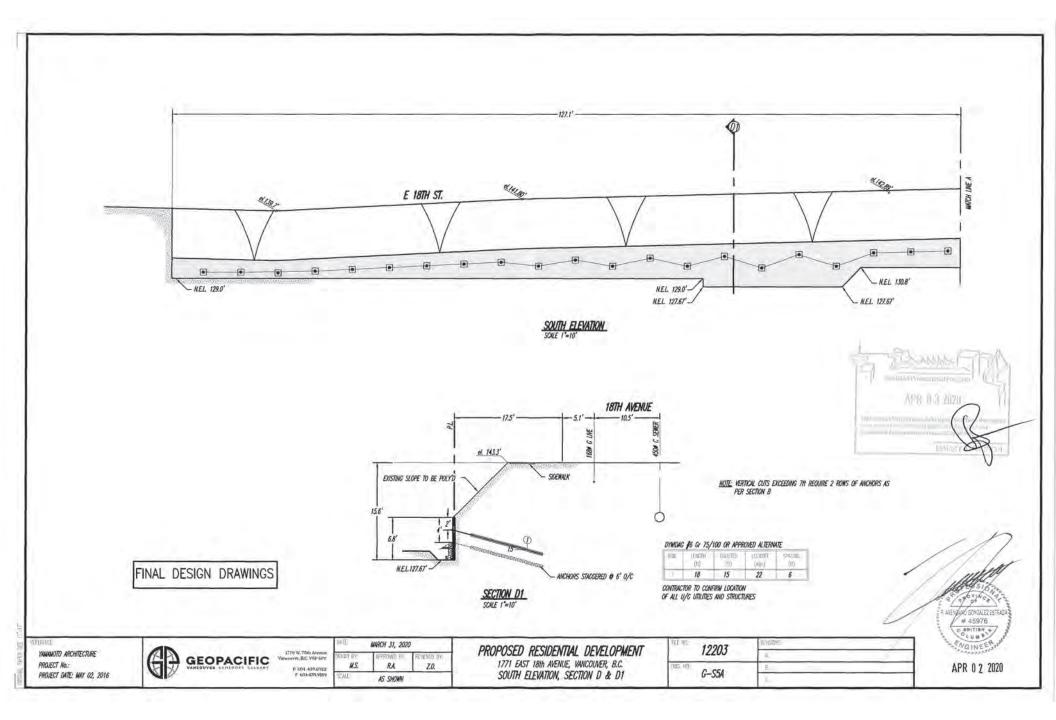


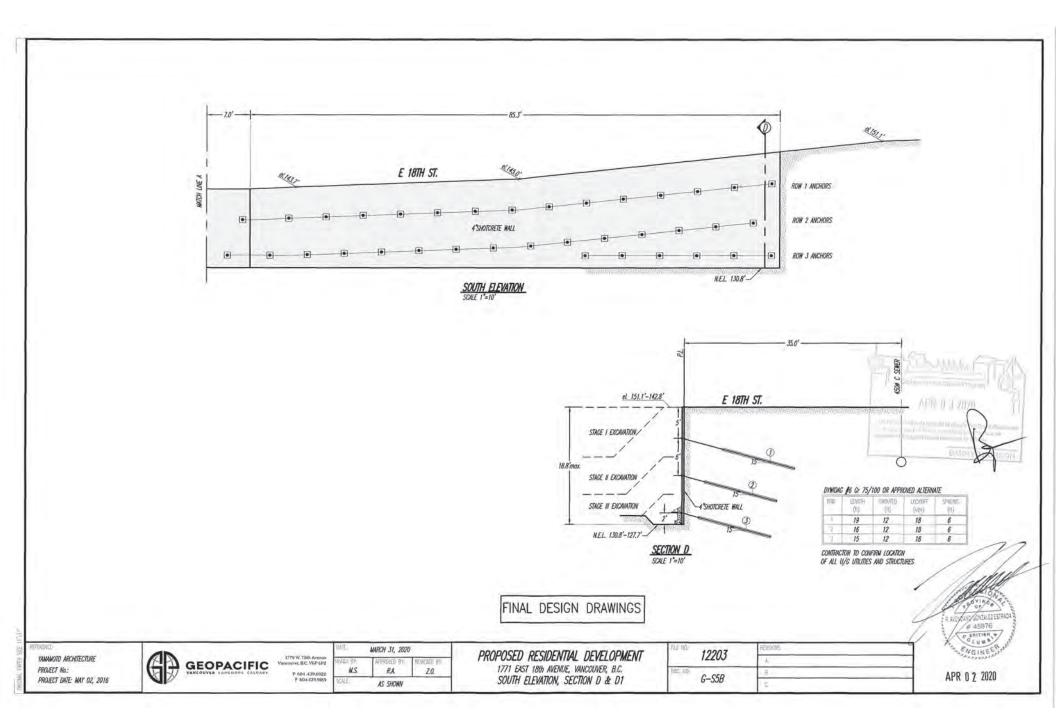


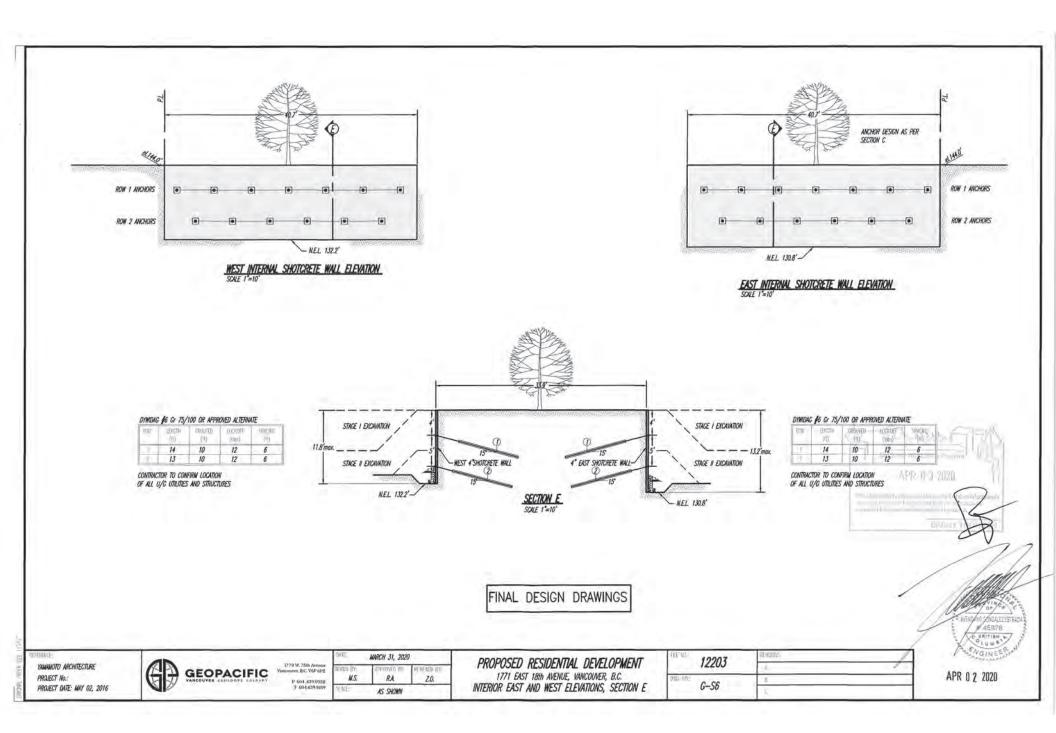


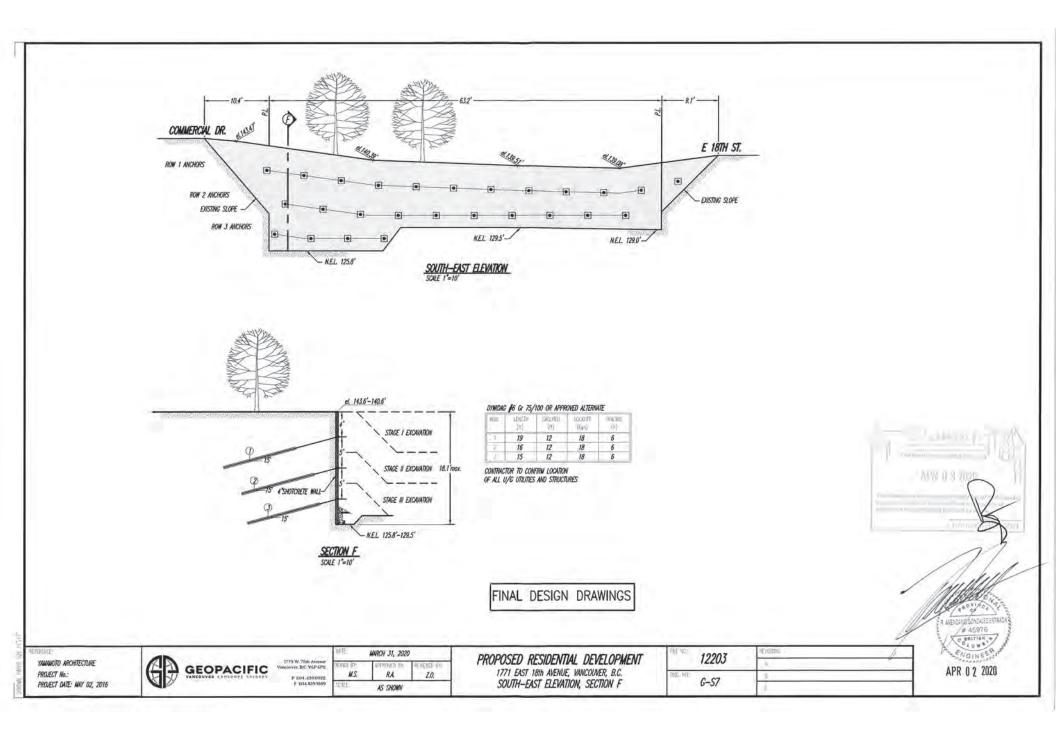


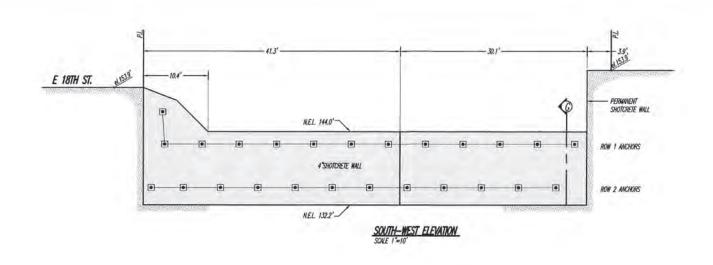


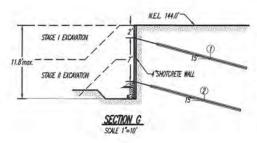












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FINAL DESIGN DRAWINGS

YAMAMOTO ARCHITECTURE PROJECT No.: PROJECT DATE: MAY 02, 2016

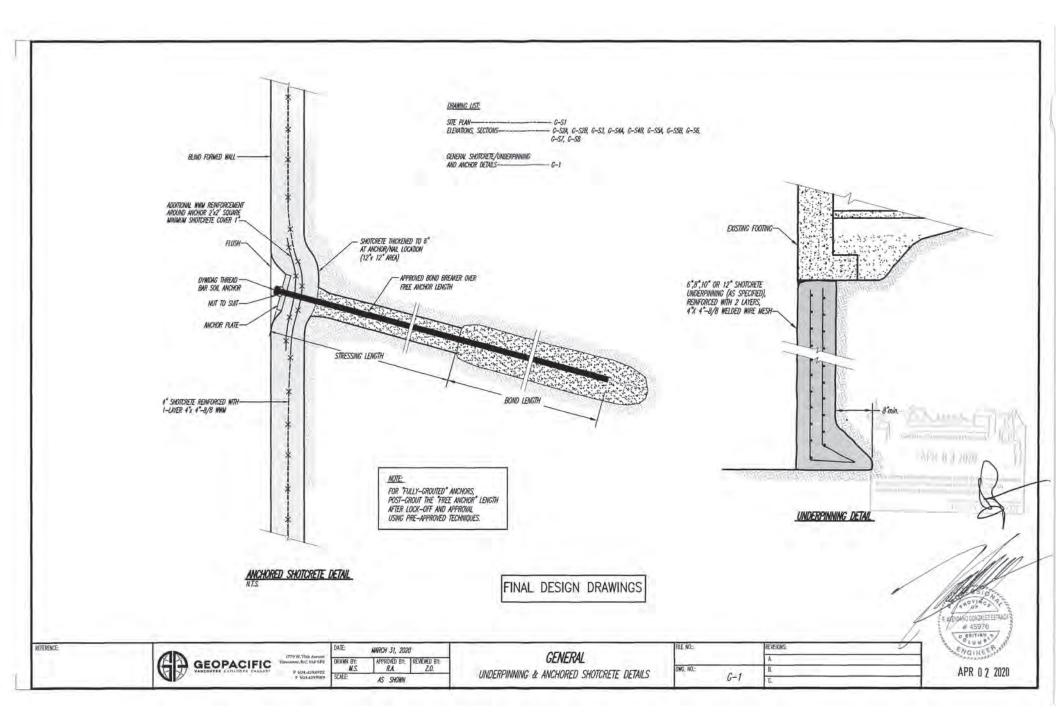


and the same	DATE	MARCH 31, 2020)
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PROPOSED RESIDENTIAL DEVELOPMENT
1771 EAST 18th AVENUE, VANCOUVER, B.C.
SOUTH-WEST ELEVATION, SECTION G

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- 22. A By-law to amend Regional Context Statement Official Development Plan By-law No. 10789 (By-law No. 12059)
- 23. A By-law to amend CD-1 (312) By-law No. 7200 (1529 West Pender Street) (By-law No. 12060)

(Councillor De Genova ineligible for the vote)

- 24. A By-law to authorize the amendment of a Housing Agreement authorized by By-Law No. 11857 (2720 East 48th Avenue 6465 Vivian Street) (By-law No. 12061)
- 25. A By-law to amend Health By-law No. 9535 regarding marinas (By-law No. 12062)
- 26. A By-law to amend Ticket Offences By-law No. 9360 regarding offences pursuant to the Health By-law (By-law No. 12063)
- 27. A By-law to amend License By-law No. 4450 regarding marinas (By-law No. 12064)
- 28. A By-law to amend Energy Utility System By-law No. 9552 regarding the service area (By-law No. 12065)

MOTIONS

A. Administrative Motions

1. Approval of Form of Development – 3365 Commercial Drive and 1695-1755 East 18th Avenue

MOVED by Councillor Reimer SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 3365 Commercial Drive and 1695-1775 East 18th Avenue be approved generally as illustrated in the Development Application Number DP-2017-00181, prepared by Yamamoto Architecture Inc., and stamped "Received, Community Services Group, Development Services", on September 08, 2017, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Renewal of Ray-Cam Community Centre

The Mayor noted requests to speak to the motion had been received.

Residential development at 3365, Commercial drive, 1695,1707,1733,1775, 18th Avenue, Vancouver B.C.

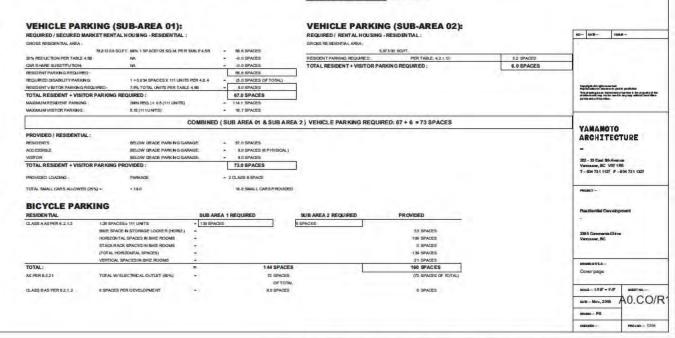






STATISTICS: Market Secured Rental Housing (SUB-AREA 01) 3365 Commo to ial drive, City of Vancouver, B.C. TOPOGRAPHIC PLAN OF LOTS 1,2, AND 5 (EXCEPT THE SOUTH IT REET NOW ROAD) BLOCK A PLAN 1705 AND LOTS 4 AND 5, BLOCKS A AND B, PLAN 5865, ALL OF DISTRICT LOT 753 PLAN 1705 AND LOTS 4 AND 5, BLOCKS A AND B, PLAN 5865, ALL OF DISTRICT LOT 763. LEGAL DESCRIPTION PROPOSED ZONING CD4 SQM. (35,110.0 SQ.FT.) TOTAL SITE AREA SUB AREA #1- RP 2,6835 SQ.M. (28,885.0 SQ.FT.) BUILDING COVERAGE ALLOWED: 1,571.5 3Q.M. (16,915 3Q.FT.) PROPOSED BUILDING HEIGHT ALLOWED: PROPOSED-18.34M (60.17 Pt.) to top of Tower element (6 storeys) FRONT YARD SETBACK (18th Ave.) PROPOSED FRONT YARD SETBACK (Com. Dr.) PROPOSED: REAR YARD SETBACK (N) SIDE YARD SETBACK (W) PROPOSED: 2.01 METERS PROPOSED FLOOR AREA BREAKDOWN 1ST FLOOR (RESIDENTIAL): (14,316.9 SQ.FT.)+ 1644.1 SQ.FT. STOR.+ AM) 2NDFLOOR (RESIDENTIAL): (15.240.0 SQ.FT.) * 985.0 SQ.FT. STORAGE) 3RD FLOOR (RESIDENTIAL) 1.424.0 30 M (15.328.0 SQ.FT.)+ 850.0 9Q.FT. STORAGE) (11.851.0 SQ.FT.) + 878.0 SQ.FT. STORAGE) 4TH FLOOR (RESIDENTIAL) 1.1010 SOM 5TH FLOOR (RESIDENTIAL): 825,1 (8.881.0 SQ.FT.)+ 542.0 SQ.FT. STORAGE) 8TH FLOOR (RESIDENTIAL) 7345 90 M (7.908.0 SQ.FT.)+ 440.0 SQ.FT. STORAGE TOTAL FLOOR AREA: 6830.4 SOM 73522.9 SQ.FT.) 5289.1 SQ.FT. STORAGE) FLOOR SPACE RATIO - FSR: 2.55 COMPINED S DOR AREA 7385.4 SQM. 79495.9 SQ.FT.) 5388.1 SQ.FT. STORAGE) COMBINED - FSR: 39 STUDIO UNITS 347 SQ.FT. 32 ONE BEDROOM UNITS 106 SQ.FT. 29 % 26 TWO BEDROOM UNITS 672 SQ.FT. 23 % 14 THREE BEDROOM UNITS 111 UNITS TOTAL 100 %























CONTEXT PLAN
SCALE N.I.S.











13) 3333 COMMERCIAL DR. 3365 COMMERCIAL DR. (SUBJECT SITE BEHIND)







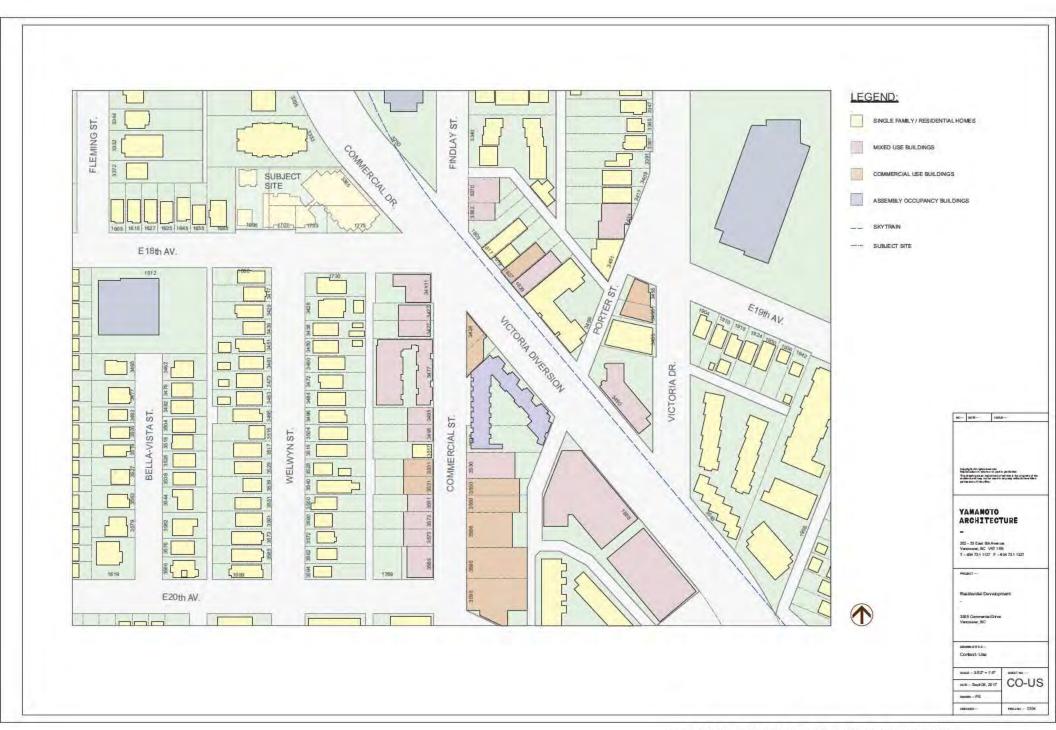






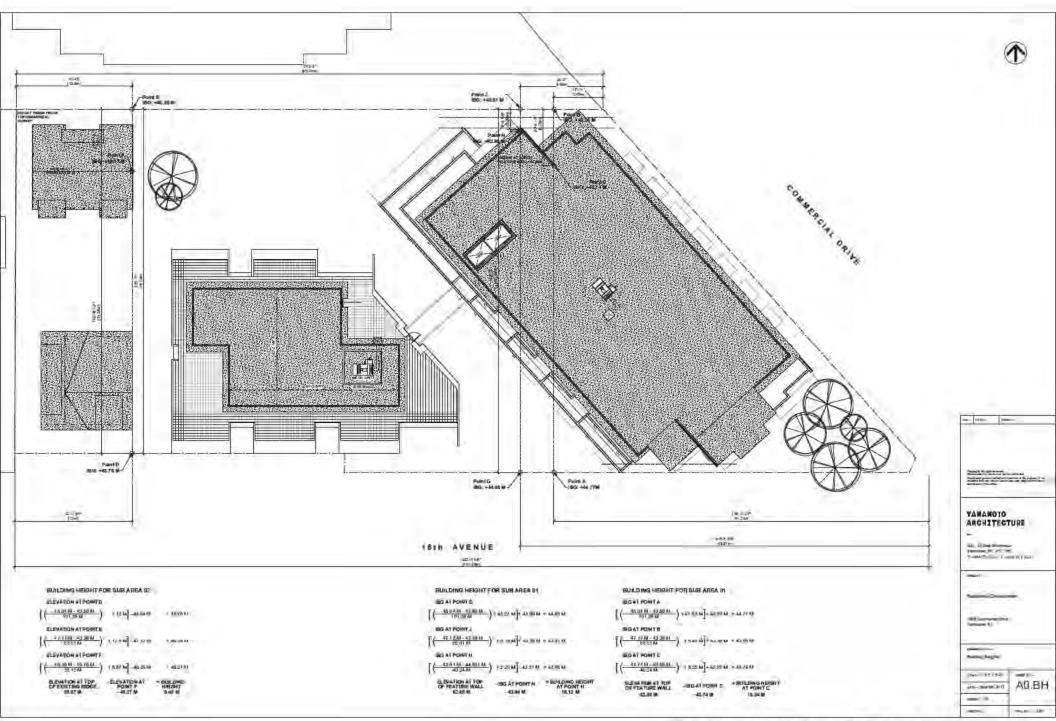
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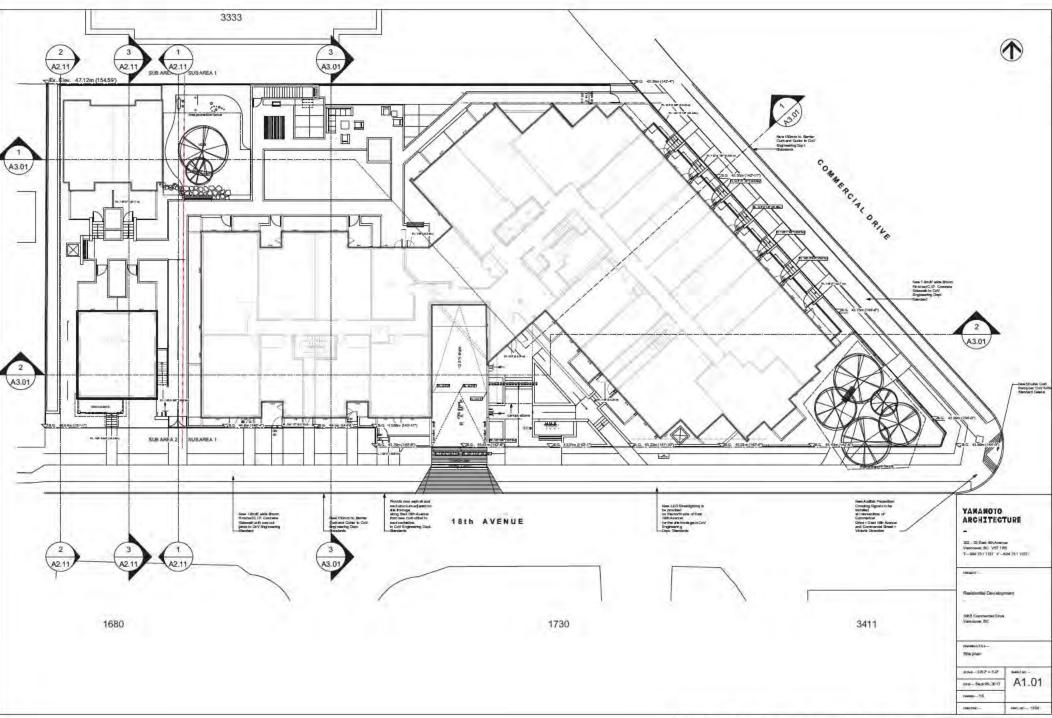




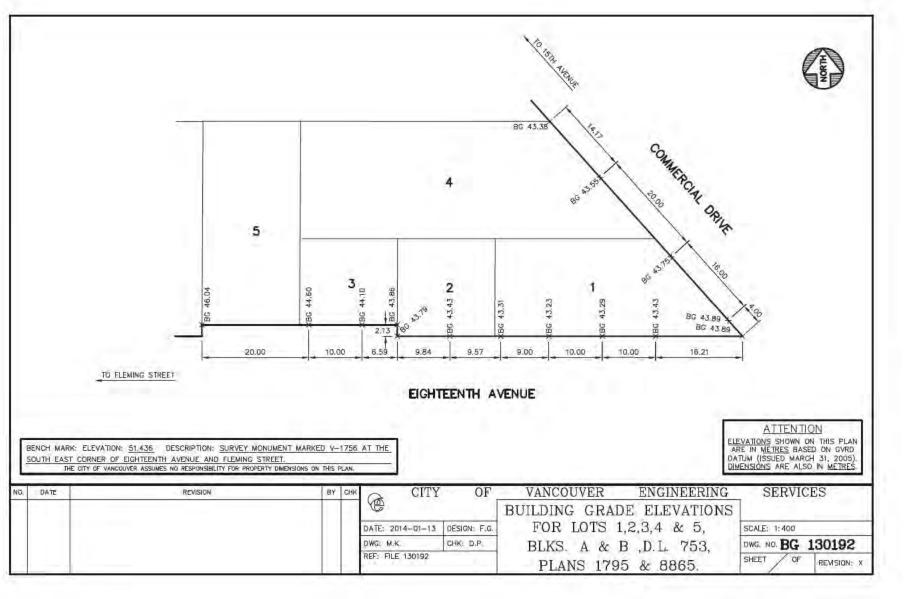


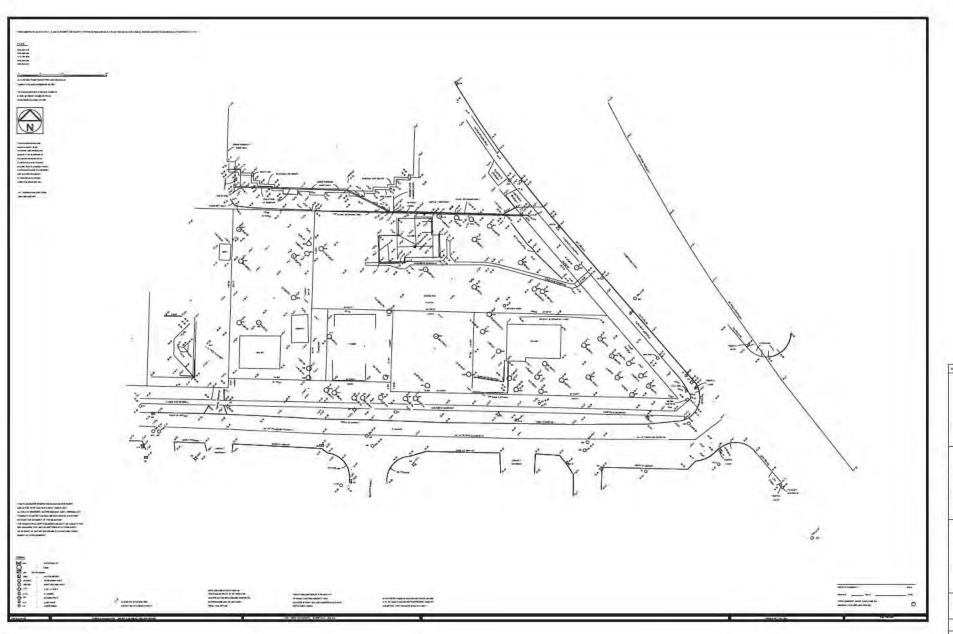


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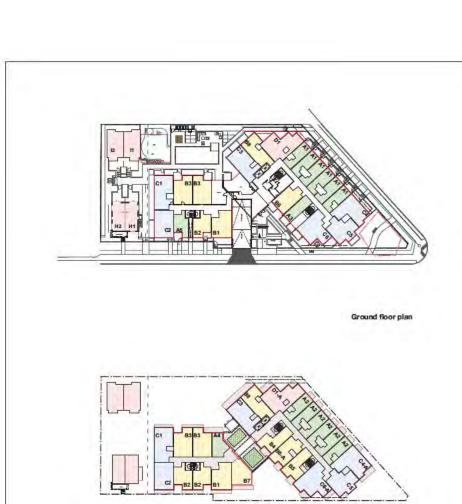


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2nd floor plan

3rd floor plan





SECURED MARKET RENTAL HOUSING UNITS: 111 UNITS

UNIT TYPES

67-3	
	5th floor plan

2 BED UNITS (Avg.)			
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	th per SEE	2.0	
	1554 sq fi	4.0	
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	6 12 sq ff	6.0	
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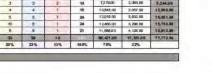
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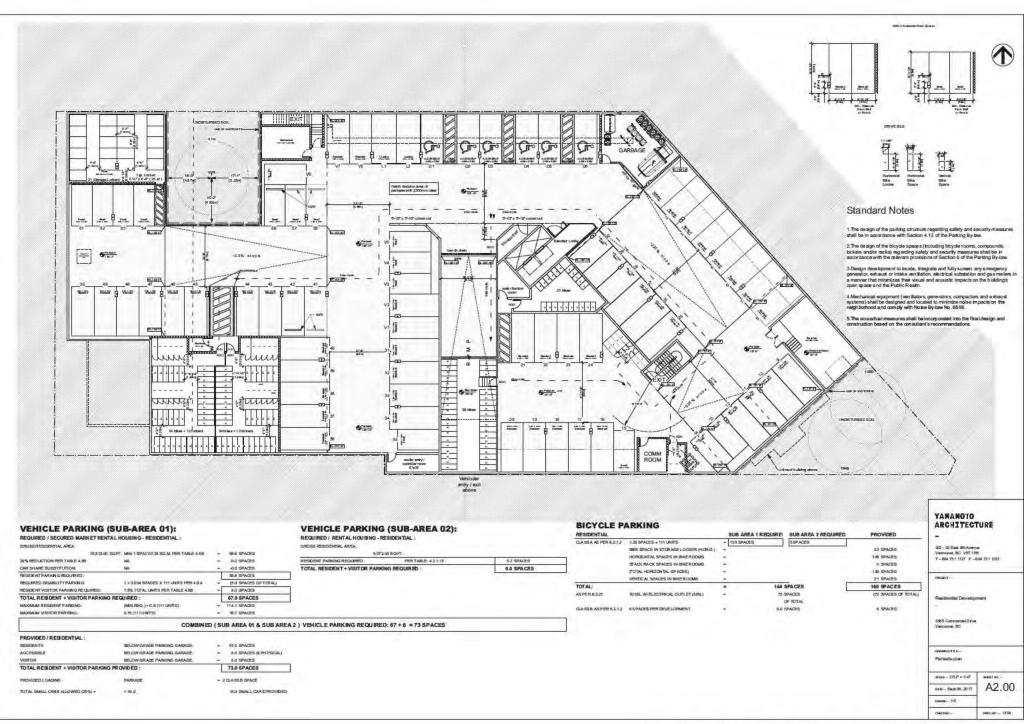


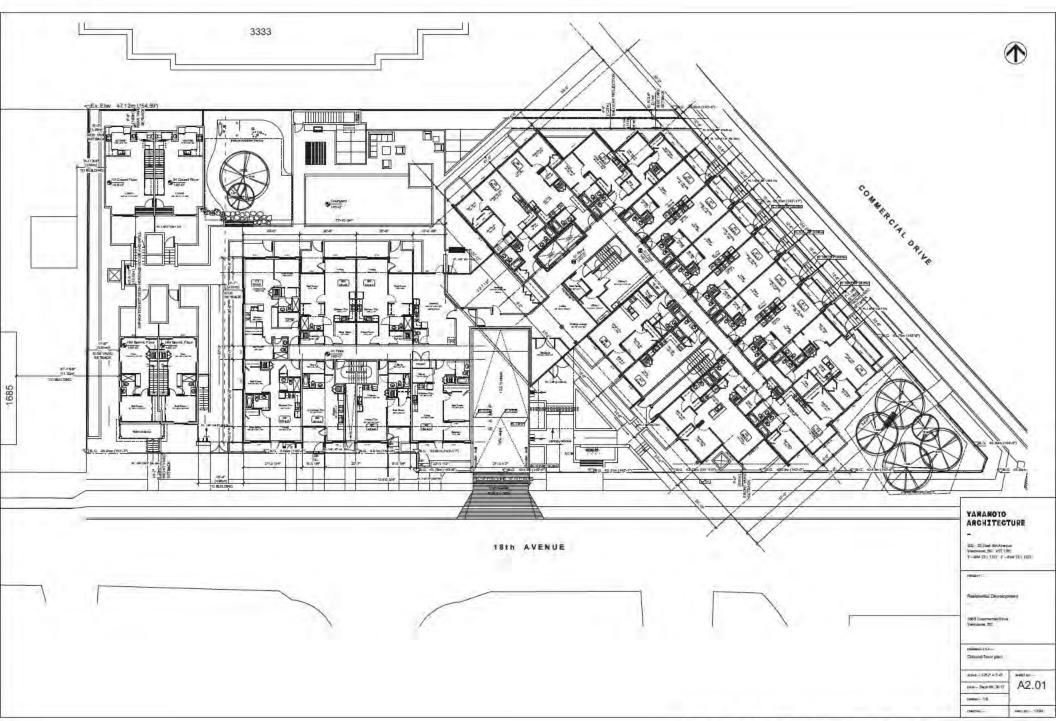
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2	7,647 102 11	1.0
Total	5,814 sq ft	4.0

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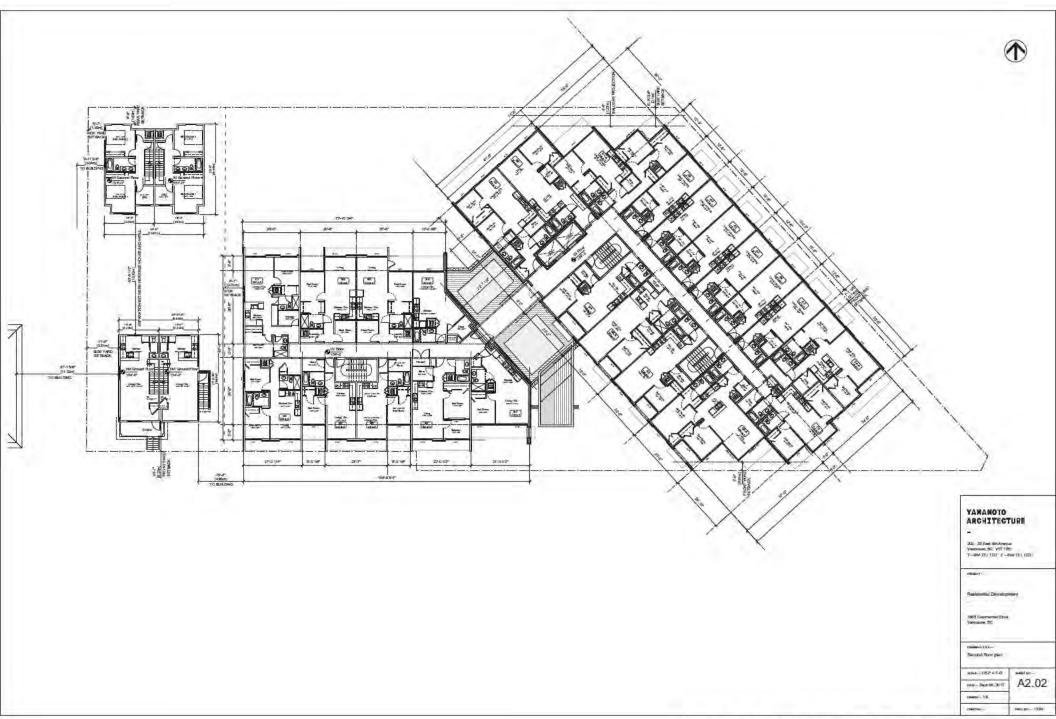
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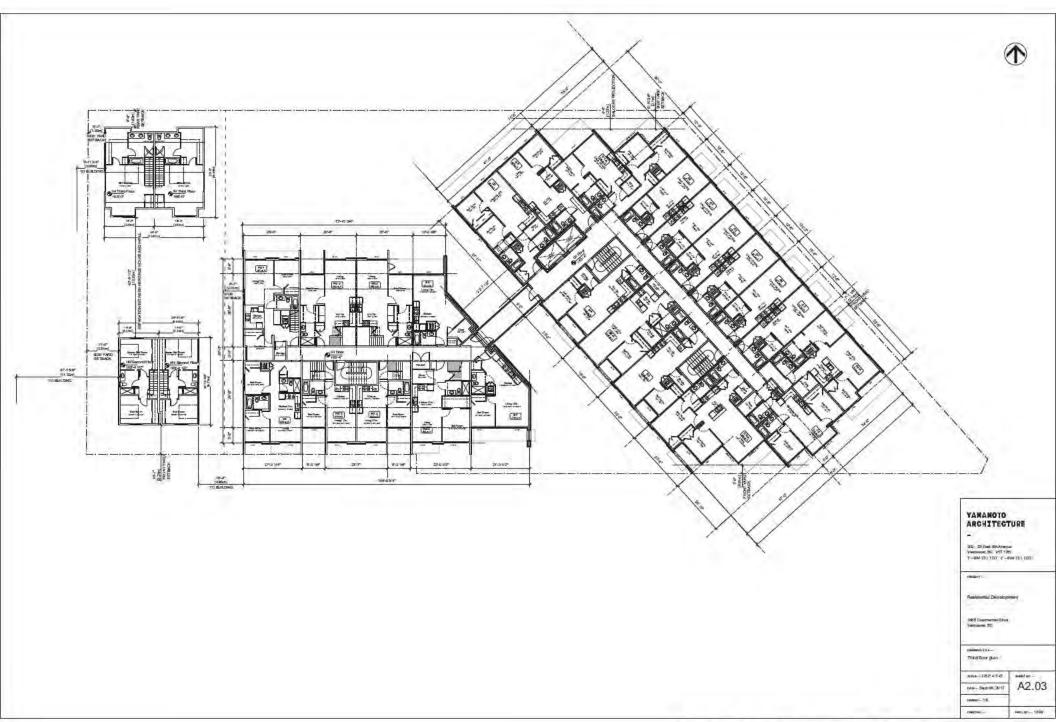


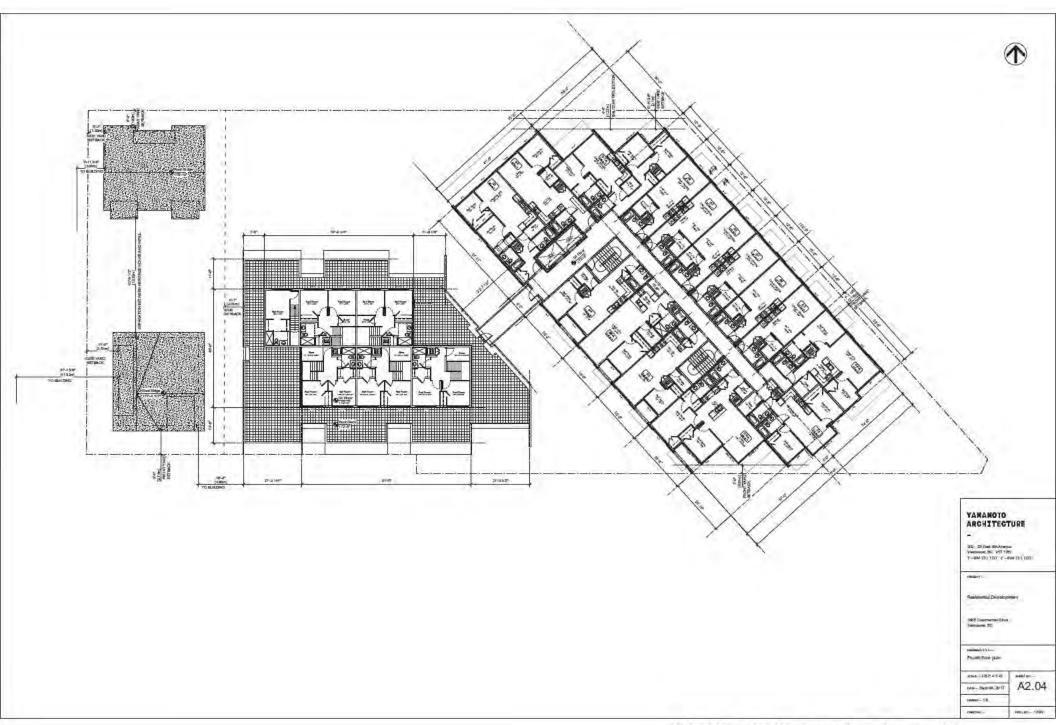


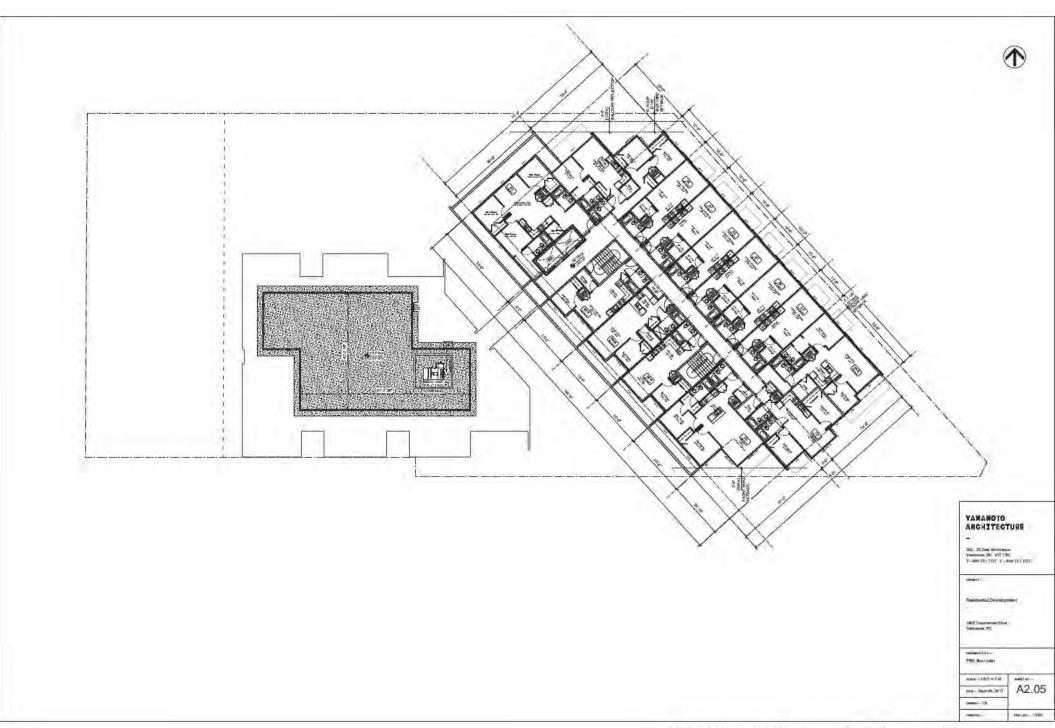


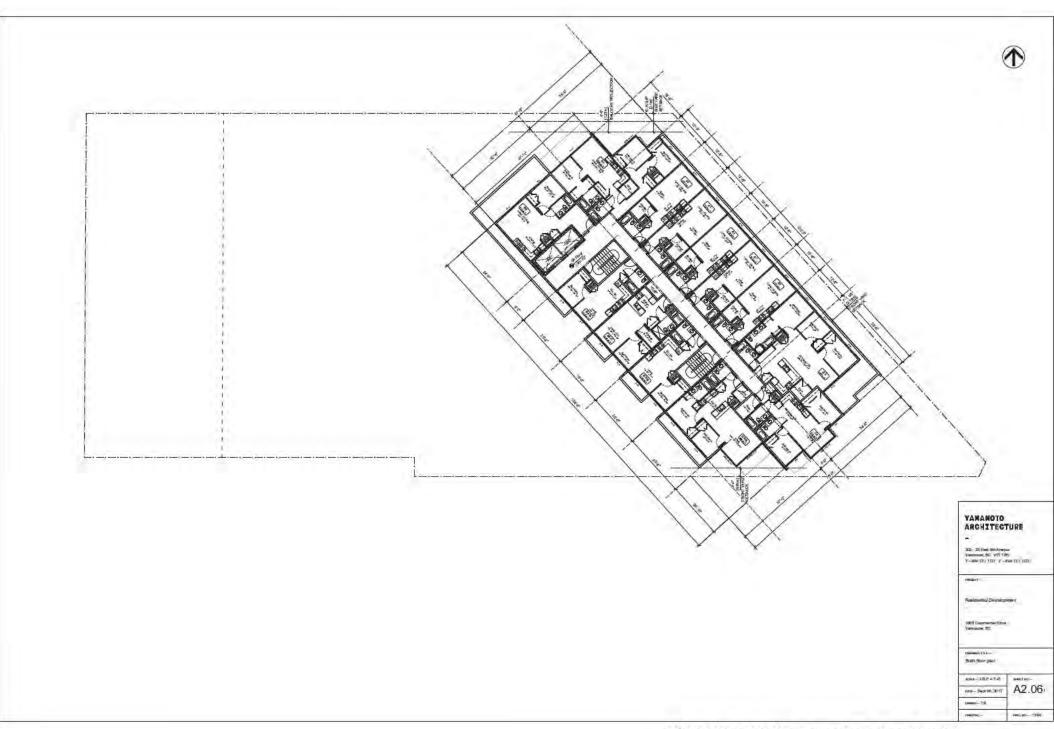
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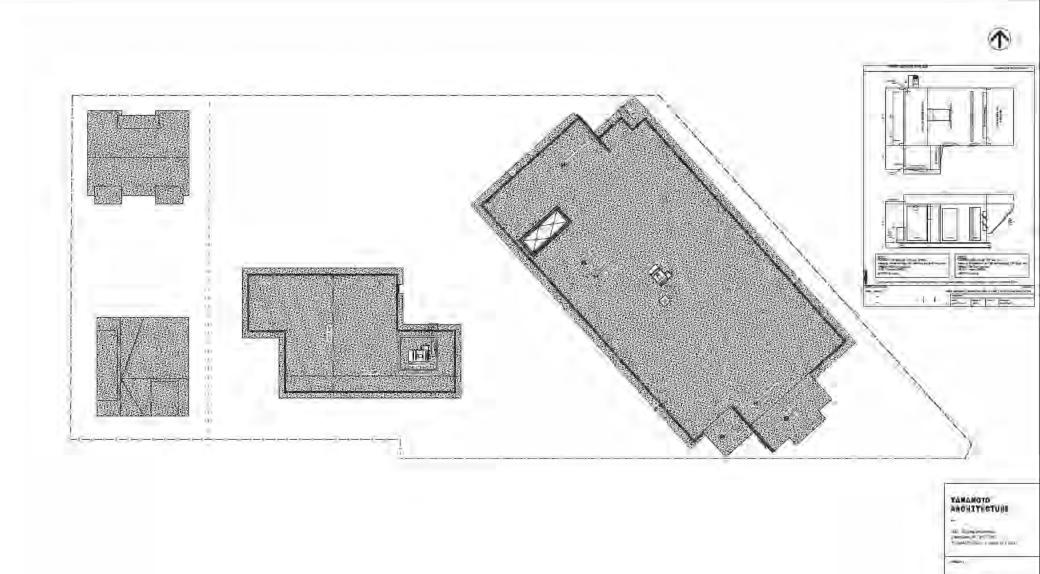














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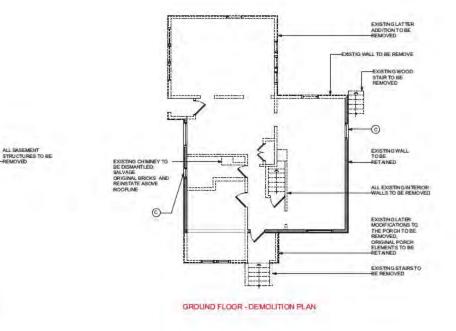
All drawings should be read in conjunction with the Heritage Conservation Plan, prepared by Donald Luxton & Associates (Revised August 2017)

2. All original wood materials and deballing architectural detailing should not be removed or replaced without prior review and approval by Heritage Consultart. If removal is required, cristing condition should be cocumented prior to careful dismarting. Savage all original materials, as possible, and reinstate to match original.

Historic windows are to be preserved and protected. A window survey is to be undertaken to assess the existing condition, and to recommend restoration methods where necessary, as specified by Heritage Consultant.

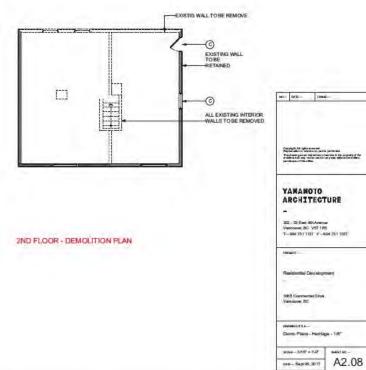
All new and replacement windows, doors, and cladding should be made of wood.

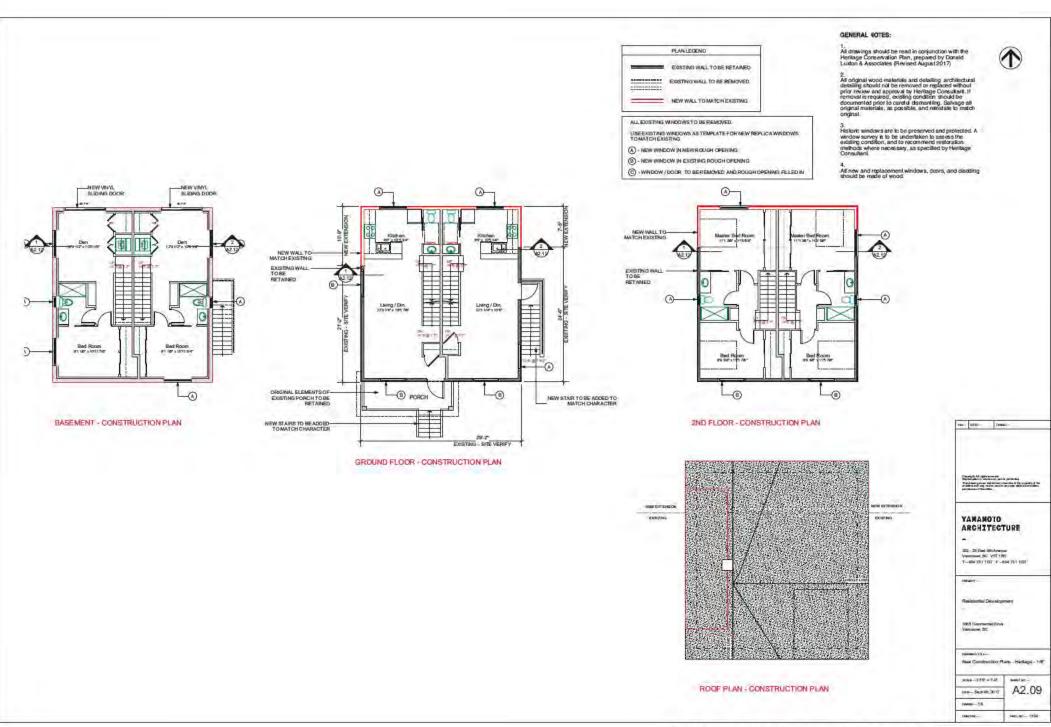
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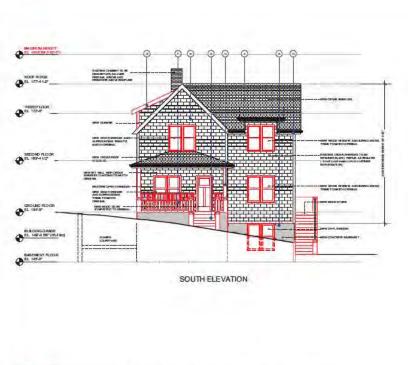


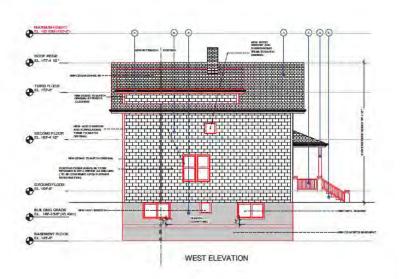
ALL BASEMENT

BASEMENT - DEMOLITION PLAN

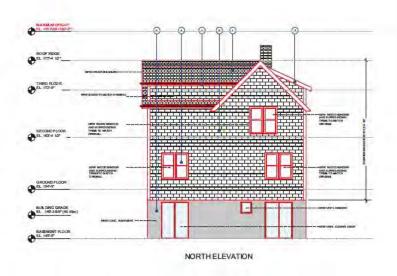












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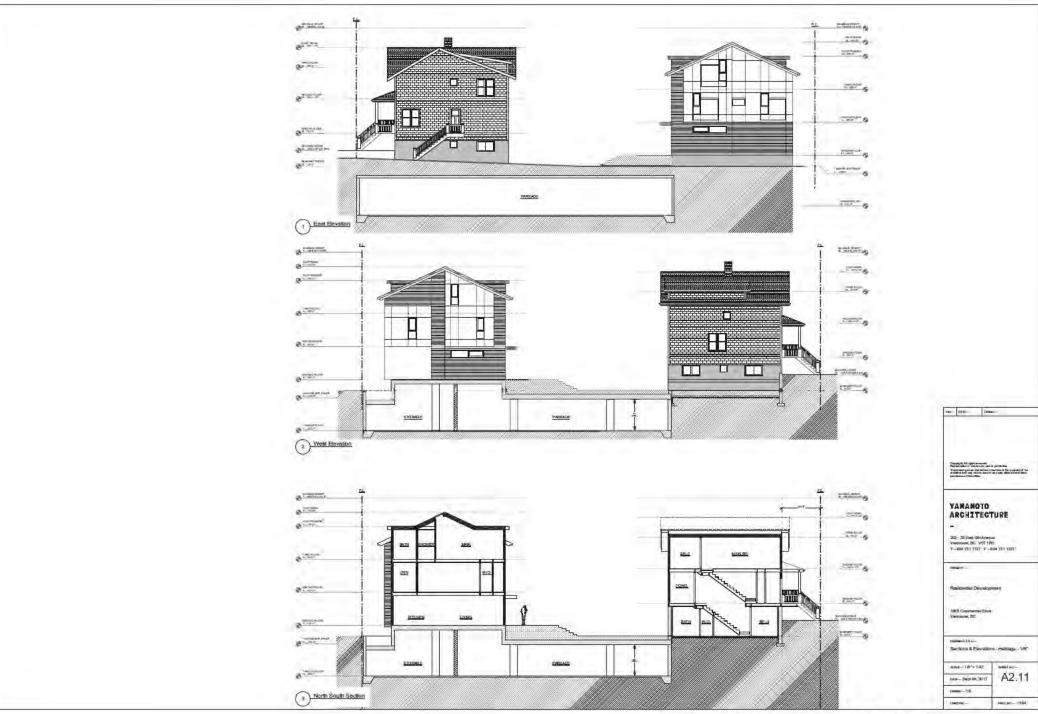
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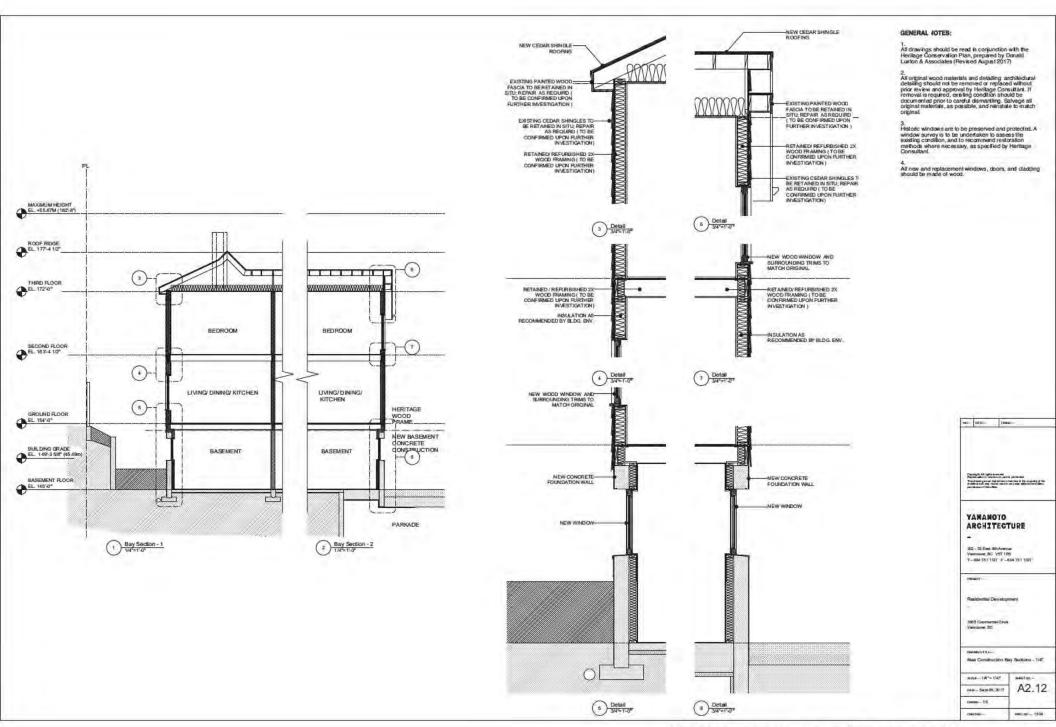
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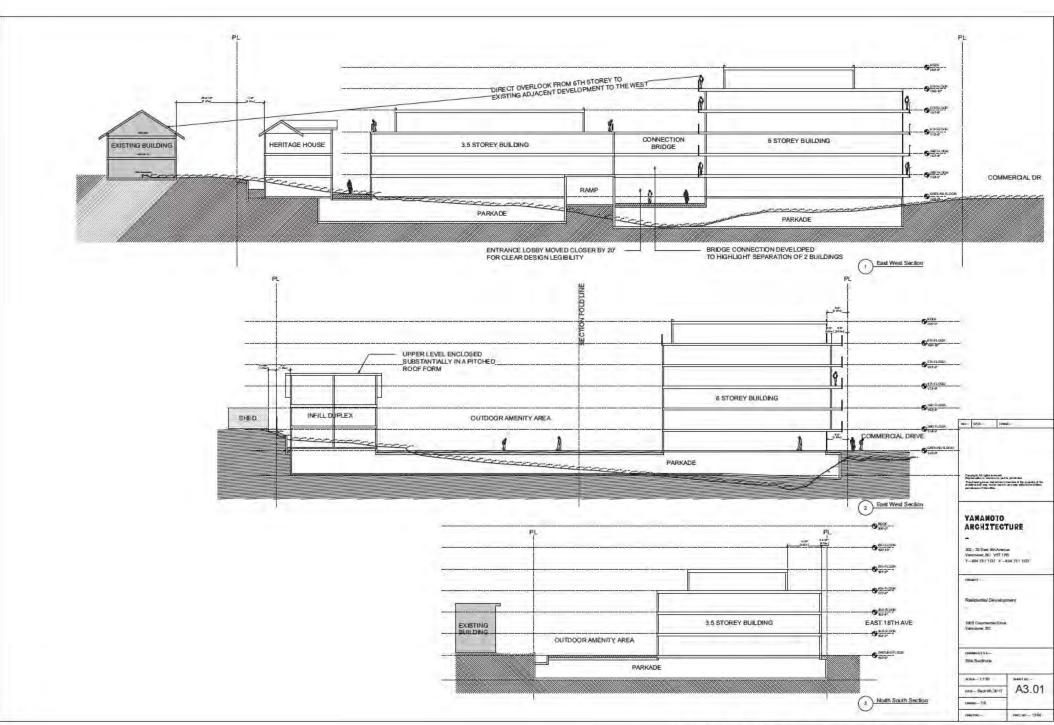
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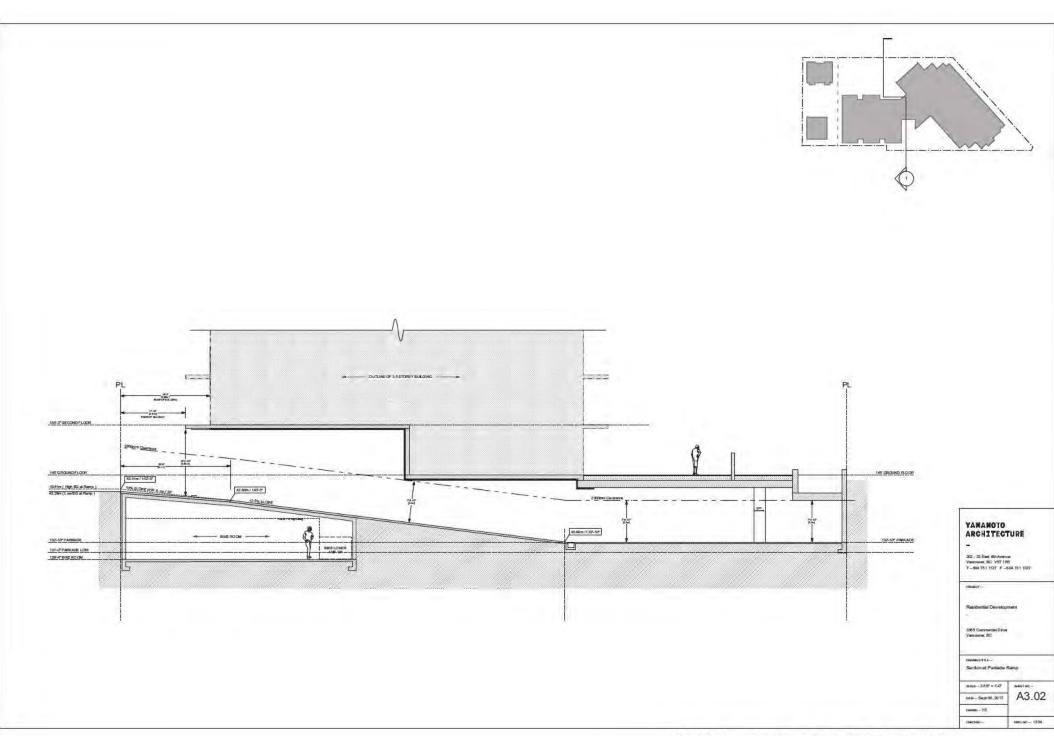


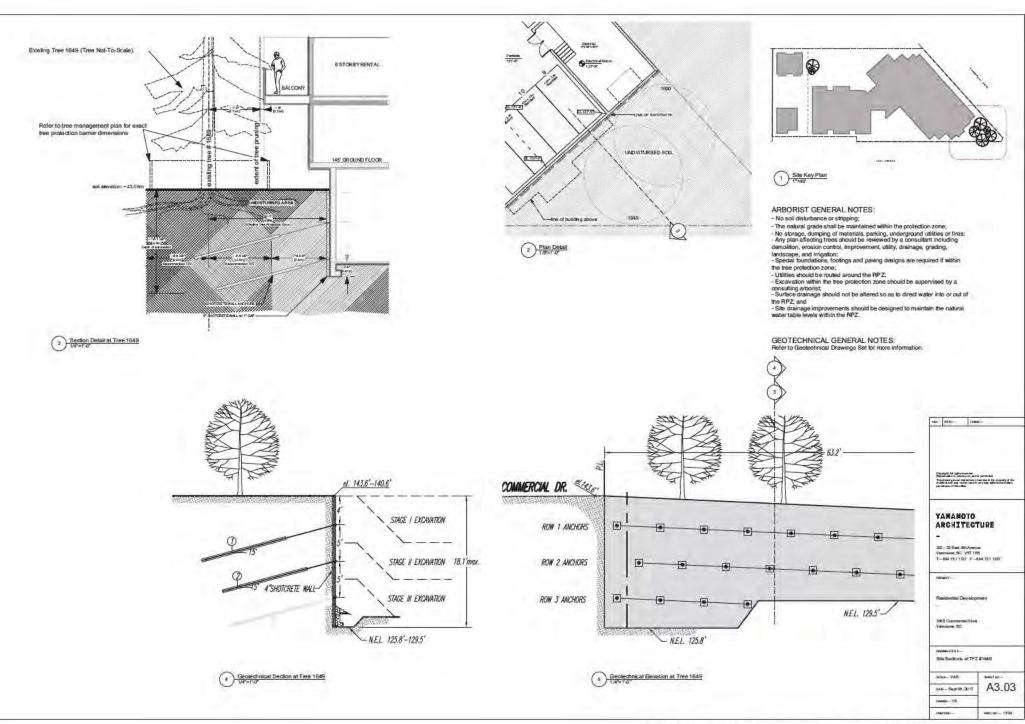
FOI 2020-335 & 2020-337 - Package 2 of 2 - Page 288 of 397

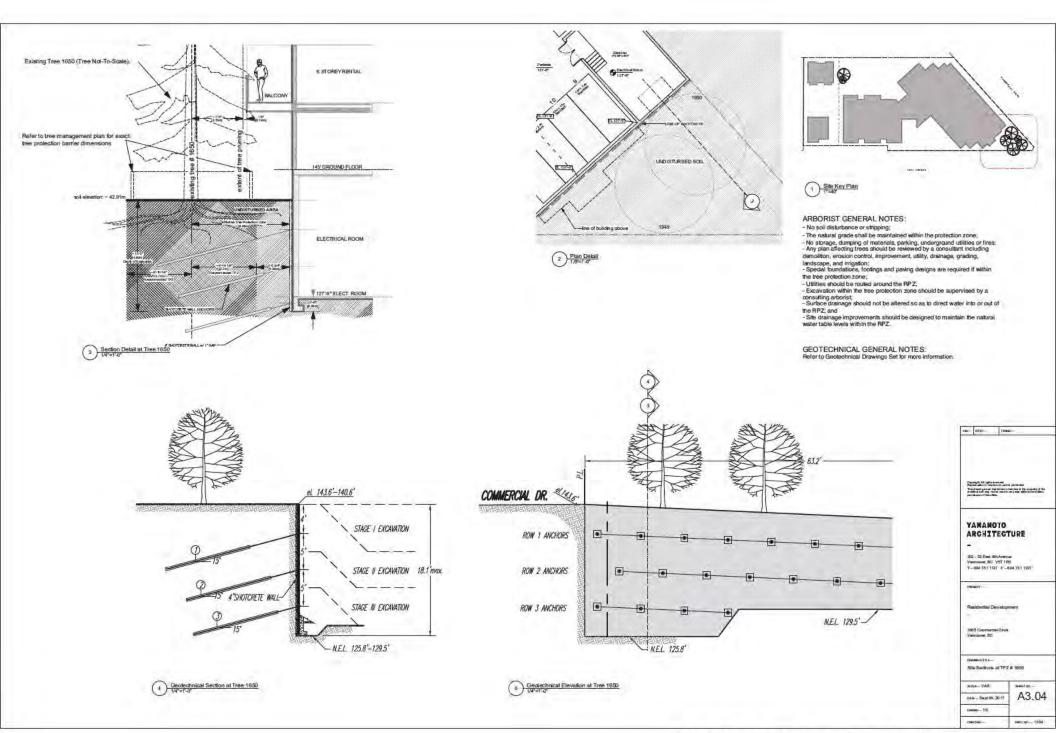


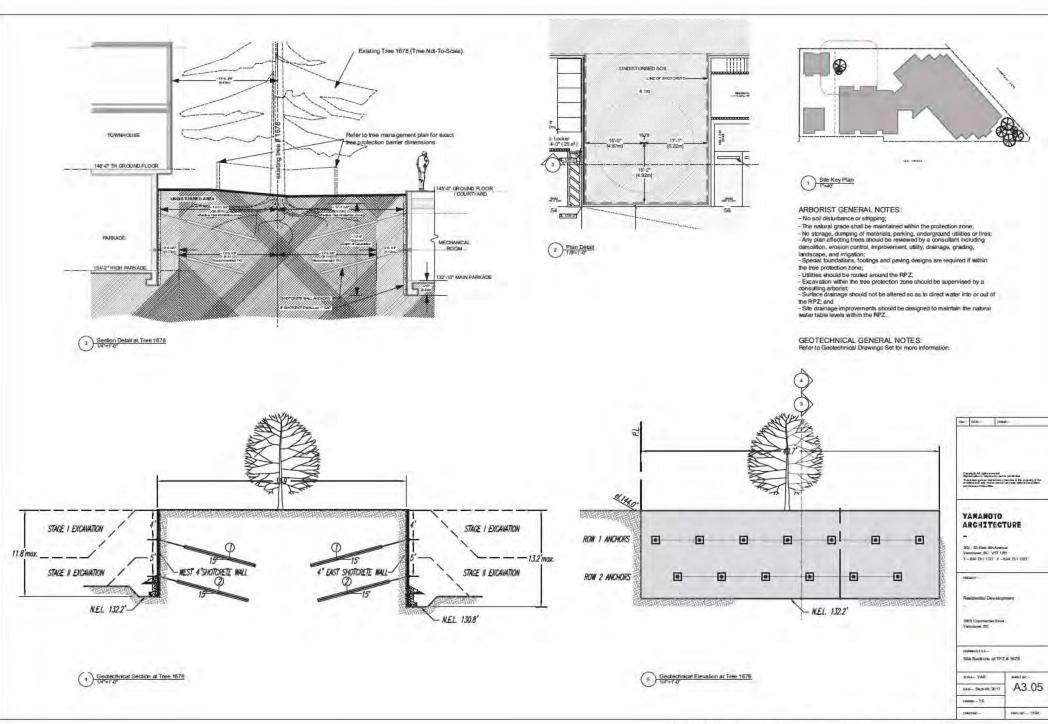


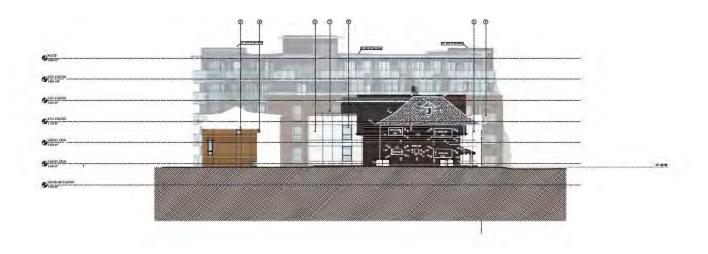
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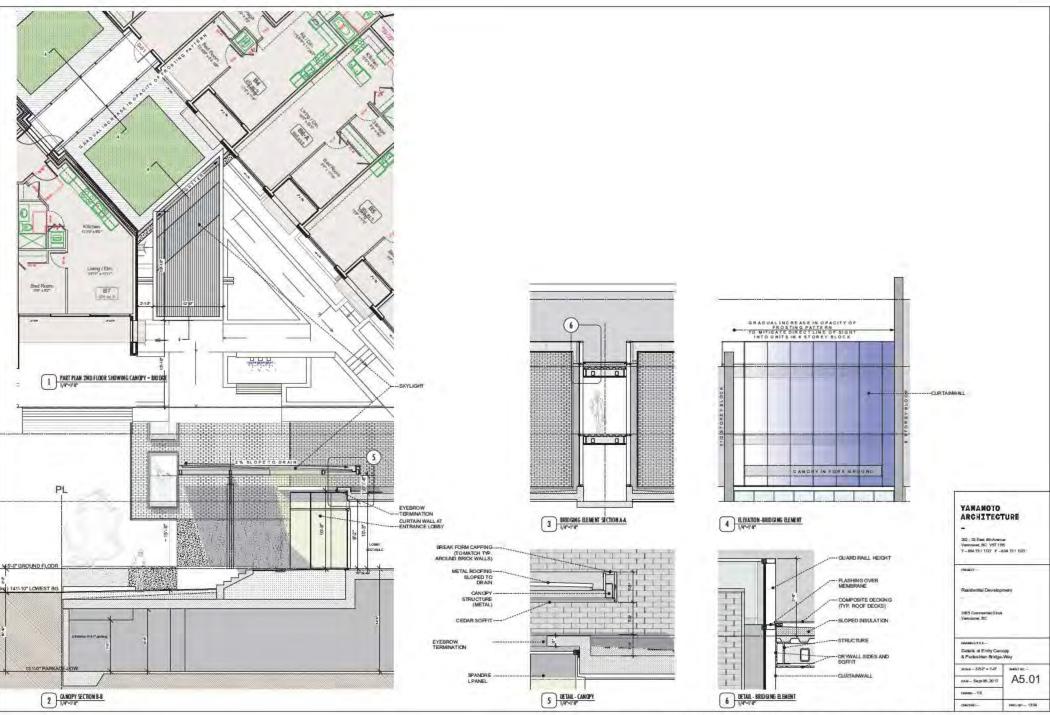




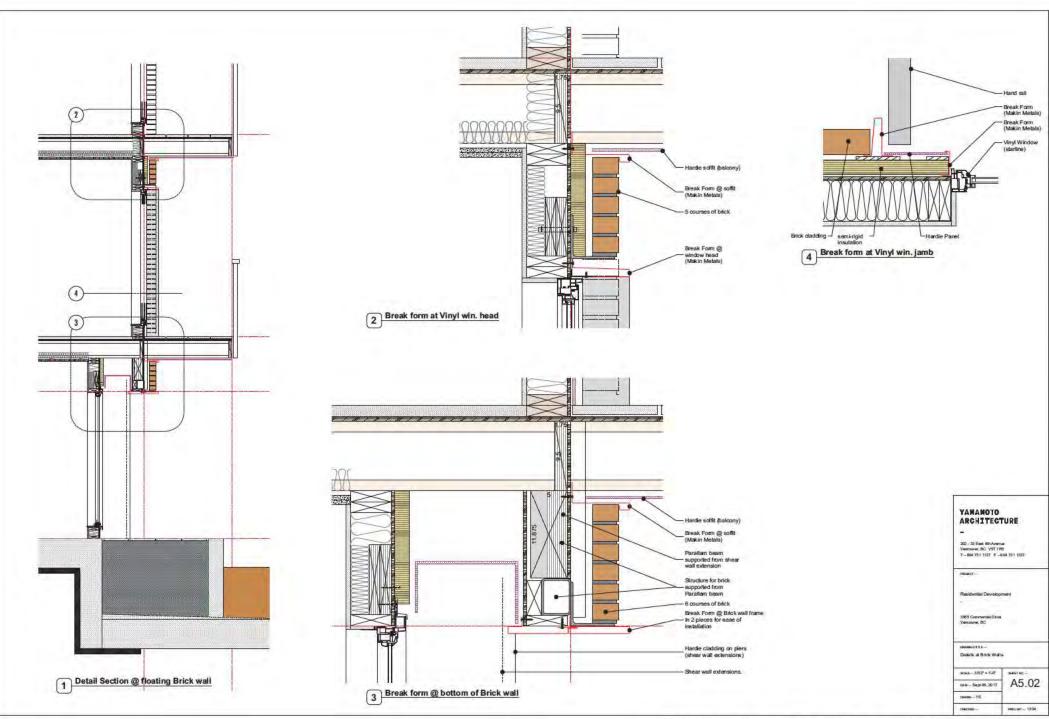


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CONFIRMATION OF PROFESSIONAL ASSURANCE

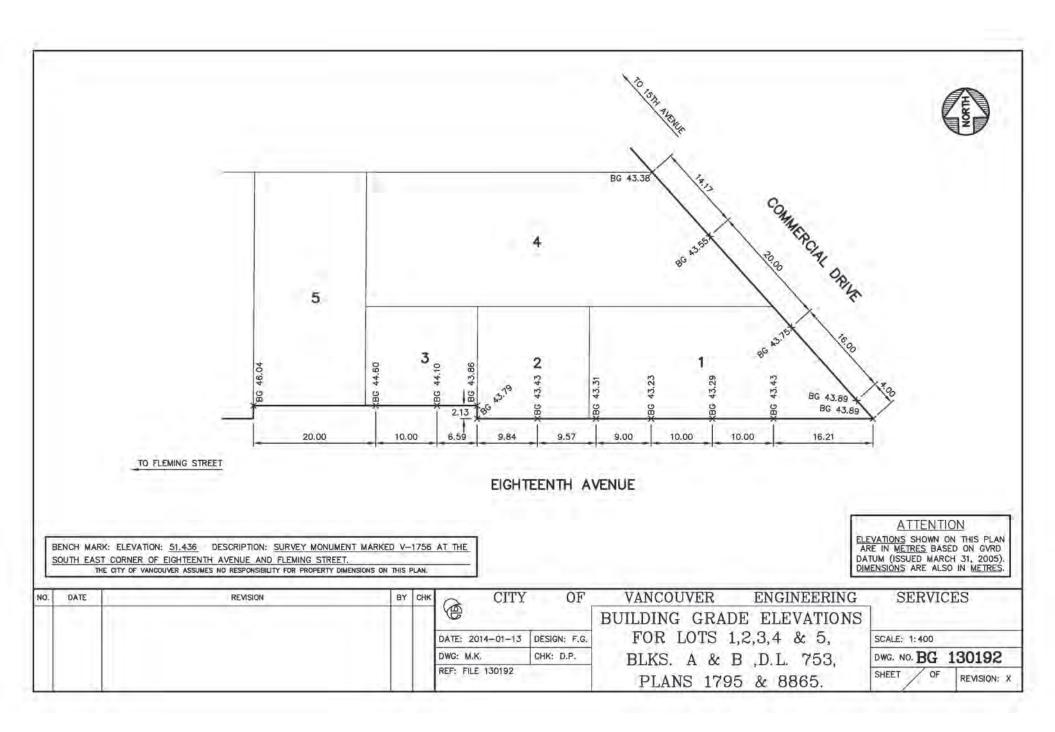
ASSURANCE OF RETENTION OF EXISTING PORTIONS OF BUILDINGS

To be submitted at the time of application for a Development Permit where portions of existing building(s) is/are to be retained.

The Director of Planning City of Vancouver 453 West 12th Avenue Vancouver, BC V5Y 1V4

Date: September 8, 2017
Development Permit Application Number: DP-2017-00181
Address:1771 East 18 th Avenue, Vancouver
The undersigned hereby gives assurance that the portions of the existing structure(s) that are to be retained, according to the drawings submitted for approval, can structurally be retained and will not be demolished without prior approval of the Director of Planning or his representative.
Further, the undersigned has been retained to do "field reviews" of the above-mentioned building(s).
As used herein, "field review" shall mean such reviews at the project site as are necessary to ensure that the portions of the building(s) are retained as shown on the approved plans and conditions forming part of the above-noted development permit.
The undersigned also undertakes to notify the Director of Planning as soon as practical if the contract for "field review" is cancelled or suspended at any time during construction.
If Engineer / Architect is a company:
Company Name: Bryson Markulin Zickmantel Structural Engineers
Address: Suite #700 - 609 West Hastings Street, Vancouver, BC V6B 4W4 Phone: (604) 685-9533
Architect/Engineer's Name: John Markulin, P.Eng.
Signed Date: September 8, 2017 (or PROFESSIONAL SEAL)
If Engineer/Architect is an individual: J. A. MARKOUN PROFESSIONAL ENGINEER
Name:
Signed DESIGNATED Date:
Address: Phone:
The above letter must be signed by a Professional Engineer or Architect registered in the Province of British Columbia as a

member in good standing in the Association of Professional Engineers or Architectural Institute of British Columbia.



September 8th, 2017

Sequence of Construction Letter

RE: (Meyers Residence) 3365 Commercial Drive, Vancouver, BC

The existing house located at 3365 Commercial Drive – Meyers Residence (the "Residence"), and within the proposed redevelopment site is a valuable historical resource. The conservation work for the project involves the relocation of the historic house within the site; preservation and/or restoration of existing exterior character-defining elements as per the Heritage Conservation Plan by Donald Luxton & Associates; and the construction of a new residential complex within the property site. The relocation of the house requires protecting the house in its temporary location during construction of a new foundation in its final location. Below describes the preliminary proposed construction sequence to achieve this.

Proposed Construction Sequence:

1. Documentation of the Residence by Yamamoto Architecture, per the Heritage Conservation Plan by Donald Luxton & Associates.

2. Site Preparation:

- Demolition of existing single family homes of non-heritage value (1696 East 18th and 1707 East 18th) to clear the site and provide a future location for the Residence;
- Slope excavation and preliminary grade excavation of proposed permanent Residence location;
- Creation of temporary access route on site for relocating Residence;
- Deconstruct the one-story rear addition to Residence without causing damage to the remaining wood-frame walls;
- Temporarily brace Residence for move without impacting exterior, character-defining elements;
- Original chimney to be dismantled, salvage original bricks and reinstate above roofline before Residence is relocated in new location;
- Install temporary protection (tarp, plywood) over all openings at the rear to prevent water ingress or bird infestation during the relocation and construction phase.
- 3. Residence lifting & temporary relocation on-site by qualified contractor experienced in house relocation. Residence to be temporarily raised above future location to provide space beneath for construction. Nickel Bros has been contracted for this portion and any further moving, stabilizing or lowering required.
- 4. Establish and maintain measures to protect Residence in this temporary location.
- 5. Demolition of existing Residence foundation.

6. Conservation work in accordance with the Heritage Conservation plan by Donald Luxton & Associates, and Architectural Drawings prepared by Yamamoto Architecture and detailed below.

A. Foundation:

- Excavation shoring and pouring of proposed parkade, suspended slab and permanent footings and foundations beneath lifted Residence;
- Residence to be lowered by qualified moving contractor onto permanent foundations and parkade walls beneath.

B. Wood-frame Construction

- Dimensional lumber & uninsulated exterior walls, structural/seismic upgrades from inside out without impacting exterior character-defining elements;
- Design structural and/or seismic upgrades from the inside without impacting exterior character-defining elements;
- Utilize Alternate Compliance Methods outlined in the VBBL for fire and spatial separations including installation of sprinklers where required.

C. Exterior Wood Siding

- Preserve original cedar shingles, remove all asphalt shingle to examine everything below the surface, this can determine the original location of window openings that may have been altered;
- Existing cedar shingles should be restored in-situ if possible, where there is missing shingles; appropriate replica finishes to match should be installed.

D. Exterior Trim and Millwork

- Fascia boards and bargeboards of closed soffits, once the later trim is removed, the condition of original trim, soffits, rafter tails and other elements can be examined;
- Asphalt shingles should be carefully removed to NOT damage the original fabric;
- Preserve the original trim, millwork and other surviving wood elements visible or discovered during conservation;
- Missing elements should be properly replicated;
- Prepare surfaces for painting according to the color schedule.

E. Porch and Stair

- Further site investigation and removal of later cladding to find the original appearance of the front porch and balustrade design, and supporting columns, original cladding, etc.
- Balustrade historically 24-27 inches high, the original configuration should be reinstated. Alternate compliance measures should be sought to retain the original lower balustrade height if needed;
- Decking original tongue-and-grove porch decking (laid perpendicular to elevation), tongue-and-grove soffit (parallel to elevation);
- Design new wooden stair matching historic character of Residence.

F. Windows

- Existing windows to be removed;
- Preserve windows to use as template for new replicas;

- New wood windows and surrounding trims to match original, except as specified on architectural drawings;
- Window shop drawings to be reviewed by Heritage Consultant;
- Window restoration to be done by a contractor with sufficient experience.

G. Doors

- Retain front door in original location;
- Remove and replace the existing front door with new door sympathetic to the historic character of the house;
- New side door to match front door;
- Door exterior to be stained as per color schedule.

H. Roof and Gutters

- Preserve the roof structure and roofline of the 1911 house;
- Design and install adequate rainwater disposal system, and ensure proper drainage from the site;
- Traditional colonial gutter profile is recommended;

1. Chimney

- Provided proper structural support for reinstated chimney;
- Provide new metal flashing and metal cap.

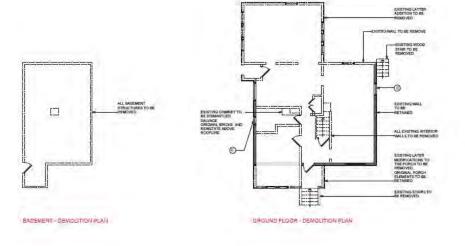
J. Paint (Exterior)

- Restore the original finish, hue and placement of applied color;
- All exposed wood elements to be painted with a primer;
- Any substitution or matching of custom colors should be reviewed and approved by Heritage Consultant; test sample will be applied prior to commencement of painting.
- 7. Site Work. Completion of landscaping, offsite civil work and service connections per approved civil drawings.
- 8. Occupancy. It is understood that the heritage restoration work must be complete, and a Letter of Substantial Completion by Heritage Consultant be submitted prior to occupancy.

It is noted as a requirement of the Development Permit that the heritage building be retained on-site at all times during construction. As Coordinating Professional and Architect of Record, Yamamoto Architecture will monitor site progress periodically under our obligations to conduct field reviews.

Compliance with all legal agreements with respect to the heritage building will also be monitored during these periodic field reviews. Any deviations or noncompliance with the Development Permit requirements will be relayed to the City of Vancouver.

Taizo Xamamoto - Architect AIBC



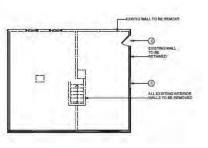
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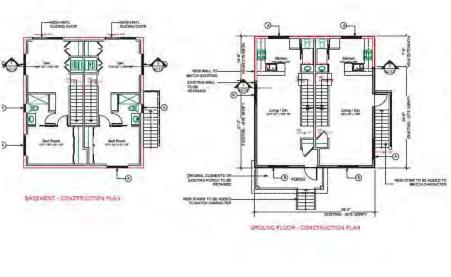
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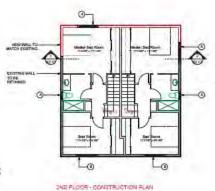
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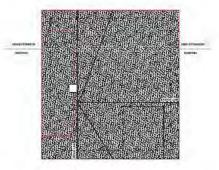




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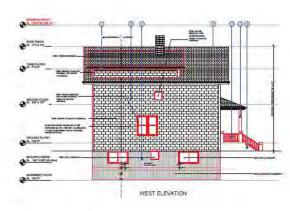
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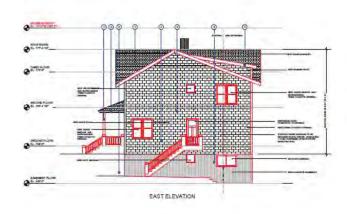
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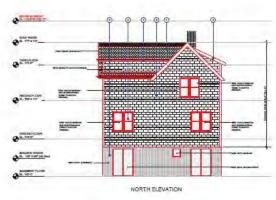
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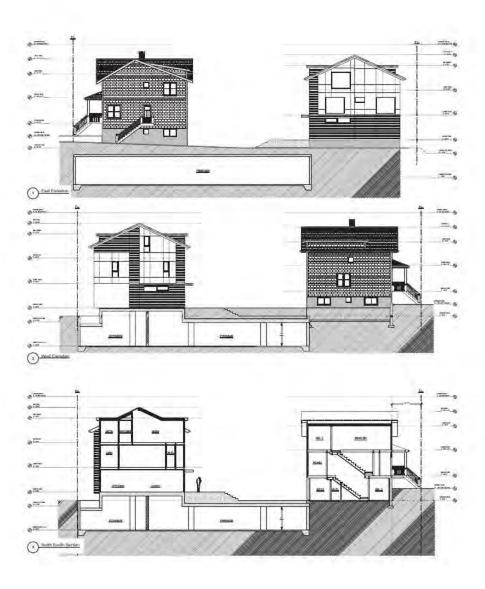
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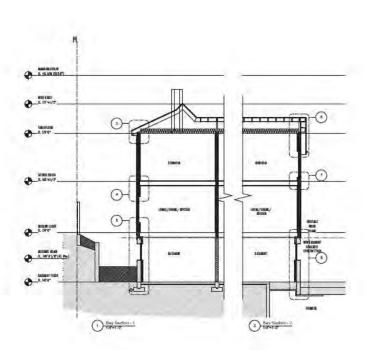
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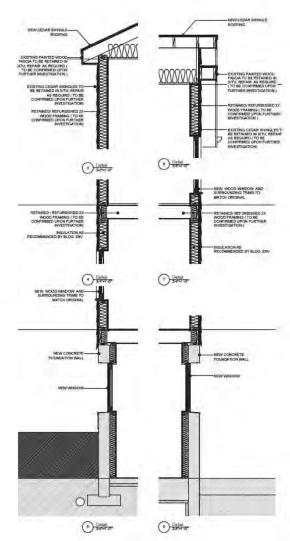
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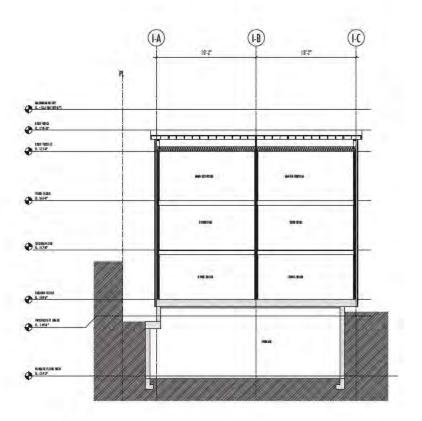
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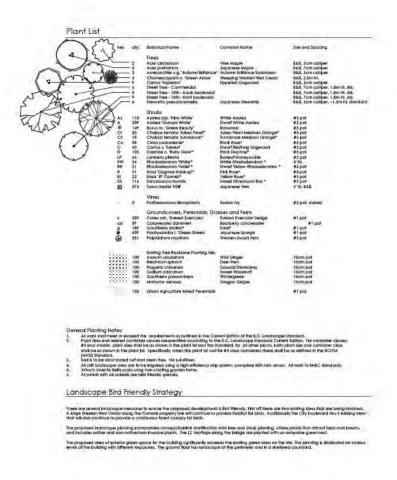
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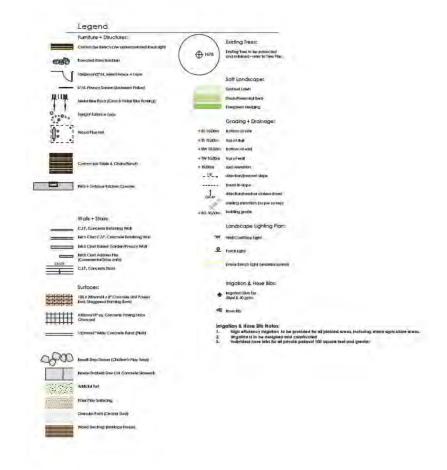
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landscape legends/keys 3365 COMMERCIAL DRIVE

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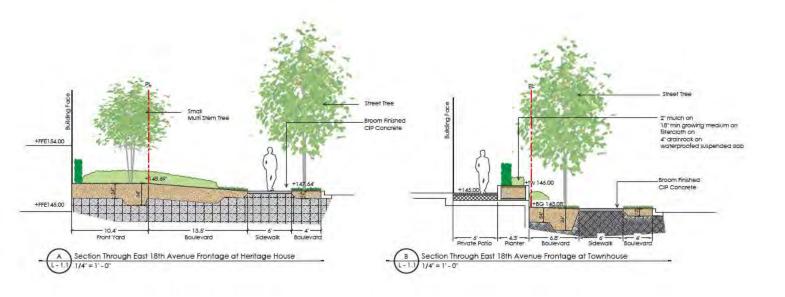


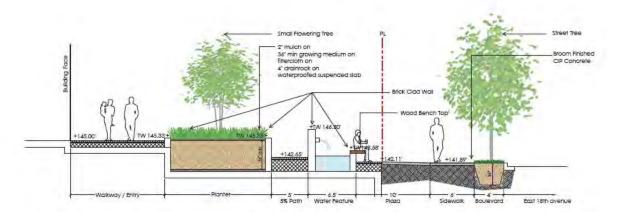


level 2 landscape plan 3365 COMMERCIAL DRIVE

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L1.2







C Section Through East 18th Avenue Frontage at Building Entry

L-1.) 1/4" = 1"-0"



landscape sections 3365 COMMERCIAL DRIVE

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DATE 2017.08.31 DRAWN JES

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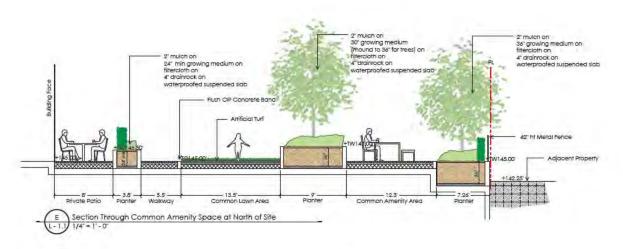
42" Ht. Metal Guardrail

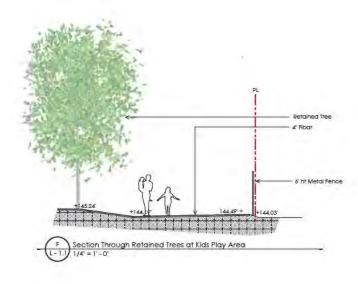
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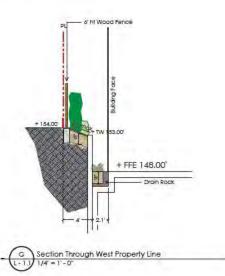
2' mulch on 24" min growing medium on filtercloth on 4" drainrock on waterproofed suspended slab

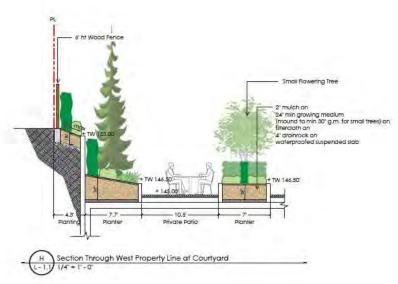
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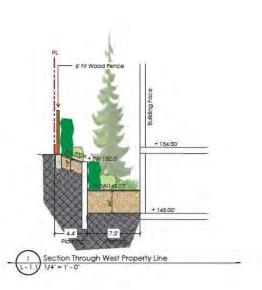
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landscape sections 3365 COMMERCIAL DRIVE

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2017 UP SCALE 1/4" = 1"-0" PROJECT NUMBER 13075





June 27, 2017

Mr. Nathan Gurvich Cressey 18th Avenue Holdings Ltd. 200 - 555 West 8th Avenue Vancouver, BC V5Z 1C6

Dear Mr. Gurvich:

RE: 3365 COMMERCIAL DRIVE

Development Application Number DP-2017-00181

On behalf of the Director of Planning, your application has been approved to develop on this site a 6-storey Multiple Dwelling building on the east portion containing 111 secured market rental dwelling units and a 3-storey market Infill Two Family Dwelling at the northwest side, and restore, retain, designate as Heritage "C", and relocate the existing 3-storey house at 3365 Commercial Drive to the southwest side of the site to convert to a Multiple Conversion Dwelling containing 2 market dwelling units, all above one level of underground parking accessed from East 18th Avenue, thereby providing a total of 115 dwelling units on this site.

A permit may be issued upon the completion of the revisions and conditions noted below under items 1.0 to 2.8 of this "prior-to permit issuance" letter.

IMPORTANT!!! HOW TO SUBMIT YOUR REVISIONS

Arrange a meeting by calling at least two days in advance of your drawings being ready for submission. **Partial submissions will not be accepted.** You may contact Wendy LeBreton at (604) 871-6796, 8:30 a.m. to 5:00 p.m., Monday to Friday. Please do not mail, drop-off or courier your response because this will delay the processing of your application. The purpose of the meeting will be to complete a preliminary review of your submission which must include your revised drawings and a written explanation describing how you have addressed each of the conditions.

1.0 Prior to the issuance of the Development Permit, eight (8) complete sets of revised drawings shall be submitted, to the satisfaction of the Director of Planning, clearly indicating:

City of Vancouver, Development Services, Building & Licensing Development Services Division, Development Review Branch 453 West 12th Avenue

Vancouver, British Columbia V5Y 1V4 Canada *tel*: 604.873.7611 *fax*: 604.873.7100

website: vancouver.ca



Urban Design conditions:

1.1 design development to improve the main entry canopy expression;

Note to Applicant: A more distinctive architectural expression should be provided for the entry canopy to add prominence and visual interest to the main residential entry.

Design of entry canopy has been revised to add visual interest to the main residential entry. (See A5.01)

1.2 design development to the bridging element to mitigate overlook to adjacent dwelling units;

Note to Applicant: The bridging element should continue to read as a lighter architectural element, with further consideration of the treatment of the glazing to mitigate overlook to adjacent dwelling units. A planter border may be provided at the edges of the roof to screen and reduce overlook from the bridge.

Bridging element is developed to have glass walls on either side to make it visually light.

Gradual frosting of the glass provides privacy from direct overlook while maintaining the lightnes of the design. (See A5.01)

1.3 design development to reduce the path width and extent of hard surface paving, and provide additional planting, between the retained heritage house and the new rental building;

Note to Applicant: Explore the potential for a single narrower path if the sites are consolidated.

The path has been reduced to 2m/6.5' wide as the site will not be subdivided. (See A2.01 and L1.1)

1.4 design development to provide the primary child's play space in a central location at the rear yard with closer proximity to the indoor amenity room;

Note to Applicant: The central location is preferred to the location adjacent the retained trees in order to allow for a larger unobstructed play area with overlook from the indoor amenity room. Proposed creative play structures should be incorporated into the design of the central play space.

The play area remains in the same location adjacent to the stand of existing retained trees. The smaller of the two trees (tree #1677) has a large boulder attached to its roots that will be retained and will contribute to a naturalistic play area. We feel this naturalistic location, with better sun light (as it is out of the shade of the building) supports the City's desire for more naturalistic play. (See L1.1)

1.5 provision of large scale details for the entry canopy, bridging element, balconies and guardrails, parapets and fin walls;

Note to Applicant: A high quality material should be provided for the projecting balcony soffits, in keeping with the overall design.

Large scale details for the Entry Canopy, Bridging element, Balconies, Guard rails, Parapet and fin walls added to the set. (See A5.01 and A5.02)

Development Review Branch conditions:

- 1.6 clarification of building heights, noting the following:
 - i. roof height of the Heritage building does not match on roof plans and elevation/section drawings;

Annotation discrepancy addressed and roof height standardised across the set.

ii. second floor level and roof height of the Infill building do not match on the plans and elevation/section drawings;

Annotation discrepancy addressed and floor height standardised across the set.

iii. roof level of the 3.5-storey rental building does not match on the roof plan and elevation/section drawings;

Annotation discrepancy has been addressed and roof height standardised across the set.

iv. detailed roof elevations for each roof level in the 3.5-storey and 6-storey rental building should be shown on the roof plan, matching elevation/section drawings;

Roof elevations shown for each roof level elevation match elevation and section drawings.

Note to Applicant: Submission of a revised Sheet No. A0.BH - Building Heights Drawing, showing incorporation of the above-noted items, is required.

Sheet A0.BH revised to show building heights of above noted items.

1.7 clarification of all proposed alterations and additions on the floor plans and elevations of the existing building that is to be relocated and retained;

Note to Applicant: A clear indication of what is retained as existing and the extent of additions is required. FSR documents should also indicate existing and added floor areas.

New sheets added to clarify proposed alterations and additions. FSR Documents revised to indicate existing and added floor areas. (See A2.08 to A2.12)

1.8 compliance with Section 8 - Horizontal angle of daylight, of the CD-1 (644) By-law, noting the following:

- i. the following rooms do not comply:
 - a. Bedroom in Unit Type B1 on the ground and 2nd floors;
 - b. Den in Unit Type B3 on the ground and 2nd floors;

Unit layouts of both the unit types revised to be in compliance with Section 8.

- ii. broken lines, indicating possible partitioning and obstruction of direct light into sleep areas, are to be removed in the following units:
 - a. Studio Type A1 units on the ground floor;
 - b. Studio Type A2 units on the 2nd through 5th floors;
 - c. Studio Type A3 units on the 6th floor;

Broken lines removed as requested.

- 1.9 clarification of dwelling unit size, noting the following:
 - i. the measurement of dwelling unit size shall be calculated using the inside dimension of the walls. Interior partition walls, within the dwelling unit, are to be included in the measurement.
 - Further, any bulk storage EXCLUDED FROM FSR CALCULATIONS shall NOT be included in the measurement of the dwelling unit floor area;
 - ii. average size of dwelling units of each unit type is to be computed by using unit size determined per item (i) above;
 - **Note to Applicant:** Submission of a revised Sheet No. A1.04 Key Plans, showing average area of each unit type, is required.

Measurement of individual unit sizes revised to comply with 1.9.i above. Sheet A1.04-Key plans revised to show average are of each unit type based on this. (See A1.04)

- 1.10 provision of a minimum of 5.7 m³ (200.0 ft.³) of useable storage space for each dwelling unit for the storage of bulky items, e.g., winter tires, ski and barbecue equipment, excess furniture, etc., in compliance with Planning Bylaw Administration Bulletin entitled, "Bulk Storage and In-suite Storage Multiple Family Residential Developments", noting the following:
 - i. the storage area(s) may be below grade with individual lockers in a common space or may be provided en suite;
 - ii. bulk storage area must be minimum 25.0 ft.² when minimum ceiling height provided is 8.0 ft. in order to achieve minimum required storage space of 200.0 ft.³ (5.7 m³);

Note to Applicant: The following storage rooms in the rental component of the proposed development do not comply

- a. St-06 on the first floor;
- b. St-08 on the 2nd and 3rd floors;
- c. St-01 on the 3rd and 4th floors;
- d. St-07 on the 4th floor;
- e. St-04 on the 5th and 6th floors;
- iii. laundry area and access to the laundry area within a storage space, such as in Unit Type D4 on the 6th floor, cannot be included as part of the floor area exclusion for storage;
- iv. layout of storage lockers in the storage room at the northwest corner of the underground parking level should be shown;

Note to Applicant: Each storage unit in the underground parking level must accommodate minimum 200.0 ft.³ of storage space, have a minimum clear horizontal dimension of 4.0 ft. in all directions, and a full floor-to-ceiling height of minimum 6'-10". Storage units should be dimensioned to demonstrate compliance.

All storage rooms have been revised to comply with the above mentioned guidelines. Dimensioned plan of a typical storage unit added on parking layout sheet. (See A2.00)

1.11 provision of drawings at a more standard or typical scale;

Note to Applicant: Proposed scale of 1/18"=1'-0" is not acceptable.

This was a typographical error. Has been corrected to to show standard Architectural scale.

- 1.12 notation/clarification of the uses of all rooms/spaces in the entire proposed development, including but not limited to the following:
 - i. all open balconies and roof decks, noting the following:
 - a. all balconies and roof decks should be illustrated on the floor plans, matching FSR overlays;
 - b. balconies of Unit Type C5 on the 2nd through 5th floors, and Unit Type D2 on the 6th floor of the 6-storey building do not match on the floor plans and FSR documents;
 - open roof decks, i.e., decks directly above spaces included in floor area, may be excluded from balcony area, but portions of roof decks located above balconies or open space must be included in the computation of balcony area;

Note to Applicant: Submission of revised overlays indicating all spaces included or excluded from balcony area calculations will be required.

All floor plans updated to show balconies where planned and FSR overlays sheets revised to match.

ii. clarification of the use of the "Main Room" on the 3rd floor level of the Infill building is required;

3rd floor of infill building revised to show correct room label-'Master Bed'.

1.13 details of proposed roof-top treatment, location of all roof-top mechanical units and roof-top equipment, including size, specifications and/or venting, and details of screening;

Details of Mechanical equipment on the roof top incorporated on the roof plan. Proposed roof treatment clarified. (See A2.07)

1.14 compliance with Sections 4.8.1. and 4.8.2 - Size of Parking Spaces and Size of Small Car Spaces, of the Parking By-law, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: Provision of scaled diagrams of parking stalls showing typical dimensions for standard and small car spaces located adjacent to a wall, fence, or similar structure, is required to be shown on the Parkade Plan.

Added scaled diagrams of parking stalls to sheet A2.00, as requested. (See A2.00)

- 1.15 compliance with Section 4.1.7 Number of Small Car Spaces, of the Parking By-Law, to the satisfaction of the General Manager of Engineering Services, noting the following:
 - i. the number of small car parking spaces on a site may not exceed 25% of the total parking spaces required for the site for all uses combined;
 - ii. based on submitted information, total number of required parking spaces for the residential market component has been computed to be 5 (a minimum of 3 spaces for the infill and 2 for the heritage building), of which a maximum of 25% (one space) may be a small car space;

Note to Applicant: Proposed number of small car spaces is 4.

Revised parkade layout has a proper ratio of small cars. (See A2.00)

1.16 compliance with Sections 4.8.1 and 4.8.4 - Disability Spaces, of the Parking Bylaw, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: A minimum of 2.3 m (7.5 ft.) unobstructed vertical clearance is required for a disability parking space and all entry points,

manoeuvring aisles, and access ramps leading to the disability parking space. Compliance with required vertical clearances should be clearly demonstrated on the submitted plans (see also condition 1.40).

Parkade layout revised to ensure 2.3M vertical clearance to disability parking is provided. (See A2.00 and A3.02)

- 1.17 correction of proposed number of parking spaces, noting the following:
 - where proposed number of parking spaces equals or exceeds the minimum required, disability parking spaces are not to be doublecounted on the plans;
 - ii. required disability parking spaces may count as two parking spaces only for the purpose of satisfying the minimum required number of parking spaces, per Section 4.1.15 Calculation of Disability Parking Spaces, of the Parking By-Law;

Note to Applicant: As minimum required parking for the residential rental component has been computed to be 55 parking spaces, based on submitted information, only two of the required disability parking spaces may be double-counted to satisfy required parking. Similarly, the disability parking space in the residential market component should not be double-counted as proposed number of parking spaces is sufficient without it.

Parkade layout and stats have been revised to account for the above. (See A2.00)

1.18 provision of curbs, in accordance with with Section 4.8.9 - Curbs, of the Parking By-law, to the satisfaction of the General Manager of Engineering Services, for Parking Stall Nos. 10 and 11;

Note to Applicant: Curbs should be dimensioned and identified with notation on the floor plans.

Revised parking layout includes Curbs, where required. A detailed diagram showing dimensions has also been added on the Sheet A2.00. (See A2.00)

1.19 confirmation that at least 20 percent of all off-street residential parking spaces will be available for charging of electric vehicles;

Note to Applicant: Although this is a Building By-law requirement under Part 10 of the Vancouver Building By-law, the Director of Planning is seeking acknowledgement that this condition can be met during the Building review of this development. For more information, refer to the website link:

http://vancouver.ca/home-property-development/electric-vehicle-charging-requirements.aspx

We confirm that this condition will be met at the time of Building Permit application.

1.20 provision of loading facilities in accordance with the Parking By-law, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: Parking Stall Nos. L1 and L2, intended as Class A loading spaces, require a minimum width of 2.7 m [8'-10"], and a minimum height of 2.3 m [7'-6"].

Revised Parking layout incorporates the sizes mentioned above. (See A2.00)

- 1.21 provision of bicycle parking, in accordance with Section 6 of the Parking Bylaw, noting the following:
 - i. at least 20 percent of the total number of Class A bicycle spaces must be bicycle lockers, in accordance with Section 6.3.13A - Minimum Number of Bicycle Lockers, of the Parking By-law;

Note to Applicant: The minimum 20 percent applies to bicycle spaces on each of the sub-areas.

ii. proposed number and location of Class B bicycle spaces is to be clarified, and should match on the Architectural and Landscape Plans;

Note to Applicant: Proposed number of Class B bicycle spaces should be noted on submitted plans.

For one legal lot, the total requirement of bike spaces works out to 144. We have provided a total of 160 bike stalls with 30 (20%) being located in bike lockers. (See A2.00)

1.22 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;

Note to Applicant: In order to prevent contaminated air from being drawn into the building, all fresh-air intake portals must be located away from driveways, and parking or loading areas.

Fresh air intake portals will be located away from driveways as the design is developed further.

The mechanical shafts have been relocated to minimize their impact on the public realm. There is a shaft located between the heritage house and townhouse infill (adjacent to the west PL) that is buffered by a landscape wall with a trellis and vines above and a seat under. The second shaft is located at the southwest corner of the angled Commercial Drive fronting building. This shaft is located in a planter raised above the public realm, with planting in front of it. (See A2.01 and L1.1)

1.23 provision of the following notations on the submitted plans:

- i. "The acoustical measures will be incorporated into the final design, based on the consultant's recommendations:"
- ii. "The design of the parking structure regarding safety and security measures shall be in accordance with Section 4.13 of the Parking Bylaw";
- iii. "A minimum of one electrical receptacle shall be provided for each two Class A bicycle spaces";
- iv. "The design of the bicycle spaces (including bicycle rooms, compounds, lockers and/or racks) regarding safety and security measures shall be in accordance with the relevant provisions of Section 6 of the Parking Bylaw";
- v. "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".

The required Notations have been added as requested. (See A2.00)

Landscape Review conditions:

1.24 design development to set back the underground parking structure an additional distance of approximately one standard parking space width to the east of tree #1678 to increase the root protection zone and canopy clearance;

Note to Applicant: This will require modifications to the underground parking plan. The expanded setback will provide additional space for maximized root protection, future tree growth and construction phase clearance. To optimize tree protection, employ special construction methods, such as vertical shoring and setback the limit of excavation outside the dripline. The scheme should not rely on canopy pruning or surface disturbances (such as intensive relandscaping). Avoid landscape or grading proposals and that may cause unnecessary compaction of roots and changes to the existing growing conditions (water availability and drainage).

The underground parking structure has been set back an additional distance of 3'-8" to the east to increase the root protection zone and canopy clearance. Any further set back will increase the travel distance from the locker room to the exit stair beyond 45m. The recommended root protection zone is 4.1m east and west. We are providing 5.22m east set back and 4.87m west set back. (See A2.00 and A3.05)

Further set back was investigated to the west; however due to construction clearences required at west property line to avoid any encroachment on neighbouring property this proved not feasible.

design development to relocate the proposed mechanical shaft at the south east corner of the site further away from trees #1646 and 1649;

The mechanical shaft has been moved further west so as to not conflict with the stand of retained trees. (A2.01 and L1.1)

1.26 clarification on the architectural and landscape plans/ sections and the arborist report of efforts to minimize disturbance of the tree root protection zone and canopy clearance;

Note to Applicant: applicable to trees # 1646 -1650, 1677 and 1678. The tree protection plans and sections provided in the submission should be expanded. Employ vertical excavation and special concrete forming methods. The revised architectural and landscape plans/ sections should be highly detailed, with accurate dimensions through all tree protection zones, the excavation profile and the built structure. Key construction methods, tree protection barriers and any special arborist services drawn out of the arborist report should be noted. The methods of construction and tree protection strategy should be clear and 'stand alone' on the plans/ sections without having to defer to the arborist report. Further commentary may be necessary.

The sections provided in the submission have been expanded to clearly show tree protection dimensions, excavation profile, tree protection fencing and built structure. Notes have been pulled from the Tree Managament Plan and the Arborsit report such that the methods of construction and tree protection strategy are clear and 'stand alone' on the sections. (See A3.03 to A3.05)

1.27 provision of three (3) large sections through the west property line to illustrate final grading and landscape treatment;

Three large scale ¼" sections have been provided as part of the revised landscape drawings. (See L2.2)

1.28 incorporation of the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City;

Note to Applicant: this can be demonstrated on the landscape plan, plant list and a written rationale. Refer to:

http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf

The planting plan identifies bird friendly species with an asterisk (*). Please refer to Sheet L1.0 for the plant list and bird friendly planting strategy. (See L1.0)

1.29 deletion of the artificial turf in the outdoor amenity area;

Note to Applicant: Soft landscape and permeable paving (i.e. Aqua-pave) is preferred. Alternate materials may be considered for high use/ high impact pedestrian areas.

The proposed lawn area will be in shade (on the north side of the building) for a significant portion of the day. Given our experience with north facing lawns

failing, and the desire to reduce maintenenance costs for a rental property an artificial turf area is proposed.

1.30 provision of a large scale Tree Management Plan;

Note to Applicant: provide a large scale tree plan that is separate from, but at the same scale as the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including dimensioned tree protection barriers and important construction management directives drawn out of the arborist report(s) such as clearly illustrating the limit of excavation and footing design strategy (i.e. vertical shoring, shotcrete).

The Tree Management Plan has been updated.

1.31 provision of (five) 5 color copies of the arborist report (printed on 8.5"x11" sheets), and five (5) sets of the tree management plan (printed on 11"x17" sheets);

Requested documents and number of copies are part of the submission.

1.32 provision of a partial irrigation plan;

Note to Applicant: provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 square feet (9.29 sq. m). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

Irrigation stub up locations and hose bib locations are indicated on the revised plans. (See L1.1)

1.33 provision of an outdoor Lighting Plan;

Note to Applicant: consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

Landscape lighting is shown on the revised ground floor landscape plan. (See L1.1)

1.34 provision of an updated arborist report responding specifically to the final design;

Note to Applicant: the expanded report should inform design. Include any construction limitations such as the location of construction materials, temporary structures, utility conflicts, site access, clearance pruning requirements, development phasing and temporary irrigation requirements. If necessary, an accurate section should be submitted to illustrate pruning extents. The impacts of the proposed crushed gravel walkway proposed through Cypress trees at the south east corner should be discussed in detail. Every effort should be made to increase building facade setbacks to avoid tree canopy pruning.

Arborist report has been expanded. The impacts of proposed crushed gravel pathway through the Cypress grove is discussed in detail.

1.35 provision of a letter of assurance for arborist supervision;

Note to Applicant: Arborist supervision is typically 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 up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

Letter of Assurance is included in the submission.

Housing Policy and Projects conditions:

design development to the common amenity meeting room to add a door(s) to provide a direct connection to the outdoor common amenity area, so that activity from this room can move outdoors and vice versa;

Door has been added to the amenity meting room as suggested. (See A2.01)

Engineering Services conditions:

- 1.37 submission of updated Landscape Plans and Site Plan to reflect off-site improvements sought by the rezoning, including the following:
 - i. provision of a minimum of 1.8 m wide concrete sidewalk, broom finish with saw cut joints and a minimum 1.2 metre sod front boulevard with street trees on both Commercial Drive and East 18th Avenue adjacent to the site;
 - **Note to Applicant**: A modified sidewalk design will be required to address a conflict with the existing traffic signal controller kiosk and the new sidewalk location.
 - ii. provision of a concrete curb and gutter on East 18th Avenue for the full length of the development including asphalt paving to centerline of the road:
 - iii. provision of improved street lighting on East 18th Avenue;
 - iv. provision of new curb ramps at the intersection of Commercial Drive and East 18th Avenue to current City standards;
 - v. provision of audible signals at the intersections of Commercial Drive and East 18th Avenue, and at Commercial Street and Victoria Diversion;
 - vi. deletion of pavers from City property;

vii. notation on Landscape Plans, "Installation of parking regulatory signage on Commercial Drive and East 18th Avenue adjacent to the site, to the satisfaction of the General Manager of Engineering Services";

The updated Landscape and Site plan includes the above offsite improvements and notations. (See A1.01 and L1.1)

1.38 design and location of all crossings, to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: A separate application to Engineering Services will be required.

Noted.

1.39 deletion of proposed garbage pick-up area from City property, and clarification of garbage pick-up operations;

Note to Applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick up. Bins are to be returned to storage areas immediately after emptying.

During development permit pre application meeting on January 24th 2017, garbage pick-up was dicussed with Kevin Cavell and the location shown on the drawings for same day garbage staging was agreed upon as an acceptable location due to the jogging/irregular nature of the 18th Avenue property line. Waste Control Service will collect garbage from the compactor below grade and pull other bins to the staging area for City collection upon which time they will be brought back below grade immediately into garbage room. Letter from Waste Control Services attached to this submission.

- 1.40 compliance with the Parking and Loading Design Supplement, to the satisfaction of the General Manager of Engineering Services, as follows:
 - i. confirmation that design elevations shown at the top of the ramp are correct, and provision of additional design elevations at all entrances;

Note to Applicant: Design elevations must meet interpolated building grades.

Design Elevations shown on top of the ramp are interpolated grade elevations from the Building grades given by the city. We have clarified the slope profile at the point of entry. (See A1.01 A2.00 and A3.02)

ii. provision of a 6.6 m (21'-8") manoeuvring aisle width, or 2.74 m (9'-0") stall widths;

Note to Applicant: Parking Stall Nos. V1, V2, V7, V8, 1, L1, and L2 are affected.

6.6 m drive aisle is provided in the revised layout. (See A2.00)

iii. provision of automatic door openers on the doors providing access to the bicycle room(s);

Note to Applicant: Automatic door opener is required for the man-door next to the overhead gate at the bottom of the ramp. Confirm "ADO" refers to "automatic door openers", and is shown in the drawing notes.

Automatic Door Openers have been provided on all the doors in direct bike path. These have been noted as ADO. (See A2.00)

iv. provision of a minimum 12.0 ft. wide overhead gate by Disability Parking Stall 9/10, as only 9.0 ft. width (to scale) is shown and no dimensions are provided;

Under one legal lot scenario, the separation between the 2 lots has been removed including the said overhead gate. (See A2.00)

- v. provision of the minimum vertical clearance for the main ramp and security gates, noting the following:
 - a. a section drawing is required showing elevations, and vertical clearances;

Note to Applicant: A minimum of 2.3 m [7'-6"] vertical clearance is required for access and maneuvering to all disability spaces and must be noted on plans.

- 2.3 meter vertical clearance is provided at the entry ramp and to all disability spaces. We have added section clarifying on sheet A3.02. (See A2.00 and A3.02)
 - b. area where 2.3 m vertical clearance is being provided should be illustrated with hatching on Sheet No. A2.00;

Note to Applicant: Vertical clearance of 2.3 m is required for a minimum of 5.5 m [18'-0"] beyond the last disability parking space.

Area with 2.3 vertical clearance is highlighted on sheet A2.00. (See A2.00 and A3.02)

vi. provision of additional design elevations within the parking area to calculate the slope and crossfall;

Note to Applicant: : Design elevations should be provided at the far end of the parking spaces to confirm slopes and crossfalls shown.

Additional grade elevation have been added. (See A2.00)

vii. modification of door swing for the Mechanical Room to be clear of Parking Stall No. 36;

Note to Applicant: Widening the access aisle to the door edge, or modification of the door swing should be considered.

Door swing has been revised to be completely off the adjoining parking stall. (See A2.00)

viii. provision of a minimum of 1.2 m (4'-0") wide independently accessible aisle for all Class A bicycle spaces;

Note to Applicant: The Class A bicycle spaces beside Parking Stall 31 require the use of the maneuvering aisle for access. Provision of an expanded metal mesh compound adjacent to Parking Stall No. 41 should be considered. A manoeuvring aisle of minimum 17'-0" should be maintained between the bicycle compound and Exit B for access to Parking Stall Nos. 32 and 41.

The parking layout has been revised to incorporate suggstions mentioned above. We have allowed for a 17'-0" manoeuvring aisle around Exit B. (See A2.00)

ix. provision of the column length dimension for typical column encroachments shown on the diagrams on Sheet No. A2.00;

Note to Applicant: Currently, only the width and offset of the column are shown.

Column length dimension has been added on sheet A2.00. (See A2.00)

Note to Applicant: Please contact Randy Zeegers of the Parking Management Branch at 604-871-6153 for more information, or refer to the Parking and Loading Design Guidelines at the following link:

http://vancouver.ca/home-property-development/parking-policies-guidelines.aspx

2.0 Conditions to be met prior to the issuance of the Development Permit:

Heritage condition:

2.1 An "Assurance of Retention of Existing Portions of Buildings" letter (copy attached) and colour-coded detailed elevation drawings from a Registered Architect or Engineer are to be submitted, in triplicate, verifying that the portions of the existing structure shown as being retained can in fact be retained, and that he/she will supervise the construction to ensure the retention occurs.

Notes are to appear on the retention drawings indicating the following:

i. that all parts of the building shown as being retained will be retained in place, and not removed from their original location within the building at any time;

- ii. that 'retained wall' means the retention of the existing studs and sheathing;
- iii. that 'retained floor' means the retention of the existing floor joists and sub-floor; and
- iv. that 'retained roof' means the retention of the existing roof rafters and sheathing.

The drawings should also indicate, in detail, the proposed strategies for the retention and/or replacement of all exterior doors, windows, trim, and cladding materials.

In addition, three copies of a letter signed by the Registered Architect or Engineer, indicating the sequence of construction, are to be submitted, in order to ensure that the construction is carried out in a manner that retains the building on the site at all times.

Note to Applicant: Retention of the heritage building is required. The above information is, therefore, required to ensure that the proposed work is viable. If significant structural change is proposed, then a full set of drawings, including plans and sections, will be required. With regard to structural members, a general approach of supplementing what exists in order to meet current Building By-law standards should be applied [sistering of joists, rafters, and studs, if required, etc.], rather than the replacement of the original material. A copy of the approved retention drawings and the sequence of construction letters will form part of any approved Building Permit drawings. Please contact the Development Planner if you have any questions about these issues.

Drawings details added as suggested and Letters of 'Assurance of Retention of Existing Portions of Buildings' and Sequence of Construction' submitted. (See A2.08 to A2.12)

Development Review Branch conditions:

- 2.2 Arrangements shall be made for subdivision of the site, to the satisfaction of the General Manager of Engineering Services, the Director of Planning, and the Subdivision Approving Officer, if intention is to subdivide the site into two separate lots corresponding to Sub-area 1 and Sub-area 2, as shown in Figure 1 of the CD-1 (644) By-law.
 - As per letter of intent submitted to Wendy LeBreton on July 04, 2017 and included in this submission we DO NOT intend to subdivide the site either by 2D subdivision or by air space subdivision.
- 2.3 Arrangements shall be made, to the satisfaction of the Director of Planning, Director of Legal Services, and the General Manager of Engineering Services, for a cross-boundary agreement between sites if two new lots are created as described in Condition 2.3 above.

2.4 Compliance with Section 10.12.2 - Demolition of a Building, of the Zoning and Development By-law which states that:

"Except as set out in Section 10.12.3, 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.

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."

We acknowledge Section 10.12.2 as described above; however considering the unique circumstances presented by this project we make this request to be excused from compliance to Section 10.12.2.

As this project consists of a Heritage house that will need to be relocated onsite; the relocation of which requires 2 of the other 3 existing houses to be demolished and a temporary road built, following the timeline set out in Section 10.12.2 will delay the start of construction by the time required to complete this relocation. We request to be granted demolition permits ahead of development and building permits, to begin the relocation of the heritage home advancing the start of construction by the amount of time the relocation takes. Allowing the completion of the 111 secured rental homes months sooner that compliance to Section 10.12.2 will dictate.

2.5 Submission of a DCL Waiver Request Form (copy attached) is required, to the satisfaction of the Director of Planning, the Director of Housing Policy and Projects, and the General Manager of Planning, Urban Design & Sustainability, confirming compliance of proposed Average Maximum Rents, Average Maximum Unit Sizes, and Proposed Construction Costs of this application with Appendix C of Planning - By-law Administration Bulletin entitled, "Rental Incentive Guidelines".

Note to Applicant: Average Maximum Unit Sizes shall be clearly identified on the Architectural drawings and accompanied with FSR overlays. They are to be measured from the inside of all outer walls, as outlined in Section 10.21.2 of the Zoning and Development Bylaw, and shall be considered to be the net area after all permitted exclusions.

DCL Waiver Request Form with unit sizes per condition 1.9 above forms part of this submission.

2.6 An up-to-date copy of the City building grades plan is to be submitted.

City Building Grades have been shown on sheet #A1.02.

2.7 An acoustical consultant's report is to be submitted which assesses noise impacts on the site and recommends noise mitigation measures to achieve noise criteria, to the satisfaction of the Director of Planning.

Acoustic report forms part of this submission.

2.8 The proposed form of development can and does become approved by City Council.

3.0 Conditions of the Development Permit:

- 3.1 In the event that retention of portions of the heritage building, which are to be retained, cannot occur as shown on the approved plans, all construction work must cease. Construction must stop as the work is no longer in compliance with the approved permit and the permit would now be considered to be invalid. Replication or replacement of existing portions of the building that were to be retained does not comply where retention is a condition of the permit. Planning staff must be contacted to discuss options including the possibility of new permits in the event the building cannot be retained as shown on the approved plans.
- 3.2 All windows for the heritage building are as approved on the drawings and any substitutions or changes require the approval of the Director of Planning before the replacement windows are installed. Regarding the heritage building, unless noted otherwise, "existing" means the existing window retained and refurbished in place or removed and refurbished and re-installed.
- 3.3 Regarding the heritage building, all new trims and wood elements are to be sanded and painted fir or cedar (textured or combed products are not approved) unless specifically approved otherwise on the drawings.
- 3.4 All work is to be consistent with the approved Conservation Plan, or equivalent documentation, which forms a part of the development permit.
- 3.5 All services, including telephone, television cables and electricity, shall be completely underground.
- 3.6 No exposed ductwork shall be permitted on the roof or on the exterior face of the building without first receiving approval of the Director of Planning.
- 3.7 Amenity areas of 948.0 ft.² (meeting and fitness rooms) on the ground floor, excluded from the computation of floor space ratio, shall not be put to any other use, except as described in the approved application for the exclusion. Access and availability of the use of all amenity facilities located in this project shall be made to all residents, occupants and/or tenants of the building;

AND

Further, the amenity spaces and facilities approved as part of this Development Permit shall be provided and thereafter be permanently maintained for use by residents/users/tenants of this building complex.

- 3.8 No enclosure of balconies is permissible for the life of the building.
- 3.9 If the development is phased and construction is interrupted, the project will require an amendment, to the satisfaction of the Director of Planning, to address how the incomplete portions of the development will be treated.

- 3.10 All approved street trees shall be planted in accordance with the approved drawings within six (6) months of the date of issuance of any required occupancy permit, or any use of occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
- 3.11 In accordance with Protection of Trees By-law Number 9958, the removal and replacement of trees is permitted only as indicated on the approved Development Permit drawings.
- 3.12 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings <u>prior to the issuance of any required occupancy permit</u>, or any use of occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

(<u>Note to Applicant</u>: In cases where it is not practical, due to adverse weather conditions or other mitigating factors, to complete the landscaping prior to occupancy of a building, the City will accept an Irrevocable Letter of Credit [amount to be determined by the City] as a guarantee for completion of the work by an agreed upon date.)

- 3.13 In accordance with Protection of Trees By-law Number 9958, all trees are to be planted prior to issuance of any required occupancy permit, or use of occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
- 3.14 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 <u>prior to the issuance of any required occupancy permit</u>, or any use of occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.
- 3.15 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health & 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.

4.0 Notes to Applicant:

4.1 It should be noted that your Development Permit will be issued when you have complied with all the above conditions. However, if these conditions have not been complied with **on**, **or before December 22**, **2017**, this Development Application may stand refused.

- 4.2 A new Development Application will be required for any significant changes. This approval is subject to any change in the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the by-law or regulations can be issued.
- 4.3 The applicant is advised to note the comments of the Building Review Branch noted below. Further, written confirmation that these comments have been acknowledged and understood, is required to be submitted as part of the "prior-to" response.

The following comments have been made by the Building Review Branch and are based on the architectural drawings submitted for the development application. This is a preliminary review in order to identify issues which do not comply with Vancouver Building By-law No. 10908 as amended (VBBL).

The following information should be included at Building Permit Application stage:

- i. This project requires the services of a registered architect.

 Architectural Schedule B and sealed drawings should be submitted.
- *ii. The building is required to meet Enhanced Accessibility provisions as per Article 3.8.2.27. and Adaptable Housing requirements as per Subsection 3.8.5. of the VBBL.
- *iii. Egress from dwelling units shall conform to Article 3.3.4.4. of the VBBL.
- *iv. Building construction shall conform to Subsection 3.2.2 of the VBBL.
- *v. Exit lobby shall conform to Article 3.4.4.2. of the VBBL.
- *vi. Location of access routes and paths of travel shall conform to Article 3.2.5.5. of the VBBL.
- vii. Building safety facilities such as annunciator, fire fighter's elevator, and stairwells equipped with standpipe connections shall be coordinated with the location of the firefighers' entrance.
- viii. All entrances, exits, drive aisles and other access to offstreet disability parking spaces, and egress therefrom must have a minimum vertical clearance of 2.3 m, as required by the Parking By-law.
- ix. Storage garage security shall conform to Article 3.3.6.7. of the VBBL.
- x. Exit exposure protection shall conform to Subsection 3.2.3. of the VBBL.
- xi. Door swing shall conform to Article 3.3.1.11. of the VBBL.
- xii. Combustible projection shall conform to Article 3.2.3.16. of the VBBL.
- xiii. Exit exposure protection shall conform to Article 3.2.3.13. of the VBBL.

xiv. All new architectural, mechanical and electrical components are required to comply with the Energy Utilization requirements of the Vancouver Building By-law No.10908 and ASHRAE standard 90.1-2010. Please add to your drawings the Energy Statements per the "Energy Statements on Drawings" requirements found within the City of Vancouver energy webpage: http://vancouver.ca/building-energy-requirements

<u>Note</u>: Items marked with an asterisk (*) have been identified as serious nonconforming Building By-law issues.

The applicant may wish to retain the services of a qualified Building Code consultant in case of difficulty in comprehending the comments and their potential impact on the proposal. Failure to address these issues may jeopardize the ability to obtain a Building Permit or delay the issuance of a Building Permit for the proposal.

The comments contained in prior to condition 4.3 are acknlowdged and understood by the applicant.

- 4.4 The Addressing Coordinator advises that additional addresses may be required prior to issuance of the Building Permit. Unit numbers are to be assigned, for example 1st storey (100 series), 2nd storey (200 series) etc. A floor layout plan including addressing and unit numbers is to be submitted prior to Building Permit issuance and shown on drawings submitted with the Building Permit application. For information please contact the City of Vancouver Addressing Coordinator.
- 4.5 If this Development Application included a written notification of neighbouring property owners or other interested parties, a copy of this letter will be sent to all respondents advising them of the decision.
- 4.6 The Canadian Electrical Code regulates high voltage overhead conductor clearances from structures and dielectric liquid-filled transformer clearances from combustible building surfaces, doors, windows and ventilation openings. All structures must have a horizontal distance of at least 3 m from existing BC Hydro high voltage overhead conductors. Combustible building surfaces, windows, doors and ventilation openings must be located at least 6 m from dielectric liquid-filled, pole-mounted BC Hydro transformers, unless an acceptable non-combustible barrier is constructed between these transformers and combustible building surfaces, doors, windows or ventilation openings.

If the building design cannot meet these requirements, modifications must be made. If you wish to discuss design options, please contact Electrical Inspections at 604.871.6401.

4.7 This site will be affected by a Development Cost Levy By-law. Levies will be required to be paid prior-to issuance of Building Permits. For more information, please refer to the Development Cost Levies Information Bulletin, available online at vancouver.ca/financegrowth.

4.8 All Building permit applications submitted on or after January 2, 2015, will be reviewed for compliance to the new Vancouver Building By-law #10908 (2014). Please see the following link to purchase online version of VBBL 2014 or to view the PDF files with changes in VBBL 2014 in comparison with BCBC 2012 and amendments to VBBL:

http://www.bccodes.ca/vancouver-bylaws.aspx

Submission of most Building Permit applications now requires an appointment. When your Building Permit application is ready, please phone 604.873.7611 to book an appointment for an application intake with the Project Coordinator who will manage your application. Only full and complete applications will be accepted. If you need advice in preparing your application, you may book an enquiry appointment (604.873.7611), or walk into our Development and Building Services Centre (1st Floor, 515 West 10th Avenue).

Yours truly,

Berg Balantzyan

cc: Marie Linehan, Development Planner
James Boldt, Heritage Planner
Lee Beaulieu, Landscape Development Specialist
David Murphy, Subdivision and Strata Title Co-ordinator
Kevin Cavell, Engineering Services
Wendy LeBreton, Project Facilitator

Yamamoto Architecture Inc. 202 - 33 East 8th Avenue Vancouver, BC V5T 1R5

4. REZONING: 3365 Commercial Drive and 1695-1775 East 18th Avenue

MOVED by Councillor Louie SECONDED by Councillor Jang

> THAT the application by Cressey 18th Avenue Holdings Ltd. (Inc. No. 0969486), to rezone 3365 Commercial Drive [Lot 4, Blocks A and B, District Lot 753, Plan 8865; PID: 009-908-056], 1695 East 18th Avenue [Lot 5, Blocks A and B, District Lot 753, Plan 8865; PID: 009-649-123], 1707 East 18th Avenue [Lot 3 Except the South 7 feet, Now Road Block A, District Lot 753, Plan 1795; PID:014-282-810], and 1775 East 18th Avenue [Lot 1, Block A, District Lot 753, Plan 1795; PID: 005-338-115], together with City-owned land at 1733 East 18th Avenue [Lot 2, Block A, District Lot 753, Plan 1795; PID: 009-908-200], from RS-2 (Residential) District to CD-1 (Comprehensive Development) District to among other things, increase the floor space ratio (FSR) to 2.27 to permit the construction of a 31/2to six-storey residential building containing 110 secured for-profit affordable rental units, and to restore, rehabilitate and designate the exterior of a heritage building known as the Myers Residence on the westerly portion of the site into two strata residential units adjacent to a new two-unit strata infill building, generally as presented in Appendix A of the Policy Report dated April 11, 2016, entitled "CD-1 Rezoning - 3365 Commercial Drive and 1695-1775 East 18th Avenue", and in the memo dated June 21, 2016, from the Assistant Director of Planning - Midtown, be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Yamamoto Architecture Inc. and stamped "Received December 2, 2015", subject to the following conditions, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

 Architectural expression will employ an improved palette of high quality durable materials and a refined detail finish throughout the buildings.

Note to Applicant: Materials and architectural expression at detailed design stage should ensure legibility of the buildings as residential rather than institutional use.

- 2. Provision of extensive green roof to the 3½-storey rental block to improve sustainability measures.
 - Note to Applicant: This will also provide visual relief to the occupants of the six-storey rental block.
- 3. Design development to provide a 2.1 m setback to the north corner of the six-storey building to improve the transition to the neighbouring site.
 - Note to Applicant: Adjustments to the form should be in-keeping with the overall design, noting that the angled corner should be maintained. Staff do not anticipate a reduction in floor area as a consequence of this condition.
- Design development to mitigate direct overlook between the infill building and adjacent development to the west.
 - Note to Applicant: Detailed design development should include reflected elevations of the building at 1665 East 18th Avenue.
- Design development to substantially enclose the upper level of the infill building within a pitched roof form to improve compatibility with the adjacent development.
- Design development to mitigate direct overlook from upper levels of the six-storey building to existing adjacent development to the west.
 - Note to Applicant: This can be accomplished with the use of translucent glazing to a 36 inch height at the balcony guard rail or similar measures.
- Consideration design development to the bridge component on the rental building to add visual interest and improve lobby entrance legibility.
- Design development to emphasize townhome scale massing of Levels 1-3 on the 3½-storey rental block fronting East 18th Avenue.
- Design development to mitigate solar heat gain on the south elevation.
 - Note to Applicant: This can be accomplished through the provision of external solar shading devices.

Crime Prevention through Environmental Design (CPTED)

- 10. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:
 - (i) theft in the underground,
 - (ii) break and enter,
 - (iii) mischief and vandalism such as graffiti, and
 - (iv) mitigate possible CPTED concerns in the parking area.

Landscape Design

11. Design development to retain trees nos. 1646, 1647, 1648, 1649, 1650 and 1678.

Note to Applicant: The analysis will require additional arborist reporting and details of construction work near trees. Explore opportunities to retain additional healthy trees, with special consideration to companion trees. Retention of tree no. 1678 will require modifications to the underground parkade and open space plan including the child's play area. To optimize tree protection, employ special construction methods, such as vertical shoring and setback and limit excavation outside the dripline. The proposal should not rely on canopy encroachments or surface disturbances (such as intensive re-landscaping). Avoid landscape or grading proposals that may cause unnecessary compaction of roots and changes to the existing growing conditions (i.e. water availability and drainage).

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

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

13. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

14. Consideration to explore design options that respect the City of Vancouver, Bird Friendly Design Guidelines; Note to Applicant: refer to http://www.vancouver.ca/commsvcs/guidelines/B021.pdf

15. Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

16. Provision of a "Tree Management Plan".

Note to Applicant: Provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including dimensioned tree protection barriers and important construction management directives drawn out of the arborist report(s) such as clearly illustrating the limit of excavation and footing design strategy (i.e. vertical shoring, shotcrete).

17. Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through tree protection zones, all proposed common open spaces and semi-private patio areas.

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- 18. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.
- 19. Provision of the necessary infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common amenity locations.
- 20. Provision of a partial irrigation plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 square feet (9.29 sq. m). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

21. Provision of an outdoor Lighting Plan.

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

22. Provision of an updated, detailed arborist report.

Note to Applicant: The expanded arborist report should inform design. Include any construction limitations such as the location of construction materials, temporary structures, utility conflicts, site access, development phasing and temporary irrigation requirements.

23. Provision of a registered biologist report, where applicable.

Note to Applicant: The report is a cautionary measure should tree removals be scheduled from Mar.15-Aug.15, the period generally accepted as the bird nesting window.

24. Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is typically 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 up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

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

Note to Applicant: The strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or measures to reduce these risks. For more information, refer to attached Guidelines http://former.vancouver.ca/commsvcs/guidelines/B021.pdf.

Housing

- 26. The proposed unit mix including 30 two-bedroom and 11 three-bedroom units are to be included in the Development Permit drawings, which may 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.
- 27. Design development to ensure that a minimum of 25 percent of the proposed market strata units are designed to be suitable for families with children, including some three bedroom units.
- 28. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.
- 29. The rental building is to comply with the High Density Housing for Families with Children Guidelines and include a common amenity room with a kitchenette (and an accessible washroom adjacent to this amenity room).

Sustainability

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

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

Heritage Conservation

31. Revise the Statement of Significance (SOS) for the building at 3365 Commercial Drive to reflect advice from the Vancouver Heritage Commission SOS Sub-Committee.

Engineering

- Provision of crossings to the satisfaction of the General Manager of Engineering Services, please show a standard commercial crossing design on site and landscape plans. A crossing application is required.
- Clarification of the garbage pick-up operations for the heritage building. It appears residents must travel through unsecured portions of the parkade to access the garbage room.
- Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.
 - Note to Applicant: Pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.
- 35. Make arrangements for provision of additional street trees between the property line and back of city sidewalks to the satisfaction of the General Manager of Engineering Services in consultation with the General Manager Vancouver Board of Parks and Recreation.
- 36. Update landscape and site plan to reflect the change in sidewalk locations and size sought by this rezoning application. Show front boulevard trees and offset sidewalk along the Commercial Drive frontage of the site.
- 37. Delete pavers and special sidewalk treatments from public property and show standard concrete treatments. Note to applicant: An interconnected water service will be required for this development. Please contact Water Design branch for details.
- 38. Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-law except that a minimum of 2 Class A loading spaces shall be provided for the site.
- Compliance with the Bicycle Parking and Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.
 - Note to Applicant: Please refer to the Bicycle Parking and Parking and Loading Design Guideline and Supplements for details.

Bicycles:

- (i) Clearly label the path intended to be used by residents to bring bikes to and from the bicycle rooms to outside the building.
- (ii) Provision of horizontal bicycle spaces not located within a bicycle room to be within a hard shell locker.
- (iii) Provide automatic door openers on the doors along routes providing access to the bicycle room(s).

Parking Spaces:

- (iv) Any column 2' in length must be set back 2' from either end of the parking space.
- (v) Dimension all columns encroaching into parking stalls.
- (vi) Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4' from the end of the stall.

Parking Ramps and Drive Aisles:

- (vii) Relocate loading space to a more typical stall configuration, its current location obstructs maneuvering for passenger vehicles.
- (viii) Provision of design elevations on both sides of the parking ramp at all breakpoints.
- (ix) Provision of a minimum 20' wide overhead security gate between the visitor parking area and the secured residential parking.
- (x) Note to Applicant: if it is not possible to provide a 20' opening, then a 12' gate should be provided to prevent the possibility of vehicle conflict when two cars are passing through the gate.
- (xi) Mark hatchings on the floor in the gap between two parking spaces at the southwest corner of the main parkade to identify this as pedestrian space.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- 1. Consolidation of Lots 1, 2, and 3 (Except the South 7 Feet Now Road), Block A, Plan 1795; Lots 4 and 5, Blocks A and B, Plan 8865; All of DL 753 to create a single parcel.
- 2. Dedication of a 2.1 m x 2.1 m corner-cut at the 18th Avenue and Commercial Drive intersection of the site for road purposes. (The 2.1 m is to be measured along the edge of each of the street frontages).
- 3. Provision of a natural watercourse agreement. Records indicate a natural watercourse passes through this site, a legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed. On-site management of the watercourse is required.
- 4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of minimum 1.8 m wide concrete sidewalk broom finish with saw cut joints and a minimum 1.2 m sod front boulevard with street trees on both Commercial Drive and East 18th Avenue adjacent the site. Note; a modified sidewalk design will be required to address a conflict with the existing traffic signal controller kiosk and the new sidewalk location.
 - (ii) Provision of a concrete curb and gutter on East 18th Avenue for the full length of the development including asphalt paving to centerline of the road. Work to include adjustment of all utilities necessary to accommodate the installation of the new curb and pavement.

- (iii) Provision of improved street lighting on East 18 Avenue. Work to include a review of adequacy of existing lighting and addition of lighting should it be determined and upgrading of the existing lighting to meet current standards which may include LED lighting.
- (iv) Provision of new curb ramps at the intersection of Commercial Drive and East 18 Avenue to current City standards. Work to include replacement of the curb return at this location to accommodate the new ramps should it be necessary.
- (v) Provision of audible signals at the intersections of Commercial Dive and East 18 Avenue and at Commercial Street and Victoria Diversion.
- (vi) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
- (vii) Provision of upgraded storm and sanitary sewer to serve the site. Sub-area 2 (Rental Site) places additional load on the combined system, as a result, approximately 40m of existing combined sewer on Commercial Dr. from the manhole adjacent to 3365 Commercial Dr. to the downstream manhole must be upgraded to a minimum 200 mm sanitary sewer and 250 mm storm sewer at the applicant's cost. The work is currently estimated at \$110,000 (2015 dollars).
- 5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing

overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Housing

- 6. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of the life of the building or 60 years, subject to the following additional conditions:
 - (i) No separate-sales covenant.
 - (ii) A non-stratification covenant.
 - (iii) None of such units will be rented for less than one month at a time.
 - (iv) At least 25% of the units must have two or more bedrooms and be designed to meet the City's "High Density Housing for Families with Children Guidelines".
 - (v) A rent roll indicating the proposed initial monthly rents for each rental unit.
 - (vi) A covenant from the owner to, prior to issuance of an occupancy permit, submit a finalized rent roll to the satisfaction of the Chief Housing Officer and the Director of Legal Services that reflects the initial monthly rents as of occupancy in accordance with the Housing Agreement on either a per unit or a per square foot basis.
 - (vii) Such other terms and conditions as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

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

Heritage

7. The owner enters into a Heritage Restoration Covenant for the rehabilitation, registration and long-term protection of the heritage building. The agreement is to be completed and

registered in the Land Title Office to the satisfaction of the Director of Planning and the Director of Legal Services prior to the enactment of the rezoning by-law.

Note to Applicant: The agreement must be signed by the owner and any party with a financial charge on the title to give priority. The purpose of the agreement is to secure the protection of the heritage building during and after construction and ensure its rehabilitation in a timely manner consistent with a conservation plan, in addition to allowing the City to place a commemorative plaque on the building or lands, and related manners. Please contact the heritage planner to receive a copy of the draft agreement for review.

- 8. Designation of the exterior of the heritage building as a protected heritage property, pursuant to sections 593 and 594 of the Vancouver Charter and enactment of the Heritage Designation By-law by Council.
- 9. Submit a finalized copy of the Conservation Plan for the heritage building as prepared by the heritage consultant.

Soils

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

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

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

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

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated April 11, 2016, entitled "CD-1 Rezoning 3365 Commercial Drive and 1695-1775 East 18th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the amending by-law contemplated by the same report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- C. THAT, subject to approval in principle of the rezoning, the existing building, known as "The Myers Residence" at 3365 Commercial Drive [Lot 4, Blocks A and B, District Lot 753, Plan 8865; PID: 009-908-056], be added to the Vancouver Heritage Register in the 'C' evaluation category.
- D. THAT, subject to approval in principle of the rezoning, Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior of the heritage building as protected heritage property.
- E. THAT A through D above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City 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.
- F. THAT sections 5.3, 5.4 and 5.5 of the draft CD-1 By-law posted for 3365 Commercial Drive and 1695-1775 East 18th Avenue be replaced with the following:
 - "5.3 The floor area and density for all uses in each sub-area must not exceed the maximum permitted floor area and density set out in the following table:

Sub-area	Maximum Permitted	Maximum
	Floor Area (m²)	Permitted
		Density (Floor
		Space Ratio)
1	6,855 m²	2.55
2	555 m²	0.96

- 5.4 The maximum permitted floor area for the site is 7,410 m²
- 5.5 The maximum permitted floor space ratio for the site is 2.27."

CARRIED (Vote No. 01342) (Councillor Carr opposed)

COMMUNICATIONS

1. UBCM Housing Affordability Resolution from the City of Victoria

THAT Vancouver City Council endorse the Housing Affordability resolution passed by the City of Victoria at their meeting of June 23, 2016.

ADOPTED ON CONSENT (Vote No. 01351)



DEVELOPMENT, BUILDINGS, & LICENSING-Building Review Branch

Certified Professional Progr	am - Development Permit Confirmation Letter
Name of CP: Tavis McAuley, Architect AIBC, CP	Project Address: 1771 East 18th Ave
Building Permit# BP-2017-05913	Development Permit # DE-2017-00181
Stage: 1	
Ca	
n, hereby construction under the above noted Building Permit issued. I also confirm that I understand this project in Development Permit.	substantially comply with Development Permit drawings as
Signed by: The Yam Am Go CRP/Architect of Record	Date: ASM 25, 2018
Firm: YAMAMOTO HACUITEGURGING.	Professional Seal:
As submitted by: Tavis McAuley, Architect AIBC,	CP Date: APRIL 25, 2018 CITY OF VANCOUVER
Certified Professional	APR 2 5 2018
Certified Professional Stamp:	BUILDINGS & LICENSING
	APR 2 5 2018
I form part of	shall only operate to signify that these documents the CP Project and shall not constitute an design services rendered by others
revised March 19,2018	Tavis McAuley

SCHEDULE A

Forming Part of Sentence 2.2.7.2.(1), Div. C of the Building By-law

CONFIRMATION OF COMMITMENT BY OWNER AND COORDINATING REGISTERED PROFESSIONAL

Notes:

- This letter must be submitted before issuance of a building permit.
- This letter is endorsed by: Architectural Institute of B.C., Association of Professional Engineers and Geoscientists of B.C.
- In this letter the words in italics have the same meaning as in the Building By-law.

Re: Design and Field Review of Construction by a Coordinating Registered Professional

To: The Chief Building Official

Re:

1771 East 18th Avenue

1771 East 18th Avenue

Lot 1 Block A Plant EPP41737 District Tot 753 Land District 1 Land District 36 & BLK B 05

> This stamp shall only aperate to signify that these form part of the CP Project and shall not constitute approval of design services rendered by oth

> > Tavis McAuley

Professional's Seal and Signature.

20th September, 2017

Taizo Yamamoto

201

The undersigned has retained as a coordinating registered professional to coordinate the design work and field reviews of the registered professionals of record required for this project. The coordinating registered professional shall coordinate the design work and field reviews of the registered professionals of record required for the project in order to ascertain that the design will substantially comply with the Building By-law and other applicable enactments respecting safety and that the construction of the project will substantially comply with the Building By-law and other applicable enactments respecting safety, not including the construction safety aspects.

"field reviews" are defined in the Building By-law to mean those reviews of the work

- (a) at a project site of a development to which a building permit relates, and
- (b) where applicable, at fabrication locations where building components are fabricated for use at the project site

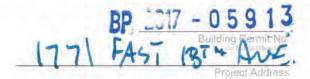
that a registered professional in his or her professional discretion considers necessary to ascertain whether the work substantially complies in all material respects with the plans and supporting documents prepared by the registered professional of record for which the building permit is issued.

The owner and the coordinating registered professional have read Subsection 2.2.7, Division C of the Building By-law. The owner and the coordinating registered professional each acknowledge their responsibility to notify the Chief Building Official of the date the coordinating registered professional ceases to be retained by the owner before the date the coordinating registered professional ceases to be retained or, if that is not possible, then as soon as possible. The coordinating registered professional acknowledges the responsibility to notify the Chief Building Official of the date a registered professional of record ceases to be retained before the date the registered professional of record ceases to be retained or, if that is not possible, then as soon as possible.

initial each Schedule B prior to submission to the Chief Building Official.

It is the responsibility of the coordinating registered professional to ascertain which registered professionals are required, and to

Schedule A - Continued



The owner and the coordinating registered professional understand that where the coordinating registered professional or a registered professional of record ceases to be retained at any time during construction, work on the above project will cease until such time as

 (a) a new coordinating registered professional or registered professional of record, as the case may be, is retained, and

(b) a new letter in the form set out in Schedule A or in the forms set out in Schedules B, as the case may be, is filed with the Chief Building Official.

The undersigned coordinating registered professional certifies that he or she is a registered professional as defined in the Building By-law, and agrees to coordinate the design work and field reviews of the registered professionals of record required for the project as outlined in the attached Schedules B including coordination and integration of functional testing of fire protection and life safety systems. (See A-2.2.7.3 in Appendix A.)

Coordinating Registered Professional

Address / 10

Phone No.

Taizo Yamamoto

Coordinating Registered Professional's Name (Print)

202- 33 East 8th Avenue

Vancouver, BC V5T 1R5

604.731.1127

Owner

Cressey 18th Avenue Holdings Ltd.

Owner's Name (Punil)

200 - 555 West 8th Ave

Vancouver, British Columbia V5Z 1C6

Scott Cressey

appoints the age

BED ARCHITICAL STREET OF THE S

20th September, 2017

(Professional's Seal and Signature)

Date

Owner's appointed agent's signature. (If owner is a corporation re signature of a signing officer must be given here the signature is that of the agent, a copy of the document that

Certified Profess

DEC 05 2017

This stamp shall only operate to signify that these document form part of the CP Project and shall not constitute an approval of design services rendered by others.

(If the Coordinating Registered Professional is a member of a firm, complete the following.)

I am a member of the firm

Yamamoto Architecture Inc.

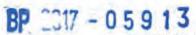
and I sign this letter on behalf of the firm

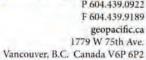
This letter must be signed by the *owner* or the *owner*'s appointed agent and by the *coordinating registered professional*. An agent's letter of appointment must be attached. If the *owner* is a corporation, the letter must be signed by a signing officer of the corporation and the signing officer must set forth his or her position in the corporation.

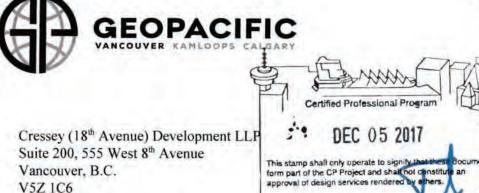
The Building By-law defines a registered professional to mean

- (a) a person who is registered or licensed to practise as an architect under the Architects Act, or
- (b) a person who is registered or licensed to practise as a professional engineer under the Engineers and Geoscientists Act.

2 of 2







November 10, 2017 Our File #: 12203 Rev. 1

Attention: Nathan Gurvich

Re: Geotechnical Investigation Report: Proposed Residential Development 1771 East 18th Avenue, Vancouver, B.C.

Tavis McAuley

1.0 INTRODUCTION

We understand that Cressey Development LLP intends to construct a residential development at the above noted site. The new development would contain up to 6 levels of wood framed construction over a single level reinforced concrete parkade. Loading for the development is not known at this time, however, we expect moderately heavy loading.

This report presents our recommendations for the design and construction of the proposed development and temporary excavations, based on findings from our geotechnical investigation and experience in the immediate area. This report has been prepared exclusively for Cressey Development LLP, for their use, the use of others on their design team and for the City of Vancouver for use in the development and permitting process.

2.0 SITE DESCRIPTION

The site is located in east Vancouver, northeast of the major intersection of Knight Street and Kingsway. The site includes five parcels of property with civic addresses of 1965, 1707, 1733, 1775 East 18th Avenue and 3365 Commercial Drive. Currently the site is improved by single family homes on all properties except for a vacant lot at 1733 East 18th Avenue. The site is bounded by Commercial Drive the east, East 18th Avenue to the south, a residential lot to the west and a two storey apartment complex to the north. The apartment complex to the north has one storey of under ground parking. The sites slopes down from the south to north east with its lowest grades of 40 meters geodetic found on the 3365 Commercial Drive property. The overall site grades ranger from 40 to 47 meters geodetic.

The site location relative to the surrounding area is shown on our Drawing No. 12203-01, following the text of this report.



3.0 SITE INVESTIGATION

Our geotechnical field investigation was completed on May 22, 2014. A total of 5 solid-stem auger holes, labelled TH14-01 through TH14-05, were drilled to depths between 4.5 and 6 metres below existing site grades. A Dynamic Cone Penetration Test (DCPT) soundings was performed at TH14-01 and TH14-04 to determine the relative density of the soils encountered. This drilling was completed using a track-mounted drill rig, supplied and operated by Uniwide Drilling Ltd. of Burnaby, B.C. The test holes were located, supervised and logged by a member of our geotechnical staff.

Prior to our investigation, a BC One Call was conducted and Quadra Utility Locating Ltd. was retained to clear utilities at the test hole location. All test holes were backfilled and sealed in accordance with provincial abandonment requirements following classification, sampling and logging.

The results of our test hole investigation are presented on Figures A.1 through A.5 in Appendix A, following this report. The approximate locations of the auger test holes are shown on our Drawing 12203-01, following the text of this report.

4.0 SUBSURFACE CONDITIONS

4.1 Soil Conditions

The subsurface conditions generally consist of topsoil or fill over compact sand then dense to very dense glacial till. The topsoil or fill extend to depths between 0.3 to 1.5 metre. The surficial sand contains varying amounts of silt and was found to be compact with depth. The sand extends to depths between 1.5 and 3.0 metres. The glacial till was encountered at all locations at depths between 1.5 to 3.0 metres below grade. The dense to very dense till generally consists of silty sand to sand and gravel and appeared slightly moist.

The general geology of the region under investigation is described as Vashon drift and Capilano Sediments of Pleistocene age according to the Geological Survey of Canada map 1484A. The Vashon drift is characterized by lodgement and minor flow till with lenses and interbeds of substratified glaciofluvial sand to gravel.

The Vancouver's Old Streams map, published by the City of Vancouver, shows a buried stream roughly aligned with the west side of Welwyn Street that trends north through the property. Our test holes did not encounter stream sediments.

4.2 Groundwater Conditions

The static groundwater table was not encountered during our investigation. The presence of perched groundwater within the surficial topsoil and fill overlying the glacial till should be expected. Discrete zones of discontinuous seepage are normally present throughout the glacial till. These zones produce moderate to heavy seepage until drained and light seepage thereafter. Perched groundwater was observed on the upper contact of the glacial till layer in TH14-03. This perched groundwater is expected to develop in all areas of the site within the surficial topsoil and fill overlying the glacial till during wetter periods of the year. We expect that the anticipated seepage may be able to be handled by conventional sumps and sump pumps.

5.0 DISCUSSION

5.1 General Comments

Design drawings provided to us from Yamamoto Architecture Inc. indicate that the proposed development consists of up to 6 levels of wood framed construction over a single level reinforced concrete parkade. Based on the observed soil conditions at the site, we expect that the proposed structures may be founded on conventional strip and pad foundations bearing on the very dense glacial till noted at our test hole locations. Our foundation recommendations are provided in Section 6.2.

Our experience in this area of Vancouver indicates that cobbles and boulders may be present within the glacial till. Cobbles and small boulders can typically be removed with conventional excavation equipment, however, large boulders may require splitting/blasting to facilitate their removal from the site.

The soils present on-site are not liquefiable during the design earthquake defined in the 2014 Vancouver Building By-Law.

5.2 Temporary Excavations

We expect that excavations would be sloped where possible. However, where existing properties, structures, and/or utilities are in close proximity to the development we expect that shoring may be required. Based on the soil conditions present on-site we expect that reinforced shotcrete shoring employing pre-tensioned soil anchors may be used to support vertical excavations.

It is expected that the parkade is to extend near the west, north, east and a portion of the south property line. We anticipate that shoring will be required due to the depth of the excavation contemplated and the proximity to property lines, existing structures and utilities. Underpinning may be required beneath the adjacent buildings to the west and north. Our temporary excavation recommendations are provided in Section 6.7.

6.0 RECOMMENDATIONS

6.1 Site Preparation for Buildings

We expect that the depth of stripping at this site will be dictated by proposed parkade elevations rather than the condition of the soils present on-site. However, prior to construction of foundations and floor slabs all existing building, vegetation, topsoil, fill, organic material, debris, refuse, and loose or otherwise disturbed soils must be removed from the construction areas to expose a subgrade of very dense glacial till.

Any grade reinstatement beneath foundations or grade supported slabs should be done with "engineered fill". In the context of this report any "engineered fill" is defined as clean sand to sand and gravel fill, compacted in 300 mm loose lifts to a minimum standard of 95% of its Modified Proctor Maximum Dry Density (ASTM D1557) while at a moisture content that is within 2% of its optimum for compaction. Alternatively, grade reinstatement can be done with lean mix concrete having an unconfined compressive strength of at least 5 MPa at 28 days. The glacial till subgrade may be sensitive to changes to moisture content. Therefore, the excavation subgrade should be graded to prevent ponding of water at footing locations. Any water softened soil must be excavated to expose a subgrade of undisturbed very dense glacial till.

6.2 Building Foundations

Footings which are founded on undisturbed very dense glacial till, described in Section 4.1, may be designed on the basis of a serviceability limit state bearing pressure of 575 kPa and a factored ultimate limit state bearing pressure of 860 kPa for strip or pad footings.

Foundations which are placed on "engineered fill", as defined in Section 6.1, may be designed on the basis of a serviceability limit state bearing pressure of 120 kPa and a factored ultimate limit state bearing pressure of 180 kPa for strip and pad footings.

Irrespective of the allowable bearing pressures given, pad footings should not be less than 600 mm by 600 mm and strip footings should not be less than 450 mm in width. The foundation should be buried at least 460 mm for frost protection.

We expect that the settlement of footings designed as recommended should be within the normally acceptable limits of 25 mm maximum and up to about 20 mm differential over a 10 metres span.

The foundation subgrade must be reviewed by the geotechnical engineer.

6.3 Slab-On-Grade Floors

In order to provide suitable support for slab-on-grade floors we recommend that any fill placed under the slab should be granular and essentially "clean" with not more than 5% passing the #200 sieve. In addition, this granular fill must be compacted to a minimum of 98% Standard Proctor (ASTM D698) maximum dry density with water content within 2% of optimum for compaction.

Floor slabs should be underlain by a minimum of 150 mm of 3/4" clear crushed gravel. A moisture barrier should underlie the slab directly above the free draining granular material. The 3/4" clear crush gravel layer should be hydraulically connected to the perimeter drainage system to facilitate the removal of any water which may accumulate below the floor slab.

Compaction of the slab-on-grade fill must be reviewed by the geotechnical engineer,

6.4 Foundation Drainage

A perimeter drainage system will be required for the below grade portion of the structure to prevent the development of water pressure on the foundation walls.

6.5 Seismic Design of Foundations

This site qualifies as "Site Class C" as defined in Table 4.1.8.4.A of the City of Vancouver Building By-law 2014. Site Class C sites are defined as very dense soil sites where the average properties in the top 30 metres have an average penetration resistance (N_{60}) greater than 50 for coarse grained soils, or an undrained shear strength (S_u) greater than 100 kPa for fine grained soils.

The City of Vancouver Building By-law 2014 regulates the seismic design requirements for structures in Vancouver. The by-law stipulates a design earthquake with a 2% probability of exceedance over a 50 year period which equates to an earthquake with a return period of 1 in 2475 years. Accordingly, we have considered an earthquake having a peak horizontal ground acceleration of 0.46g for this site (Ref. National Resources Canada, Site Coordinates: 49,2545 North, 123,06898 West).

6.6 Temporary Excavations

We expect that any excavation would be sloped where possible. We would expect that slopes covered in poly sheeting and cut to 4V to 3H can be constructed in the glacial till. Temporary cut slopes should be limited to 1V to 1H in the surficial topsoil and fill and should also be covered in poly sheeting. Temporary cut slopes in excess of 1.2 metres in height require inspection by a professional engineer in accordance with Worker's Compensation Board guidelines.

Based on the proposed design, existing topography of the site, as well as the proximity to existing structures, properties and/or utilities we envisage that shoring and underpinning is likely to be required. It is our opinion that the natural soils are sufficiently dense and strong that vertical cuts may be supported with the use of shotcrete shoring and underpinning with pre-tensioned grouted soil anchors, which is the most economical system available in Greater Vancouver. Hollow core (self-drilling) anchors should be anticipated in sandy zones within the excavation. Underpinning may be required beneath neighboring buildings depending on proximity of the excavation. The extent of the shored section of the excavation will depend on the existing topography as well as the final design layout and elevations for the proposed structure and adjacent structures. GeoPacific can provide an excavation/shoring design upon request. Installation of anchored shotcrete shoring must be reviewed by the geotechnical engineer.

Light seepage should be expected during the wetter months due to the formation of perched water tables in the surficial soil overlying the lower permeability glacial till. Temporary moderate to heavy seepage should be expected from any sand to gravelly sand seams present within the glacial till until they drain. We expect that inflows may be handled with sumps and sump pumps.

6.7 Lateral Pressure on Foundation Walls

6.7.1 General Comments

We understand that the common and parkade will possess a single level of below grade construction. The earth pressure on these walls depends upon a number of factors including the backfill material, surcharge loads, backfill slope, drainage, rigidity of the basement or retaining wall, and method of construction including sequence and degree of compaction.

The method of construction of the excavation is expected to strongly influence design loads on the foundation walls. Lateral earth pressure theory suggests that cohesionless backfill soils placed in a sloped excavation are likely to provide the highest earth pressures. Earth pressures are expected to be lower for vertically shored excavations due to the cohesive nature of the natural soils on-site.

Coordination with the structural engineer may be required in the design of the excavation in the event that earth pressures for the sloped portion of the excavation are considered excessive. In this instance the use of shoring or light weight/cohesive backfills may have to be considered in order to limit backfill pressures on the foundation walls. The following outlines our lateral earth pressure recommendations for a sloped excavation and vertically shored excavation.

Backfill against the City of Vancouver property must be completed in accordance with the City of Vancouver Street Restoration Manual (August 2008).

The backfill and procedures proposed must be reviewed by the Geotechnical Engineer.

6.7.2 Sloped Excavation

The following loads are provided based on the assumption of a sloped excavation of 3H:4V to 1H:1V backfilled with a free draining granular backfill with a unit weight of 20 kN/m³, friction angle of 35 degrees, level backfill, and no surcharges. Heavier backfills or backfills with a lower angle of friction would be expected to induce higher loads.

For a fully restrained basement wall designed for static pressure a pressure distribution should be employed of 8H (kPa) triangular, where 'H' is the buried depth of the wall, in metres, below grade. For an unrestrained basement wall a static pressure distribution of 5H (kPa) triangular may be used.

Dynamic loading induced by the 2007 design earthquake should be added to the static loads and should be taken as 6H (kPa) <u>inverted</u> triangular based on a peak horizontal ground acceleration of 0.46g (Natural Resources Canada).

Restrained versus unrestrained conditions depend upon the degree of wall movement. A flexible, or unrestrained wall, is allowed to move 0.002H outwards at the top of wall, where H is the height of the wall. A restrained or rigid wall is prevented from rotating out at the top of the wall either by intervening walls or floors which prevent deflection of the wall. Partial movements of the wall may result in pressures somewhat less than the restrained condition but it is not possible to predict intermediate cases with any degree of certainty.

We have assumed that a free draining granular backfill will be used behind the basement walls and that a perimeter drainage system will also be employed to collect any water from behind the walls. Therefore, our wall loading scenarios presented above assume that no water pressure will be generated behind the walls.

Due to the relatively high seismic loads we expect that foundation walls designed for these seismic pressures will satisfactorily support any compaction induced earth pressures that load the foundation wall during the backfill compaction process. Compaction induced earth pressures are expected to be relieved during a seismic event and are not expected to be cumulative with the seismic loading.

6.7.3 Shored Excavation

The following loads are provided based on the assumption of a vertically shored excavation, conducted within the soils described in Section 4.1 of this report, with a 600 millimetres working space backfilled with pea gravel, level backfill, and no surcharges.

For a fully restrained basement wall designed for static pressure a pressure distribution should be employed of 5.5H (kPa) triangular, where 'H' is the buried depth of the wall, in metres, below grade. For an unrestrained basement wall a static pressure distribution of 3H (kPa) triangular may be used. Restrained versus unrestrained conditions are defined in Section 6.7.2.

Dynamic loading induced by the design earthquake should be added to the static loads and should be taken as 3H (kPa) inverted triangular.

We have also assumed that a free draining granular back fill or drainage board will be used behind the basement walls adjacent to the shoring and that a perimeter drainage system will also be employed to collect any water from behind the walls. Therefore, our wall loading scenarios presented above assume that no water pressure will be generated behind the walls.

All earth pressures are based upon unfactored soil parameters and are assumed to be unfactored loads.

6.8 Utility Design and Installation

Site utilities will be required beneath the slabs-on-grade. The design of these systems must consider the locations and elevations of the foundations. The service trenches and excavations required for the installation of the underground pipes, vaults and/or manholes must be located outside of a 1.5:1 (H:V) slope measured downward from the edge of adjacent foundations.

All excavations and trenches must conform to the latest Occupational Health and Safety Regulation supplied by the Worker Compensation Board of British Columbia. Any excavation in excess of 1.2 m in depth requiring man-entry must be reviewed by a professional geotechnical engineer.

7.0 DESIGN REVIEWS AND CONSTRUCTION INSPECTIONS

The preceding sections make recommendations for the design and construction of the proposed development at 1695-1775 East 18th Avenue and 3365 Commercial Drive, Vancouver, B.C. We have recommended the review of certain aspects of the design and construction. It is important that these reviews are carried out to ensure that our intentions have been adequately communicated. It is also important that any contractors working on the site review this document prior to commencing their work.

It is the responsibility of the contractors working on-site to inform GeoPacific a minimum of 48 hours in advance that a field review is required. In summary, reviews are required by the geotechnical engineer for the following portions of the work:

1.	Excavation	Review of temporary slopes and soil conditions
2.	Shoring	Review of shoring stages
3.	Foundation	Foundation subgrade
4.	Slab-on Grade	Subgrade and under slab fill
5.	Backfill	Placement of backfill along foundation walls
6.	De-tensioning	Anchor de-tensioning along City property
7.	Shotcrete removal	Removal of shotcrete along City property

8.0 CLOSURE

This report has been prepared exclusively for Cressey Development LLP for the purpose of providing geotechnical recommendations for the design and construction of the proposed residential development. The report remains the property of GeoPacific Consultants Ltd. and unauthorized use of, or duplication of, this report is prohibited.

We are pleased to be of assistance to you on this project and we trust that our comments and recommendations are both helpful and sufficient for your current purposes. If you would like further details or would like clarification of any of the above, please do not hesitate to call.

For:

GeoPacific Consultants Ltd.

A AVENDAND GONZALEZ ESTRADA S # 45976

NOV TO 2017

Roberto Avendano, B.Eng, P.Eng.

Project Engineer

Reviewed By:

Matt Kokan, M.A.Sc., P.Eng. Principal





LEGEND:

SITE PLAN SCALE = 1:500

◆ TH14-# - TEST HOLE (TH) LOCATION DCPT14-# - DYNAMIC CONE PENETRATION TEST (DCPT) LOCATION HOLE LOCATIONS ARE APPROXIMATE

REFERENCE:

#215-1200 West 73-rd Ave. Vancouver, B.C. Canada V6P 6G5

GeoPacific Consultants Ltd. Ph. (604) 439-0922 Fax (604) 439-9189

DATE: MAY 23, 2014 APP'D. DRN. BY: H.S. M.J.K. SCALE: AS SHOWN

PROPOSED RESIDENTIAL DEVELOPMENT 1695-1775 EAST 18TH AVENUE

AND 3365 COMMERCIAL STREETF OVENE COLUMN 8. DDWG. NO.:

TEST HOLE PLAN

A. DDWG. NO.:

DWG. NO.:

Packa 69 20 31-21- Page 366 of 397

12203

REVISIONS:

APPENDIX A - TEST HOLE LOGS

File: 12203

Project: Proposed Residential Development

Client: Cressey Devlopment

Site Location: 1695-1175 18th Ave & 3365 Comercial Street, Vancouver



215 - 1200 West 73rd Avenue, Vancouver, BC, V6P 6G5 Tel: 604-439-0922 Fax:604-439-9189

		INFERRED PROFILE		(9)			
Depth	Symbol	SOIL DESCRIPTION (E)		Moisture Content (%)	DCPT (blows per foot) 10 20 30 40	Groundwater / Well	Remarks
t m		Ground Surface	0.0				
mo	13,1	Topsoil organic silt sand mix, Topsoil	0.3		8		
=		Sand silty Sand, brown, loose to compact		0.10	20		
1		sity Sand, brown, loose to compact		24.2	26		
1			1.5				
1	7.4	Sand (Glacial Till) fine sand with silt, trace gravel, dense to	1.0	22.5	>50		@ 5' hard drilling
3		wery dense, brown @ 10' clolor changes to gray, with increase in silt			>50 >50 >50		
				8.0			@15' hard drilling
5			6.1	8.7			
-		End of Borehole	0.1				No ground water observe in hole
7							

Logged: RA

Method: Track mounted solid stem agure

Date: May 22, 2014

Datum: Ground Surface

Figure Number: A.1

File: 12203

Project: Proposed Residential Development

Client: Cressey Devlopment

Site Location: 1695-1175 18th Ave & 3365 Comercial Street, Vancouver



215 - 1200 West 73rd Avenue, Vancouver, BC, V6P 6G5 Tel: 604-439-9189

		INFERRED PROFILE		Moisture Content (%)		15	
Depth	Symbol	SOIL DESCRIPTION	SOIL DESCRIPTION (iii)		DCPT (blows per foot) 10 20 30 40	Groundwater / Well	Remarks
t m		Ground Surface	0.0				
nhinhin	llff	Topsoil organic silt sand mix, Topsoil	0.6				
1		Sand silty Sand, brown, loose to compact		46.2			
1		silty Sand, brown, loose to compact	1.5				
		Sand (Glacial Till) fine sand with silt, trace gravel, dense to very dense, grey @ 15' trace gravel					@ 6' hard drilling
3				10.4			
thatachatachatachatachatach			6.1	10.4			@15' hard drilling
7		End of Borehole	311				No ground water observe in hole

Logged: RA

Method: Track mounted solid stem agure

Date: May 22, 2014

Datum: Ground Surface

Figure Number: A.2

File: 12203

Project: Proposed Residential Development

Client: Cressey Devlopment

Site Location: 1695-1175 18th Ave & 3365 Comercial Street, Vancouver



215 - 1200 West 73rd Avenue, Vancouver, BC, V6P 6G5 Tel: 604-439-0922 Fax:604-439-9189

		INFERRED PROFILE		(9			
nebru	Symbol	SOIL DESCRIPTION	Depth (m)	Moisture Content (%)	DCPT (blows per foot) 10 20 30 40	Groundwater / Well	Remarks
m	~	Ground Surface	0.0				
		Topsoil organic silt sand mix, Topsoil, wet		54.5			@ 2' Perchad ground water
m 0 - 1 - 1 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2	$i_l^{i_l^{i_l^{i_l^{i_l^{i_l^{i_l^{i_l^{$		1.5				@ 2' Perched ground water observed in topsoil
	Ĩ. • 7	Sand (Glacial Till) fine sand with silt, trace gravel, dense to		15.8			@ 6' hard drilling
- 3		very dense, grey		8.7			@15' hard drilling
- - - - - - 6		End of Borehole	6.1	12.2			
7		End of Borenoie					

Logged: RA

Method: Track mounted solid stem agure

Date: May 22, 2014

Datum: Ground Surface

Figure Number: A.3

File: 12203

Project: Proposed Residential Development

Client: Cressey Devlopment

Site Location: 1695-1175 18th Ave & 3365 Comercial Street, Vancouver



215 - 1200 West 73rd Avenue, Vancouver, BC, V6P 6G5 Tel: 604-439-0922 Fax:604-439-9189

	INFERRED PROFILE		(%)			
Symbol	SOIL DESCRIPTION	Depth (m)	Moisture Content (9	DCPT (blows per foot) 10 20 30 40	Groundwater / Well	Remarks
	Ground Surface	0.0				
22	Topsoil	0.3		\5		
	Sand silty Sand, brown, loose to compact		18.1	10 22 24		
	@8' become more silty and dense	3.0	26.8	10 12 15 21		
	Sand (Glacial Till) fine sand with silt, trace gravel, dense to very dense, grey	4.6		36 37 43 >50		@10' hard drilling @14' hard drilling
	End of Borehole					No ground water observe in hole
		Ground Surface Topsoil organic silt sand mix, Topsoil, wet Sand silty Sand, brown, loose to compact @8' become more silty and dense Sand (Glacial Till) fine sand with silt, trace gravel, dense to very dense, grey	SOIL DESCRIPTION Ground Surface Topsoil organic sitt sand mix, Topsoil, wet Sand silty Sand, brown, loose to compact @8' become more silty and dense Sand (Glacial Till) fine sand with silt, trace gravel, dense to very dense, grey 4.6	SOIL DESCRIPTION Ground Surface Topsoil organic silt sand mix, Topsoil, wet Sand silty Sand, brown, loose to compact 26.8 26.8 Sand (Glacial Till) fine sand with silt, trace gravel, dense to very dense, grey 4.6	SOIL DESCRIPTION (E) Had been been been been been been been bee	SOIL DESCRIPTION (a) Had a purpose of the purpose

Logged: RA

Method: Track mounted solid stem agure

Date: May 22, 2014

Datum: Ground Surface

Figure Number: A.4

File: 12203

Project: Proposed Residential Development

Client: Cressey Devlopment

Site Location: 1695-1175 18th Ave & 3365 Comercial Street, Vancouver



215 - 1200 West 73rd Avenue, Vancouver, BC, V6P 6G5 Tel: 604-439-0922 Fax:604-439-9189

		INFERRED PROFILE		(9)			
Depth	Symbol	SOIL DESCRIPTION	Depth (m)	Moisture Content (%)	DCPT (blows per foot) 10 20 30 40	Groundwater / Well	Remarks
m n		Ground Surface	0.0				
		Sand and Gravel (FILL) silty sand and gravel [FIII], loose to compact					,
1			1.5	15.8			
1 2 3		Sand (Glacial Till) fine sand with silt, trace gravel, dense to very dense, grey					@6' hard drilling
1	4 [3		4.6	9.4			@14' hard drilling
5 6 7		End of Borehole					No ground water observe in hole

Logged: RA

Method: Track mounted solid stem agure

Date: May 22, 2014

Datum: Ground Surface

Figure Number: A.5





Certified Professional Program - Development Permit Confirmation Letter

Name of CP:	Tavis McAuley, Architect AIBC, CP	Project Address:	1771 East 18th Ave.			
Date:		Building Permit #:	BP 2017 - 0 5 9 1 3			
Development	Taizo Yamamoto , Architect AIBC of construction under the above noted Permit drawings as issued. I also conf for compliance with the Development F	Building Permit substirm that I understand				
Signed by: _	Talzo Yamamoto , Architect AIBC		EP 0 5 2018			
Firm: _	Yamamoto Architecture Inc.	Professional Seal:	SERED ARCHITECTURE OF THE SERENCE OF			
As submitted		Date: SEF	P 0 7 2018			
	Certified Professional	form part of the	ied Professional Program P 0 7 2018 all only operate to signify the mest do e CP Project and shall not constitute a sign services rendered by others. Tavis MoAuley			

		SUB-AREA 1 (MULTIPLE DWELLING)								
	STU- DIO	1-BR	2-BR	3-BR	STO.	FLOOR AREA (FT. ²)	BALCONY AREA (FT. ²)	AMENITY AREA (FT.2)		
Level P1	-	19	-	(=)	21	-	V.	140.0		
Ground floor	8	6	6	1	19	14,221.0	-	1,138.0		
2 nd Floor	7	10	6	1	22	15,184.0	1,520.0	-5"		
3 rd Floor	7	5	5	7	19	15,338.0	1,496.0	-3		
4 th Floor	6	4	4	1	18	11,958.0	1,018.0	-		
5 th Floor	6	3	3	2	13	8,865.0	680.0	-		
6 th Floor	5	4	2	2	10	7,947.0	248.0	-3		
Sub-totals	39	32	26	14	122	73,513.0	4,962.0	1,278.0		
Totals		1	11		122	6,829.5 m ²	4,962.0	1,278.0		

			SUB	-AREA 2				
		HE	RITAGE MCD		INFILL 2	INFILL 2 FD		
	3-BED- ROOM	BALCONY AREA (FT.²)	EXIST. AREA (FT. ²)	NEW AREA (FT. ²)	FLOOR AREA (FT. ²)	3-BED- ROOM		
Ground floor	2	14	2	922.0	1,062.0	2		
2 nd Floor		87.0	-	932.0	1,062.0	-		
3 rd Floor	-			933.0	1,062.0			
Sub-totals	2	87.0	2,156.0	2,787.0	3,186.0	2		
Totals	2	87.0	2,156.0		5,973.0	2		

TOTAL FLOOR AREA

SUB-AREA 1: 73,513.0 FT.² (Multiple Dwelling) 3,186.0_FT.2 =296.0 m² (Infill 2FD) SUB-AREA 2:

 $\frac{2,787.0}{79,486.0}$ FT.² =258.9 m² (Heritage MCD) SUB-AREA 2:

TOTAL:

			SS A BICYCLES		STORAGE					
	R	ESIDENT	IAL		VISITO	R	RESIDENTIAL			RESIDENTIAL
	SM	STD	DIS	SM	STD	DIS	HORIZ	VERT	LOCKER	LOCKER
PARKADE	13	43	6	4	4	0	107	21	33	21
Sub-total	62			8		161			21	

MULTIPLE DWELLING (SEC. 4,5,BI):

6,829.5 m = 1250 = 55 STALLS MIN.

(+) 111 D-4:15 × 0.5. = 55 87 AMI TOTAL: 111 STAMI MAX.

6 VIS 170R PKNKING: 111 D. U. S X 0,075 = & STANG MIN.
111 D. U. S X 0,15 = 17 STANG MAX.

INFILL PARKING (SPEC- 4,2.1,13):

2 D.u.'s x D. 6 = 1,20 soms 206,0 m = 200,0 2 1,48 " 3075-70701 357ms min.

MLD PENKIN (SEC. 4,4.4):

258.0 m-- 200.0 = 1.20 57.00.5 258.0 m-- 200.0 = 1.29 " SVB-TOTOM: 25PMES MIN.

0.75 × 2 spaces = 2 spaces min,

· DISABILITY PERKING:

7 D.4.'S + 7.0 = 1 SPACK 108 D.4.'S × 0.034 = 4 SPACKS TOTAL 115 DUIS 5 SPACES

MIN, 2 SPACKS (PER ENGINEERING)

B: 100 TO 299 D.U.S: 1 SPARE

(RELLA X ED TO O PER ENG. AS STATED IN TREZONING COND.

BILYCLES

curs A:

ALL USES: 115 D.4.'S x 1.25 = 144 SPANKS

MI USES: G SPARS



	COLUMN 1 BUILDING CLASSFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.2.1.12	Seniors Supportive or Assisted Housing	
	For residential units less than 50 square metres in size	1 space per 100 square metres of floor area used for residential units.
	For residential units 50 square metres - 70 square metres in size	1 space per 70 square metres of floor area used for residential units.
	For residential units over 70 square metres in size	1 space per 70 square metres of floor area used for residential units except that no more than 2.2 spaces for every unit need be provided.
4.2.1.13	Unless otherwise specified in this section 4.2.1, for three or more residential units, or for dwelling units in conjunction with another use or located within the area bounded by Burrard Inlet, Boundary Road, Marine Drive, Kerr Street, Fraser River, the boundary between the city and the University Endowment Lands, English Bay, False Creek, Burrard Street, 1st Avenue, Lamey's Mill Road, False Creek 2nd Avenue, Main Street, Prior Street, Gore Avenue, the lane south of Hastings Street, and Heatley Street. (See Map 4.2.1.13)	A minimum of 0.5 space for every dwelling unit that has less than 50 m² of gross floor area, and, for every dwelling unit that has 50 m² or more of gross floor area, at least 0.6 space for every dwelling unit plus one space for each 200 m² of gross floor area, except that, for every dwelling unit which has a gross floor area of 180 m² or greater, there need be no more than 1.5 spaces for every dwelling unit. For sites smaller than 500 square metres or with a maximum of 1.0 floor space ratio, the lesser of the requirement set out in the preceding paragraph of this column or one space for every dwelling unit. The principal dwelling unit with lock-off unit, including
	C-2, C-2B, C-2C, C-2C1, and C-3A Districts.	the floor area of the lock-off unit, is subject to the parking requirement otherwise specified in section 4.2.1.13, and there is no additional requirement for a lock-off unit. However, for the purpose of calculating visitor parking and car-sharing vehicle parking space requirements, Council deems a lock-off unit to be a separate dwelling unit.
4.2.1.14	Principal Dwelling Unit with Lock-off Unit in RT-11 and RT-11N	A principal dwelling unit with lock-off unit is subject to the parking requirement specified in sections 4.2.1.1 and 4.2.1.2, and there is no additional parking requirement for the lock-off unit.
4.2.2	Temporary Accommodation	
4.2.2.1	Hotel	A minimum of one space for every dwelling unit and one space for every two sleeping or housekeeping units.
4.2.2.3	Bed and Breakfast Accommodation	A minimum of one space.
4.2.3	Institutional	
4.2.3.1	Community Care Facility – Class A; Community Care Facility – Class B; and Group Residence	A minimum of one space for each four beds.
4.2.3.2	Detoxification Centre.	A minimum of one space for each 28 square metres of gross floor area.
4.2.3.3	Hospital or other similar use.	A minimum of one space for each 93 square metres of gross floor area.

4.3.8 Dwelling Units for Senior Citizens or Low Income Families - Downtown

Dwelling units in the Downtown for senior citizens or low income families as provided for in sections 4.2.1.8 and 4.2.1.9 shall provide parking in accordance with sections 4.2.1.8 and 4.2.1.9 respectively.

4.3.9 Live-Work Use - Downtown

For the purposes of this section, Council considers live-work use Downtown to be a dwelling use, and calculation of the number of spaces required and permitted for the off-street parking of motor vehicles accessory to any development Downtown is to be in accordance with section 4.3.7.

- 4.4 Table of Number of Required and Permitted Accessory Parking Spaces for Heritage Sites Outside HA Districts and Sub-area C2 (Victory Square)
- 4.4.1 Non-Dwelling Uses New Floor Space

Except as specified in section 4.4.3, all non-dwelling uses in floor space created after November 4, 1986 in heritage sites outside an HA District and sub-area C2 shall provide parking in accordance with the standard for the District in which the site is located.

4.4.2 Non-Dwelling Uses - Existing Floor Space

For the purpose of this section Passive Uses (P) include vacant space, storage space, parking and warehouse space; and Active Uses (A) include all other uses. Except as specified in section 4.4.3, all non-dwelling uses in floor space existent on November 4, 1986 in heritage sites outside HA Districts and sub-area C2 (Victory Square) shall provide parking as follows:

Change of Use	Required and Permitted Parking Spaces
P to P	no requirement
P to A	0.4 times the minimum standard for the District in which the site is located
A to P	no requirement
A to A	no requirement

For applications considered under this section and located Downtown, the parking provision shall not exceed the applicable maximum requirement.

4.4.3 Non-Dwelling Uses - New and Existing Floor Space on Small Sites

All non-dwelling uses on heritage sites outside HA Districts and sub-area C2 (Victory Square) less than 325 square metres in size shall provide a minimum of one parking space for the first 750 square metres of gross floor area plus one parking space for each additional amount of floor space equal to 0.7 times the standard for the District in which the site is located. For applications considered under this section and located Downtown, the parking provision shall not exceed the applicable maximum requirement.

4.4.4 Dwelling Uses

Except as provided in section 4.4.5, dwelling uses on heritage sites outside an HA District and sub-area C2 (Victory Square) shall provide a minimum amount of parking in accordance with section 4.3.6, and in cases where the site is not located Downtown, 0.75 times the parking standard otherwise applicable for that location.



4.5B Table of Number of Required and Permitted Parking Spaces for Secured Market Rental Housing

Despite anything to the contrary in this By-law, except for relaxations set out in Section 3.2, parking spaces for any building classified in Column 1 must meet the corresponding standard listed in Column 2:

	COLUMN 1 BUILDING CLASSFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.5,B1	For secured market rental housing, except Downtown, in the Southeast False Creek area described in the Southeast False Creek Official Development Plan By-law, or in the East Fraser Lands area described in the East Fraser Lands Official Development Plan area	A minimum of 1 space for each 125 m² of gross floor area, except that if the secured market rental housing is within two blocks of a rapid transit station, or within two blocks of the intersection of two distinct bus routes that run north to south and east to west, or within the Metro Core described in Map 3.2.2A, except for the downtown area and Southeast False Creek, the minimum parking requirements is 20% less. A minimum, for visitor parking, of that number of spaces which is equal to 7.5% of the total number of dwelling units in the secured market rental housing. A maximum number of spaces equal to the total minimum number of spaces plus .5 spaces per dwelling unit. A maximum, for visitor parking, of that number of spaces which is equal to 15% of the total number of dwelling units in the secured market rental housing.

4.6 Location of Parking Spaces

4.6.1 R, C, M, I, First Shaughnessy District and DEOD Districts

All off-street parking spaces required or provided in R, C, M, I, First Shaughnessy District and DEOD Districts, shall be located on the same site as the development or building they are intended to serve, except that spaces accessory to uses other than dwelling uses may be located on another site within 45 m distance from the development or building they are intended to serve to be measured from the nearest pedestrian access point on the property of application to the nearest of the parking spaces provided on the site subject to the approval of the Director of Planning and provided they are secured by means satisfactory to the Director of Planning.

4.6.2 DD, CWD and HA Districts

All off-street parking spaces required or provided in DD, CWD, or HA Districts, shall be located on the same site as the development or building they are intended to serve except that:

- (a) spaces accessory to residential uses may be located on another site within 100 metres from the development or building they are intended to serve, subject to the approval of the Director of Planning and provided they are secured by means satisfactory to the Director of Planning; and
- (b) spaces accessory to non-residential uses may be located on another site within 150 metres from the development or building they are intended to serve, subject to the approval of the Director of Planning and provided they are secured by means satisfactory to the Director of Planning.



- (c) all off-street disability parking spaces, subject to the Building By-law, must:
 - (i) be at least 5.5 metres long,
 - (ii) be at least 4.0 metres wide,
 - (iii) have a vertical clearance of at least 2.3 metres, and
 - (iv) be labelled and located to the satisfaction of the Director of Planning.

4.8.2 Size of Small Car Spaces

All off-street parking spaces for small cars shall be a minimum of 4.6 m in length and 2.3 m in width and shall have a minimum vertical clearance of 2.0 m, except that where one side of any space abuts any portion of a fence or structure the minimum width shall be 2.6 m or where both sides abut any portion of a fence or structure the minimum width shall be 2.7 m.

4.8.2A Size of Mechanical Parking Spaces

The Director of Planning, in consultation with City Engineer must approve the size of all mechanical parking spaces.

4.8.3 Specialized Vehicles

Where the operation of any use or development requires the parking of specialized vehicles, the Director of Planning in consultation with the City Engineer may set parking space sizes appropriate to the vehicles intended to be parked.

4,8.4 Required Disability Parking Spaces

For each:

- (a) multiple dwelling or live-work use, there must be at least one disability parking space for each building that contains at least seven residential units and an additional 0.034 space for each additional dwelling unit; and
- (b) non-residential uses, there must be at least one disability parking space for each building that contains at least 500 m² of gross floor area and an additional 0.4 parking space for each 1000 m² of gross floor area;

except that, in the case of a relaxation of parking spaces for cultural and recreational uses, churches, chapels, places of worship or similar places of assembly, calculation of the required number of parking spaces is to be in accordance with section 4.2 or 4.3, as the case may be.

The Director of Planning, in consultation with the City Engineer, is to determine the location of all disability parking spaces.

4.8.4A Signage for Disability Parking and Dual Height in Parking Areas

The owner of a site must clearly post overhead signs that state the maximum unobstructed height clearance provided for disability parking access both at the parking entrance and within the parking area.



5.1.8 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of parking spaces required for the originally constructed building before any addition, alteration or change in use.

5.1.9 Farmers' Market Exemption

A farmers' market is exempt from off-street loading space requirements.

5.2 Table of Number of Required Off Street Loading Spaces

Loading spaces for any building classified in Column 1 must meet the corresponding standard listed in Column 2, except for Fitness Centre - Class 1 that does not include racquet and ball courts, School-arts or self-improvement, Restaurant, Health Enhancement Centre, Health Care Office or Animal Clinic, that consists of less than 200 m², that is commencing business in an existing building in the C-2, C-3A, C-5, C-5A or C-6 zone, and that constitutes a change of use from the previous use in the same premises, in which case the loading standard is at least one Class A space for each 100-200 sq metres of gross floor area.

	Column 1 Building Classification	Column 2 Required Loading Spaces				
		Class A	Class B	Class C		
5.2.1	Dwelling Use (For the purpose of calculating loading spaces in the Southeast False Creek area illustrated in Map 4,5A, the number of dwelling units is to include the number of livework units under section 4.5A,5 and social housing units under sections 4,5A.6, 4.5A.7, and 4.5A.8.);	No Requirement.	No requirement for less than 100 dwelling units. At least one space for 100 to 299 dwelling units; a minimum of one additional space for 300 to 499 dwelling units; and at least one additional space for any portion of each additional 200 dwelling units, except that where one or more parcels of land include multiple buildings that share a parking area or parking garage, the Director of Planning, in consultation with the City Engineer, may allow the loading requirement to be based on the total number of dwelling units in all the buildings.	No requirement.		
5.2.2	Hotel	A minimum of one space for a hotel with a minimum of 150 sleeping, housekeeping or dwelling units up to a maximum of 249 units.	A minimum of one space for a hotel with less than 75 sleeping, housekeeping or dwelling units, a minimum of two spaces for a hotel with	No requirement.		

	Column 1 Building Classification	Column 2 Required Bicycle Spaces		
		Class A	Class B	
6.2.1	Dwelling			
6.2.1.1	Dwelling Uses, except as provided for in sections 6.2.1.2, 6.2.1.3, 6.2.1.4, and 6.2.1.6.	No Requirement.	No Requirement.	
6.2.1.2	Multiple Dwelling, Infill Multiple Dwelling, or three or more dwelling units in conjunction with another use, except as provided for in sections 6.2.1.3 and 6.2.1.4.	A minimum of 1.25 spaces for every dwelling unit.	A minimum of 6 spaces for any development containing a minimum of 20 dwelling units.	
6.2.1.3	Multiple Dwelling or three or more dwelling units in conjunction with another use located within the area bounded by Cypress Street, W. 49th Avenue, Larch Street and W. 37th Avenue, except as provided for in section 6.2.1.4; Dwelling Units with a gross floor area less than 37 square metres, except as provided for in section 6.2.1.4; Residential Unit associated with and forming an integral part of any artist studio.	A minimum of 0.75 space for every dwelling unit.	A minimum of 6 spaces for any development containing a minimum of 20 dwelling units.	
	Multiple Dwellings in RM-7, RM-7N and RM-7AN (not including Rowhouse).	A minimum of 2.25 spaces for every dwelling unit.	A minimum of 1 space for every 5 dwelling units up to and including 19 dwelling units, and a minimum of 6 spaces for any development containing a minimum of 20 dwelling units.	
	Multiple Dwellings in RM-9A and RM-9AN	A minimum of 1.25 spaces for every dwelling unit.	No requirement	
	Rowhouse in RM-7, RM-7N and RM-7AN, Multiple Dwelling and Rowhouse in RM-8 and RM-8N, Multiple Dwelling and Rowhouse in RM-9, RM-9N and RM-9BN.	A minimum of 1.25 spaces for every dwelling unit.	No requirement.	
6.2 1.4	Three or more dwelling units designated solely for senior citizens' housing under the provisions of the National Housing Act or the Housing Construction (Elderly Citizens) Act, or similar use.	A minimum of 0.25 space for every dwelling unit.	A minimum of 6 spaces for any development containing a minimum of 20 dwelling units.	
6.2.1.5	Seniors Supportive or Assisted Housing.			
	For residential units less than 50 square metres in size.	A minimum of 0.10 space for every residential unit.	No requirement	
	For residential units 50 square metres in size or greater.	A minimum of 0.25 spaces for every residential unit.	No requirement.	

FORM_C_V21 (Charge)

NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT FORM C (Section 233) CHARGE GENERAL INSTRUMENT - PART 1 Province of British Columbia

Oct-19-2016 11:45:53.009

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PAGE 1 OF 15 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent) 1.

Sarah Jones, Barrister and Solicitor

Clark Wilson LLP Telephone: (604) 687-5700 File No. 13260-0299 Suite 900 - 885 West Georgia Street CW Doc No. 10282419

BC V6C 3H1 Vancouver

LS-16-02324-004 - Heritage Restoration Covenant Document Fees: \$286.32 Deduct LTSA Fees? Yes ✓

PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND: [LEGAL DESCRIPTION] [PID]

NO PID NMBR LOT 1 DISTRICT LOT 753 GROUP 1 NWD PLAN EPP41737

STC? YES

Related Plan Number: EPP41737

3. NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION

SEE SCHEDULE

TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No. (b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

CRESSEY 18TH AVENUE HOLDINGS LTD., INC. NO. BC0969486

TRANSFEREE(S): (including postal address(es) and postal code(s))

CITY OF VANCOUVER

453 WEST 12TH AVENUE

Incorporation No VANCOUVER **BRITISH COLUMBIA** n/a

V5Y 1V4 CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

SARAH W. JONES

Barrister & Solicitor

CLARK WILSON LLP 900 - 885 WEST GEORGIA STREET VANCOUVER, B.C. V6C 3H1 T.604.687.5700

Execution Date Y \mathbf{M} D 16 10 17 Transferor(s) Signature(s)

CRESSEY 18TH AVENUE HOLDINGS LTD., by its authorized signatory(ies)

Print Name: Scott Cressey

Print Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in ParFDb2020133518720201433781Rackpagei2ndb21hcPage: 363nob3917is instrument.

EXECUTIONS CONTINUED PAGE 2 of 15 PAGES

Officer Signature(s)		Execution Date Y M D		Transferor / Borrower / Party Signature(s)	
	1	171		CITY OF VANCOUVER, by its	
JEAN F. BILLING	16	10	18	authorized signatory(ies)	
453 WEST 12th AVENUE					
VANCOUVER BC V5Y 1V4 BARRISTER & SOLICITOR				Print Name: Andrew Francis	
				Print Name:	

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and applied by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and applied by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and applied by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and applied by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters are propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters are propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters are propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters are propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters are propagate and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use and the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use affidavits for

LAND TITLE ACT FORM E

SCHEDULE PAGE 3 OF 15 PAGES NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION Covenant Section 219 Covenant Article 2 NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION Covenant Section 219 Covenant Article 4 NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION Statutory Right of Way Article 5 NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION **Equitable Charge** Article 7 NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION

TERMS OF INSTRUMENT - PART 2 HERITAGE RESTORATION COVENANT 3365 Commercial Drive

WHEREAS:

- A. It is understood and agreed that this Agreement will be read as follows:
 - (a) the Transferor, CRESSEY 18TH AVENUE HOLDINGS LTD., is called the "Owner"; and
 - (b) the Transferee, CITY OF VANCOUVER, is called the "City" when referring to the corporate entity and "City of Vancouver" when referring to geographical location;
- B. The Owner is the registered and beneficial owner of the Lands;
- C. There is a building situated on the Lands known as the "Myers House" which is considered to be of heritage value (the "Heritage Building");
- D. The Owner made an application to rezone the Lands from RS-2 (Residential) District to CD-1 (Comprehensive Development) District and after a public hearing to consider the rezoning application, the rezoning application was approved by City Council in principle, subject to, *inter alia*, fulfilment of the condition that, prior to enactment of the rezoning by-law (the "Rezoning"), the Owner will:
 - (a) accept the adding of the Heritage Building to the Vancouver Heritage Register in the 'C' evaluation category therein;
 - (b) accept the designation, by by-law, of the exterior of the Heritage Building as protected heritage property under the provisions of Sections 593 and 594 of the *Vancouver Charter* SBC 1953 c.55; and
 - (c) enter into this agreement with the City, to be registered on title to the Lands to, *inter alia*, ensure that as part of the Development:
 - i. the Heritage Building is relocated from Commercial Drive to face East 18th Avenue;
 - ii. the Heritage Building is restored and rehabilitated; and
 - iii. the Heritage Building is converted from a One-Family Dwelling to a Multiple Conversion Dwelling containing two (2) Dwelling Units.

THEREFORE, in consideration of the payment ten dollars (\$10.00) by the City to the Owner, the mutual obligations and benefits given herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

ARTICLE 1 DEFINITIONS

- 1.1 **Definitions.** In this agreement, unless explicitly used differently elsewhere herein, the terms defined in this section have the meanings given to them here:
 - (a) "City" means the municipality of the City of Vancouver continued under the Vancouver Charter and "City of Vancouver" means its geographic location and area;
 - (b) "Conservation Plan" means a written plan and guidelines, and any amendments and/or modifications thereto, prepared by and/or under the supervision of a Heritage Consultant and explicitly accepted by the City for the rehabilitation of the Heritage Building as provided for hereunder;
 - (c) "Development" means the proposed development project described above in the introductory paragraphs hereto to relocate the Heritage Building from Commercial Drive to face East 18th Avenue, restore and rehabilitate the Heritage Building, convert the Heritage Building from a One-Family Dwelling to a Multiple Conversion Dwelling containing two (2) Dwelling Units, and construct a 3½ to 6-storey residential building containing 110 secured market rental units and a new Infill Two-Family Dwelling on the Lands, as contemplated in the Rezoning;
 - (d) "Development Permit" means a development permit issued by the City authorizing development on the Lands or any portion of the Lands as contemplated by the Rezoning at any time following the date this Agreement is fully executed by the parties;
 - (e) "Director of Planning" means the chief administrator from time to time of the City's Planning Department and his or her successors in function and their respective nominees;
 - (f) "Dwelling Unit" has the meaning given under the Zoning & Development By-law;
 - (g) "Heritage Building" has the meaning given above in the introductory paragraphs hereto;
 - (h) "Heritage Consultant" means an independent, heritage building rehabilitation and conservation expert, knowledgeable and experienced in and duly qualified for planning and supervising rehabilitation and conservation work for heritage buildings;
 - (i) "Heritage Designation" means the City's designation of the exterior of the Heritage Building as protected heritage property pursuant to section 593 of the Vancouver Charter;
 - (j) "Infill Two-Family Dwelling" has the meaning given under the Zoning & Development By-law;

- (k) "Lands" means the parcel or parcels of land situate in the City of Vancouver, Province of British Columbia, described in Item 2 of the General Instrument Part 1 and includes any parcel into which such land is consolidated or further subdivided;
- (l) "Land Title Act" means the Land Title Act, R.S.B.C. 1996, c.250;
- (m) "Multiple Conversion Dwelling" has the meaning given under the Zoning & Development By-law;
- (n) "New Buildings" means the 3½ to 6-storey residential building containing 110 secured market rental units and the new Infill Two-Family Dwelling being constructed on the Lands as contemplated by the Rezoning and "New Building" means either of the New Buildings;
- (o) "Owner" means the registered owner or owners of the Lands and the successors and assigns thereof and, without limitation, if the Lands are subdivided by way of a strata plan under the Strata Property Act of British Columbia, then "Owner" includes the strata corporation thereby created;
- (p) **"rehabilitate"** and **"rehabilitation"** mean the planning and carrying out of restoration, rehabilitation, construction and conservation work to restore, upgrade, improve and conserve the structure, support and heritage characteristics and features of a heritage building or real property heritage feature so as to revitalize it and extend its life and use as such;
- (q) "Rehabilitation Work" has the meaning given below herein;
- (r) "Rezoning" has the meaning given above in the introductory paragraphs hereto;
- (s) "Vancouver Charter" means the Vancouver Charter, S.B.C. 1953, c.55, as amended from time to time, and any and all replacements thereof or any statute enacted in substitution thereof and all regulations applicable thereto and any amendments, replacements and substitutions thereof; and
- (t) "Zoning & Development By-law" means the City's Zoning and Development By-law No. 3575 and any amendments thereto and replacements thereof.

ARTICLE 2 SECTION 219 COVENANT REHABILITATION & CONSERVATION OF HERITAGE BUILDING

- 2.1 Pursuant to Section 219 of the *Land Title Act*, the Owner covenants and agrees, as a covenant and agreement running with, charging and binding the Lands, that:
 - (a) the Owner, at the Owner's expense, and to the satisfaction of the Director of Planning:
 - (i) within thirty (30) months after the date upon which the City issues a building permit for either of the New Buildings or the Heritage Building, or another agreed upon later date, to the satisfaction of the Directors

of Planning and Legal Services, shall rehabilitate or cause the rehabilitation of the Heritage Building in accordance with this agreement, the Development Permit and the Conservation Plan (the "Rehabilitation Work");

- (ii) shall ensure that a Heritage Consultant supervises the Rehabilitation Work:
- (iii) shall ensure that, at all times during the carrying out of the Rehabilitation Work, the Heritage Building is secure from vandalism and occupation by squatters; and
- (iv) on completion of the Rehabilitation Work as required by this agreement, shall cause a Heritage Consultant to submit to the Director of Planning, a signed statement stating explicitly that the Rehabilitation Work has been completed in accordance with the Conservation Plan and apply for an occupancy permit;
- (b) subject to tenancy agreements existing as of the date of signature of this agreement by all parties, nobody will in any way use or occupy the Heritage Building or the Infill Two-Family Dwelling, or any part thereof, and nobody will apply for or take any other action to compel the City, and, notwithstanding that either the Heritage Building or the Infill Two-Family Dwelling may be ready for occupancy, the City will be under no obligation to issue any occupancy permit for the Heritage Building or the Infill Two-Family Dwelling, or any part thereof, at any time after this agreement is registered on title to the Lands, until:
 - (i) the Rehabilitation Work has been completed in accordance herewith;
 - (ii) the Owner, as required above herein, has submitted or caused to be submitted to the Director of Planning a signed written statement prepared by a Heritage Consultant stating explicitly that the Rehabilitation Work has been completed in accordance with the Conservation Plan; and
 - (iii) the City has given the Owner a written notice or confirmation by which the City explicitly accepts or confirms its acceptance that the Rehabilitation Work has been completed in accordance herewith;
- the City may revoke at any time any occupancy permit(s) issued for the Heritage Building or the Infill Two-Family Dwelling prior to completion of the Rehabilitation Work, unless such occupancy permit(s) was obtained in accordance with this agreement, and in such circumstances the Owner, on reasonable notice from the City, will ensure that anyone occupying any part of the Heritage Building or the Infill Two-Family Dwelling vacates it immediately on such revocation of occupancy permit(s), and if anyone continues to occupy any portion of any part of the Heritage Building or the Infill Two-Family Dwelling in contravention of such revocation, this agreement and any applicable City by-laws, the City, at the Owner's expense, may pursue all remedies available to it, including, without limitation, injunctive relief, to

- ensure that the Heritage Building or the Infill Two-Family Dwelling, as the case may be, is vacated and unoccupied in accordance with this agreement;
- (d) after completion of the Rehabilitation Work in accordance herewith, the Owner, at the Owner's expense, will do all things reasonably necessary to conserve the Heritage Building as rehabilitated and, in any event, keep it in good condition in all respects at all times;
- (e) at all times after and while this agreement is registered on title to the Lands, shall keep the Heritage Building insured to full replacement value against all perils, including, without limitation, damage or destruction by earthquake, except that if at any time the cost of such insurance becomes prohibitive, the Owner may deliver to the City, with supporting evidence, a written request to be relieved, for purposes of this agreement, of the obligation under this provision to carry all such insurance as is required hereunder and, if the City in its discretion gives its explicit prior written consent therefor, the Owner may obtain such other similar insurance coverage for the Heritage Building as will insure it to the greatest extent possible at non-prohibitive cost;
- (f) except for maintenance and repair work, the Owner will not and will not suffer or permit anyone else to do anything at any time to renovate, alter, modify or reconfigure or that will result in any alteration, modification or reconfiguration of the Heritage Building in any way, except as may be permitted or required by this agreement, the Conservation Plan and/or any development and/or heritage alteration permits issued by the City;
- (g) the Owner shall not at any time and shall use commercially reasonable efforts not to suffer or permit anyone else to at any time do anything that will obscure, deface or remove in any way any heritage related commemorative plaque the City, at its expense, may attach to the Heritage Building or the Lands pursuant to the statutory right of way granted to it herein;
- (h) if at any time, in default under this agreement, the Owner, in the City's opinion, fails to perform its obligations as required hereby to rehabilitate and conserve the Heritage Building and fails to rectify any such default within sixty (60) days, or within such other longer time as the City may explicitly permit, after notice from the City to so rectify such default, the City, on the Owner's behalf and at the Owner's expense, may, but will be under not be obligated to, rectify the Owner's default;
- (i) if at any time for any reason the Heritage Building is damaged in any way or destroyed, the Owner, at the Owner's expense, and to the City's satisfaction, shall repair it or replace it with a replica building, except that if the Owner bona fide believes that to do so would be uneconomical, in which case, and if for that reason the Owner wishes to demolish it as damaged or wishes not to replicate it, as the case may be, the Owner, at the Owner's expense, and in consultation with and to the satisfaction of the City, will prepare an economic analysis therefor, but taking into consideration only land related economic factors, such as, for example, but without limitation, the estimated cost to repair or replicate the Heritage Building, as the case may be, the anticipated market value of the repaired or replicated building, the incentives given by the

City for this agreement and the Heritage Designation, the estimated value of the Lands under the zoning otherwise applicable thereto, after which the City and the Owner, together, on the basis of that analysis, will determine whether in the circumstances it would be uneconomical to repair or replicate the Heritage Building, failing which the matter in all respects will be determined by arbitration by a single arbitrator in Vancouver, British Columbia, in accordance with the provisions of the *Arbitration Act*, RSBC 1996 c. 55, and if the Owner and the City agree or if in arbitration it is determined that it would be uneconomical for the Owner to be required to repair or replicate the Heritage Building, then, by explicit written notification, the City will consent to the Owner's wish to not repair or replicate the Heritage Building and will discharge this agreement from title to the Lands and the Owner may request of the City's Mayor and Council that the Heritage Designation be cancelled; and

(j) the Owner acknowledges and agrees that, notwithstanding that this agreement and the Heritage Designation will result in restrictions with respect to the future use and development and therefore may affect the value of the Lands, the Owner has received full and fair compensation therefor and the Owner hereby waives and renounces any and all claims for any further or other compensation by reason of this agreement and/or the Heritage Designation and acknowledges and agrees that the requirements of Section 595(1) of the Vancouver Charter SBC 1953 c.55 have been fully satisfied, and the Owner hereby releases the City and its officials, officers, employees and agents from any liability for any loss, injury, damage or expense of any kind the Owner may suffer, incur or experience and the Owner will indemnify the City for any loss, injury, damage or expense the City may incur, suffer or experience and for any complaint, demand, claim, action, suit or judgment for any loss, injury, damage or expense anyone else may suffer, incur or experience arising out of or in any way connected this agreement and/or the Heritage Designation. The release and promise of indemnification contained in this paragraph will survive discharge and termination of this agreement.

ARTICLE 3 LETTER OF CREDIT

- 3.1 Notwithstanding the occupancy restrictions set out above in respect of the Heritage Building and the Infill Two-Family Dwelling, the City, in its discretion, may issue occupancy permits therefor and, on that basis, any of them may be occupied prior to the time that the Rehabilitation Work is completed in accordance herewith, provided:
 - the Owner duly applies to the City for any and all occupancy permits required therefor and pays all fees required therefor;
 - (b) this agreement has been fully registered in the Land Title Office to the City's satisfaction;
 - (c) the City has issued a building permit and/or heritage alteration permit in respect of the Rehabilitation Work;
 - (d) all legal requirements for occupancy of the Heritage Building and the New Buildings have been fulfilled;

- (e) the Owner has delivered to the City, in all respects to the City's satisfaction, a letter of credit in the amount equal to one hundred and twenty percent (120%) of the then estimated cost to complete the Rehabilitation Work, with such estimate to be made in writing by the Consultant and explicitly accepted in writing by the City;
- (f) the Owner, at the time of application for any such occupancy permits, is not, in the City's opinion, in breach of any of its obligations under this agreement or any other agreement between the City and the Owner with respect to the Heritage Building, the New Buildings and/or the Lands; and
- (g) the City, in its opinion, is satisfied that the Rehabilitation Work is being carried out diligently.
- 3.2 All letters of credit required under this Article will be issued by a Schedule I Canadian chartered bank or other financial institution acceptable to the City's Director of Legal Services and will be unconditional, irrevocable and self-renewing and otherwise in a form and content which is acceptable to the City and will be provided for a period of one (1) year with a provision for an automatic renewal or extension without amendment from year to year.
- 3.3 The City may call upon the letter or letters of credit provided to it pursuant to the preceding paragraphs herein and apply the proceeds therefrom for any purpose and in any manner it may choose in connection with the Rehabilitation Work, if:
 - (a) the bank issuing the letter of credit refuses to extend or renew the expiry date of the letter of credit;
 - (b) the Owner becomes insolvent or commits any act of bankruptcy or becomes bankrupt or takes the benefit of any act or legislation that may be enforced for bankrupt or insolvent debtors;
 - (c) the Owner, in the City's opinion, has not been diligently carrying out the Rehabilitation Work; or
 - (d) the City in any way undertakes all or any part of the Rehabilitation Work pursuant to this agreement.
- 3.4 Within sixty (60) days of the Owner's request after completion of the Rehabilitation Work in accordance with this agreement, the City will, as the case may be, return to its issuer any letter of credit provided to the City hereunder or, if the City has called upon the letter of credit, deliver to the Owner any remaining balance therefrom.

ARTICLE 4 SECTION 219 COVENANT - NO SEPARATE SALE

4.1 Pursuant to Section 219 of the Land Title Act, the Owner covenants and agrees, as a covenant and agreement running with, charging and binding the Lands, that prior to the completion of the Rehabilitation Work in accordance with this agreement, no portion of the Lands will at any time be sold separately from any other portion of the Lands and that all of the Lands will be owned at all times by the same person or persons.

4.2 Within a reasonable time of the Owner's request after the Rehabilitation Work has been completed in accordance with this agreement, the City, at the Owner's expense, will discharge from title to the Lands the Section 219 covenant contained in this Article 4.

ARTICLE 5 STATUTORY RIGHT OF WAY

- 5.1 Pursuant to Section 218 of the *Land Title Act*, the Owner hereby grants to the City, effective at all times from and after the date upon which the City issues the Development Permit, a statutory right of way to enter, be and move about on the Lands to:
 - (a) install, maintain, repair and replace on the exterior of the Heritage Building or at the perimeter of the Lands, at the City's expense and in consultation with the Owner as to location, one commemorative plaque regarding the Heritage Building; and
 - (b) carry out pursuant to paragraph 2.1(h) hereof any of the Owner's obligations hereunder to rehabilitate and conserve the Heritage Building.
- 5.2 The statutory right of way granted in the preceding paragraph is necessary for the operation and maintenance of the City's undertaking.
- 5.3 Notwithstanding any other provision of this agreement, nothing herein obligates the City to exercise any of the rights granted to it by way of the statutory right of way contained herein to rehabilitate, conserve or replace the Heritage Building.

ARTICLE 6 DEBTS OWED TO CITY

- 6.1 If the City, pursuant to this agreement, enters upon the Lands or any of them to perform any of the Owner's obligations hereunder to carry out the Rehabilitation Work or to conserve, repair or replace the Heritage Building:
 - (a) there will be no express or implied warranties as to the quality of any work the City may so carry out or the suitability of the materials for the purposes for which they are put; and
 - (b) the Owner will pay to the City, forthwith on demand, to the extent the City has not taken payment for such costs from any letters of credit provided to the City hereunder, as reimbursement for expenses incurred, the full amount of all costs the City incurs to carry out work to rehabilitate, conserve, repair or replace the Heritage Building, plus twenty percent (20%) of such costs as fair compensation for the City's overhead, and any such amounts the Owner does not pay or fails to pay to the City forthwith on demand will bear interest, until paid in full, at the prime lending rate of the Bank of Montreal's Main Branch in the City of Vancouver, plus three percent (3%), calculated monthly and not in advance.

ARTICLE 7 EQUITABLE CHARGE

- 7.1 The Owner hereby grants to the City an Equitable Charge over the Lands, which charge will run with, charge and bind the Lands, for the payment of all sums (including all interest thereon) which may at any time be payable by the Owner to the City under the terms of this agreement or otherwise at law.
- 7.2 The Equitable Charge the Owner has granted to the City herein may be enforced by the appointment of a receiver for the sale of the Lands.

ARTICLE 8 SUBDIVISION

- 8.1 **Subdivision.** If the Lands are subdivided at any time hereafter either under the provisions of the *Land Title Act* or under the *Strata Property Act* or under other similar legislation enacted from time to time, then upon the deposit of a plan of subdivision, strata plan, or similar plan as the case may be:
 - (a) subject to Section 8.2 herein, the rights and benefits of this agreement herein granted will be annexed to and run with each of the new parcels, lots, or other subdivided parcels and areas so created; and
 - (b) subject to Section 8.3 herein, the burdens, obligations, covenant, statutory right of way and Equitable Charge contained in this agreement will continue to charge each of the new parcels, lots, or other subdivided parcels and areas so created.
- 8.2 **Subdivision by Strata Plan.** If the Lands, or any portion thereof, are subdivided by a strata plan, this agreement will charge title to the strata lots and the common property comprising such strata plan and:
 - (a) the Section 219 Covenant and obligations therein and the Statutory Right of Way and Equitable Charge granted herein will be registered against each individual strata lot and noted on the common property sheet;
 - (b) the strata corporation or the strata corporations created will perform and observe the Owner's covenants in this agreement, solely at the expense of the strata lot owners; and
 - (c) the liability of each strata lot owner for the performance and observance of the Owner's covenants herein will be in proportion to the unit entitlement of his, her or its strata lot as established by the strata plan,

provided that, if the Lands are first subdivided by air space plan and then one or more of these parcels are further subdivided by strata plan, the easements and covenants registered concurrently with the air space plan may designate the air space parcel or the remainder, and therefore the strata corporation, responsible to perform and observe the Owner's covenants in this agreement.

8.3 Should the Lands be subdivided pursuant to the *Land Title Act* to create parcels in which only New Buildings are located, then at the Owner's request after the

Rehabilitation Work has been completed in accordance with this agreement, the City, at the Owner's expense, will discharge from title to the newly created parcel containing only New Buildings, the Section 219 Covenant, the Statutory Right of Way and the Equitable Charge contained in this agreement and will request of the Registrar of the Land Title Office that all legal notations referring to this agreement and the Heritage Designation be removed from title to the parcel containing only the New Building.

8.4 The Owner hereby acknowledges and agrees that for the purposes of Section 592(4) of the *Vancouver Charter*, following such a subdivision, the Owner of the parcel that contains only New Buildings may seek to amend this agreement as registered on title to that parcel without the consent or approval of the owner of the parcel which contains the Heritage Building.

ARTICLE 9 NOTICES

- 9.1 Any notice, delivery, request or communication required or permitted to be given hereunder will be in writing and will be deemed to have been duly given if delivered personally or by courier as follows:
 - (a) if to the Owner, to its address as shown on title to the Lands in the Land Title Office records; and
 - (b) if to the City:

City of Vancouver 453 West 12th Avenue Vancouver, British Columbia V5Y IV4

Attention: City Clerk and Director of Planning,

or to such other address in Canada as any party may specify in writing to the other parties, provided that if and when the Owner of the Lands or any part thereof should change, then to the address as set out in the State of Title Certificate for the Lands.

ARTICLE 10 GENERAL

- 10.1 **Joint and Several Liability**. If the Owner is more than one party, such parties shall be jointly and severally liable to the City for the performance and observance of the Owner's obligations in this agreement.
- 10.2 **Priority of Registration.** The Owner, at his, her or its expense, after execution of this agreement, shall do or cause to be done all things and acts necessary to ensure that this agreement is registered against title to the Lands with priority over all other encumbrances on title to the Lands as the City may require.
- 10.3 **Discharge.** The City, at the Owner's expense, and within a reasonable time of the Owner's request after completion of the Rehabilitation Work in accordance herewith, but provided the Owner, in the City's opinion, does not and will not at any time owe

- the City any monies pursuant to this agreement, will discharge this agreement from title to the Non-Heritage Parcel.
- 10.4 **Perfection of Intention.** The parties hereto will do such things and execute such further and other documents and instruments and do such further and other acts as may be reasonably necessary to implement and carry out the provisions and intent of this agreement and to ensure timely and effective registration in the Land Title Office.
- 10.5 **Waiver**. No failure on the part of the City to exercise and no delay in exercising any right under this agreement will operate as a waiver thereof nor will any single or partial exercise by the City of any right under this agreement preclude any other or future exercise thereof or the exercise of any other right. The remedies herein provided will be cumulative and not exclusive of any other remedies provided by law and all remedies stipulated for the City herein will be deemed to be in addition to and not, except as herein expressly stated, restrictive of the remedies of the City at law or in equity.
- 10.6 **Time of Essence**. Time will be of the essence in respect of this agreement.
- 10.7 Enurement. This agreement shall enure to the benefit of and be binding upon the Owner and its successors and trustees, and this agreement shall charge and run with the Lands and with any parcel, lot or part into which the Lands may be subdivided or consolidated and shall enure to the benefit of and be binding upon the Owner's successors in title and trustees and successors and all parties claiming through such owners, except that no owner or successor in title will be liable under this agreement in respect of owner obligations or liabilities arising hereunder after such owner or successor ceases to be an owner.
- 10.8 **City's Other Rights and Obligations**. Nothing contained or implied in this agreement will derogate from the obligations of the Owner under any other agreement with the City or prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Vancouver Charter* and the rights, powers, duties and obligations of the City under all other laws, which may be, if the City so elects, as fully and effectively exercised in relation to the Lands as if this agreement had not been executed and delivered by the Owner and the City.
- 10.9 **Headings**. The division of this agreement into articles, sections and paragraphs and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this agreement.
- 10.10 **Number**. Words contained herein importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 10.11 **Governing Law**. This agreement will be governed by and construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable therein.

- 10.12 **Severability**. All provisions of this agreement are severable in that if any court or other lawful authority having jurisdiction to decide the matter finds for any reason that one or more of them is void or unenforceable, then such void or unenforceable provisions will be severed from this agreement and all other provisions herein will continue to be binding and enforceable.
- 10.13 **City Approvals.** In this agreement, where City "approval", "acceptance", "consent" or similar authorization or agreement is required, unless provided for otherwise in this agreement, such "approval", "acceptance", "consent" or similar City agreement or authority must be provided in writing, by the City departments, employees, officers or designates, as the case may be, that are authorized to provide such "approval", "acceptance", "consent" or similar authorization or agreement. Any purported "approval", "acceptance" "consent" or similar authorization or agreement provided by a City department, employee, officer or designate, as the case may be, that is not authorized to provide the same, shall be of no force or effect.

IN WITNESS WHEREOF the parties have executed this agreement on Form C which is a part hereof.

END OF DOCUMENT