
**CITY OF VANCOUVER
DEVELOPMENT, BUILDINGS, & LICENSING**

**DEVELOPMENT PERMIT STAFF COMMITTEE
MEETING
January 31, 2024**

**FOR THE DEVELOPMENT PERMIT BOARD
February 20, 2024**

**989 West 41st Ave – Parcel C (COMPLETE APPLICATION)
DP-2023-00755 – CD-1 (Pending)**

OA/KKG/CP/LEB/KI

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

M. Au, Development Services (Chair)
J. Olinek, Urban Design & Development Planning
M. Linehan, Urban Design & Development
Planning
E. Lau, Engineering Services

Also Present:

K. Kallweit-Graham, Urban Design & Development Planning
L. Beaulieu, Landscape Services
E. Brooker, Housing Policy & Regulation
C. Profili, Development Services
K. Imani, Development Services

APPLICANT:

Grosvenor - Property Americas
20th Floor, 1040 W Georgia St,
Vancouver, BC V6E 4H1

PROPERTY OWNER:

OTC Project BT Ltd.
20th Floor, 1040 W Georgia St,
Vancouver, BC V6E 4H1

EXECUTIVE SUMMARY

Proposal: To develop three towers, containing market-residential, secured rental, and commercial uses, with a central pedestrian mews and a public plaza, over four levels of below grade parking to be accessible off a new central laneway via new central road, subject to Council approval of CD-1 enactment and Form of Development.

This development permit contains Phase 1 of the multi-phased precinct area known as the Oakridge Transit Centre (OTC) site.

See	Appendix A	Standard Conditions
	Appendix B	Standard Notes and Conditions of Development Permit
	Appendix C	Plans and Elevations
	Appendix D	Landscape Plans
	Appendix E	Applicant's Design Rationale
	Appendix F	Urban Design Panel Minutes
	Appendix G	Shape Your City Report

Issues:

1. Legibility of the street wall
2. Public realm and pedestrian interface
3. Relocation of height/density within Parcel C to Tower C3

Urban Design Panel:

12/06/2023 – Urban Design Panel: SUPPORT with recommendations (7/0)

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DP-2022-00755 submitted, the plans and information forming a part thereof, thereby permitting the development of three towers, containing market-residential, secured rental, and commercial uses, with a central pedestrian mews and a public plaza, over four levels of below grade parking to be accessible off a new central laneway via new central road, subject to the following conditions:

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

- 1.1 design development to provide upper-level setbacks to reinforce a consistent five-storey street wall;

Note to Applicant: Refer to the *Oakridge Transit Centre Guidelines*, Section 4.10.1. The intent of this condition is to ensure compatibility with future phases of the Oakridge Transit Centre (OTC) and street wall datum; and reduce building massing. This may be achieved by providing a minimum of 3 m (10 ft.) above Level 5 along the north side and the mews of building C1; along W 41st Ave and the mews of building C3.

- 1.2 design development of the westerly side yard to enhance and contribute to the public realm;

Note to Applicant: Refer to the *Oakridge Transit Centre Guidelines* (3.7) and Rezoning Condition 9. The intent of this condition is to ensure that the public realm is free of any encroachment, porous and supports comfortable pedestrian movement; and to minimize the impact on the public realm by the rectifier's new above-grade location (from Parcel D to Parcel B) and associated infrastructure. This may be achieved by:

- i. relocating the loading into the footprint of the building;
- ii. demonstrating (e.g. rendering) that the vista switch and other equipment are not obstructive of pedestrian movement; and
- iii. deleting the permanent bollards.

- 1.3 design development to improve the relationship of the building base to the public realm;

Note to Applicant: Refer to the *Oakridge Transit Centre Guidelines*, Section 4.10.2. The intent of this condition is to ensure an engaging pedestrian interface. This can be achieved by introducing planters at the edges of Building C1 northern raised patios and Building C2 west elevation base.

- 1.4 design development to provide for functional and flexible commercial retail space;

Note to Applicant: Refer to the *Oakridge Transit Centre Guidelines*, Section 4.10.2 (2.4) and Rezoning Condition 3 (a). The intent of this condition is to accommodate a wide range of commercial uses and provide direct access to parking, loading and garbage. To achieve these objectives, provide the following:

- i. a commercial floor-to-floor minimum height of 6.1 m (20 ft.) for Building C3 fronting the mews; and
- ii. continuous weather protection for Building C1 at all commercial frontages.

1.5 design development to provide a more functional residential rooftop indoor amenity space;

Note to Applicant: Refer to the *High Density Housing for Families with Children Guidelines*, Section 3.7. The guidelines criteria for indoor amenities include wheelchair-accessible washroom(s) and kitchenette. Note that any space added to rooftop amenity of Building C1 is not to increase shadowing on central park.

1.6 design development to provide functional private outdoor open space or balconies for all dwelling units;

Note to Applicant: Refer to the *High Density Housing for Families with Children Guidelines*, Section 4.3 and the *Oakridge Transit Centre Guidelines*, Section 4.4. Private outdoor space for each unit is required and should be a minimum of 5.6 sq. m (60 sq. ft.) in area, and with a clear minimum dimension of 1.82 m (6 ft.) (e.g. MIR units in Building C3).

1.7 confirmation of the green roof type and percentage per Rezoning Condition 7.

Note to Applicant: Refer to the *Roof-mounted Energy Technologies and Green Roofs administrative bulletin*. For extensive green roofs, at least 50% of the roof should be planted, while for intensive green roofs, at least 25% of the roof area should be planted.

1.8 consideration of design strategies that capture the memory and history of the site;

Note to Applicant: Refer to the *Oakridge Transit Centre Policy Statement*, Policies 4.2.4 and 6.2.9.; *Oakridge Transit Centre Guidelines*, Section 1.1. The intent of this condition is to reflect the history of the site. This may be achieved by:

- i. considering elements of site patterning and public realm (e.g. in the proposed Conceptual Signage Plan); and
- ii. incorporate references to the site's recent transit use history in building architecture (e.g., retail spaces with garage doors) and/or landscape features.

2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.

3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

Technical Analysis:

949 W 41st Av - OTC - Parcel C (Southwest corner)		DP-2023-00755		CD-1				
PERMITTED / REQUIRED		PROPOSED						
Site Area ¹	Parcel C sub-area	73,826 ft ²						
Use ²	per CD-1 Section 5	(a) Dwelling Units in conj. w/ other uses (f) Retail Uses						
Unit Mix ²	REQUIRED	PROPOSED						
	Secured Market Rental (min) 25% of Rental DU area to be MIRHP Sec Rental (min) 35% 2+ BR MIRHP (min) 50% 2+ BR & Strata Units (min) 25% 2+ BR (min) 10% 3 BR	Unit Type	Sec Mkt Rental Bldg C3		MIRHP Bldg C3		Strata Bldg C1 & C2	
		Studio	0	0%	5	11.6%	0	0%
		1 BR	82	65%	23	53.4%	100	34%
		2 BR	45	35%	12	27.8%	165	56%
		3+ BR	0	0%	3	7.0%	29	9.86%
		# Units	127	100%	43	100%	Strata ∑	100%
Total	∑ Rental = 170 units				294			
		464 Total Dwelling Units						
Height ³	<u>Maximum</u>		<i>"to the top of the roof slab above the uppermost habitable floor excluding parapet wall."</i>					
	Overall Max Bldg Height :	23 storeys & 246 ft (75m)		bldg C1 = 20 storeys 218.79 ft		bldg C2 = 23 storeys 245.00 ft		
		C1 – North bldg (@ 530.00)		bldg C3 = 18 storeys 189.21 ft				
		C2 – Southwest bldg (@ 546.17)						
		C3 – Southeast bldg (@ 494.00)						
Floor Area ⁴	<u>Maximum</u>							
	Max Floor Area for Parcels A, B, C, D, F & G combined	1,180,144 ft ²		Parcel C total =	6.042 FSR 446,047 ft ²			
	Area Breakdown per Use (all parcel C bldg. C1, C2 & C3)			Retail =	0.320 FSR 23,648 ft ²			
				Dwelling =	5.722 FSR 422,399 ft ²			
	Residential sub-area subtotals towards CD-1 ∑ areas :			#7.3(a) strata	295,754 ft ²			
	(max for all sub-areas) 1,031,796 ft ²			#7.3(b) rental	126,645 ft ²			
	(min for all sub-areas) 126,358 ft ²							
FSR Exclusions ⁴	<u>Maximum</u>							
	Balcony	12% of Residential 50,688 ft ²		12.5 % 52,809 ft ²				
	Parking + Bike Storage	ok @ or below grade		Ok				
	Amenity (max all parcels)	11,517 ft ²		3,000 ft ²				
	Roof Deck - DOP discretion	unlimited		Level 4, 6, 7				
Parking ⁵	REQUIRED		PROPOSED					
	<u>Residential</u>	<u>(min) 400</u>		<u>505 stalls</u>				
	accessible	17		17 (x2) = 34				
	small	0		20				
	standard	-		451				
	<u>Commercial</u>	<u>(min) 41</u>		<u>41 stalls</u>				
	accessible	3		2 (x2) = 4				
	small	10		0				
	standard	-		37				
	<u>Total</u>	<u>(min) 441</u>		<u>546 stalls</u>				

	accessible	20		19 (x2) = 38
	small	0		20
	standard	-		488
	Visitor	(min) 23 - (max) 70		22 stalls
Loading ⁶	Class	A	B	C
	Residential	0	2	0
	Commercial	0	2	0
	Total	0	4	1
				undesignated stalls
				↓ ↓ ↓
				3 3 0
Bicycle ⁷	Class	A	B	
	Residential	972	24	
	Commercial	7	6	
	Total	979	30	
	Class	A	B	
		983	24	
		8	6	
		991	30	
Passenger ⁸	Class	A	B	C
	Residential	3	0	0
	Commercial	1	0	0
	Total	4	0	0
				undesignated stalls
				↓ ↓ ↓
				4 0 0

NOTES

- Note on Site Size and Area:** Site area is based on the provided site survey of proposed Parcel C sub-area subdivision.
- Note on Use:** All proposed uses, including Retail, and Dwelling uses (Market Strata, Secured Market Rental, and MIRHP - Moderate Income Rental Housing) are permissible within CD-1 section 5 Uses, subject to Section 6 Conditions of Use. There are currently some minor shortfalls in percentages of minimum 2 and 3 bedroom units since these minimum thresholds cannot be rounded up, however these should be feasible to address with future response to conditions. Standard Condition A.1.3 seeks compliance.
- Note on Height:** All proposed buildings comply with maximum storeys and height as per CD-1 Section 8 Building Height, as measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall. There are no view cones applicable to this site.
- Note on Floor Area:** As per Section 34 of the CD-1 By-Law, this site is to consist of eight (8) sub-areas ('A' through 'H') for the purpose of determining maximum permitted floor area. Parcel 'C' is subject to an overall maximum permitted floor area in combination with A, B, C, D, F, and G, which has sufficient capacity as this is the second Development Permit under consideration. The only other parcel with approved development is a temporary sales centre on Parcel 'A'. There are other minimum and maximum sub-area requirements for both commercial and residential (strata and rental) requirements under other Section 7 clauses, which have been confirmed compliant. Standard Condition A.1.4 seeks confirmation of compliance for some FSR exclusion features.
- Note on Parking Spaces:** Required parking spaces were calculated per Section 4 of the Parking Bylaw. The total parking spaces proposed complies with the required site total.

Reductions for proximity and TDM are not currently clear, however application is compliant and over base minimum requirements, with exception to a shortfall of 1 accessible parking space for Commercial uses (minimum 3 / proposing 2), related to Standard Condition A.1.6 seeking compliance (Refer also to Standard Engineering conditions).

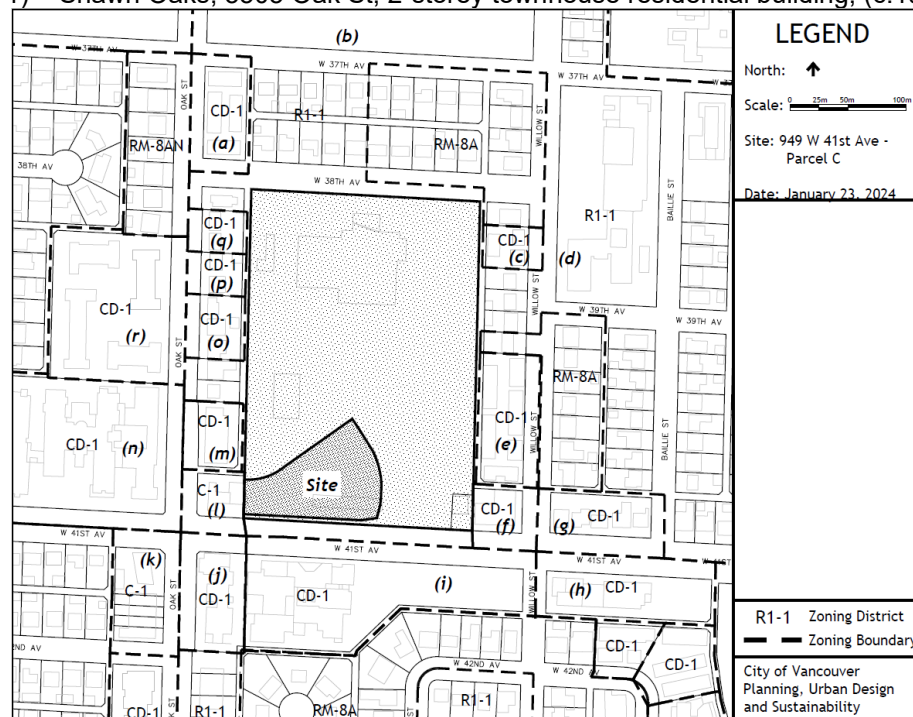
6. **Note on Loading Spaces:** Required loading spaces were calculated per Section 5 of the Parking Bylaw. The application is seeking a relaxation of one (1) Class-C loading stall as required for Commercial Retail uses, which is supported by city staff in accordance with the provided rationale by Bunt & Associates Transportation engineers.
7. **Note on Bicycle Spaces:** Required bicycle parking was calculated per Section 6 of the Parking Bylaw. The application appears to be substantially compliant with base minimum and type mix requirements, however applicant needs to do some minor adjustments to calculation method and show further breakdown calculations, as per Standard Condition A.1.7 seeking confirmation of compliance (Refer also to Standard Engineering conditions).
8. **Note on Passenger Spaces:** Required passenger spaces were calculated per Section 7 of the Parking Bylaw. The application appears to be compliant with minimum requirements, subject to Engineering support of three (3) Class-A provided within the “Pickup/Dropoff” at grade off the centre lane as indicated on plans.

Legal Description	History of Application	
Block: 866 (Except Part in Reference Plan 15238) District Lot: 526 Plan: 7764	Oct. 12, 2023 Dec. 6, 2023 Jan. 31, 2024	Complete DP submitted Urban Design Panel Development Permit Staff Committee

Site: The overall site is approximately 5.8 hectares (14.3 acres), fronting along West 41 Avenue and West 38 Avenues. The site is relatively flat, with a slope of approximately 6 m (20 ft.) from the southwest corner to the northern edge. The current DP (Phase 1) is located at the southwest corner of the OTC site with frontage along West 41 Avenue.

Context: Significant adjacent development includes:

- a) 5316 Oak St, 2-storey townhouse residential building, (c.2006);
- b) Oak Meadows Park, 899 W 37th Ave
- c) 5423 Willow St, 3-storey townhouse residential building, (c.2009);
- d) School Rose-Des-Vents, 5445 Baillie St, 3-storey institutional building, (c.1968)
- e) 5581 Willow St, 2.5-storey townhouse, (c.2007)
- f) 809 W 41st Ave, proposed 18-storey mixed-use building, (in review)
- g) Aperture, 5688 Willow St, 6-storey residential building, (c.2017)
- h) King David High School, 5718 Willow St, 2-storey institutional building, (c.2005)
- i) Jewish Community Centre, 950 W 41st Ave, 3-storey institutional building, (c.1962)
- j) Lubavitch Centre, 5750 Oak St, 5-storey mixed-use building, (c.2001)
- k) 1008 W 41st Ave, proposed 25-storey and 17-storey mixed-use buildings, (in review)
- l) 5680 Oak St, gas station, (c.1998)
- m) Bloomfield Gardens, 5650 Oak St, 4-storey residential building, (c.1997)
- n) Weinberg Residence, 5650 Osler St, 2-storey institutional building, (c.1968)
- o) 5516 Oak St, 4-storey residential building, (c.2016)
- p) 5474 Oak St, 3-storey townhouse residential building, (c.2016)
- q) 5428 Oak St, 3-storey townhouse residential building, (c.2017)
- r) Shawn Oaks, 5505 Oak St, 2-storey townhouse residential building, (c.1970)



Background:

In February 2014, Council endorsed a planning program to consider redevelopment options for the future of the Oakridge Transit Centre (OTC) site. The comprehensive planning program began in June 2014 and resulted in the *Oakridge Transit Centre Policy Statement*, approved by Council in 2015, which guided the rezoning application for the site. The *Policy Statement's* vision is for the precinct to become a predominately residential neighbourhood with a new central public park, a childcare centre, local-serving commercial uses, and open pedestrian connections, mews and plazas.

In July 2019, Council directed staff, through *Issues Report: Direction for Intensification of Large Sites to include Moderate Income Rental Housing*, to consider additional height and density as part of the rezoning application that would follow to enable the inclusion of new rental and moderate-income rental housing.

On December 9, 2020, Council approved a rezoning application for the site, including the use, density, height, and general form of development, and accompanied by a Draft Design Guidelines. The master plan (Figure 1) includes eight main parcels that are distinguished by use, building height, scale, and public realm treatment, all arranged around the new park. The precinct is a mixed-use with the tallest towers along W 41st Avenue, with height descending northward towards the park. Application specifics include the following:

- 17 buildings between 1 to 26 storeys
- Maximum building height of 83.8 m (275 ft.)
- 25,788.9 sq.m (277,589 sq.ft.) for social housing or approximately 330 units
- 11,738.5 sq.m (126,352 sq.ft.) for secured rental, or approximately 180 secured rental housing including 45 moderate-income rental units
- 95,856.3 sq.m (1,031,789 sq.ft.) for strata residential, or approximately 1,120 strata units
- 24,000 sq.ft. of commercial space
- 69-space turn-key childcare
- 2.3 acre public park

Figure 1: OTC Rezoning Application Master Plan



Parcel C is the first Development Permit application following rezoning. It is located at the southwest corner and as such plays many important roles, including:

- Accommodating most of the precinct's tallest towers;
- Serves as a Gateway to the precinct;
- Includes commercial pedestrian mews which function as a 'social centre';
- Provides continuous retail along W 41st Avenue, reinforced with a strongly defined street wall and a new public plaza;
- The entirety of the OTC's rental housing.

Applicable Bylaws and Guidelines:

1. Draft CD-1 By-law (2020)

This bylaw establishes the permitted uses, heights, and density for the overall site; to be considered with the overall form of development approved in principle by Council. The by-law includes a maximum height

for Parcel C, which applies to the taller building within the parcel. The two other buildings' heights are reflected in the *Design Guidelines*.

2. Oakridge Transit Centre and Adjacent Sites Policy Statement (2015)

The *Policy Statement* established planning principles to guide the redevelopment of the site. It provided direction regarding overall vision and guiding principles; land use and density; parks and open spaces; circulation and transportation; built form, massing, and height; and sustainability and green infrastructure.

3. Oakridge Transit Centre – Draft Design Guidelines (2020)

Subject to enactment, the draft *Guidelines* provide further direction regarding the anticipated form of development and public realm treatment. They include an illustrative massing and a written statement outlining the urban design role and character of each parcel. Built form guidelines expand on building heights, setbacks, podiums, street walls, building dimensions, tower floor plate size, and tower separation, as well as overall character. Guidelines specific to Parcel C include the provision of three towers ranging from 12 to 23 storeys, organized along a central pedestrian mews featuring continuous retail and a plaza marking the entrance to the OTC. Parcel C provides much of the precinct's rental residential and commercial retail space.

4. High Density Housing for Families with Children Guidelines (1992)

The intent of the guidelines is to address the key issues of site, building and unit design which relate to residential livability for families with children. Although quantitative standards are given in some cases, these are provided to assist the applicant in their design as well as guide City staff in their evaluation.

5. Urban Agriculture Guidelines for the Private Realm (2009)

The City of Vancouver Food Policy identifies environmental and social benefits associated with urban agriculture and seeks to encourage opportunities to grow food in the city. The Guidelines encourage edible landscaping and shared gardening opportunities in private developments.

6. Green Building Policy for Rezoning (2023)

The *Policy* requires that rezoning applications satisfy either the near-zero emission buildings or low emissions green buildings conditions within the policy.

7. Sustainable Large Site Rezoning Policy (2023)

This *Policy* requires defined plans or studies on eight different areas to demonstrate how the proposal will achieve the City's sustainability goals. These areas include sustainable site design, access to nature, sustainable food systems, green mobility, rainwater management, zero waste planning, affordable housing, and low-carbon energy supply.

Response to Applicable By-laws and Guidelines:

1. Draft CD-1 By-law (2020)

It is the assessment of staff that the Draft CD-1 By-law has been addressed in this development permit application, except as noted in the recommended conditions of approval.

2. Oakridge Transit Centre and Adjacent Sites Policy Statement (2015)

It is the assessment of staff that the *Policy Statement* has been addressed in this development permit application, except as noted in the recommended conditions of approval.

3. Oakridge Transit Centre – Draft Design Guidelines (2020)

A minor variation in building height and massing from the rezoning is proposed. The *Guidelines* envision three towers of distinct heights for Parcel C (Figure 2): a 20-storey tower on a six-storey podium (C1); a 23-storey tower on a six-storey podium (C2); and a 12-storey tower on a six-storey podium (C3). An increase in the height of tower C3 from 12 to 18 storeys is proposed due to the following considerations (Figure 3):

- a) consolidation of all market rental units into one building (C-3)
- b) the relocation of the transformer from below grade on Parcel D (east) to above grade on Parcel B (north) for technical and safety requirements by BC Hydro and Translink. Some floor area was relocated to create a setback along the west to allow for below-grade service connections between 41st Ave and Parcel B.
- c) The podium for C2 was lowered to one storey to enhance solar access to the mews and reduce impact on the passage between C2 and C3.

Figure 2: Parcel C Building Height Change from Rezoning

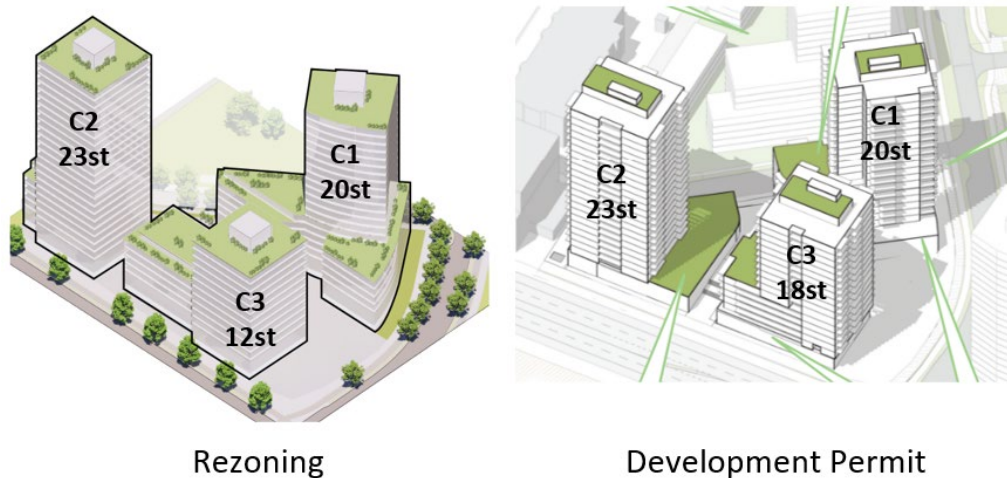


Figure 3: Parcel C Massing Redistribution



The proposed height and massing changes provide three distinct building heights and generally meet the *CD-1 By-law* and the intent of the *Guidelines*. The height increase does not add shadowing on the new park. The application generally reflects the intent of the *Guidelines*, except as noted in the recommended conditions of approval.

4. High Density Housing for Families with Children Guidelines (1992)

It is the assessment of staff that the *Guidelines* have been addressed in this development permit application, except as noted in the recommended conditions of approval.

5. Urban Agriculture Guidelines for the Private Realm (2009)

It is the assessment of staff that the *Guidelines* have been addressed in this development permit application, except as noted in the recommended conditions of approval.

6. Green Building Policy for Rezoning (2023)

It is the assessment of staff that the *Policy* has been addressed in this development permit application, except as noted in the recommended conditions of approval.

7. Sustainable Large Site Rezoning Policy (2023)

It is the assessment of staff that the *Policy* has been addressed in this development permit application, except as noted in the recommended conditions of approval.

Response to Applicable Rezoning Conditions:

Rezoning Condition 9	Design development to ensure the proposed rectifier will be located to minimize impacts to the built form and public realm treatment on 41st Avenue.
Applicant Response	This will be included in a future development permit application.
Staff Assessment	Although this rezoning condition generally applies to a future phase of development (Parcel B to the north), BC Hydro's and Translink's technical requirements for the rectifier include visible equipment on Parcel C as well as a new side yard setback. Recommended Condition 2 seeks to ensure that the public realm is free of any encroachment, porous and supports comfortable pedestrian movement; and to minimize the impact on the public realm by the rectifier's new above-grade location (from Parcel D to Parcel B) and associated infrastructure.

Rezoning Condition 3 (a)	Design development to ground floor elevations along 41st Ave & commercial mews parallel to 41st Avenue to contribute to street character & provide an inviting, engaging interface for pedestrians, including through the following design strategies: Provide a minimum floor-to-floor height of 20 ft. for commercial uses.
Applicant Response	A minimum 20ft floor-to-floor height is provided along 41st Avenue.
Staff Assessment	Staff are satisfied this condition has generally been met. Recommended Condition 5 seeks to ensure that the minimum commercial floor-to-floor height is provided at the northeast corner of Building C3.

Rezoning Condition 7	Design development to maximize common access and usability of residential rooftops for outdoor enjoyment, urban agriculture and extensive green roofs, etc. for the common use of building residents. Explore opportunities for integration of solar panels or other renewable energy systems as part of building design or on building rooftops. Note to Applicant: Provide common roof deck access and green roofs at low- and mid-rise rooftops and on building podiums. Green roofs should meet the expectation of the Roof-Mounted Energy Technologies and Green Roofs: Discretionary Height Increases admin bulletins. An amenity
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	room should be provided to support common roof decks. Amenity rooms should be modest in size and setback from the roof perimeter to reduce their visual prominence. Refer also to the OTC Design Guidelines in Appendix F.
Applicant Response	<p>Rooftop access is provided at all podium level roofs and tower rooftops for all buildings with incorporated amenities. Green roof requirements are achieved throughout.</p> <p>Outdoor amenity areas are located next to indoor amenity to maximise functionality and comfort for residents.</p> <p>Urban agriculture plots and children’s play areas have been provided on outdoor amenity areas for all buildings.</p> <p>An MoU has been signed with Creative Energy to design, build and operate a 100% zero carbon district-scale low carbon district energy system on Parcel C. This enables residential units to be fully electric and also the reduces rooftop equipment needs, freeing up more space for community amenity uses.</p>
Staff Assessment	Staff are satisfied this condition has generally been met. Recommended Condition 8 seeks confirmation of the type and percentage of the provided green roof.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on December 6, 2023, and provided the following evaluation: Support with Recommendation (7-0)

The minutes are contained in Appendix F attached to this report.

ENGINEERING SERVICES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

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

LANDSCAPE SERVICES

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

SOCIAL POLICY AND PROJECTS

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

PUBLIC ART

Public Art Policy and Procedures for Rezoned Developments Per the Rezoning, the applicant will be required to proceed through the City of Vancouver’s Public Art process as administered by Arts, Culture, and Community Services.

The recommendations of Public Art are contained in the prior-to conditions noted in Appendix B attached to this report.

ENVIRONMENTAL CONTAMINATED SITES BRANCH

The recommendations of Environmental Protection Branch are contained in the prior-to conditions noted in Appendix A attached to this report.

BUILDING REVIEW BRANCH

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

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

NOTIFICATION

Two site signs were installed on-site along West 41st Avenue, at each ends of the Parcel C site.

On December 6, 2023, the proposal was posted on the City’s Shape Your City webpage and 763 postcard notifications were mailed out to businesses and residents in the vicinity informing them of the proposal.

A total of five responses were received through the online portal, with four in support and one expressing a mixed position on this application. Comments from the notification are summarized below:

Recognition of former transit facility

The development should incorporate elements acknowledging the history of the transit bus site.

Staff Response:

Pursuant to the rezoning policy report for OTC and related design guidelines, staff have established a condition to consider the historic significance of the transit facility and encourage the applicant to further explore and incorporate strategies for capturing the memory and history of the site. This is prescribed under Recommended Condition of Approval 1.8.

Invasive plants on-site

Ensure that invasive plants on-site does not contaminate adjacent properties.

Staff Response:

As a standard term to the Development Permit, the applicant will need to submit an Environmental Impact Assessment to help identify site condition and determine potential mitigation measures. This requirement is captured under Standard Condition A.3.2

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

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

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

With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it seeks a relaxation of a Class C loading space. The Staff Committee supports the relaxations proposed.



M. Au
Chair, Development Permit Staff Committee



K. Kallweit-Graham / O. Aljebouri
Development Planner



C. Profili
Project Coordinator

Project Facilitator: K. Imani

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

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

A.1 Standard Conditions

- A.1.1 the pending CD-1 bylaw can and does become enacted by City Council;
- A.1.2 the proposed Form of Development can and does become approved by City Council;

Development Review Branch Conditions

- A.1.3 compliance with Section 6 - Conditions of Use, of the draft CD-1 By-law, including:
 - i. clause 6.4, by providing at least 25% of the total dwelling unit floor area for rental housing units must be MIRHP (Moderate Income Rental Housing) Units;
 - ii. clause 6.6(b), by providing at least 35% of the MIRHP dwelling units with two or more bedrooms;
- Note to Applicant:** All types of the Rental Housing tenures (Secured Market Rental and MIRHP) must be individually compliant.
- iii. clause 6.5(b), by providing at least 10% of the strata dwelling units with two or more bedrooms;

Note to Applicant: Unit mix percentages are absolute minimum thresholds, and fractions cannot be rounded up.

- A.1.4 confirmation of compliance with Section 7 - Floor Area and Density of the draft CD-1 By-law, including provision of updated statistics and overlay plans demonstrating:
 - i. FSR exclusion for residential balconies must not exceed 12% of the residential floor area within the sub-area parcel;

Note to Applicant: “Roof Deck/Garden” and “Balcony” areas to be consistently labelled in accordance with Section 2 – Definitions, of the Zoning and Development By-law, which may assist in calculations since they are considered and allocated differently for FSR exclusion as per CD-1 section #7.8 sub-clauses (b) and (c). Refer to “ <https://bylaws.vancouver.ca/zoning/zoning-by-law-section-2.pdf> ”.

 - ii. amenity may be excluded from Floor Area areas in accordance with CD-1 clause 7.9;

Note to Applicant: Common amenity areas, gym and recreation facilities and meeting rooms not currently deducted from overall floor area, may be eligible for this FSR exclusion. A maximum of 1,070 m² amenity FSR exclusion per clause 7.9 is available across entire CD-1 (aggregate maximum of all parcels). All amenity area functions should be clearly designated to demonstrate eligibility, and also clearly labelled as serving or allocated to the Residential or Commercial uses.

“Control Rooms” (beside Amenity rooms at roof deck levels) currently designated as Amenity do not qualify for FSR exclusion, because the function is similar to a mech/elect/services room which is counted towards FSR, however the applicant may provide additional clarification details for discussion and consideration. Refer also to

“ <https://bylaws.vancouver.ca/bulletin/bulletin-floor-area-exclusions-amenity-areas.pdf> “

- iii. C-2 building Level 1 Amenity Gym to be clearly labelled as serving or allocated to the Residential or Commercial uses.

Note to Applicant: The gym is anticipated to be Amenity for tenants, but if it is a commercial gym or separate business it would be considered a “Fitness Centre” and a separate defined Use for FSR and parking considerations.

A.1.5 provision of the following revisions and additional information on the drawings:

- i. consideration to provide vertical vent shafts to accommodate future change of uses and potential restaurant exhaust from the commercial level;

Note to Applicant: Intent is to allow for a wider range of uses without requiring the retrofitting of exhaust ducting on the outside of the building, and also to ensure exhaust venting is located away from pedestrian or residential outdoor space, opening windows or fresh-air intakes. Floor Area FSR Exclusions for Kitchen Exhaust Shafts are available per Section 10.16 “ <https://bylaws.vancouver.ca/zoning/zoning-by-law-section-10.pdf> “

A.1.6 compliance with Parking By-law 6059, Section 4 - Off-Street Parking Space Regulations, including:

- i. provision of minimum Commercial Accessible Parking stalls per Section 4.8.4.;

Note to Applicant: Current design requires minimum three (3) Accessible parking stalls allocated for use by commercial tenants. This may be a labeling conflict between table and tag on plans. There appears to be two (2) currently provided on level P1, and another (Accessible stall #15) on plans is currently tagged “RV” for residential visitor, which does not specifically require an Accessible type stall.

Parking Schedule - VISITOR/COMM					
Level	Type	NAME	DESC.		Count
LEVEL P1	HC Commercial	Accessible / HC	5500x4000 Clearance - Visitor/Comm		2
					Stall #15 appears misidentified on plans?

- ii. provision of minimum Residential Visitor stalls as required per Section 4.1.16;

Note to Applicant: Current design requires minimum (23) Residential Visitor stalls.

- iii. clarification of total provided commercial parking stalls;

Note to Applicant: There appears to be a discrepancy between number specified in statistics tables versus number shown on plans. This may be partially due to related condition above, and/or method of double counting Accessible stalls as permitted by Parking by-law clause 4.1.15.

- iv. clarification of total required and provided residential parking stalls per 4.5.B1 for the secured Rental uses, and 4.2.1.13 for Strata residential uses;

Note to Applicant: These requirements can be calculated using the total sum of dwelling unit FSR areas (opposed to the total Net Residential values including common circulation) so could reduce/recalculate minimum required. Breakdown the required calculations to show the number of applicable units of each dwelling size range and/or subtotal area(s) used in calculation.

The parking plans show some Small Car stalls with Accessible symbols (the statistics tables appear correct and likely just conflicting symbols on plans).

Note to Applicant: Refer to the Parking By-law, and Parking & Loading Design Supplement at “ <https://vancouver.ca/your-government/parking-bylaw.aspx> ”.

A.1.7 compliance with Parking By-law 6059, Section 6 - Off-Street Bicycle Space Regulations:

- i. confirmation of total minimum required Bicycle Class-A stalls for Residential uses per 6.2.1.2, including breakout calculations to show the number of applicable units of each dwelling size range and subtotals;
- ii. provision of minimum Class-B type Bicycle stalls to be identified on drawings as required by Section 6.2.1.2 and 6.2.5.1;
- iii. provision of minimum 5% of the Class-A type Bicycle stalls for Residential uses to be Oversize stalls per Section 6.3.9.;
- iv. provision of minimum 10% of the Class-A type Bicycle stalls for Residential uses to be Locker type stalls per Section 6.3.13.A;

A.1.8 provision of the following notations to be included on the submitted plans:

- i. “The design of the parking structure regarding safety and security shall be in accordance with Section 4.13 of the Parking By-law”;
- ii. “A minimum of one electrical outlet shall be provided for each two Class A bicycle spaces”;
- iii. “All building dimensions, setbacks and yards are to the outside of cladding”;
- iv. “The design of bicycle spaces (including bicycle rooms, compounds, lockers and/or racks) regarding safety and security measures and end of trip facilities regarding required design standards shall be in accordance with the relevant provisions of Section 6 of the Parking By-law”;
- v. “The acoustical measures will be incorporated into the final design and construction, in accordance with CD-1 section 10, and as based on the consultant’s recommendations”;
- vi. “Adequate and effective acoustical separation will be provided between the residential and non-residential portions of the building”; and
- vii. “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”.

Landscape Conditions

A.1.9 refinements to the rooftop amenity areas of all three towers to include the following:

- i. provision of urban agriculture garden plots commensurate with the rooftop tower area and considering the min. performance requirements requested (refer condition A.1.11);
 - ii. relocation of urban agriculture to the portion of the tower that receives the most sunlight in order to support growing conditions;
-

- iii. provision of large scale landscape plans and details including furniture, planters, trees, supporting infrastructure for urban agriculture, shade structures (where applicable), defined active and passive social gathering areas; and
- iv. provision of written program for each rooftop patio area highlighting intended uses, calculations, response to microclimate, response to user groups, site constraints, and other related information to support rooftop design decisions.

A.1.10 provision of built features intended to create a bird friendly design;

Note to Applicant: Refer to the *Bird Friendly Design Guidelines* for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Social Policy and Projects – Food Assets

A.1.11 design development of the urban agriculture boxes requirements to adhere to *Sustainable Large Developments Administrative Bulletin*, including:

- i. a table that provides a breakdown of number of plots provided and size of plots relative to unit numbers to ensure sufficient space has been allocated to meet the policy requirement of providing a plot for 30% of residential units without a minimum private outdoor space of 100 sq. ft.;
- ii. a test fit diagram of the designated agricultural plot area demonstrating sufficient capacity to accommodate the minimum required plots (at minimum 24 sq. ft. per plot);
- iii. a shadow study for all urban agriculture plot areas; and
- iv. indicate urban agriculture and support facilities on all drawings and plans.

Note to applicant: Further information is required to evaluate if the minimum requirements for agricultural plots and support facilities have been met. Proposed locations for urban agriculture may need to be enlarged and layout redesigned to accommodate sufficient spacing for agriculture plots and support facilities. Staff were unable to locate hose bibs and compost facilities that would be required.

A.2 Standard Engineering Conditions

A.2.1 provision of a Letter of Credit for offsite works as sought for at rezoning phase and identified in the Services Agreement Schedule A.

Note to Applicant: The final value of the Letter of Credit will be determined when the Services Agreement has been completed and registered. Submission of a phasing diagram with the civil works associated with each phase is to be submitted for review and approval.

A.2.2 modification of the pedestrian SRW area along the lane to include the portion of sidewalk proposed next to the pickup/drop-off area.

Notes to Applicant: The rezoning condition for this SRW was specified as 3.0 m from the edge of the lane dedication. The sidewalk next to the pickup/drop-off area as proposed is outside of the SRW. The SRW agreement will need to be modified to include the portion of the sidewalk that is outside of the existing SRW.

The preparation of this legal agreement includes the requirement for collection of a fee for service as approved in the following Council Report:
<https://council.vancouver.ca/20231003/documents/r2.pdf> and will be due prior to issuance of the Development Permit.

- A.2.3 make arrangements for an SRW to provide a 16.0m (52 ft.) by 4.0m (13 ft.) Public Bike Share Station on private property at the intersection of W 41st Avenue and Central Road, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services;

Note to Applicant: The preparation of this legal agreement includes the requirement for collection of a fee for service as approved in the following Council Report:
<https://council.vancouver.ca/20231003/documents/r2.pdf> and will be due prior to issuance of the Development Permit.

- A.2.4 provision of a Public Bike Share (PBS) station, per the *Design Standards for Public Bike Share*, including:

- i. minimum 16.0 m by 4.0 m (52 ft by 13 ft) station fully on private property at the intersection of W 41st Avenue and Central Road near the corner entry plaza.

Note to Applicant: Relocate the PBS station to the corner entry plaza at the southeast corner of Parcel C near the intersection of W 41st Avenue and Central Road.

- ii. removal/relocation of landscaping in conflict with the station;
- iii. removal/relocation of the utilities from the station footprint and provision of an uninterrupted broom finished saw-cut concrete surface;
- iv. maximum 3% cross slope and 5% grade along the length of the station;
- v. minimum 5.0 m (16.4 ft) vertical clearance; and
- vi. on-site electrical connection to the station.

- A.2.5 updated Parking Bylaw statistics table(s) noting the following:

- i. "Parking, loading, bicycle, and passenger loading shall be provided and designed in compliance with the Parking Bylaw and the Parking and Loading Design Supplement, including:"
- ii. "Vehicle parking reductions in accordance, and in compliance, with approved Transportation Demand Management (TDM) Plan."
- iii. "Accessible parking spaces held in common ownership and not be assigned to any strata lot."
- iv. "End of Trip Facilities layout shall be in compliance with the Vancouver Parking By-law and the Vancouver Building By-law."

- A.2.6 design development to improve parking access, per the *Parking Bylaw and Parking and Loading Design Supplement*, ensuring:

- i. two-way vehicle flow, including:
- a) convex mirrors on the main ramp and throughout parkade.
-

- ii. safe, functional grades on the ramp and in parking areas, including:
 - a) maximum 10% ramp grades serving Class B and/or Class C loading spaces after the first 6.1 m (20 ft.).
- A.2.7 design development to improve loading spaces, per the *Parking Bylaw and the Parking and Loading Design Supplement*, including:
- i. convenient, internal, stair-free loading access to/from site uses;
 - ii. resolution of maneuvering conflicts with pedestrians on Central Lane for Class B loading; and
- Note to Applicant:** Provide on-site maneuvering or relocate the Class B loading at grade, to eliminate the need to back over the sidewalk.
- iii. minimum 1.8 m (5.9 ft) wide loading/unloading area(s), an overhead door, or an access corridor leading to an entry door.
- A.2.8 design development to improve bicycle spaces, per the *Parking Bylaw*, including:
- i. an elevator for all spaces located below the first level of underground parking, accommodating two people with two bicycles. A separate bicycle call button is to be provided on all floors requiring bicycle access to allow users to call the bicycle elevator directly.
- Note to Applicant:** Provide doors on both ends to allow bicycles to easily roll in and out. The elevator shall be a freight style elevator with durable finishes and minimum interior dimensions of 1.7 m (5.5 ft) x 2.0 m (6.7 ft), and 1.1 m (3.5 ft) wide doors.
- A.2.9 clarification on plans, per the *Transportation Demand Management for Developments in Vancouver Bulletin, Parking Bylaw, and Parking and Loading Design Supplement*, including:
- i. ACT-05 – Bicycle Maintenance Facilities: revised architectural plans, noting location(s) and dimensions of facilities.
 - ii. all types of parking, loading, bicycle, end-of-trip facilities and passenger loading spaces individually numbered, and labelled on the drawings.
- A.2.10 clarification of location of any on-site electrical plant(s).
- Note to Applicant:** Clearly indicate and label any Pad Mounted Transformer (“PMT”) at grade or a “Unit Substation” room.
- A.2.11 clarification on plans indicate, label, and dimension all dedications and City Engineering Statutory Right of Ways (SRW) areas on the plans.
- Notes to Applicant:** Clearly indicate these areas on each plan set consistently and for applicable City Engineering SRWs that have undefined area dimensions note that these SRW area is to be finalized prior to building occupancy.
- A.2.12 clarification on plans identifying all poles along W 41st Avenue as existing or relocated.
-

Note to Applicant: Confirmation of existing street light poles along W 41st Avenue frontage to remain as existing or to be relocated. If a pole is to be relocated, then written confirmation from all impacted third-party groups accepting relocation is required.

A.2.13 removal of encroachments within the City right of way, including but not limited to the following:

- i. Clarification of object indicated within the SRW on drawing A503.

Note to Applicant: This may be a drafting error as it is not clear on the plan view (i.e. A302) what this object is at grade.

A.2.14 confirmation of approval of off-site civil design to inform Development Permit Application Drawings of property line grades at the development site.

Note to Applicant: Preliminary Building Grades issued by the City are not Final Building Grades and cannot be used to calculate building height for the purpose of the Development Permit. Application Drawings need to be revised and resubmitted to the City once Final Building Grades are reviewed and approved by the City, which would be based on the approved off-site civil designs. For further clarification contact building.grades@vancouver.ca.

A.2.15 confirmation of final City approved grades and correctly interpolated building grades to be indicated on the plans.

Note to Applicant: Design Elevations are to be indicated along the property line adjacent to corner of driveways, parking stalls, middle of entrances, access pathways, and stairs.

A.2.16 provision of public realm changes, including all proposed off-site improvements to be indicated and noted on the landscape and site plan as follows:

- i. provision of new street trees adjacent to the development site, where applicable; Tree spacing shall be as close to equal spacing at a desired length of 8m to 10m.
- ii. the landscaped area back of city sidewalk, should be minimum 0.45 m (1.5 ft) buffer of sod, grass or low groundcover with a mature height less than 0.3 m (1 ft) or for plantings adjacent to sidewalks.
- iii. show/reference a standard commercial driveway crossing on Lane D.
- iv. show/reference standard letdowns, curbing and medians.
- v. show/reference root barrier at sidewalk for private back boulevard trees
- vi. confirm/reference total combined soil volume calculations per new street tree.
- vii. clear demarcation/labeling of the SRW and the property line.
- viii. design to be updated with new geometric alignments and transitions.

Note to Applicant: Where a design or detail is not available, make note of the improvement on the site and landscape plans. If the final approved City issued geometric design has not been provided by the City prior to Development Permit issuance, then clearly note and label, on the plans, that off-site improvements will be as per the final approved City issued geometric design.

A.2.17 confirmation from Park Board for removal of existing trees on City property;

Note to Applicant: Contact the Park Board pbdevelopment.trees@vancouver.ca for coordination with tree removals, payment of ISA tree values, and cost of removal before DP issuance.

A.2.18 provision of the following information added to the landscape drawings:

- i. Schematically show the locations and type of all proposed green rainwater infrastructure (GRI) (i.e. bioretention, pervavoid, infiltration trench) in the ROW, including Road A, W 41st Avenue and Lane D.
- ii. clearly note the following statement: "Green infrastructure within the boulevard/lane sized to meet Rain City Strategy targets to be designed and implemented to the satisfaction of the City Engineer".

Note to Applicant: For further clarification and information contact Green Infrastructure Implementation branch at ESRGGIIDL@vancouver.ca.

A.2.19 provision of an updated Transportation Demand Management (TDM) Plan, with minimum 30 points, meeting the requirements for Large Sites.

Note to Applicant: The proposed plan achieves 33 points:

TDM Measure	Proposed Points	Achieved Points and Notes
FIN-01	2	2 strata
ACT-01	2	2 retail
ACT-02	4	4 strata, rental. 3 retail
ACT-05	2	2 strata rental
ACT-06	2	2 retail
ACT-07	8	8 strata rental retail
ACT-09	6	6 strata rental retail
COM-02	12	7 strata, 12 rental, 8 retail
COM-03	2	2 strata rental retail
SUP-03	2	2 strata rental retail
PKG-01	4	4 retail

Refer to Schedule B of the TDM policy for detailed requirements for each measure. A single TDM measure may count towards multiple land uses if it is usable by each. Provide TDM Plan as a separate package.

A.2.20 make arrangement to enter into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, securing:

- i. funding towards long-term TDM monitoring in the amount of \$2 per square metre of gross floor area.
- ii. TDM measures:
 - a) FIN-01;
 - b) ACT-01;
 - c) ACT-02;
 - d) ACT-05;
 - e) ACT-06;

- f) ACT-07;
 - g) ACT-09;
 - h) COM-02;
 - i) COM-03;
 - j) SUP-03; and
 - k) PKG-01.
- iii. City access to the site to undertake post occupancy monitoring of the TDM Plan; and
- iv. agreement to make reasonable adjustments to TDM measures as requested by the City, based on TDM monitoring results.
- A.2.21 make arrangement to enter into a Shared Vehicle Agreement with the City to secure the operation and maintenance of 5 two-way Shared Vehicle(s) and the maintenance of 5 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), with such parking spaces to be in addition to the minimum parking spaces required by the Parking Bylaw, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including:
- i. 5 two-way Shared Vehicle(s) to the development for a minimum period of 3 years;
 - a) entry into an agreement with a two-way Shared Vehicle Organization to secure the operation and maintenance of the Shared Vehicle(s);
 - b) maintenance of the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;
 - c) arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
 - d) security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
 - e) registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument, securing these conditions; and
 - f) a letter of intent from a two-way car share company indicating their willingness to supply car share vehicles on the site at building occupancy. The letter shall indicate acceptance of the general location, configuration, and accessibility of the shared vehicle spaces.
- A.2.22 provision of the updated Rainwater Management Plan (by InterCAD Services Ltd, September 2021 – Issued for 90% Design Review) for the public realm (Right-of-way, lane, public plaza and etc.), including the following:
- i. Update the RWMP context plan to schematically show all the proposed GRI for Road A, W 41st Avenue and lane D, per City of Vancouver comments in 2022. Show their connections to the municipal network.
 - ii. Update the L.I.D. plan or Civil Drawings to include detailed drawings for each of the proposed GRI. A typical detail should include plan and section views, inflow locations, area and depth, flow dissipation, soil specification, safe overflows, and sub-drains, if needed; and
-

Note to Applicant: Refer to the Green Infrastructure Details (PDF Drawing) and Green Rainwater Infrastructure Design and Construction (DWG files) links, for standard design details: Green rainwater infrastructure design and construction | City of Vancouver

- iii. Provide detailed GRI design calculations on how the 48mm rainwater volume capture and water quality targets will be met. Provide sub-catchment delineation, volume calculations, catch basin connection, planting plan, and assumptions to support any figures provided. Site specific infiltration test result is required to support the design.

Note to Applicant: For further clarification and information contact Green Infrastructure Implementation branch at ESRGGIIDL@vancouver.ca.

A.2.23 provision of an updated Final Hydrogeological Study, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:

- i. an updated Groundwater Management Plan which includes:
 - a) Adequate characterization and if required, monitoring of hydrostratigraphic units considered in the groundwater management plan for the site. This may include any discrete high permeable zones which would contribute to groundwater discharge from the site; and

Notes to Applicant: Provide field data that confirms that the silt layer the proposed cut-off wall will be socketed is continuous across the site. In addition, provide field data that supports the assumed hydraulic conductivity used for the silt layer in Section 7.0 of the Hydrogeological Investigation Report (dated August 23, 2023), this can be nearby off-site data.

Provide additional field data to confirm the groundwater elevations found within the Capilano Sediments at the site as Section 6.3 of the Hydrogeological Investigation Report (dated August 23, 2023) notes the well screened in the Capilano Sediments (MW23-01S) is obstructed.

- b) Construction-related and permanent groundwater management, including anticipated groundwater discharge rates for City approval. Include calculations, assumptions and the methodology used to determine the discharge rates.

Notes to Applicant: Clarify the proposed depth and vertical extent for the proposed jet grout cut-off wall. Section 7.0 of the Hydrogeological Investigation Report (dated August 23, 2023) notes the bottom of wall will be embedded approximately 7.5 m below the nominal excavation level, but does not mention the approximate top elevation of the cut-off wall.

Update the anticipated construction and permanent groundwater discharge rate estimates with the updated field data as warranted.

The City does not support the long-term discharge of groundwater to our sewer system. Every effort should be made to prevent or limit this discharge, with the details reflected in the Groundwater Management Plan.

The City does not accept the dewatering of peat due to associated risk of offsite settlement. This potential risk should be addressed in the Impact Assessment.

A.2.24 provision of a letter of commitment stating that all impacted utility companies will be contacted and notified of the following requirements:

- i. all utility services (e.g., BC Hydro, Telus and Shaw) shall be underground;
- ii. BC Hydro service shall be primary with pad mounted transformer (PMT or LPT) installed on private property; and
- iii. all required electrical plants (e.g., PMT, LPT, Vista, etc.) provided for entirely within private property.

Note to Applicant: The review of third-party utility service drawings (e.g., BC Hydro, Telus and Shaw) will not be initiated until all drawings have been received by the Utilities Management Branch (UMB). For questions on this requirement, contact the Utilities Management Branch at umb@vancouver.ca.

A.2.25 provision of written confirmation of garbage pick-up operations.

Note to Applicant: Submission of a written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.

Public Art

A.2.26 provision of a Detailed Public Art Master Plan and the 10% Option A Payment, to the satisfaction of the General Manager of Arts, Culture and Community Services and the Head of Public Art;

Note to Applicant: For greater certainty, in the case of Option A, the Detailed Public Art Master Plan must be approved by the Public Art Committee and the General Manager of Arts, Culture and Community Services, prior to issuance of a Development Permit. For further information in this regard, please contact public art staff at publicart@vancouver.ca.

Social Policy and Projects – Community Benefits Agreement

A.2.27 provision of all reporting structures and monitoring supports to ensure compliance with the Community Benefits Agreement (CBA), prior to issuance of the development permit, including:

- a) connect with the Social Planner responsible for the CBA conditions to review the CBA policy and process.
- b) send a high-level construction schedule, including estimates on # of workers to be hired, and amount of procurement activity.
- c) retain the services of an independent third party to the satisfaction of the City in order to assist in monitoring and reporting on the progress towards reaching these goals on an agreed upon timeline with the City of Vancouver during and upon completion of the project and its various development phases. This may include, where applicable and where possible, post-occupancy and ongoing service needs; and
- d) establish a Project Specific Working Group with the appropriate representatives of City staff, the development and construction team, sub-contractors, etc.

Note to Applicant: Please connect with the CBA planner for more information about the CBA policy CED@vancouver.ca and visit our CBA website for more information. <https://vancouver.ca/people-programs/community-benefit-agreements.aspx>.

A.3 Standard Licenses & Inspections (Environmental Contaminated Site Branch) Conditions:

A.3.1 the property owner shall:

- i. submit a Site Disclosure Statement to Environmental Services;
- ii. as required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter and Section 85.1(2)(g) of the Land Title Act, if applicable; and
- iii. if required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated therefrom on terms and conditions satisfactory to the Manager of Environmental 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 development, until a Certificate of Compliance for each of the on-site contamination and the dedicated lands, if any, have been issued by the Ministry of Environment and provided to the City.

Environmental Review Branch

A.3.2 provision of an Environmental Impact Assessment (EIA) for the site, to be completed by a Registered Professional Biologist, in good standing, to including the following:

- i. an inventory of ecological conditions and assets, e.g. wetlands, watercourse, shoreline, groundwater etc.;
- ii. a tree inventory;
- iii. an inventory of vegetation that includes invasive species;
- iv. impact assessment – please explain how the site’s design will impact the ecology and ecosystems of the site, e.g. tree removal, shoreline works, watercourse relocation etc.;
- v. mitigation measures – please explain what mitigation measures the applicant will take from site prep to construction to mitigate impacts, e.g. soil management, ESC, removal and disposal of invasive species, etc.; and
- vi. compensation measures – please explain what compensation measures the design includes, e.g. tree replanting, landscaping measures, bird friendly design etc.

Note to Applicant: For more information on bird friendly building design and landscaping please see <https://guidelines.vancouver.ca/guidelines-bird-friendly-design.pdf> and <https://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf> .

B.1 Standard Notes to Applicant

- B.1.1 The applicant is advised to note the comments of the Building Review Branch, Vancouver Coastal Health Authority and Fire and Rescue Services Departments contained in the Staff Committee Report dated **(January 31, 2024)**. Further, confirmation that these comments have been acknowledged and understood, is required to be submitted in writing as part of the “prior-to” response.
- B.1.2 It should be noted that if Conditions 1.0 and 2.0 have not been addressed on or before **(August 31, 2024)**, this Development Application may be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.3 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.4 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.5 A new development application will be required for any significant changes other than those required by the above-noted conditions.
- B.1.6 Groundwater has been extracted from the site of Oakridge Mall (41st and Cambie Street) since 1958. During this time, groundwater levels are estimated to have been lowered by up to 6 metres at Oakridge, with a generally reduced impact the further you are from the site. This artificially low water level is to be roughly maintained by Oakridge, in accordance with their Groundwater Management Strategy, but that may change over time. For additional information, the Groundwater Management Strategy is available through the Land Title Office (<https://ltsa.ca/>). The City of Vancouver is providing this information for general purposes only, and makes no warranties or representations as to the completeness, accuracy or reliability of this information. Development applicants should retain their own geotechnical and/or hydrogeological expertise in order to determine their best course of conduct, and should not simply rely on this information.
- B.1.7 Be advised that the designated floodplain was updated on February 23, 2023 and now includes the Still Creek floodplain.
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B.2 Conditions of Development Permit:

B.2.1 A Key Plan shall be submitted by the applicant, and approved by the City prior to any third-party utility drawing submissions. It is highly recommended that the applicant submit a Key Plan to the City for review as part of the Building Permit application. Third party utility service drawings will not be reviewed by the City until the Key Plan is defined and achieves the following objectives:

- i. the Key Plan shall follow the specifications in the City of Vancouver Key Plan Process and Requirements Bulletin:
<https://vancouver.ca/files/cov/Key%20Plan%20Process%20and%20Requirements.pdf>;
and
- ii. all third-party service lines to the development are to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third-party utilities prior to submitting to the City.

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

For questions on this requirement, contact the Utilities Management Branch at umb@vancouver.ca.

B.2.2 provision of Sewer Design Documents, prepared by a Civil Consultant, capturing the proposed upgrades, in conformance with Section 2.4 of the Engineering Design Manual, to the Development and Major Projects Project Coordinator (DMPPC):

- i. Cover Sheet;
- ii. Survey Plan;
- iii. Key Plan (showing all existing and proposed utilities and sewer connection parameter table);
- iv. Storm / Sanitary Sewer Plan, Profile, and Details (including CB's and CB Leads);
- v. Stormwater Management / Sanitary Catchment Plan (in AutoCAD DWG format and PDF);
- vi. Design brief;
- vii. Capacity calculations (in Excel format and/or models in PCSWMM format);
- viii. Geotechnical study (in PDF format); and
- ix. any other document pertinent to the design.

Notes to Applicant: The design has to be reviewed and accepted by the Sewer Design Technical Reviewer (SDTR) prior to the issuance of the Building Permit (BP). It is the Owner/Applicants responsibility to ensure the Sewer Design Documents have been submitted to the City.

For a copy of the City of Vancouver Standards and Specifications, please visit this website (<https://vancouver.ca/streets-transportation/street-design-construction-resources.aspx>).

The storm and sanitary sewer service connections will connect to the proposed sewer main upgrades. They will be designed and constructed by your Civil Consultant/Contractor. The connection design must include the proposed offset from the nearest property line, the proposed invert elevations at the property line, the proposed depth at the property line, and the pipe sizes of both storm and sanitary sewer connections.

As per Section 2.12 of the Sewer and Watercourse Bylaw #8093, the existing combined, storm and sanitary connections to the site are to be abandoned. Abandonment of the existing services must be specified on the engineering drawings and completed prior to occupancy of the proposed development.

Once the storm and sanitary sewer connections have been designed by your Civil Consultant and accepted by the SDTR, please have your Mechanical Consultant apply for a Commercial Sewer Permit (Inspection Only Permit). The mechanical plans must be submitted to the Sewer & Drainage Design Branch (Email: eng.swpermits@vancouver.ca) and must be consistent with the Sewer Design Documents. As the Sewer Permit is a condition of the Building Permit, failure to submit Mechanical Plans will result in delays of the issuance of your Building Permit.

- B.2.3 Provision of the Utility Coordination plan which clearly indicates Green Infrastructure assets.

Note to Applicant: The Green Infrastructure assets are to be encompassed within the key plan. For further clarification and information contact Green Infrastructure Implementation branch at ESRGGIIDL@vancouver.ca.

- B.2.4 This development will be required to provide on-site rainwater management in accordance with *Building By-law requirements (Book II, Division B, Article 2.4.2.5)* in effect in January 2024.

Note to Applicant: The applicant will be required to demonstrate compliance with these requirements at the building permit application stage. See vancouver.ca/rainwater for more information.

- B.2.5 Provision of immediate notification to the City of any changes that may be material to the City's review of the study (e.g. if the proposed excavation depth increases). Email the City at groundwater@vancouver.ca.

- B.2.6 Construction-related discharge to the sewer must be measured, and reported to the City. This monitoring must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca. A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold, provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.

- B.2.7 All approved off-street parking, loading, bike, and passenger loading spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit, or any use or occupancy of the proposed development not requiring an occupancy permit, and thereafter permanently maintained in good condition.

- B.2.8 Provision of a Construction Management Plan directly to Translink (MRN@translink.ca) with a copy of the correspondence provided to the City of Vancouver a minimum 8 weeks prior to the start of any construction activity.

Note to Applicant: The City of Vancouver and Translink have authority over construction works carried out on a City Street that is designated as part of the Major Road Network (MRN). This development site has been identified as being adjacent the MRN, as defined under the South Coast British Columbia Transportation Authority Act (<https://www.translink.ca/plans-and-projects/projects/roads-bridges-and-goods-movement> [translink.ca]) on one or more frontages. Potential impacts to the road network due to site specific construction activity must be reviewed and approved for all sites proposing street use outside of currently regulated zone limitations.

- B.2.9 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.10 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
- B.2.11 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
- B.2.12 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12th floor of 601 W. Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
- B.2.13 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- B.2.14 This project is approved for wall thickness exclusion as per Section 10.15.3 of the Zoning and Development By-law. Any changes to the wall assemblies will require Development Permit Minor Amendment application for review and approval of the claimed wall exclusion.
- B.2.15 **This site is affected by a Development Cost Levy By-law and levies will be required to be paid prior to issuance of Building Permits.**
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