

CITY OF VANCOUVER  
DEVELOPMENT, BUILDINGS, & LICENSING

DEVELOPMENT PERMIT STAFF COMMITTEE  
MEETING  
March 30, 2022

FOR THE DEVELOPMENT PERMIT BOARD  
April 19, 2022

1075 Nelson Street (COMPLETE APPLICATION)  
DP-2021-00589 – CD-1 (Pending Enactment)

HS/SB/MV/DL/KH/AM/CM

#### DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

**Present:**

J. Greer, Development Services (Chair)  
J. Olinek, Urban Design & Development Planning  
D. Lee, Engineering Services

**Also Present:**

H. Shayan, Urban Design & Development Planning  
A. Maness, Urban Design & Development Planning  
K. Hsieh, Development Services  
M. Vernooij, Housing Policy & Regulation  
S. Black, Sustainability Group  
C. Miller, Development Services

**APPLICANT:**

Brivia Group  
1318 – 1030 West Georgia Street  
Vancouver, BC  
V6E 2Y3

**PROPERTY OWNER:**

1075 Nelson Development Limited Partnership  
1318 – 1030 West Georgia Street  
Vancouver, BC  
V6E 2Y3

#### EXECUTIVE SUMMARY

● **Proposal:**

To develop on this site a 60-storey multiple dwelling (passive house) building with 501 dwelling units, consisting of 102 social housing units, 49 secured market rental units and 350 market strata units, all over 10 levels of underground parking, having vehicular access from Ted Northe Lane.

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    Shadow Study and Perspectives  
      Appendix G    Urban Design Panel Minutes  
      Appendix H    Shape Your City Report  
      Appendix I    Housing Design and Technical Guidelines

● **Issues:**

1. Public realm interface and neighbourliness relationship to the ground floor.

• Urban Design Panel:

December 1, 2021 – Urban Design Panel: Recommendation RE-SUBMISSION (5/1)

February 2, 2022 – Urban Design Panel: SUPPORT with recommendations (8/0)

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DP-2021-00589 submitted, the plans and information forming a part thereof, thereby permitting the development of a 60-storey multiple dwelling (passive house) building with 501 dwelling units, consisting of 102 social housing units, 49 secured market rental units and 350 market strata units, all over 10 levels of underground parking, having vehicular access from Ted Northe Lane, subject to the following conditions and approval of the Enactment and Form of Development by Council.

**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 of the public realm interface to improve the provision of programmable and highly useable on-site public and semi-public open space, fostering enhanced neighbourliness with the immediate context through the following design strategies:

- i. improvement of the building transition and interface with the ground plane;

**Note to Applicant:** further design development should enhance pedestrian amenity in the public realm. This includes improvements to the height, proportions, and materiality of the canopy relating to the human-scale and the intended uses as well as providing more intrinsically valuable materials and details and effective weather protection at the ground-level interface.

- ii. integrating the landscape design with the materiality and architectural expression of the tower to present a more cohesive composition;

**Note to Applicant:** reduction in the amount of impervious materials at the ground plane and provision of more natural materials in both the site and architectural design, including the consideration for vegetative wall technology, is strongly recommended. This condition reflects commentary heard from the Urban Design Panel and related to improved articulation of the building and site sustainability design performance objectives.

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

• Technical Analysis:

TECHNICAL REVIEW for 1075 Nelson Street				DP-2021-00589	Pending CD-1
	PERMITTED / REQUIRED			PROPOSED	
<b>Site Area<sup>1</sup></b>	m <sup>2</sup>			1,608.00	m <sup>2</sup>
<b>Uses<sup>2</sup></b>	Multiple Dwelling Use			<u>Multiple Dwelling Use</u> Secured Market Rental Social Housing Market Strata	
<b>Height<sup>3</sup></b>	<u>Maximum</u> Top of Parapet 169.30 m Top of Mechanical Screen 178.50 m			169.34 m 178.46 m	
<b>View Cone<sup>3</sup></b>	12.1.1 - Grouse and 3.2.1 - Mount Strachan Higher Buildings Policy			complies	
<b>Floor Area<sup>4</sup></b>	<u>Minimum</u> Market m <sup>2</sup> Secured Market Rental m <sup>2</sup> Social Housing <u>9,142.7</u> m <sup>2</sup>			27,033.9 m <sup>2</sup> 3,212.5 m <sup>2</sup> <u>9,536.9</u> m <sup>2</sup>	
	<u>Maximum</u> <b>Site Total 39,717.6</b> m <sup>2</sup>			<b>39,783.3</b> m <sup>2</sup>	
<b>FSR<sup>4</sup></b>	<b>24.7</b> FSR			<b>24.7</b> FSR	
<b>FSR Exclusions<sup>4</sup></b>	<u>Maximum</u> Amenity 10.0% 3,971.8 m <sup>2</sup> Open Balcony 12.0% 4,766.1 m <sup>2</sup> In-suite Storage 3.7 m <sup>2</sup> / DU 1,853.7 m <sup>2</sup>			861.7 m <sup>2</sup> 4,385.3 m <sup>2</sup> 1,468.7 m <sup>2</sup>	
	<u>Passive House</u> Thermal Wall Thickness 270.0 mm HRV + shaft 2.8% 1,113.9 m <sup>2</sup> Roof Level Damper Room all m <sup>2</sup>			m <sup>2</sup> 270.0 mm 2.8% 1,127.4 m <sup>2</sup> 235 m <sup>2</sup>	

Dwelling Type and	Min. bedroom type per ea. proposed housing category					
	<u>Market</u>	<u>Rental</u>	<u>Social Housing</u>	<u>Market</u>	<u>Rental</u>	<u>Social Housing</u>
Studio				0	0	22 (22%)
1 bedroom				166 (48%)	29 (59%)	28 (28%)
2 bedroom	88 (25%)			148 (42%)	20 (41%)	26 (25%)
3 bedroom	35 (10%)			36 (10%)	0 (0%)	26 (25%)
				<b>350</b>	<b>49</b>	<b>102</b>
% of housing category per proposed DU site total:				<u>70%</u>	<u>10%</u>	<u>20%</u>
<b>Site Total:</b>				<b>501</b>		
2+bedroom	123 (35%)	18 (35%)	36 (50%)	184 (53%)	20 (41%)	52 (51%)
Accessible			5 (5%)			6 (5%)
<b>Size<sup>5</sup></b>	37.0	29.7	29.7	To Be Verified		
<b>Horizontal Angle of Daylight<sup>6</sup></b>	Minimum 24.0 m. Relaxable to minimum 3.7 m			To Be Verified		
<b>Acoustic</b>				complies		

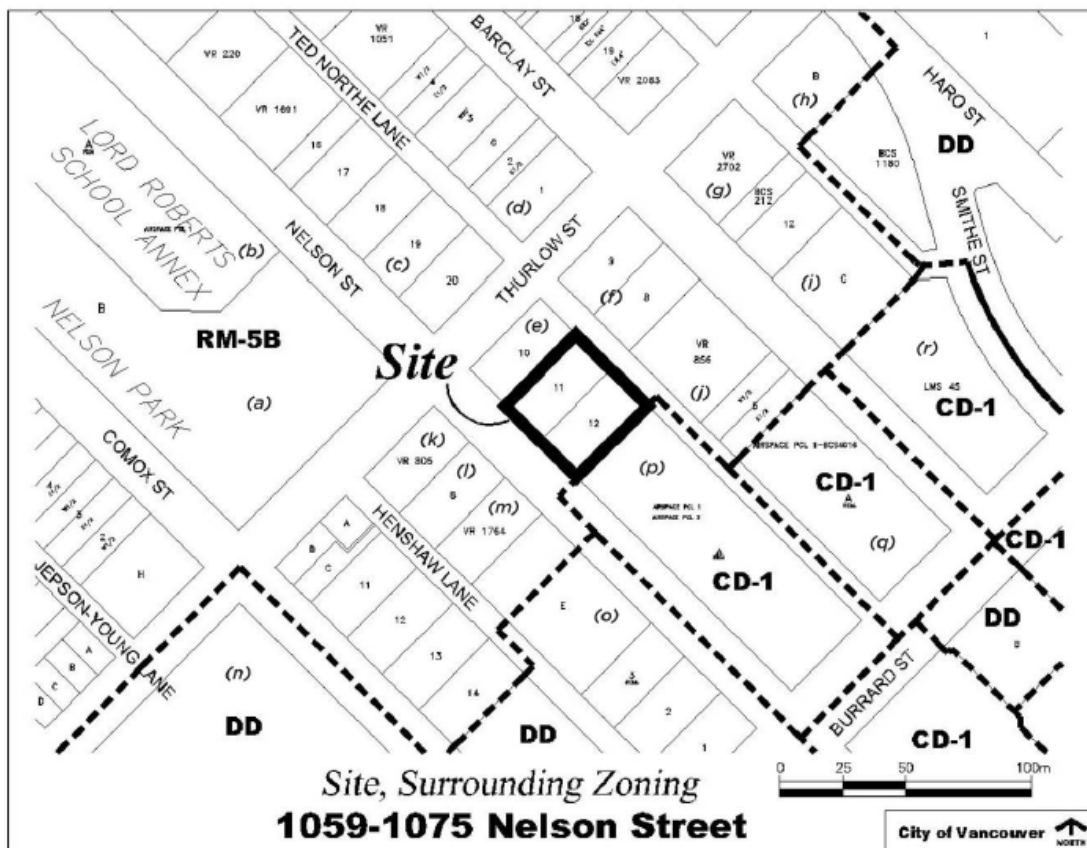
	PERMITTED / REQUIRED			PROPOSED		
Parking <sup>7</sup>	<u>Market and Rental</u>	<u>Social Housing</u>	Visitor	<u>Market and Rental</u>	<u>Social Housing</u>	Visitor
	188	31	15	274	29	18
<b>Site Total</b>	<b>219</b>			<b>321</b>		
<u>Site total type:</u>	<u>Minimum</u>	<u>Maximum</u>		<u>Site Total</u>		
Standard	145					
Small		25%		TBV		
Accessible	15			21		
<b>Loading<sup>8</sup></b>	<u>Class</u> <u>A</u> <b>0</b>	<u>B</u> <b>3</b>	<u>C</u> <b>0</b>	<u>A</u> <b>0</b>	<u>B</u> <b>2</b>	<u>C</u> <b>0</b>
<b>Bicycle</b>	<u>Class</u> <u>A</u> <b>1,039</b>	<u>B</u> <b>26</b>		<u>A</u> <b>1,042</b>	<u>B</u> <b>27</b>	
<u>Class A Type</u>						
Horizontal	0			370		
Vertical (30%)	312			258		
Vert + Stckd (60%)	623			244		
Oversized (5%)	52			52		
Lockers (10%)	31			118		
<b>Passenger</b>	<u>Class</u> <u>A</u> <b>4</b>	<u>B</u> <b>0</b>	<u>C</u> <b>0</b>	<u>A</u> <b>4</b>	<u>B</u> <b>0</b>	<u>C</u> <b>0</b>

## NOTES

1. **Note on Site Area:** Site Area is based on the provided site survey prior to any consolidations or dedications.
2. **Note on Use:** This development proposes multiple dwelling use consisting of 350 strata, 49 rental and 102 social housing dwelling units.
3. **Note on Height and View Cone:** Height is measured from base surface to the top of parapet and top of mechanical screen. Height is compliant with the pending CD-1 and per the *Higher Buildings Policy* view cone allowances as vetted during rezoning.
4. **Note on FSR and FSR exclusions:** This application is proposing a 24.7 Floor Space Ratio (FSR) and appears to comply with the maximum permitted. However, corrections to the drawing package is required to confirm compliance to the minimum social housing net floor areas, strata and secured market rental floor areas, and to validate proposed thermal wall thickness floor area exclusions. Additionally, conflicting data on the FSR verification sheets and project data need to be rectified. Standard Condition A.1.12 (iii) seeks illustration of compliance for FSR exclusions and confirmation of required minimum and maximum permitted FSR. Refer also to Housing Condition A.1.30 which may affect calculation of FSR.
5. **Note on Dwelling Unit size:** Each dwelling unit must have a minimum floor area of 37 sq. m when measured from the inside wall and excluding in-suite storage excluded from floor area. A variance for secured market rental units and social housing units to a minimum of 29.7 sq. m may be supported. Standard Condition A.1.14 seeks confirmation of dwelling unit size and coordination of data on drawings. Refer also to Housing Standard Condition A.1.30.
6. **Note on Horizontal Angle of Daylight (HAD):** HAD plane/s is measured horizontally from the centre of the bottom of each window, for each habitable room for a minimum of 3.7 m distance. Standard Condition A.1.13 seeks correction to HAD illustrations for each habitable room.
7. **Note on Parking:** As per Section 4.1.8 of the Parking By-Law, small car spaces may not exceed a maximum 25% (59) of the required parking spaces. This application proposes 43% (102) of spaces as small car spaces and may be varied provided that the maximum social housing spaces does not exceed 25% of the total required social housing parking spaces. Standard Condition A.1.15 seeks compliance with social housing small car spaces. Refer also to Housing Condition A.1.32 regarding minimum number of parking and accessible spaces for Social Housing units.
8. **Note on Loading:** As per Section 5.2.1 of the Parking By-Law, 3 Class B Loading spaces is required. Standard Condition A.1.15 seeks additional 1 Class B loading space.

- Legal Description  
Lot: 11 and 12  
Block: 7  
District Lot: 185  
Plan: 92
- History of Application:  
June 30, 2020 Rezoning Approval  
September 9, 2021 Complete DP Submission  
December 1, 2021 Urban Design Panel - Resubmission  
February 2, 2022 Urban Design Panel – Support  
March 30, 2022 Development Permit Staff Committee
- Site: The site is located mid-block on the north side of Nelson Street, between Thurlow and Burrard Streets. The site is comprised of two lots with a total frontage of 40.2 m (132 ft.) along Nelson Street and depth of 40.2 m (132 ft.). Located in Area E in the Burrard Corridor of the *West End Community Plan*, the site is currently zoned RM-5B and developed with a three-storey apartment building on each lot comprising a total of 51 rental apartment units. The site is flat and contains two plum trees.
- Context: Significant adjacent development includes:

Figure 1: Site and surrounding context



- a) Nelson Park
- b) 1150 Nelson Street - Lord Roberts Annex Elementary School
- c) 1115 Nelson Street - Nicholson Tower, 20-storey residential building
- d) 955 Thurlow Street - 3-storey residential building
- e) 988 Thurlow Street - Washington Court, 5-storey residential building
- f) 1070-1080 Barclay Street - The Capri and Brookwood, 4-storey and 5-storey residential buildings; Active Rezoning Application 1040 – 1080 Barclay Street, Two, 43-storey residential buildings
- g) 1075 Barclay Street - 7-storey residential building
- h) 1090 Haro Street - Fire Hall #7
- i) 1047 Barclay Street - Amicae Housing Co-Operative, 7-storey residential co-op building
- j) 1040 Barclay Street - Barclay Mansion, 8-storey residential building; Active Rezoning Application 1040 – 1080 Barclay Street, Two, 43-storey residential buildings
- k) 1070 Nelson Street - The Nelson, 4-storey residential building
- l) 1058 Nelson Street - Caroline Court, 7-storey residential building
- m) 1042 Nelson Street - Kelvin Court, 6-storey residential building
- n) 1081 Burrard Street - St. Paul's Hospital
- o) 1016 Nelson Street - Wesley place, 22-storey residential building
- p) 969 Burrard Street - The Butterfly, 57-storey and 10-storey residential building
- q) 1028 Barclay Street – The Patina, 42-storey residential building with YMCA Facility in podium
- r) 909 Burrard Street - Vancouver Tower, 26-storey residential building with grocery store at grade

• **Background:**

A development permit (DP) application was submitted on September 9, 2021 for the development of the subject site under approved CD-1 (Pending). The proposal consolidates two flat lots on the north side of Nelson Street, between Thurlow and Burrard Street and comprises a 60-storey multiple dwelling (passive house) building containing 102 social housing units, 49 secured market rental housing units, and 350 market strata units over 10 levels of underground parking providing 321 parking stalls accessed from Ted Northe lane.

The site is located in Area “E” of the Burrard Corridor in the *West End Community Plan* and complies with the *Rezoning Policy for the West End*. Having been determined to meet the objects of all City policies and plans, Council approved an application to rezone the site from RM-5B (Residential) to CD-1 (Comprehensive District) on June 30, 2020.

Staff have determined that this development is compliant with the provisions of the Council-approved CD-1, responds to all Rezoning Conditions of Approval and reflects important policy directions related to environmental sustainability, housing, form of development, transportation and public spaces, and arts and culture. Staff recommend support of the proposal subject to Conditions of Approval outlined in this report.

The proposed DP application was reviewed by the Urban Design Panel (UDP), including Higher Buildings panelists, on December 1<sup>st</sup>, 2021 with a vote of resubmission recommended (5/1). A second UDP review on February 2<sup>nd</sup>, 2022, also including Higher Buildings panelists, resulted in a vote of support with recommendations (8/0).

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

- *CD-1(Pending) By-Law* approved by council on June 30, 2020
- *West End Community Plan (including West End Public Benefit Strategy)* (2013)
- *Rezoning Policy for the West End* (2013, last amended 2017)
- *West End – Tower Form, Siting and Setbacks Administrative Bulletin* (2017, last amended 2020)
- *Green Buildings Policy for Rezoning* (2009, amended up to 2017)
- *Higher Buildings Policy* (1977, as amended up to 2018)
- *Family Room: Housing Mix Policy for Rezoning Projects* (2016)
- *High-Density Housing for Families with Children Guidelines* (1992)
- *Public Art Policy and Procedures for Rezoned Developments* (2008, last amended 2014)

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

**Introduction**

Located at prominent point in the Burrard Corridor, this development has the potential to stand as a recognizable landmark in the neighbourhood, intensifying this corridor as an “urban frame” from the existing lower scale of the West End. It, along with other adjacent developments, supports the City of Vancouver in realizing its objectives for community building in the Burrard Corridor, and an evolving character of the West End neighbourhood.

A development at this site is intended to improve the quality of public life by:

- pursuing architectural design excellence as expected of higher buildings;
- demonstrating a benchmark for Passive House Design and ecofriendly architecture;
- presenting a compatible interface with the West End residential character along Nelson Street;

- activating the public realm along Nelson Street, including the provision of double height lobby, public art, seating, and distinctive landscaping;
- providing an accessible mid-block connection linking Ted Northe Lane with Nelson Street; and
- contributing to housing diversity for a variety of household types and needs.

Having reviewed the application against these performance criteria, and on consideration of related policies and guidelines, staff have determined that the proposal is supportable subject to the Conditions of Approval.

### ***CD-1(Pending) By-Law***

The proposed uses, height, and density conform to the provisions of the CD-1 By-Law, and Council-adopted Rezoning Conditions of Approval.

At Rezoning public hearing, speakers generally supported the use, density, height, and form and massing, however some concerns were raised about the allocation of community amenity contributions, units' affordability, and traffic congestion. Staff concluded that the proposal complied with the intent of all Council-approved policies in terms of public benefits, housing and unit mix. On review of the proposed transportation study at the time of Rezoning, staff also concluded that the new vehicle trips generated by the development would be minimal and have no meaningful impact to the existing roadway network conditions. (Refer to response to Rezoning Conditions table for more detailed information.)

### ***West End Community Plan and the Rezoning Policy for the West End (2013)***

The *West End Community Plan* was adopted by Council in 2013 and provide the framework used to guide positive change, development, and community benefits.

The *Plan* focuses on neighbourhood character, housing, the local economy, heritage, transportation and the public realm, among other priorities for the community. Staff conclude that the proposal's use, density, heights, landscape and public realm treatments, and form of development, established at Rezoning and further developed with this application, are substantially consistent with the *West End Community Plan and the Rezoning Policy for the West End*, detailed as follows:

#### Section 2: "Plan Principles"

- Achieve a green, environmentally sustainable urban pattern

##### Applicant response:

The application proposes sophisticated strategies to achieve an environmentally and socially sustainable development. This project is targeted to be the tallest Passive House structure in the world, is anticipated to achieve significantly lower energy consumption, and is intended to be a benchmark for residential sustainability.

- Support a range of affordable housing options to meet diverse needs of the community

##### Applicant response:

Twenty-five percent of the project will be Non-Market (turn-key social housing) with a mix of unit sizes in accordance with the *High Density Housing for Families with Children Guidelines*. Additional market rental suites add to the diversity of unit types in the building and will provide housing opportunities for a range of household types and income levels.

- Foster a robust, resilient economy

##### Applicant response:

This new residential growth will support local businesses with patrons and employees, and increase the City's tax base.

- Enhance culture, heritage and creativity in the city

Applicant response:

The unique architectural expression of this tall tower, inspired by the organic form of a plant, is intended to become a landmark in the skyline and an inspiration for the evolving character of the City's built environment. In addition, the applicant will be pursuing installation of a public art piece at Nelson Street, in accordance with the City of Vancouver's public art policy, which will contribute to the visual quality and creativity of the city's urban realm.

- Foster resilient, sustainable, safe and healthy communities

Applicant response:

The proposal will activate Ted Northe Lane and Nelson Street streetscape. The commitment to passive house demonstrates the role of this new building in fostering sustainability, health and resiliency in the fabric of the city.

#### Section 6: "Built Form Guidelines" –Seven Built Form Principles

The *Plan* uses a principled approach to shape how and where growth and development occurs and the appropriate built form. Staff conclude that the proposal is aligned with the intent of the following citywide contextual design principles:

- The form and scale of the proposed building will adhere to the *Higher Buildings Policy* enabling incursion into Council-approved protected public view 3.2.1 (Queen Elizabeth) and will otherwise comply with other protected views and reinforce the Downtown dome-shaped skyline.
- The form and massing of the proposed building will intensify the Burrard-Thurlow corridor as the Urban Frame towards greater clarity, and contrast with the established neighbourhoods.
- The shadowing of the proposed building will have minimal impact on Nelson Park.
- The curved outline of the building presents a distinct architectural identity as expected of new tall buildings in the area.
- The proposed at-grade open space and integral landscape features, combined with building tenancy, thoughtful design, and programming will contribute to activity in the public realm and provide for enhanced pedestrian interest.

#### Section 7: "Places" – Burrard Corridor

The Burrard Corridor is generally identified as the newer area of the community, well served by transit, services and amenities. The area provides opportunities to accommodate denser development close to transit, job space, and housing.

Considered the transition areas between the neighbourhood and the downtown, the majority of newer buildings in the Burrard Corridor have a character similar to downtown with predominantly high-rise office, hotel, institutional and residential buildings.

Staff have concluded that the proposal appropriately meet the urban design objectives in this area including:

- The curvilinear tower form and the building's position on the site maximize the visual and physical permeability from Nelson Street to Ted Northe Lane.

- The proposed residential lobby area has been set back from Nelson Street to maximize public uses along the street frontage. However, for the project to more closely respond to the *Plan's* objectives, staff have prepared Condition 1.1 requiring further design development to enhance the contextual relationship and foster neighbourliness.

***West End Tower Form, Siting and Setbacks Administrative Bulletin***

The *Bulletin* recommends a minimum 24.4 m (80.0 ft.) between the proposed tower and existing and future towers on adjacent sites to ensure resident livability and privacy.

The proposed tower siting provides a clear 12.2 m (40.0 ft.) of spacing between the northern building face and the centre line of the lane. Staff have analyzed the site dimensions at 1070 Barclay Street and have determined that a 24.4 m (80.0 ft.) clear distance between the proposed and future development on the north site cross the lane will be achievable without unduly impacting the development potential of the neighbouring property, thereby securing compliance with the *Bulletin*.

Staff have also concluded that the distance between the proposed tower and the future under-construction development to the east, 1019 Nelson Street, exceeds the minimum tower separation requirement indicated in the *Bulletin*.

***Higher Buildings Policy (1977, as amended up to 2018)***

Higher buildings that exceed current height limits and / or enter into Council-approved protected public view 3.2.1 (Queen Elizabeth) must contribute substantially to architectural creativity and excellence, demonstrate leadership in sustainable design and energy reduction, provide community amenity and open space, and minimize shadowing and view impacts. Higher buildings, including this application, are subject to special review by an enhanced Urban Design Panel including members appointed specifically for review of these applications and international guest panelists with recognized authority in the practice of architecture.

Staff have concluded that the proposed building establishes a distinct identity that links a rigorous architectural design approach with exceptional commitment to sustainable design. In addition, open space at the ground level enhances the public realm and placement of the building minimizes shadowing on Nelson Park.

***Public Art Policy and Procedures for Rezoned Developments (2008, last amended 2014)***

The City of Vancouver Public Art Program commissions artworks and supports critical artistic explorations that reflect on the complexities of place, publics, and culture. The program prioritizes artist-centered approaches and respectful relations in pursuit of the vision of a city where the work of artists is integrated into daily life. Artworks are commissioned by the program for public sites and through private development Rezoning Requirements.

Provisions for public art are a requirement of the Rezoning of the subject site and the applicant has proposed an installation on the south side of the property adjacent Nelson Street. In compliance with the Rezoning Conditions of Approval, the applicant will be required to engage the services of a Public Art Consultant and prepare a Public Art Plan to the satisfaction of the Managing Director of Cultural Services. Refer to Public Art Condition A.1.38.

### Response to Rezoning Conditions of Approval:

Following Public Hearing and Council support of the Rezoning application in June 2020, staff have continued to work closely with the applicant to respond successfully to the Rezoning Conditions of Approval, with particular focus on the following:

- Improvements to the ground plane to enhance contextual fit and better foster neighbourliness.
- Revisions to landscaping to strengthen the interface of the site with the public realm.
- Improvements to the architectural expression and proposed materiality to better reflect the residential character of the area and better respond to passive house design principles.
- Improvements to amenities at grade and at the roof level to better engage with the community.

Only conditions with significant remaining issues are included below.

*Rezoning Condition 1.1: Design development to mitigate neighbourhood impacts by reducing the massing of the tower as follows:*

- (a) floor plate depth to be no more than 27.4 m (90.0 ft.),*
- (b) floor plate width to be no more than 30.5 m (100 ft.) on average, and no more than 28.3 m (93 ft.) on floors 1 to 16,*
- (c) setback from Nelson Street to be at least 3.7 m (12.1 ft.), and*
- (d) setback from adjacent properties to the average floor plate to be at least 5.0 m (16.4 ft.).*

**Applicant Response:**

All floor plate dimensions and setbacks revised as per the Rezoning Condition.

**Staff Assessment:**

This condition has been successfully met through the proposal. Staff requested design development to improve ground plain and activate the public realm as per Condition 1.1.

*Rezoning Condition 1.2: Design development to provide a 2.5 m setback from the east property line including a public passage and landscaping.*

*Rezoning Condition 1.3: Design development to provide a pedestrian route within the statutory right of way, suitable for persons with disabilities, from Ted Northe Lane to Nelson Street.*

**Applicant Response:**

Development Permit Drawings propose 2.5 m setback at grade from the east property line which will be used as public passage with landscaping.

**Staff Assessment:**

This condition has been generally met through the proposal. However, staff requested further design development to improve how the building interfaces with the public realm by reduction of impervious material at ground plan, inclusion of natural materials, and revision of canopy's proportion, refer to Condition 1.1

*Rezoning Condition 1.6: Design development to enhance the pedestrian experience along the laneway interface.*

**Applicant Response:**

The laneway has been enhanced with planters with seating edges; lighting, planting and decorative surface treatments.

**Staff Assessment:**

This condition has been generally met through the proposal. However, staff requested further design development to improve the interface between the building and the Ted Northe Lane public realm, refer to Standard Condition A.1.4.

***Applicant key responses to Rezoning (April 2020)***

1. Simplifying the floorplate and gap to reduce massing and increase setbacks.
2. Relocating the outdoor amenity to the rooftop and sculpting the crown.
3. Revisions to materiality and how the building connects to the ground.
4. Improvements to mid-block connector to be an active pedestrian walkway.
5. Revisions to landscape at public realm interface to the lane.



Figure 2: Rezoning Submission (Mar 2019)

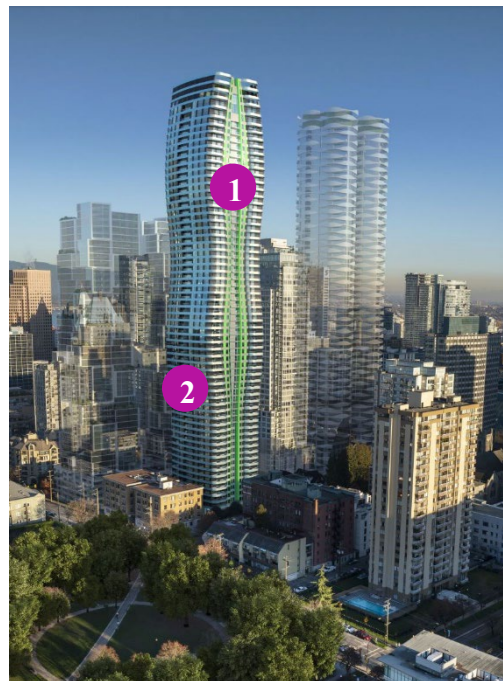


Figure 3: DP Submission (Sep 2021)



Figure 4: Rezoning Submission (Mar 2019)



Figure 5: DP Submission (Sep 2021)



Figure 2: Rezoning Submission (Mar 2019)



Figure 2: DP Submission (Sep 2021)

## Response to UDP Commentary

### First Review:

On December 1, 2021, the first UDP reviewed and recommended resubmission (5/1) with the following recommendation:

- 1) Design development to improve activation of the ground plane and public realm to better foster neighbourliness and community building.
- 2) Design development to how tower hits the ground to enhance contextual relationship and neighbourliness of ground plane.
- 3) Design development to increase quantity of amenity and arrangement of rooftop amenity space and proposed programming and improve social sustainability.
- 4) Design development to architectural expression and materiality to speak more to the passive house and residential nature of project and the origin of design concept, including east and west facades.
- 5) Consider relocating children's play area to south west corner of site.

Staff concluded that the design of the ground plane has been addressed to improve the relationship of the building with its surrounding, create a more comfortable, engaging environment for pedestrians, building occupants, and encourage neighborliness and community building.

The design modification to achieve these goals include:

- The new Glass canopy around the building to emphasize more on building expression at grade
- Series of radiating planters create seating areas to be used by residents and neighbours
- Central seating area adjacent to a sculpture that creates meeting place which is accessible from both entries

At the north side some revisions are proposed such as:

- Revising the planters at west and east sides to provide more openness and at the lane at the west side
- At the east, these changes have resulted a large enclosed area for children

- Changing the colors and provision of more openings on the north elevation

Since last UDP, by revising landscape design, the functional and usable area of outdoor amenities at grade in increased. The children's play area is maintained at the same location but some improvements at the layout arrangements are done.

From last UDP, more design modifications been executed in rooftop outdoor amenity areas such as the stairs is designed and detailed programming for different areas been introduced.

### **Second Review:**

On February 2, 2022, the second UDP reviewed and supported the application (8/0) with the following recommendation:

- 1) Reduction of impervious material at ground plan and inclusion of natural materials;
- 2) Design development of the tower base and canopy element;
- 3) Relocation of the child play area to the Nelson Street side of the site;
- 4) Design development of east/west slots of building elevation.

Staff concluded that the first 2 recommendations can be integrated to the main body of upfront condition 1.1. In this condition, staff requested more design development to improve building interface with the public realm with particular attention to how the building transitions to and interfaces with the ground plane and integration (reconciliation) between the landscape, materials and architectural expression. As the note to applicant, staff recommended more improvements to the design of canopy and inclusion of natural material at grade.

In regards to item 3, Standard Condition A.1.3 seeks design development to improve the quality of space and performance of the proposed at-grade children's play area by relocating to the Nelson Street side and providing indoor amenity and seating to be adjacent to the exterior Zone Kids Playground. Staff also concluded that the architectural expression and materiality are generally responsive to passive house and residential nature of the tower however, as per Standard Condition A.1.4, they recommended more design development to improve the east and west elevations.

### **Form of Development, Public Realm, and Landscape**

The proposed development is comprised of a residential tower with occupied floors varying in floorplate size to interpret a curvilinear architectural massing, a double-height transparent at-grade lobby to accommodate interior common amenities for market and non-market units, a rooftop structure at level 60 and above to accommodate common outdoor amenity and mechanical room, and underground parking below.

Higher Buildings must establish a significant and recognizable new benchmark for architectural creativity and excellence, while making a significant contribution to the beauty and visual power of the city's skyline. To address this in part, the proposal is targeting passive house designation, and, at the time of this report, is intended to be the tallest building with this designation in the world. Staff note that the idea of a tall passive house tower is especially fitting in a city recognized as a leader in sustainability and its objectives through the 2020 Council approved *Climate Emergency Action Plan*.

The residential tower has been positioned centrally on the site to ensure there is a clear landscaped area on each side of the building, in addition to a pedestrian walkway along the east side. This permits visual and physical permeability from Nelson Street to Ted Northe Lane and contributes to a "tower in the park" expression. On Nelson Street, the building setback aligns with the neighbouring buildings, creating a landscaped entrance plaza with seating adjacent to the public sidewalk. Separate building lobbies for the market and non-market housing residences will activate different portions of the frontage. Staff expect that the parklike setting and dynamic architectural base will add interest and vitality to the public realm along

both Nelson Street and Ted Northe Lane. Condition 1.1 has been prepared to further improve the relationship of the building and the site to the public realm.

Staff recognize that the high quality material palette, architectural composition, and considerate building features are thoughtfully layered over the Council-approved building massing. This, coupled with the successful landscape design, makes for an attractive addition to an important and prominent location in the West End. Urban Design Standard Condition A.1.5 seeks confirmation that the high degree of architectural detail, variety, and quality as proposed will be maintained through future stages of design development.

• **Conclusion:**

Having considered all applicable policies and guidelines, and recognizing the contribution of housing stock to the neighbourhood in a building of superior sustainability performance, staff recommend support of the application subject to the Conditions of Approval.

**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.

**HOUSING POLICY & REGULATION**

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

**SUSTAINABILITY GROUP**

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

In addition, *Higher Buildings Policy*, which allows for consideration of building proposals in the city's downtown seeking significant additional height above current zoning, requires that applications should advance the City's green objectives for carbon neutrality for new buildings by demonstrating leadership and advances in sustainable design and energy consumption.

The voluntary selection of Passive House by the applicant demonstrates leadership in sustainable design and exceeds the requirements of both policies. The standard is a rigorous 3rd party verification process that provides a significant reduction in energy use which helps respond to Council's declaration of a Climate Emergency. Its application at this scale of building will also help build the supply of advanced building components and local consulting capacity.

## **ENVIRONMENTAL PROTECTION BRANCH**

The recommendations of the Environmental Review 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.

Further comments regarding Building By-law requirements are contained in Appendix B attached to this report.

## **NOTIFICATION**

On November 1, 2021, a site sign was installed on Nelson Street and additional information was posted on the Shape your City website. The comment period was active from November 1, 2021 to November 16, 2021.

### **Summary of Public Comments**

Throughout the notification period, the City received 13 comments. Of those who responded, 11 were supportive of the proposal positively commenting on passive house, rental units, height and design. One respondent was mixed, citing the need for even more rental units and 1 respondent was opposed. The respondent who opposed felt that it was a poor design and did not complement the neighbourhood and that the shadowing on Nelson Park on summer solstice was unacceptable.

### **Staff Response to Public Comments**

Staff have concluded the proposal aligns with the approved CD-1 bylaw and all applicable policies in terms of use and unit mix. In reference to neighbourliness concerns, staff requested activation of public realm through significant ground plane improvements refer to Condition 1.1. In addition, Standard Condition A.1.7 seeks confirmation that the amount of shadowing on Nelson Park will remain equal to or less than the Rezoning application through future stages of design development and project approvals.

**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.

The Staff Committee supports this proposal subject to the conditions contained in this report.



J. Greer  
Chair, Development Permit Staff Committee



H. Shayan  
Development Planner



K. Hsieh  
Project Coordinator

Project Facilitator: C. Miller

## 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 By-law can and does become enacted by City Council;

**Note to Applicant:** Due to the 2022 Municipal election, no Council meetings will be held from September 9 to October 15, 2022.

A.1.2 the proposed form of development can and does become approved by City Council;

**Note to Applicant:** Due to the 2022 Municipal election, no Council meetings will be held from September 9 to October 15, 2022.

### Urban Design Conditions

A.1.3 design development to relocate the proposed at-grade outdoor children's play area to the Nelson Street side of the site;

**Note to Applicant:** refer to the feedback received from both UDP meetings, this will improve the access of the area to the day light. Particular attention should also be given to the following:

- i. proposing the social housing indoor amenity room to be directly adjacent the outdoor children's play area and providing direct physical access between the two;
- ii. ensuring that the outdoor play area shared between the market and social housing is sized adequately for children's activities;

**Note to Applicant:** Clarify use of outdoor amenity space and mark areas that will be shared between market strata, market rental, and non-market rental components of outdoor amenity spaces;

- iii. provide design strategies intended to minimize the noise and visual impacts of Nelson Street.

**Note to Applicant:** refer to Landscape Condition A.1.21 and Housing Condition A.1.35.

A.1.4 design development to improve the interface between the building and the Ted Northe Lane public realm as follows:

- i. providing a stronger visual denotation of the residential entry including improvements to the design of the entry canopy and entryway, differentiation of materiality and finish, and use of architectural lighting;

**Note to Applicant:** also refer to Urban Design Condition A.1.5.

- ii. overall improvements to site features including lighting, furniture, and landscape elements;

**Note to Applicant:** explore strategies to maximize green areas, replacing concrete planters with wood, stepping the wall and landscaping.

- iii. lowering and revising the expression of wooden wall at the north-west corner to increase visual connectivity to the west side yard;
- iv. proposing various high-quality, durable, and impermeable paving materials integral with the proposed paving to better connect with east and west side yards;

- A.1.5 design development for all at-grade façades to maintain a high degree of architectural and landscape details, variety, and quality, as proposed, through future stages of design development;

**Note to Applicant:** to comply with Rezoning Condition 1.7, particular attention should be given to ensuring that the building detailing and materiality present as highly resolved when viewed from Nelson Street, Ted Northe Lane and mid-block public realms, and wherever pedestrians are in close proximity to the building face. Intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and energy performance.

- A.1.6 confirmation that the inter-lot pedestrian route remains free and clear for public access and is suitable for all users particularly for persons with disabilities;

**Note to Applicant:** refer to Rezoning Urban Design Condition 1.3, consideration should be given to the following strategies:

- i. relocate the proposed parkade air intake vent within this area, since it doesn't provide an acceptable walking/rolling surface for all users.
- ii. gates are not to be installed along the public walkway

- A.1.7 confirmation that the proposed amount of shadowing on Nelson Park will remain equal to or less than that approved by Council at the time of the Rezoning application through future stages of design development and project approvals;

**Note to Applicant:** updated shadow studies should be provided at all stages of the approval process.

- A.1.8 provision of an architectural lighting and signage strategy, with particular attention given to the illumination of the pedestrian mid-block connection and the residential lobbies and entries;

**Note to Applicant:** refer to Rezoning Condition of Approval 1.10. Building lighting and signage must be designed to integrate sympathetically with the façade, and should provide for enhanced pedestrian experience of the public realm at all hours. Signage is a separate application and should be noted as "SHOWN FOR REFERENCE" in the drawings.

- A.1.9 confirmation that the minimum 8' clear ceiling height is provided in livable spaces at all dwelling units;

**Note to Applicant:** this requirement should be shown in the drawings including unit sections or reflected ceiling plans;

- A.1.10 design consideration to the west and east elevations to better reflect the residential use of the building. This may be achieved by way of the following recommended design strategies:

- i. varying the thickness of the horizontal bands from the base to the crown of the building to present a more legible hierarchy of building uses;

- ii. differentiating or visually emphasizing balcony areas from the rest of the building massing, and/or;

**Note to Applicant:** Consideration should be given to introducing semi-translucent or frit finishes to the glass balcony balustrades, especially those located at lower levels, in order to present improved architectural legibility from the public realm when personal objects are stored on the balconies.

- iii. specifying a material and finish palette which reinforces a unified massing concept;

**Note to Applicant:** as per commentary from the UDP (second review), further refinement of the material and finish palette is encouraged.

- A.1.11 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. In addition, to comply with Rezoning Condition 1.11 provide a rationale of strategies for the features.

#### Development Review Branch Conditions

- A.1.12 confirmation of compliance with Section 5 (Floor Area and Density) of the pending CD-1 By-Law as follows:

- i. illustrate compliance with minimum social housing floor area as per Section 5.3;

**Note to Applicant:** The minimum social housing net floor area must be the greater of 8,817 sq. m (94,905 sq. ft.) or 25% of the floor area remaining after subtracting the secured market rental housing. Net floor area totals for social housing, strata and secured market rental to include the pro-rated shared floor areas such as stairs and elevators.

- ii. correction of the Building Envelope Professional letter of assurance for Passive House insulation thickness exclusions to reference Section 5.6 (b) of the pending CD-1;

**Note to Applicant:** The submitted letter references Section 10.11 which does not allow exclusion for the proposed insulation thickness.

- iii. provision of coordinated and matching FSR verification sheets with architectural plans and to include the following:

- a. coordinate and match floor layouts particularly on Level 17, 21, 35 to 42 and 60 (amenity areas and rooftop mechanical floors);
- b. update clarity and resolution of plans;
- c. correct label of Unit 0303 on Level 3 as 2 bedroom dwelling unit as illustrated on the floor plans;
- d. provide site total floor area for balconies;
- e. match all project floor area data;

**Note to Applicant:** There are 2 project data summaries, 1 on page 4 and the other on page 8, which have different data for storage exclusions and net floor area.

- f. note scale of each sheet;
- g. label and dimension all gross floor areas, dwelling units, and areas proposed for floor area exclusion for each level;

- h. identify and label all residential storage spaces;

**Note to Applicant:** All below, at and above ground spaces, whether included or excluded from floor area must be accounted for. Refer also to Storage for Multiple Dwellings Bulletin for minimum dimension and area requirements.

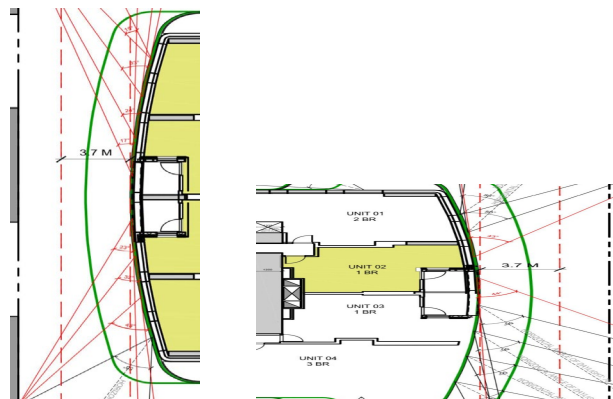
A.1.13 confirmation of compliance with Horizontal Angle of Daylight (HAD) per Section 7 of the pending CD-1 as follows:

- i. illustrate daylight planes horizontally from the bottom of each habitable room window;

**Note to Applicant:** Correct illustrations of plane/s extending from exterior of balconies. A variance to HAD distance requirements to a minimum of 3.7 m (12.14 ft.) may be supported.

- ii. dimension and note angles for each habitable room;

**Note to Applicant:** Director of Planning may support to vary the distance to 3.7 m (12.14 ft.)



A.1.14 confirmation of compliance with Section 11.10 (Dwelling Unit Size) of the Zoning and Development By-Law;

**Note to Applicant:** Per Section 11.10, a variance of 29.7 sq. m (319.69 sq. ft.) may be supported for social housing and secured market rental units. The numbers provided in the project data should match the illustration.

A.1.15 compliance with Sections 4 (Parking, Bicycle, Loading and Bicycle Spaces) of the Parking By-Law as follows:

- i. maximum 25% of social housing parking allocated to small parking spaces;
- ii. provision of 1 additional Class B loading space as per Section 5.2.1;

A.1.16 notation on plans of the following:

- a. "All building dimensions, setbacks and yards are to the outside of cladding";

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

A.1.17 submission of original, digitally signed, and sealed survey plan of the site, verified by a British Columbia Land Surveyor;

A.1.18 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;

A.1.19 an acoustical consultant’s report shall be submitted which assesses noise impacts on the site and recommends noise mitigation measures in order to achieve noise criteria;

### **Landscape Conditions**

A.1.20 design development to provide a more balanced soft vs. hard landscape at grade by the following:

- i. Reduce amount of paving and increase amount of planted area all around the building;
- ii. Provide softer landscape edges;
- iii. Increase amount of new trees along the connector and at the west interface;
- iv. Improve lane interface by addition of or widening of planting beds.

**Note to Applicant:** refer to Rezoning Condition 1.21.

A.1.21 design development to provide maximum sun exposure to the Children’s Play area by relocating it to a more sun accessible location, while ensuring there is a direct visual access from the indoor amenity room;

**Note to Applicant:** refer to Urban Design Condition A.1.3 and Housing Condition A.1.35.

A.1.22 design development to outdoor amenity areas for social and market housing to include planters with edible landscaping which would be suitable for urban agriculture by residents, including the necessary supporting infrastructure, such as a high efficiency irrigation and /or hose bib, potting bench, tool storage chest and yard waste. Label supporting infrastructure.

**Note to Applicant:** refer to Rezoning Condition 1.23.

A.1.23 provision of a revised Tree Management Plan as part of the landscape plans, in coordination with arborist report and proposed landscape plans, showing tree removals and tree protection barriers, complete with dimensions, to scale;

**Note to Applicant:** Current landscape plans do not show City owned Trees #174 and 175. If these trees need to be removed, then provide a written approval by the Park Board.

- A.1.24 provision of confirmed trenching locations for utility connections, avoiding conflict with tree root zones and addition of the following note: “Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board.”

**Note to Applicant:** Methods of tree protection for street trees (as approved by Park Board) to be shown on the Tree Management Plan, confirming no conflicts with tree barriers. Relocation of trenching locations are required if in conflict with tree protection.

- A.1.25 provision of a scale for all landscape plans (besides sections and details);

- A.1.26 provision on the landscape drawings of landscape features intended to create a bird friendly design;

**Note to Applicant:** Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. 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>.)

**Note to Applicant:** Refer to Urban Design Condition A.1.11.

### Crime Prevention Through Environmental Design (CPTED)

- A.1.27 design development to incorporate CPTED measures including the following:

- i. ensure clear view lines and good lighting around building access points including elevator and entry entries and fire exits;
- ii. provide white walls in parking areas;
- iii. avoid deep alcoves and concealed spaces; and
- iv. reduce opportunities for intentional damage around the building with deterrent paint, planting, murals or artworks on blank walls;

**Note to Applicant:** Measures should reflect the specific risks in the area.

### Housing Policy & Regulation / Social Policy & Projects / Cultural Services

- A.1.28 provide to the satisfaction of the General Manager of Planning, Urban Design and Sustainability a minimum of 50 rental units in the development (approximately 3, 226 sq. m (34,724 sq. ft.)) as market rental housing, plus parking required as per by-law.

**Note to Applicant:** Refer to Rezoning Referral Report page 19.

- A.1.29 design development to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Real Estate and Facilities Management for the common areas of the social housing Air Space Parcel (ASP) to meet the requirements of the City of Vancouver 's *Housing Design and Technical Guidelines*;

**Note to Applicant:** Common areas of the social housing ASP include such areas as the indoor and outdoor amenity areas, office, manager room, lobby, accessible washrooms, janitor rooms, storage space, heat treatment room, elevators, and loading bay.

**Note to Applicant:** A meeting with City staff before a prior to response is required to discuss detailed specific project requirements and specifications based on revision according to the City of Vancouver's *Housing Design and Technical Guidelines*. The *Guidelines* are attached at Appendix I.

- A.1.30 design development to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Real Estate and Facilities Management for the housing units of the social housing ASP to meet the requirements of the City of Vancouver's *Housing Design and Technical Guidelines*, including, but not limited to, the following:

- i. provide 5% of units as accessible units in both single and family unit types (one studio, two 1- bedroom, two 2- bedroom, and one 3-bedroom) in social housing;

**Note to Applicant:** Design development to make additional units accessible/adaptable may be required to address community need as identified by, and the to satisfaction of, the General Manager of Planning, Urban Design and Sustainability and the General Manager of Arts, Culture and Community Services.

- ii. design development to achieve studio units of 400 sq. ft. (37.16 sq. m) in social housing;

**Note to Applicant:** The size of many of the social housing units is significantly below the requirements of the *Housing Design and Technical Guidelines*.

- iii. provide 3.7 sq. m (40 sq. ft.) of in-suite storage, including a minimum clear horizontal dimension of 1.2 m in all directions;

**Note to Applicant:** If in-suite storage cannot be achieved in all units, at a minimum in-suite storage should be provided for family units (2- and 3-bedrooms) and an additional storage locker may be provided below grade when this is not possible. Accessible units must have in-suite storage.

**Note to Applicant:** A meeting with City staff before a prior to response is required to discuss detailed specific project requirements and specifications based on revision according to the City of Vancouver's *Housing Design and Technical Guidelines*. The *Guidelines* are attached at Appendix I.

- A.1.31 provide floor-to-floor heights in the social housing units that are a minimum of 8'0" clear ceiling heights, free of obstructions and projections, are provided in all circulation areas, common use spaces, as well as inside the units in living rooms and bedrooms.

**Note to Applicant:** Consider provision of a 9'0" clear ceiling height in amenity room.

**Note to Applicant:** This requirement should be shown in the drawings including unit sections or reflected ceiling plans.

- A.1.32 provide vehicle parking for social housing ASP be a minimum of 31 spaces that shall be located in proximity to the elevators serving the social housing ASP. Identify the location of these parking spaces with labeling on the plans;

**Note to Applicant:** Please refer to Rezoning Condition 1.42.

- A.1.33 design development to provide a wheelchair accessible path from the elevators to the social housing parking stalls and garbage/recycling rooms;

**Note to Applicant:** Drawings show that stairs are located in the corridors outside of the elevator on the parking level. This does not allow for accessibility between these user areas and the elevator.

- A.1.34 provide social housing dedicated loading bay close to social housing elevators;
- A.1.35 design development to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Real Estate and Facilities Management, a larger outdoor play area that is shared by both the social and market housing. Provide detailed drawings of outdoor play area, including materials, play elements, and equipment; including dimensions;

**Note to Applicant:** Play equipment is not required, but natural landscapes which encourage imaginative and motor skills developing play are encouraged. Detailed information regarding outdoor play area is provided in the *High-Density Housing for Families with Children Guidelines*.

**Note to Applicant:** Refer to Urban Design Condition A.1.3 and Landscape Condition A.1.21.

- A.1.36 social housing to have dedicated, lockable electrical and mechanical rooms with separately metered services;

**Note to Applicant:** Provide a written overview of building systems, including mechanical and electrical. Subsequently, a meeting is required with Real Estate and Facilities Management to review the implementation of the mechanical, electrical, energy and DDC requirements prior to issuance of Development Permit;

- A.1.37 provide to the satisfaction of the General Manager of Planning, Urban Design and Sustainability the following as it relates to the Tenant Relocation Plan:
- i. provide a notarized declaration prior to issuance of the Development Permit that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant;
  - ii. provide an Interim Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant's search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan; and
- Note to Applicant:** If a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.
- iii. provide a Final Tenant Relocation Report to the satisfaction of the General Manager of Planning, Urban Design and Sustainability prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other

compensation); and include a summary of all communication provided to the tenants.

## Public Art

A.1.38 deliver the following to Cultural Services – Public Art:

- i. the approved Detailed Public Art Plan and the 10% Option A Payment; or
- ii. notice that the Owner intends to satisfy the Public Art Requirements through Option B.

**Note to Applicant:** If the Owner elects to satisfy the Public Art Requirement by way of Option A, then the Owner will be responsible at its sole cost and expense to commission an artist to conceive, create, design, manufacture and install the Public Art at a cost to the Owner of not less than ninety percent (90%) of the Public Art Cost;

For greater certainty, in the case of Option A, the Detailed Public Art Plan must be approved by the Public Art Program and the Managing Director of Cultural Services.

## A.2 Standard Engineering Services Conditions

A.2.1 clearly indicate a statutory right-of-way (SRW) measurement of 2.5 meters along the east property line of the site.

**Note to Applicant:** The plans currently indicate the SRW as 2.47 meters.

A.2.2 provision of improved access and design of bicycle parking and compliance with the *Bicycle Parking Design Supplement*, including provision of the following:

- i. a dedicated bicycle elevator for all bicycle spaces located below the first underground level;

**Note to Applicant:** Note to Applicant: The elevator is to have doors on both ends to allow bicycles to easily roll in from one end and roll out the other. The elevator shall be a freight style elevator with durable finishes to comfortably accommodate two people with two bicycles and provide 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 separate bicycle call button is to be provided on all floors requiring bicycle access to allow users to call the bicycle elevator directly. Accommodation of oversized bicycles within this elevator may increase requirements. Refer to Rezoning Condition 1.40(e).

- ii. minimum 1.2 meters (4 ft.) wide access route between the bicycle parking spaces and the outside;

**Note to Applicant:** Access to individual bicycle storage rooms located at the head of vehicle parking spaces within the parkade have not been provided with access aisles.

- iii. automatic door openers for all doors providing access to Class A bicycle storage; and

**Note to Applicant:** Update plans to show or note all automatic door openers.

- iv. design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances.

**Note to Applicant:** Racks must be usable for all ages and abilities.

- A.2.3 provision of improved access and design of loading spaces and compliance with the Parking and Loading Design Supplement, including provision of the following:

- i. a minimum 10.7 meters (35 ft.) of stall length for the parallel Class B loading space.

- A.2.4 provision of improved access and design of the parkade layout and compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including provision of the following:

- i. improved two way flow for vehicles on the ramp and in the parking areas through provision of the following:
  - a. a minimum 6.7 meters (22 ft.) wide ramp where a center enter phone/RFID reader is proposed.

**Note to Applicant:** Update plans to show and dimension minimum ramp width. The current ramp width appears to be approximately 6.6 meters (21.6 ft.).

- A.2.5 provision of the following information as part of the drawing submission to facilitate a complete Transportation review which may result in additional conditions:

- i. all types of parking and loading spaces individually numbered, and labelled on the drawings;
- ii. dimension of columns and column encroachments into parking stalls;
- iii. dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates;
- iv. areas of minimum vertical clearances labelled on parking levels;
- v. design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances; and

**Note to Applicant:** The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

- vi. indication of the stair-free access route from the Class A bicycle spaces to reach the outside on each parking level providing bicycle storage.

- A.2.6 provision of correctly and clearly labeled City issued building grades and design elevations on the plans, including the following information:

- i. city issued building grades labels should have the prefix BG;
- ii. correctly label the building grade elevation along Nelson Street; and

**Note to Applicant:** The building grade in question is currently labelled with a value of 42.86 and is noted by the City as being incorrect.

- iii. design elevations along the Nelson Street frontage property line are to be correctly labeled on the plans.

**Note to Applicant:** Three design elevations along Nelson Street are incorrect.

- iv. design elevations along the Ted Northe Lane property line are to be correctly indicated adjacent to the edges of loading bays and access pathways.

**Note to Applicant:** A reference markup PDF document for additional locations and details of revisions required is available. The Project Facilitator can provide this document if needed.

Refer to the Building grade letter, which accompanied the City issued building, grade plan or contact [building.grades@vancouver.ca](mailto:building.grades@vancouver.ca) for additional information if needed.

- A.2.7 clearly illustrate containers and totes on plans for recycling and garbage needs and refer to the *Engineering Garbage and Recycling Storage Amenity Design Supplement* for recommended dimensions and quantities of bins.
- A.2.8 provision of a No-Development Permit Covenant to enter into a Latecomer Agreement with the City to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which will allow the Owner to receive latecomer charges from subsequent developments for those works described in Rezoning Conditions 2.5(b) and 2.5(e), and included in Schedule A to the Services Agreement (which Services Agreement is required to be executed and registered prior to enactment of the Rezoning).
- A.2.9 deletion of all structure proposed within the two BC Hydro Rights of Way registered as 327882M and 328433m; or make arrangements with the utility company for the possible cancellation of these Rights of Way;

**Note to Applicant:** If the applicant team chooses to maintain the BC Hydro Rights of Ways as-is, then clearly indicate the extents of this on the plans.

- A.2.10 provision of a finalized Transportation Demand Management (TDM) Plan, to the satisfaction of the General Manager of Engineering Services;

**Note to Applicant:** A TDM Plan with a minimum of 12 points is required for the residential-social housing use. The proposed plan achieves 10 points. Refer to Schedule B of the TDM policy for detailed requirements for each measure. The following additional information and clarifications are required to accept the TDM measures proposed:

- i. ACT-02 – Improved Access to Class A bicycle parking:
  - a. provision of concept design for excellent design of lighting, finishes, grades, convenience.

**Note to Applicant:** A total of 2 points appear achievable for the residential-social housing use for excellent design of bicycle storage with provision of the above noted information. Points are not awarded for base requirements such as a dedicated bicycle elevator for bicycle spaces located below the first complete level of underground vehicle parking. Consider providing residential-social housing bicycle parking at grade or on the P1 parking level with dedicated elevator access to achieve 2 additional points.

- ii. ACT-05 – Bicycle Maintenance Facilities:
  - a. notation and dimension location of facilities on plans;
  - b. provision of an operational plan detailing the following:
    - 1. a description of the amenities to be provided;
    - 2. a means of providing access to all residents, commercial tenants, and the public (if applicable); and
    - 3. a plan for maintaining these amenities.
  - c. if available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.

**Note to Applicant:** A total of 2 points appear achievable for the residential-social housing use.

- iii. SUP-01 – Transportation Marketing Services:

**Note to Applicant:** A total of 2 points achieved for the residential-social housing use.

- iv. SUP-02 – Real-Time Information: and

- a. updated architectural plans to identify the general location(s) for proposed displays on plans.

**Note to Applicant:** A total of 2 points appear achievable for the residential-social housing use.

- v. SUP-03 – Multimodal Wayfinding Signage:

- a. updated architectural plans to identify the general location(s) that are proposed for on-site displays; and
  - b. provision of an updated TDM plan to include a conceptual design of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed.



**Note to Applicant:** Must conform to *City of Vancouver Guidelines*. See the following example. A total of 2 points appear achievable for the residential-social housing use.

- A.2.11 subject to the acceptance of the finalized TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which identifies the following:
- i. secures provision of funding towards long-term TDM monitoring funding in the amount of \$2 per square meter of gross floor area;
  - ii. secures the provision of TDM measures on the site:
    - a. ACT-02: Improved Access to Class A Bicycle Parking;
    - b. ACT-05: Bicycle Maintenance Facilities;
    - c. SUP-01: Transportation Marketing Services;
    - d. SUP-02: Real Time Information; and
    - e. SUP-03: Multimodal Wayfinding Signage.
  - iii. permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed; and
  - iv. agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.
- A.2.12 provision of compliance with the Transportation Demand Management (TDM) Plan, as per the finalized TDM agreements;
- A.2.13 provision of a draft final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:
- i. General Requirements;
    - a. provide area measurements for all land use types on the post-development site plan;

**Note to Applicant:** Indicate the location of each land use on the RWM site plan through colour-coding or hatching along with the area of each land cover type.

- b. confirm the invert of the storm service connection as noted on Drawing SWM02;
- c. confirm the invert of the detention tank storage system and whether drainage by gravity is available;

**Note to Applicant:** Drawing SWM02 indicates a detention tank invert of 41.1 metres (134.84 ft.) while Architectural Drawings A1.11 and A3.00 (Section B-B) appear to indicate that the tank is located at the basement level (39.50 metres) (129.59 ft.).

pumping systems for rainwater management purposes should be avoided unless used for harvesting purposes. If absolutely necessary, the design should allow for overflow to be directed to the storm sewer connection by gravity during storm events.

review and acceptance of the proposed plumbing, and mechanical designs relevant to the RWM system will be performed by the Plumbing inspections Department at the plumbing permit application stage. The Applicant must ensure all designs are in conformance with the Vancouver Building By-law (VBL) Book II, Plumbing Systems. Conformance with the VBL is not reviewed by Engineering.

- d. provide a preliminary stage-storage-discharge table for the proposed detention tank system; and

**Note to Applicant:** The stage-storage-discharge table should indicate the provided detention storage volume and outlet structure release rate at key elevations throughout the detention storage.

- e. confirm what is meant by the offsite controls indicated in the RWMP report.

**Note to Applicant:** Page 2 of the IRMP Report makes reference to controls implemented offsite. Please clarify what, if any, offsite improvements are being considered for this project. Additional comments may be provided if offsite improvements are proposed.

ii. Volume Reduction;

- a. volume reduction is encouraged but not required for this Passive House development; and

**Note to Applicant:** Applicant may revise the RWMP accordingly.

- b. provide details and specifications for the proposed green roof system on the Landscape Drawings and/or RWMP report.

iii. Water Quality Target;

- f. water quality is encouraged but not required for this passive house development.

**Note to Applicant:** Applicant may revise the RWMP accordingly.

if a proprietary Water Quality system is still proposed in the updated submission, provide supporting sizing calculations for this system.

iv. Release Rate;

- a. calculate the detention tank volume equal to the storage volume required to control to the pre-development peak flow;

**Note to Applicant:** The detention tank does not need to be over-sized to meet Volume Reduction criteria for this Passive House development but is still required to provide peak flow control to pre-development rates for the 1:10-year design event.

- b. use appropriate runoff coefficients for different surface types and ensure consistency in % imperviousness estimates for all relevant calculations; and

**Note to Applicant :** Provide supporting calculations to indicate how the pre and post-development runoff coefficients were determined.

runoff coefficients for landscaping on slab should be increased relative to landscaping with infiltration to reflect the increased runoff potential for these areas.

- c. provide the supporting Modified Rational Method calculations associated with the detention storage sizing.

**Note to Applicant:** Currently graphs are provided but supporting calculations should also be provided.

As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final RWMP will include all relevant details.

Contact the City of Vancouver's Rainwater Management Review group for any questions or concerns related to the conditions or comments prior to resubmission with the DP application. A meeting may be scheduled upon request by contacting [rainwater@vancouver.ca](mailto:rainwater@vancouver.ca).

- A.2.14 arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the registration of a Rainwater Management Legal Agreement prior to the issuance of the Development Permit;

**Note to Applicant:** The legal agreement restricts the issuance of a building permit until the final RWMP and Operations & Maintenance (O&M) Manual have been accepted by the City. The approved documents shall be attached to the Agreement as schedules and be registered on the property's title. The rainwater management system shall be inspected as necessary during and after construction. A Registered Professional is to inform the City by letter bearing their professional seal whether the system has been so constructed as per the accepted rainwater management plan and if not, sealed final design drawings showing the details of the modified system must be provided.

- A.2.15 provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any building permit;
- A.2.16 provision of a final standalone Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services and the City Engineer prior to the issuance of any building permit;
- A.2.17 confirmation from all impacted third party groups that pole relocation is acceptable;
- A.2.18 provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary;
- A.2.19 provision of written confirmation that all required electrical plants will be provided within private property;

**Note to Applicant:** BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features.

Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

- i. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan  
<https://vancouver.ca/files/cov/engineering-design-manual.PDF>; and
- ii. All third party service lines to the development is 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.

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 Utilities Management Branch at 604-829-9447 or at [umb@vancouver.ca](mailto:umb@vancouver.ca).

- A.2.20 provision of written clarification of garbage pick-up operations;

**Note to Applicant:** Submission of 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.

- A.2.21 confirmation from Parks Board for removal of existing trees on City property;

**Note to Applicant:** Contact the Parks Board 604-257-8587 or pbdevelopment.trees@vancouver.ca for coordination with tree removals, payment of ISA tree values, and cost of removal before DP issuance.

### A.3 Standard Licenses & Inspections (Environmental Protection Branch) Conditions:

- A.3.1 Submit a Site Disclosure Statement to Environmental Services;
- A.3.2 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;
- A.3.3 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.

**Note to Applicant:** A Site Disclosure Statement has been received. Based on current information, a Remediation Agreement will not be required.

- A.3.4 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended May 2, 2018), including all requirements for *Near Zero Emissions Buildings* (i.e. Passive House certified or an alternate standard approved by the Director of Sustainability).

The requirements are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

**Note to Applicant:** The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of the permit process. For more detail on what must be submitted at the building permit stage, see the *Guidelines for the Administration of Variances in Larger Zero Emission Buildings*.

**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 March 30, 2022. 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 Construction dewatering is a Water Use Purpose under the *Water Sustainability Act* requiring a provincial Approval or License. Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province’s online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial *Water Sustainability Act*.
- For more information: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals>
- B.1.3 It should be noted that if conditions 1.0 and 2.0 have not been addressed by on or before (6 months after DP Board date), this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.4 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.1.5 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.1.6 A new development application will be required for any significant changes other than those required by the above-noted conditions.
- B.1.7 Details of swimming pools/hot tubs to be submitted to the Environmental Health Division and Provincial Health Engineer prior to construction;
- B.1.8 An occupancy permit will be held on the market strata housing subject to:
- i. completion and transfer of the social housing air space parcel to the City to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability and General Manager of Real Estate and Facilities Management;
  - ii. completion of the market rental air space parcel to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability and General Manager of Real Estate and Facilities Management;
- B.1.9 Construction and delivery of the facility is to be secured by a Letter of Credit (LC), provided to the City prior to building permit issuance, the amount of which will be settled as part of the agreements required prior to rezoning enactment.

LCs must be in compliance with and in the form set out on the City's Letter of Credit Policy ADMIN 032: <https://policy.vancouver.ca/ADMIN032.pdf>

**B.2 Conditions of Development Permit:**

- B.2.1 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.2.2 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.2.3 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.2.4 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 12<sup>th</sup> floor of 601 West Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
- B.2.5 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.2.6 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.**