

**for THE DEVELOPMENT PERMIT BOARD
January 27, 2025**

**Heather Lands Parcel F - 689 W 35th Ave
DP-2024-00853 – CD-1 (pending)**

GJ/LC/EB/BDC/JS

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

M. So (Chair), Development Services
J. Hodgson, Engineering Services
P. Cheng, Urban Design & Development Planning

Also Present:

G. Jiang, Urban Design
L. Chang, Landscape
B. Casidy, Development Services
E. Brooker, Housing Policy
J. Smallwood, Development Services
E. Finn, Park Board
S. Yeung, Engineering Services

APPLICANT:

MSTA Fairmont Phase 1 LP
900-89 W Georgia St
Vancouver, BC
V6B 0N8

PROPERTY OWNER:

Canada Lands Company (CLC) Ltd
4949 Heather St
Vancouver, BC
V5Z 3L7

EXECUTIVE SUMMARY

● **Proposal:**

To develop this site with three buildings consisting of:

- an 18-storey apartment (F1) with 232 strata units;
- a 25-storey apartment (F2) with 298 strata units; and
- a 6-storey apartment (F3) with 78 strata units, 30 secured market rental units and 12 moderate income rental units

all over three levels of underground parking, having vehicular access from the lane, subject to enactment of the CD-1 By-law and approval of the form of development.

See	Appendix A	Standard Conditions
	Appendix B	Standard Notes and Conditions of Development Permit
	Appendix C	Urban Design Panel Meeting Minutes
	Appendix D	Context Photos
	Appendix E	Site Plan
	Appendix F	Plans
	Appendix G	Elevations and Sections
	Appendix H	Shadow Study
	Appendix I	Landscape Drawings
	Appendix J	Rezoning Response

● **Issues:**

1. Podium Heights and Massing;
2. Tower Massing Building F1;
3. Placemaking of Meeting Point;

● **Urban Design Panel: Support with Recommendations (1 Abstain - 4 Support)**

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DP-2024-00853 submitted, the plans and information forming a part thereof, thereby permitting the development of three buildings on this site consisting of an 18-storey apartment (F1) with 232 strata units, a 25-storey apartment (F2) with 298 strata units and a 6-storey apartment (F3) with 78 strata units, 30 secured market rental units and 12 moderate income rental units, subject to the following conditions and approval of enactment and form of development:

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 the proposed podium bulk and massing of buildings F1 and F2 to better align with the streetscape anticipated in the *Heather Lands Design Guidelines*;

Note to Applicant: Refer to *Heather Lands Design Guidelines* (Guidelines) Section 6.10.1 Building Typologies. This may be achieved by reducing the podium height to a maximum of six storeys. Compliance with this condition may impact achievable floor area, unit counts, and the locations of indoor amenity spaces.

- 1.2 Design development to provide a slender tower form for tower F1;

Note to Applicant: Refer to rezoning condition 1.1, Guidelines Section 6.10.1 Building Typologies, and *Citywide Development Guidelines Early Actions*. The intent of this condition is to improve solar access to the open spaces and mitigate the perceived bulkiness. This may be achieved by reducing the tower's width or its east-west diagonal dimension. A maximum floor plate area of 604 sq.m (6,500 sq.ft) ($\pm 10\%$) is recommended. Compliance with this condition may impact achievable floor area, unit counts, and the distribution of family units through the building.

- 1.3 Design development to building F2 to strengthen the characters of the Meeting Point;

Note to Applicant: Refer to rezoning condition 1.5, Guidelines Section 6.2 – Character. This condition may be achieved by:

- i. Introducing at-grade commercial use at the corner and providing an engaging frontage to enhance the public realm;
- ii. Updating the configuration of the intersection at W 35th Ave and Heather St to align with civil design and exploring publicly accessible open space from the curb to the building face at the corner. Also, refer to Standard Landscape condition A.1.22. and Standard Engineering condition A.2.10;
- iii. Reassessing the location of tower F2 to better emphasize the Meeting Point.

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

Heather Lands Technical Analysis (Parcel F)

		Heather Lands (South)				DP-2024-00853					Parcel B Proposed Figures	Remainder	
		Permitted/Required				Proposed - Buildings F1, F2, and F3							
¹ Site Size	Irregular (Existing site)												
¹ Site Area	9,911.00 m ²												
Use (s)	Dwelling/Retail				Multiple Dwelling								
² Floor Area	Max. Floor Area (A-F)		142,628.0	m ²	Total Floor Area		47,347.8	m ²	47,472.70	47,807.54			
	Max. Floor Area (F)		45,502.0	m ²	Total Dwelling Use Area		47,347.8	m ²					
	Min. Sec. Market Rental (F)		2,033.0	m ²	F1	17,385.0	m ²						
					F2	21,651.3	m ²						
					F3	8,311.4	m ²						
	Min. Bel. Market Rental (F)		678.0	m ²	Secured Market Rental Area		2,157.1	m ²					
					F1	-	m ²						
					F2	-	m ²						
	Min. Amenity (A-F)		1,234.0	m ²	F3	2,157.1	m ²						
					Below Market Rental Area		684.2	m ²					
					F1	-	m ²						
	Min. Res. Stor. (3.7m ² per unit)		2,405.0	m ²	F2	-	m ²						
F3					684.2	m ²							
Strata Area					44,506.4	m ²							
Max. Retail (B,C,&F)		230.0	m ²	F1	17,385.0	m ²							
				F2	21,651.3	m ²							
				F3	5,470.0	m ²							
Min. Amenity (A-F)		1,234.0	m ²	Amenity Area		522.7	m ²	360.60	350.7				
Min. Res. Stor. (3.7m ² per unit)		2,405.0	m ²	Residential Storage Area		2,154.4	m ²						
Max. Open Balcony		12.0%	5,681.7	m ²	Open balcony	11.2%	5,324.0	m ²					
Max. Amenity (A-F)		1,234.0	m ²	Total Amenity		522.7	m ²	360.60	350.7				
³ Height	Sub-Area F												
	Max. Storeys		25	st	Storeys								
	Max. Height		79.2	m	F1	18	st						
					F2	25	st						
					F3	6	st						
Max. Height		79.2	m	Height									
F1	62.4	m											
F2	82.1 (74.9)	m											
F3	20.2	m											
⁴ Parking	Min. Visitor		33		Visitor		33						
	Min. Accessible		23		Standard Accessible		463						
	Max. Small Car		25.0%	147	Small Car		17.5%	103					
					Total Parking		587						
⁵ Loading	Class	A	B	C	Total	Class	A	B	C	Total			
	Dwelling	3	3	0	6	Dwelling	3	0	0	3			
		Total	3	3	0	6	Total	3	0	0	3		
⁶ Bicycle	Class	A	B			Class	A			B			
	Dwelling	1169	34			Dwelling	1169			0			
		Total	1169	34		Total	1169			0			
Passenger Loading	Class	A	B	C	Total	Class	A	B	C	Total			
	Dwelling	4	0	0	4	Dwelling	4	0	0	4			
		Total	4	0	0	4	Total	4	0	0	4		
⁷ Unit Mix	Unit Type		#	%	Total Unit Type		#	%					
	Strata				Strata		608	100%					
					Studio		31	5%					
					1 Bedroom		368	61%					
	2 Bedroom		152	25%	2 Bedroom		151	25%					
	3 Bedroom		61	10%	3+ Bedroom		58	10%					
	2+ Bedroom		213	35%	2+ Bedroom		209	34%					
	Secured Market Rental				Secured Market Rental		30	100%					
					Studio		5	17%					
					1 Bedroom		12	40%					
					2 Bedroom		10	33%					
	2+ Bedroom		11	35%	3+ Bedroom		3	10%					
				2+ Bedroom		13	43%						
Below Market Rental				Below Market Rental		12	100%						
				Studio		3	25%						
				1 Bedroom		8	67%						
				2 Bedroom		0	0%						
				3+ Bedroom		1	8%						
2+ Bedroom		4	35%	2+ Bedroom		1	8%						
				Total Site		650	100%						

Notes:

1. **Note on Site Area:** Site area is based on the submitted legal survey;
2. **Notes on FSR and Floor Area:**
 - The figures in the table above include above grade storage as it is not excludable under the draft CD-1;
 - The draft CD-1 seeks a minimum of 3.7 sq.m (40 sq.ft) of residential storage per unit but most storage units, above and below grade are smaller – confirmation is required per Standard Development Review Branch condition A.1.15.
3. **Note on Height:** Building F2 has a mechanical screen that would put it over the maximum height by 2.9 m (9.5 ft). Staff recommend the Development Permit Board permit the decorative screen to exceed the maximum building height per Section 10.1.2 of the Zoning and Development By-law which would reduce the building height from 82.1 m to 74.9 m.
4. **Note on Parking:** Since the initial design of the building, parking minimums have been removed from the Parking By-law aside from accessible and visitor stalls;
5. **Note on Loading:** The proposed Class B Loading stalls are not visible on the site or floor plans and must be provided (see Standard Development Review Branch condition A.1.18);
6. **Note on Bicycle:** It is unclear where all of the proposed Class B bicycle stalls are to be provided (see Standard Development Review Branch condition A.1.19);
7. **Note on Unit Mix:** The draft CD-1 requires 35% of Below Market Rental units to have 2 or more bedrooms whereas the proposal contains only 8% (see Standard Development Review Branch condition A.1.14);

● **Legal Description**

Lot: A (Reference Plan 3733)
 Block: 839
 District Lot: 526
 Plan: 6431

● **History of Application:**

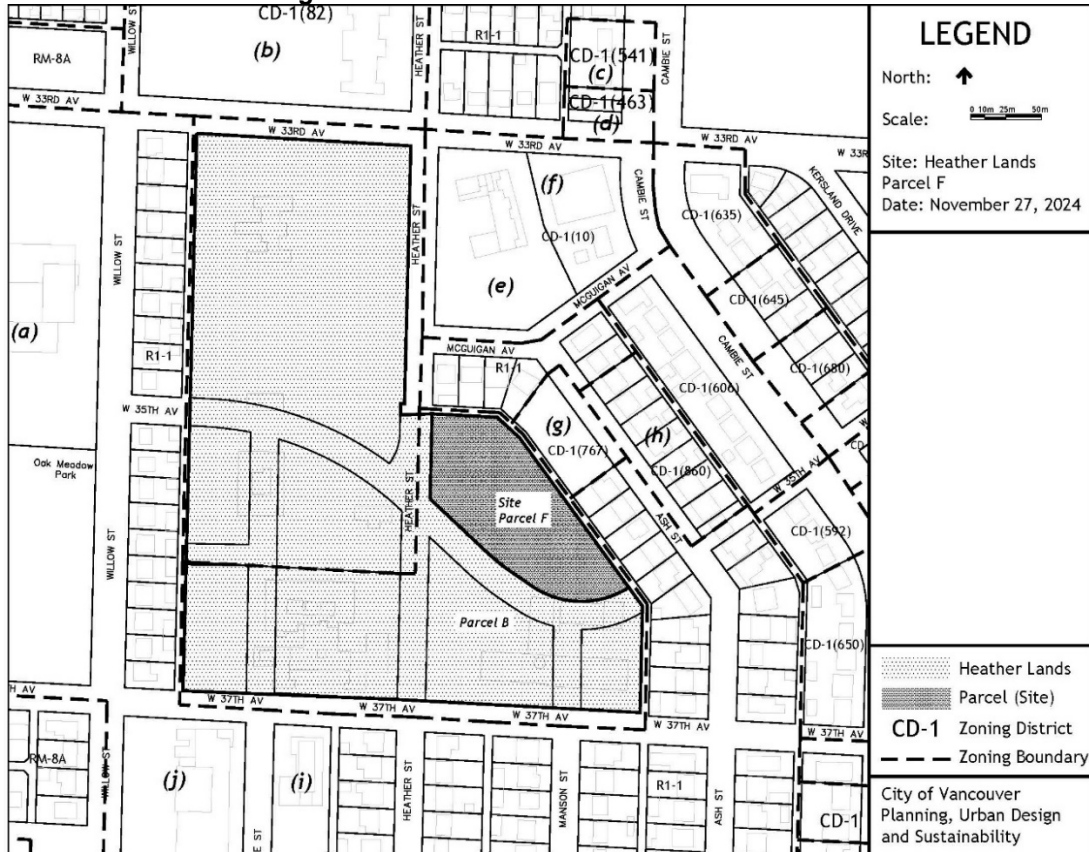
2024-09-06 Complete DP submitted
 2024-11-06 Urban Design Panel
 2024-12-04 Development Permit Staff Committee

● **Site:** The Heather Lands are 8.5 hectares (21.1 acres) in size located north of W 37th Ave, south of W 33rd Ave and bound by lanes behind Willow St and Ash St Parcel F is situated in the eastern portion of the site, adjacent a lane where a parking lot is located.

● **Context:** Significant adjacent development includes:

- a) 5025 Willow St. - 4-storey Eric Hamber Secondary School, (c. 2020)
- b) 4875 Heather St. - 4-storey seniors supportive and assisted housing and residential facility class B, (c. 2010) and 4-storey John Paul II Pastoral Centre
- c) 4867 Cambie St. - 5-storey residential building, (c. 2014)
- d) 4887 Cambie St. - 3-storey townhouse building with infill, (c. 2009)
- e) 4950 Cambie St. - 6-storey community care facility, Youville Residence, (c. 1960)
- f) 4905 Cambie St. - 1-storey Roman Catholic Church, (c. 1961)
- g) 5005 Ash St. - Two 4-storey residential buildings, (c. 2024)
- h) 577 W 35th Ave. - two 4-storey and one 6-storey residential buildings, (c. 2024)
- i) 5350 Ballie St. - 2-storey Oakridge Adventist Church, (c.1962)
- j) 5445 Ballie St. - 3-storey École Secondaire Jules-Verne, (c. 1968)

Figure 1: Site and surrounding context



● **Background:**

The Heather Lands project represents a significant milestone and a benchmark for the City's efforts toward reconciliation. In October 2014, the xʷməθkʷəy̓əm (Musqueam Indian Band), Skwxwú7mesh (Squamish Nation), and səilwətał (Tsleil-Waututh Nation) (collectively the "the Nations") and Canada Lands Company ("CLC") (collectively "the Landowners") entered a joint venture partnership to develop the property. In 2016, at the request of the Landowners, Council approved the initiation of a policy statement for the site. The process concluded with approval of the *Heather Lands Policy Statement* in May 2018, which guided the rezoning application for the site.

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 in the Heather Lands rezoning application.

On May 24, 2022, Council approved a rezoning application to rezone the site to two new CD-1 Districts (CD-1 South and CD-1 North), including the use, density, height, and general form of development, and accompanied by a draft Design Guidelines.

Heather Lands is envisioned as a primarily residential neighbourhood with a mix of uses to support everyday activity. The master plan consists of ten parcels A to J, including buildings between 3 and 28 storeys with mix of housing options, retail spaces, a cultural centre, a childcare facility, and a school, all arranged around a new park and public open spaces (see *Figure 1*). A variety of building forms frame streets and park space with the tallest buildings located at the central intersection of Heather St and W 35th Ave, the highest point on the site, and building heights descending towards the site edges.

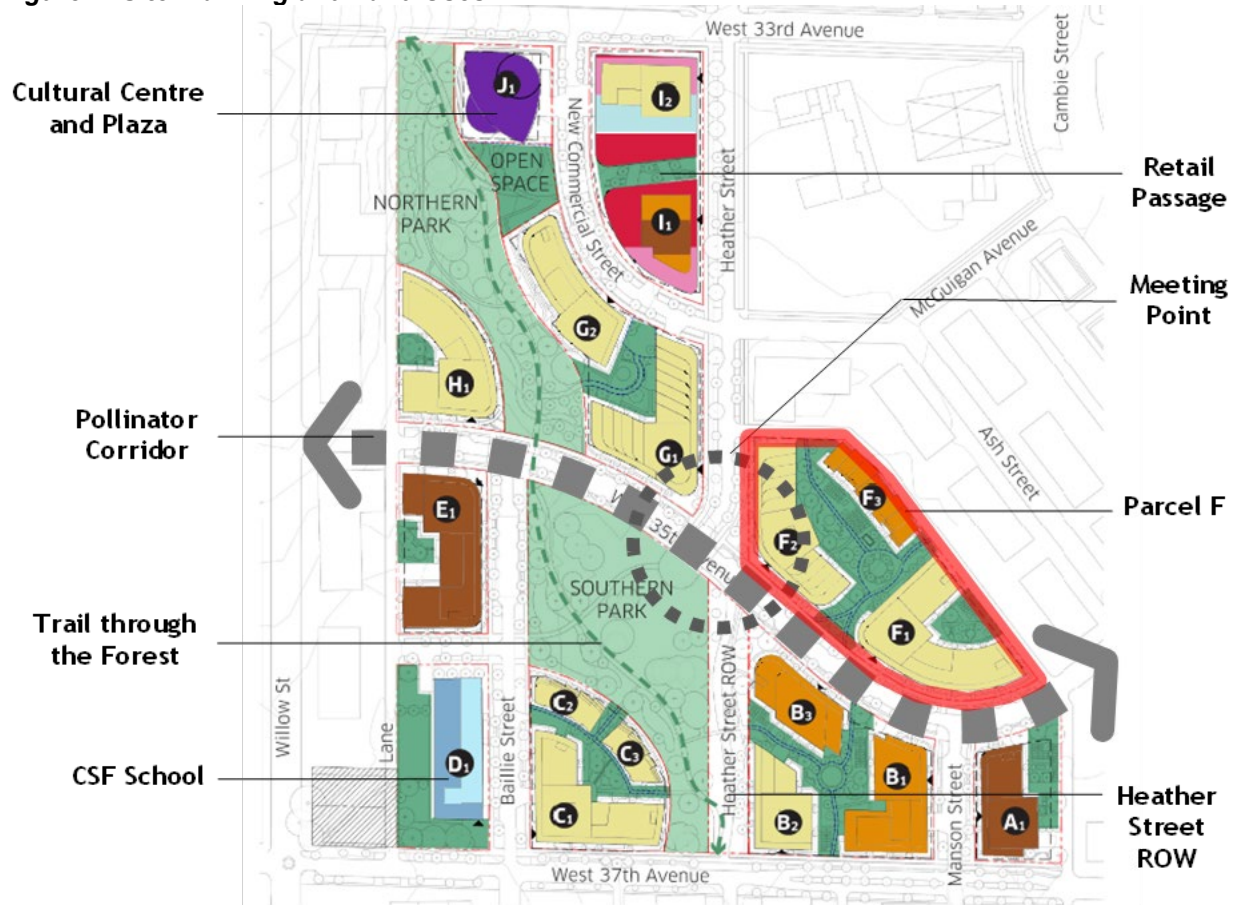
The rezoning secures 1.79 hectares (4.43 acres) of park and public open space, including the southern park, northern park and the cultural centre plaza. The plan also includes four feature public realms, including:

- 'Meeting Point' at the intersection of W 35th Ave and Heather St to welcome people to the site;
- 'Retail Passage' to connect Heather St to the cultural centre plaza;
- 'Pollinator Corridor' to create an east-west ecological connection between VanDusen Botanical Garden, Oak Meadows Park and Queen Elizabeth Park; and
- 'Heather Street ROW', the enclosure of the southern portion of Heather St to prioritize walking, rolling and cycling.

Application specifics include the following:

- 18 buildings between 3 to 28 storeys
- Maximum building height of 90 m (295 ft)
- 41,850 sq.m. (450,467 sq.ft.) of social housing or approximately 540 units
- 144,874 sq.m. (1,559,407 sq.ft.) of market residential housing or approximately 1,672 units
- 35,856 sq.m. (385,952 sq.ft.) of secured market rental housing or approximately 400 units, including 100 below-market rental units
- 5,787 sq.m. (62,287 sq.ft.) of retail space 5,851 sq.m. (62,994 sq.ft.) of office space
- A 2,095 sq.m. (22,549 sq.ft.) Musqueam, Squamish Tsleil-Waututh Cultural Centre
- A 74-space childcare facility
- A new Conseil Scolaire Francophone (CSF) French elementary school
- 1.79 hectares (4.43 acres) of park and open space

Figure 2: Site Planning and Land Uses



The Heather Lands plan is further characterized with distinct neighbourhood character areas, which is informed by Indigenous design directives outlined in the Cultural Interpretive Plan (see Figure 2). The defined neighbourhood character areas include:

- 'Trail Through the Forest', running north-south for the length of the site to connect communities;
- 'Drum Beat', anchoring the neighbourhood heart;
- 'Homes in the Village', establishing a sense of home and community;
- 'Homes in the Forest', focusing retreating and cleansing
- 'Meeting Point', acting as a welcoming gateway of the site, highlighting the Indigenous culture of "Welcome to All" and representing the coming together of the Nations.
- 'Teaching', transferring knowledge and location for the new CSF elementary school;

Figure 3: Neighbourhood Character Areas



Parcel F is one of the first Development Permit applications following rezoning. It is located at the northeast corner of the site (see *Figure 2*) and as such plays many important roles, including:

- To create a strong sense of home with livable buildings and a central semi-public courtyard space;
- To establish the Meeting Points by providing a signature tall building and creating an engaging public open space at the northeast corner of the intersection of W 35th Ave and Heather St;
- To transition to low-density neighbouring area; and
- To provide setback areas for pollinator corridor along W 35th Ave.

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

1. Draft CD-1 By-law South (2022)

This by-law establishes the permitted uses, heights, and density for the overall site. It also includes a maximum floor area and a maximum building height for Parcel F. The maximum building height applies to the taller building within the parcel, and other buildings' heights reflected in the *Heather Lands Design Guidelines*.

2. Heather Lands Policy Statement (2018)

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

3. Draft Heather Lands Design Guidelines (2024)

Subject to enactment, the draft *Guidelines* provide further direction regarding the anticipated form of development and public realm. They include an illustrative massing and a written statement outlining the urban design roles and characters 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. Some flexibility is intended in the interpretation and

application of these guidelines where it can be clearly demonstrated that an alternative approach will produce an equivalent or superior result with respect to the Musqueam, Squamish, and Tsleil-Waututh Nations' Values and Principles outlined in this document.

Guidelines specific to Parcel F include the provision of two towers (18 to 25 storeys) with podiums framing W 35th Ave and Heather St, and a 4-storey building at the lane. The guidelines of public realm for Parcel F include a central semi-public courtyard, a 5m setback on W 35th Ave to support pollinator corridor, and a public open space at the northeast corner of the W 35th Ave and Heather St to form the Meeting Point.

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

8. *City of Vancouver Reconciliation Framework (2014)*

The Reconciliation Framework outlines the City's commitment to working towards Reconciliation with the Musqueam, Squamish, and Tsleil-Waututh Nations, as well as Urban Indigenous communities. The framework identifies three foundational components to guide the City's policies and programs, with the goals of mutual respect, strengthened partnerships, and economic empowerment. These foundational components include cultural competency, strengthened relationships, and effective decision-making. The framework emphasizes culturally informed, inclusive, and equitable housing and development policies that support Reconciliation while acknowledging the distinct rights of Indigenous communities.

9. *City of Vancouver's United Nations Declaration on the Rights of Indigenous Action Plan (UNDRIP Action Plan 2024-2028)*

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a comprehensive international instrument on the rights of Indigenous peoples. It provides a framework for Reconciliation to uphold and protect Indigenous Peoples' rights and ensure the enjoyment of those rights. As a City of Reconciliation, the City of Vancouver has committed to implementing UNDRIP, in co-development with the Musqueam, Squamish, and Tsleil-Waututh

Nations. This includes the City's *United Nations Declaration on the Rights of Indigenous Peoples Strategy (2022) and Action Plan (2024)* at the municipal level.

In particular, Action Group 7: Housing calls for the Musqueam, Squamish, and Tsleil-Waututh Nations and the City to become strong partners in providing housing in vibrant and healthy communities for both Nation members and non-members.

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

1. **Draft CD-1 By-law South (2022)**

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. **Heather Lands Policy Statement (2018)**

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.

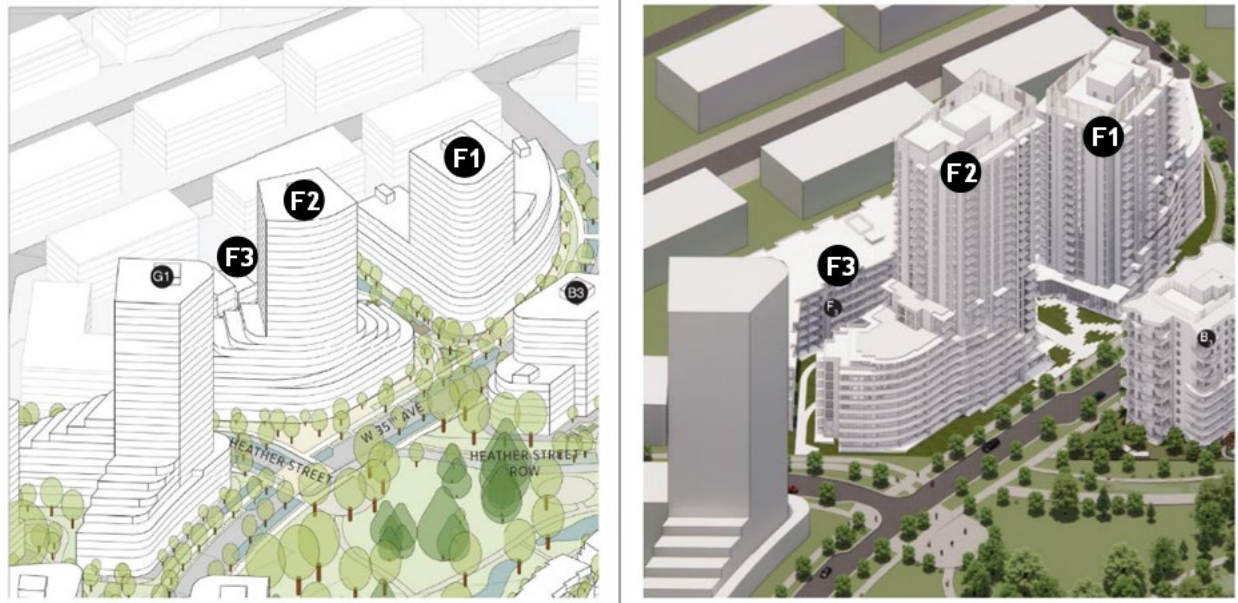
3. **Draft Heather Lands Design Guidelines (2024)**

The development permit application (DP) removes the north podium of building F1 to create a larger shared semi-public courtyard space. As a result, the density has been redistributed throughout the parcel. While the tower heights are consistent with rezoning, several variations in built form have been proposed (see *Figure 4 and 5*).

Figure 4: Site Design Comparison between Rezoning (left) and DP (right)



Figure 5: Building Heights and Massing Comparison between Rezoning (left) and DP (right)



a) Increase in podium heights and massing

The Guidelines envision 6-storey podium for building F1 and a terraced podium from 4 to 10 storeys for building F2 with setbacks above level 4 or 5 for a continuous street wall expression on W 35th Ave and Heather Street.

Applicant Response:

The development permit application proposes a 6- to 10-storey podium for F1 and an 8- to 11-storey podium for F2 with terraced expression weaved with the towers at the main entrance (see *Figure 5*, right). It simplifies the stepped podium form with the majority of podium heights set at 8 storeys and transition to a 6-storey podium at the south end of W 35th Ave, and a 6-storey building (F3) on Heather St. The podiums provide additional setbacks with no shoulder setbacks above level 4 or 5.

Staff Assessment:

Staff is supportive of a simpler building form by minimizing terraces and shoulder setbacks to achieve more efficient and sustainable buildings. However, the proposed podiums, at 8 storeys or more, create an overbearing presence in the public realm and do not comply with the intent of the Guidelines. Reduced podium heights to a maximum of 6 storeys are recommended. Refer to Recommended condition 1.1.

b) Increase in tower floorplates

The Guidelines anticipate slender and compact tower form with a tower floor plate of no more than 604 sq.m (6,500 sq.ft) (except G1 and F2 to accommodate terrace form) to ensure greater openness to the sky and solar access to the park and open spaces.

Applicant Response:

The application proposes both tower floor plates at 706 sq.m (7,600 sq.ft) with dimensions of 24 m (79 ft.) in depth and 32.4 m (106.42 ft) in width in order to improve building efficiency and in turn ensure affordability.

Staff Assessment:

Staff is supportive of the proposed floorplate of the F2 tower, as F2 is treated as a signature building on the site, and its height and surrounding open spaces can proportionally support a larger tower massing. Tower F1, however, should generally align with the expectation of the guidelines to achieve a slender tower form that enhances sky views and solar access. Some flexibility to the floorplate can be considered to support Indigenous-led developments.

The Shadow Studies Comparison (*Figure 6*) indicates that the solar performance of the courtyard is not unduly impacted by the changes to the podiums and towers, with slight improvements to the central area in the morning. However, it is recognized that the outdoor amenity spaces of neighbouring properties will be affected in the afternoon. Recommendations to further refine the tower floor plate size and dimensions of F1 are included in Recommended condition 1.2.

Figure 6: Spring Equinox (PDT) Shadow Comparison between Rezoning and DP



c) Increase in height and massing of building F3

The Guidelines envision a four-storey laneway townhouse as a transition to the low-rise neighbouring area. The length of the building should be limited to allow for sunlight, views, site permeability, and a general feeling of openness.

Applicant Response:

The application proposes a six-storey apartment building along the lane with an entrance lobby facing Heather St. The building length is also increased to approximately 91.4 m (300 ft).

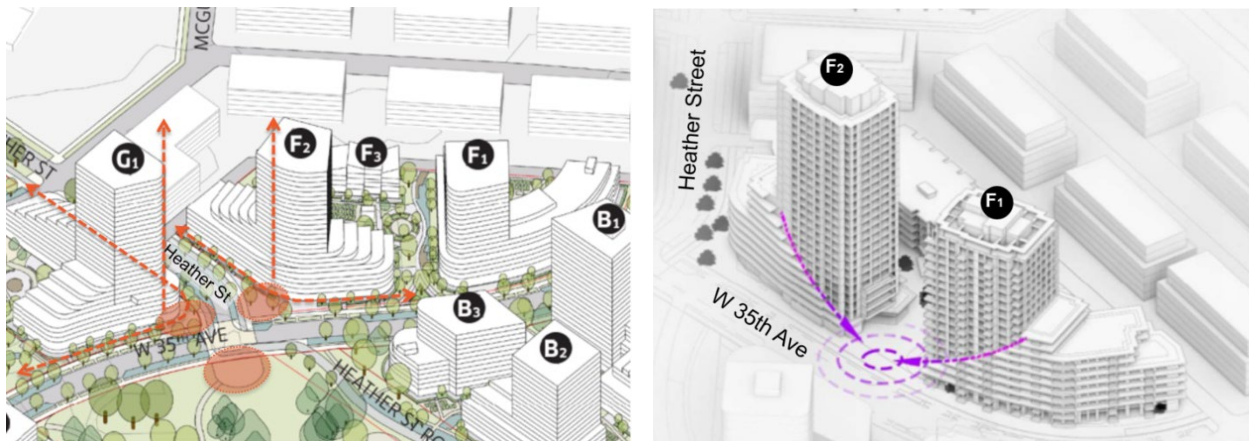
Staff Assessment:

Staff is supportive of the proposed height of F3. Since the surrounding properties are eligible for rezoning to 4 to 8-storey buildings under Cambie Plan or Transit-oriented Areas Rezoning Policy, the proposed height is considered appropriately fit with the future context. Also, the length of the building is supportive, given the provision of a larger open space along the lane, helping to enhance sunlight, views, site permeability, and a sense of openness. However, substantial massing break and façade articulation are recommended to mitigate the impact of the long facades. Refer to Standard Urban Design condition A.1.4.

d) Change of the Meeting Point

The *Guidelines* envision that the Meeting Point is a welcoming gateway of Heather Lands, highlighting the Indigenous culture of “Welcome to All” and representing the coming together of the Nations. It is located at the intersection of W 35th Ave and Heather St - the highest point of the site - and is accentuated by two tall buildings F2 and G1, along with associated public open spaces, including two corner plazas and a plaza in the southern park (see *Figure 7*, left).

Figure 7: Meeting Point Comparison between Rezoning (left) and DP (right)



Applicant Response:

The application proposes the Meeting Point between buildings F1 and F2. The two high rises face each other and provide a gateway into the parcel F (see *Figure 7*, right).

Staff Assessment:

The Meeting Point is a significant place-making initiative outlined in the Guidelines. Staff recommend further exploration to enhance the characters of the Meeting Point, including the design of the ground floor and the open space framed at the corner to better reflect the intent of the Guidelines. Refer to Recommended condition 1.3.

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

6. Green Building Policy for Rezoning (2018)

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.

7. Sustainable Large Site Rezoning Policy (2018)

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.

8. City of Vancouver Reconciliation Framework (2014)

The Heather Lands project supports the major pillars of the City of Reconciliation Framework through Indigenous leadership, establishing a guiding path for collaborative initiatives between the Musqueam, Squamish and Tsleil-Waututh Nations and the federal government while supporting and exploring culturally informed development. Heather Lands identifies guiding

principles that include the distinct recognition of Musqueam, Squamish and Tsleil-Waututh values with an emphasis in exploring various opportunities for Nation members.

9. City of Vancouver United Nations Declaration of the Rights of Indigenous Peoples Action Plan (UNDRIP Action Plan 2024-2028)

The Heather Lands project aligns directly with UNDRIP Action Group 7: Housing, specifically, action 1.2b, which aims to "Facilitate Musqueam, Squamish, and Tsleil-Waututh projects and prioritize or fast-track Nation-led affordable housing developments." As a housing initiative led by the Musqueam, Squamish, and Tsleil-Waututh Development Corporation (MSTDC), this project exemplifies a Nation-led initiative that will help define and refine the criteria and guidelines for collaborative housing development between the City and the Nations.

• Response to Major Rezoning Conditions with Remaining Issues:

Rezoning Condition 1.1	<p>Design development to refine massing of towers and buildings to optimize sunlight on the park, and open spaces.</p> <p>a) Shape tower forms with upper storeys sculpted to minimize shadowing.</p> <p>Note to Applicant: Access to sunlight is a fundamental principle aligned with connection and access to nature. Optimizing solar access to public parks and open space should be prioritized at the Spring and Fall equinox at 10am, noon, 2pm, and 4pm. Slim tower profiles are anticipated maintaining a 6,500 sq. ft. floor plate. This may also contribute to a more visually striking and recognizable roof form and skyline.</p>
Applicant Response	Massing has been updated to optimize open space on the site.
Staff Assessment	This condition has not been fully met yet. Staff recommend further reduction of podium heights and massing, as well as refinement to the tower massing of building F1 to enhance solar performance of the open spaces and mitigate perceived bulkiness. Refer to Recommended condition 1.1 and 1.2.
Rezoning Condition 1.2	<p>Design development to support biodiversity and robust rewilding initiatives in the Pollinator Corridor by minimizing hardscaping and private uses within the 5m (16 ft) setback.</p> <p>Note to Applicant: Private patios should primarily be located inset within the building footprint to minimize hardscaped areas anticipated for the Pollinator Corridor. Note a minimum 50% area dedicated to pollinator planting should be calculated per each parcel and within private property. Additionally balcony projections should be sensitively located to minimize impacts to planted areas and ensure parkade is not encroaching into 5m setback. See also, Landscape rezoning condition #1.11.</p>
Applicant Response	Individual entries have been eliminated to minimize impact of hardscape within these pollinator corridors. The balconies and overhangs have a minimal impact on the landscape at ground level.
Staff Assessment	This condition has not been fully met. Staff request 5-meter setback for the parkade along W 35 th Ave to support the Pollinator Corridor. Staff also

	recommend exploring opportunities to balance pollinator planting and street activation. Refer to Standard Urban Design condition A.1.5.
Rezoning Condition 1.3	<p>Design development to ensure varied and distinctive buildings which reflect a more fine-grained residential scale and proportions as well as integrating passive energy strategies into the architectural expression.</p> <p>Note to Applicant: Particular attention should be paid to breaking down the massing of buildings exceeding 45.7 m (150 ft) in frontage to mitigate the perceived length and provide varied facades. For future design development, consider mass timber construction and passive energy strategies such as window placement and solar shading devices as an integral part of the building design and façade expression.</p>
Applicant Response:	The terraced podiums radiate to the north and south to bookend the towers and weaves in the taller elements. The podium forms are curved to reinforce the curvature of the street in front and reinforce the non-linear nature of native communities. The six-storey wood frame building has its principal lobby facing the street and is nestled on the interior of the site. It features lobby/amenity components at each end of the building.
Staff Assessment	The articulation of building F1 and F2 have satisfied the condition. However, following staff review and UDP commentary, further design development is recommended to building F3 to break up the massing and improve the architectural expression. Refer to Standard Urban Design condition A.1.4.
Rezoning Condition 1.5	<p>Design development to Building F2 to establish a significant and recognizable benchmark of architectural excellence and enhanced public realm consistent with the <i>Heather Lands Design Guidelines</i>, by the following:</p> <p style="padding-left: 40px;">c) Enhance usability of corner plaza to accommodate small gatherings.</p> <p>Note to Applicant: This can be achieved with a widened building setback to allow seating arrangements and introduction of commercial use at grade.</p>
Applicant Response	This corner is no longer available and therefore cannot be accommodated.
Staff Assessment	This condition has not been fully met. As envisioned in the Guidelines, the building F2 and the public realm at the corner is an important place-making initiative that forms the characters of the Meeting Point. The corner configuration is to be updated with civil design and further design development is recommended to building F2 ground floor and the open space at this corner to better reflect the intent of the Guidelines. Refer to Recommended condition 1.3.
Rezoning Condition 1.6	<p>Design development to Parcel F, to enhance the use and animation of the courtyard open spaces.</p> <p>Note to Applicant: This can be accomplished by reducing the number of parkade entries where practical or relocating away from the outer edge of</p>

	courtyards, to replace with patios that offer more animation and social interaction. Other strategies to minimize negative impacts include enclosure, screening, high-quality finishes, and landscaping.
Applicant Response	The accessible entrances and pathways throughout the courtyard provide an invitation for passersby to explore. Generations meet to share experiences in the solace of the shaded woodland play space. Seating nodes are scattered throughout for friends and neighbours to catch up. Large cedar decks offer opportunities for dancing, exercise, and lounging. The open lawn, adjacent to the children’s playground, is designed as a space for games and performances. Community gardens, adjacent edible berry plants, and fruit trees offer food for new feasts to bring neighbours together. At the heart of the plan is the welcoming circle, bringing all the elements together as a central wayfinding element and gathering space shared across all nations.
Staff Assessment	This condition has been generally met through the landscape design. Staff request further design development to minimize negative impacts of exit stairs and exterior wall of parking access ramp. Refer to Standard Urban Design condition A.1.6.

URBAN DESIGN PANEL

The Urban Design Panel reviewed this application on November 6, 2024 and Urban Design Panel Meeting minutes are included in Appendix C attached to this report.

ENGINEERING SERVICES

Heather Lands is an important recharge area for the Quadra Sands Aquifer, and significant green infrastructure is being proposed for the site. It is understood that implementation of the groundwater management strategies discussed in the Preliminary Hydrogeological Report prepared by Piteau Associates, dated February 2, 2021, are no longer proposed. Long-term discharge of groundwater will not be permitted to enter the City drainage system. A revised study should be submitted which includes discussion/analysis of potential impacts of increased infiltration on local groundwater flow, including specific commentary on the proposed infiltration feature at the north portion of the development property, and include measures that will be incorporated into the design of the building, excavation(s), and other site features to ensure infiltrated water from green infrastructure features is not collected in the perimeter drainage system.

Condition A.2.12.i requires a revised Hydrogeological Study demonstrating that the proposed development can be feasibly constructed without significant groundwater-related risks or negative impacts.

HOUSING POLICY

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

LANDSCAPE

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

URBAN FORESTRY

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

CONTAMINATED SITES

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

NOTIFICATION SYNOPSIS

Two Development Permit application signs were installed on the property on November 8, 2024, one facing Heather St and the other facing w 37th Ave. Approximately 2,611 notification postcards were distributed in the neighbourhood on November 7, 2024. Notification and application information, and an online comment form, was provided on the Shape Your City webpage for this application.

At the time of this report, four (4) responses have been received from our postcard/site sign notification; one (1) of which was in Support of the application, two (2) of which were in opposition, and one (1) provided feedback that did not identify if they were in Support or Opposition, this being considered as Neutral.

Support for the application noted that the buildings were appealing and encouragement for development.

Concerns expressed by respondents included the following:

- Building height, density, neighbourhood context and design;

Staff Response: The application is compliant with the height and density requirements of the CD-1 By-law.

Staff Recommended conditions 1.1 and 1.2 and Standard Urban Design conditions A.1.4 and A.1.7 which outline additional design improvements building massing and architectural expression and establish a better relationship with the neighbourhood context.

DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:

The Staff Committee has considered the approval sought by this application and has concluded that with respect to the CD-1 By-law pertaining to this site, 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.



M. So
Chair, Development Permit Staff Committee



G. Jiang
Development Planner



B. Casidy
Project Coordinator

Project Facilitator: J. Smallwood

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 design provision of CAC payment as per the rezoning referral report.

Note to Applicant: This condition is replicated on DP-2024-00802. Payment is due prior to issuance of the first development permit application in Heather Lands CD-1 South.

A.1.2 the pending CD-1 By-law can and does become enacted by City Council;

A.1.3 the proposed form of development can and does become approved by the Director of Planning;

Urban Design Conditions

A.1.4 design development to break up building massing and improve the architectural expression of building F3;

Note to Applicant: Refer to rezoning condition 1.3 and Guidelines Sections 6.10.1 Building Typologies and 6.2. Character Areas and Expression. This may be achieved by:

- i. Introducing sufficient breaks to suggest the appearance of two distinct building forms, avoiding long monotonous façades facing the courtyard and the lane;
- ii. Enhancing the architectural expression of building F3 to establish a more cohesive character among the three buildings in Parcel F.

A.1.5 design development to the front yard along W 35th Ave to balance the performance of the pollinator corridor and street activation;

Note to Applicant: Refer to rezoning condition 1.2. Also see Standard Landscape condition A.1.22. This may be achieved by:

- i. Increase the setback at the parkade to a minimum of 5 m (16 ft);
- ii. Provide individual access to the ground-oriented units from W 35th Ave with careful design to minimize impacts on the Pollinator Corridor.

A.1.6 design development to improve semi-public courtyard space;

Note to Applicant: Refer to rezoning condition 1.6 and *Guidelines* Sections 6.10.8. Common Outdoor Amenity Spaces. This may be achieved by:

- i. Integrating the central free-standing staircases and the greenhouse into the overall courtyard design. Also, see Standard Urban Design condition A.1.9. for the provision of additional design information;
- ii. Applying a mural to the exterior wall of the east parkade access ramp to animate the courtyard.

A.1.7 design development to minimize the impacts on the adjacent residential developments;

Note to Applicant: Refer to *Guidelines* Sections 6.10.11. Livability and 6.10.15. Parking, Loading, and Service Spaces. Design considerations may include:

- i. Employing frosted glass guardrails on balconies facing the lane in building F3;
- ii. Arranging loading and loading paths within building footprints whenever possible to reduce their impact on open spaces and neighbouring properties. Refer to Standard Engineering condition A.2.7.

A.1.8 design development to improve privacy and access to natural light and external views;

Note to Applicant: Refer to *Guidelines* Section 6.10.11. Livability. The intent of this condition is to address livability concern of close-by units between building F2 and F3 at Heather St entrance. It may be achieved by orienting living rooms and associated windows and balconies to Heather St or the courtyard.

A.1.9 design development to provide a more functional residential indoor amenity space;

Note to Applicant: Refer to rezoning condition 1.63(c) and Guidelines Section 6.10.9 – Common Indoor Amenity Space. It may be achieved by providing kitchenettes for amenity rooms located on L2 of Building F2 and L1 of Building F3, and demonstrating all amenity washrooms are accessible.

A.1.10 provision of the following drawings and documentation;

Note to Applicant: Review of the additional information may result in further conditions.

- i. Detailed design, including plans, elevations, sections, and design rationales for the central staircases and the greenhouse; also see Standard Urban Design condition A.1.6;
- ii. Plans and section details of the feature canopies at the main entrances of buildings F1 and F2, showing height, depth, materials, and related features;
- iii. Plans and section details of the parkade exhausts in the open spaces, showing their relationship to surroundings, such as sidewalks, patios, and landscaping;
- iv. Details of a typical privacy screen between private open spaces.

Housing Policy conditions

A.1.11 provision of written confirmation that the proposed mix of strata dwelling units includes 31 studio units (5%), 368 one-bedroom units (61%), 151 two-bedroom units (25%), and 58 three-bedroom units (10%) will be maintained.

Note to Applicant: Any changes in the strata dwelling unit mix may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of strata dwelling units with two-bedrooms, and 10% of strata dwelling units with three-bedrooms.

A.1.12 provision of written confirmation that the proposed mix of the market rental units include 5 studio units (17%), 12 one-bedroom units (40%), 10 two-bedroom units (33%), and 3 three-bedroom units (10%) will be maintained.

Note to Applicant: Any changes in the market rental unit mix may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of market rental dwelling units with two or more bedrooms.

- A.1.13 the proposed mix of below-market rental units, including 3 studio units (25 %), 8 one-bedroom units (67 %), 0 two-bedroom units (0 %) and 1 three-bedroom unit (8 %) is to be revised to achieve at least 35% below-market rental dwelling units with two or more bedrooms.

Note to Applicant: Any changes in the below-market rental unit mix from the rezoning application may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of below-market rental dwelling units with two or more bedrooms.

Development Review Branch Conditions

- A.1.14 compliance with Section 6 – *Conditions of use*, of the Draft CD-1 By-law, by adjusting the unit mix so a minimum of 35% of the Below Market Rental units include two or more bedrooms;

- A.1.15 Compliance with Section 7 – *Floor area and density*, of the Draft CD-1 By-law, including the following:

- i. indicate the assignment of storage units and demonstrate that each dwelling unit has a minimum of 3.7 sq.m (40 sq.ft) of storage;
- ii. include all above grade storage in floor area, and reduce overall floor area to meet the maximum for sub-area F;
- iii. ensure all table numbers match the overlays;

- A.1.16 compliance with Section 10 – *Acoustics*, of the Draft CD-1 By-law through the provision of an acoustical report;

- A.1.17 compliance with Section 4 – *Off-Street Parking Space Regulations* of the Parking By-law, by:

- i. providing two (2) additional accessible parking spaces;
- ii. providing four (4) van sized accessible parking spaces;

Note to Applicant: Consider providing accessible parking spaces in proximity to the elevator.

- A.1.18 confirmation of compliance with Section 5 – *Off-Street Loading Space Regulations* of the Parking By-law, by providing three (3) Class B loading spaces;

Note to Applicant: See also, Standard Engineering condition A.2.7.

- A.1.19 confirmation of compliance with Section 6 – *Off-Street Bicycle Space Regulations* of the Parking By-law, by clearly labelling the Class B bike spaces on the site plan;

Note to Applicant: See also, Standard Engineering condition A.2.5.ii.

- A.1.20 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. *“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”;*
- vi. *“The acoustical measures will be incorporated into the final design and construction, based on the consultant’s recommendations”;* and
- vii. *“An energized outlet capable of providing Level 2 charging or higher is installed in each residential parking space, excluding visitor parking spaces”.*

A.1.21 written confirmation that notification sign on the site has been removed;

Landscape Conditions

A.1.22 design development to improve all site edges and public realm interfaces;

Note to Applicant: Refer to UDP consensus items and Recommended condition 1.3 and Standard Urban Design condition A.1.5.

This may be achieved by the following:

- i. Ensure underground parking structures are set back to prevent encroachment into the required 5m setback along W 35th Ave, in accordance with Rezoning conditions 1.2 and 1.11;
- ii. Enhance the pedestrian and visual connection between Parcel B and Parcel F and provide a more robust planting of species attractive to pollinating insects and birds/animals, in line with the overall vision for the Pollinator Corridor along W 35th Ave;
- iii. Use more permeable materials within the 5m setback area on private property to support the implementation of a high-quality pedestrian public realm and rainwater sustainability strategy;
- iv. Develop a landscape composition that complements the building façade, highlights the plaza/courtyard entry, and strengthens visual connection to key context points, particularly along Heather St and at the intersection of W 35th Ave.

A.1.23 coordination with Streets Engineering and Park Board of any new street tree planting to be provided adjacent to the development site, where possible, which shall be confirmed prior to issuance of the Development Permit;

Note to Applicant: Street tree species and size shall be confirmed on plant list. Contact Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. See also, Standard Urban Forestry condition A.1.24.iii.

Urban Forestry Conditions

A.1.24 provision of an updated Landscape Plan, including:

- i. proposed locations, number, and species of the front boulevard trees;
- ii. confirmation of structural soil with continuous trenching to be installed under the sidewalks;
- iii. tree species selection;

Note to Applicant: Tree species along W 35th Ave – *Zelkova serrata* ‘Green Vase’.

A.1.25 confirmation that no existing/proposed utilities will conflict with the planting of new trees;

Public Art Condition

A.1.26 prior to issuance of a Development Permit the Owner will deliver the following to the Managing Director, Arts & Culture:

- i. the 10% Option A Payment; or
- ii. Notice that the Owner intends to satisfy the Public Art requirements through Option B

Note to Applicant: Please contact Tamara Tosoff, Planning Assistant – Public Art at tamara.tosoff@vancouver.ca to discuss the options.

A.2 Standard Engineering Conditions

A.2.1 entry into a Shared Vehicle Agreement with the City to secure the operation and maintenance of (16) two-way Shared Vehicle(s) and the maintenance of (16) 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 By-law, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including:

- i. (16) two-way Shared Vehicle(s) to the development for a minimum period of 3 years;
- ii. entry into an agreement with a two-way Shared Vehicle Organization to secure the operation and maintenance of the Shared Vehicle(s);
- iii. maintenance of the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;
- iv. arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
- v. security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
- vi. 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;

Note to Applicant: The preparation of this legal agreement includes a statutory right-of-way and a 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.2.2 registration of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services 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 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 to confirm the system has been constructed as per the accepted RWMP prior to occupancy;

- A.2.3 provision of applying for and receiving a City of Vancouver Building Grades Permit Plan to inform Development Permit Application Drawings of property line grades at the development site;
- A.2.4 provision of receiving City of Vancouver approval on off-site civil design to inform Development Permit Application Drawings of property line grades at the development site.
- A.2.5 provision of an updated Parking By-law statistics table(s), including:

- i. notation of:
 - a. *“Parking, loading, bicycle, and passenger loading shall be provided and designed in compliance with the Parking By-law and the Parking and Loading Design Supplement, including:”*
 - b. *“Accessible parking spaces held in common ownership and not be assigned to any strata lot.”;*
- ii. required/provided Class B bicycle spaces;

Note to Applicant: See also, Standard Development Review Branch condition A.1.19.

- A.2.6 provision of updated parking access and vehicle spaces, per Section 4 – *Off-Street Parking Space Regulations*, of the Parking By-law and the *Parking and Loading Design Supplement*, including:

- i. safe, functional parkade access interface with the City right-of-way, by providing:
 - a. ramp alignment positioning vehicles perpendicular to the lane;
Note to Applicant: The ramp alignment at the top of the ramp to Parkade B (F2 & F3) needs to be reconfigured so that the ramp and vehicles are perpendicular at the top of the ramp at the lane for ingress/egress;
 - b. swept path turning analysis demonstrating two-way flow in/out of site and the full length of the parkade ramps;
- ii. safe, functional grades on the ramp and in parking areas, by providing:
 - a. maximum 10% ramp grades serving Class B loading spaces after the first 6.1 m (20 ft) from the property line/back of sidewalk;

- b. swept path turning analysis demonstrating two-way flow in/out of site for Class B vehicles and the access routes to reach the Class B loading spaces on Level P1;

Note to Applicant: Assume a minimum design vehicle of: SU-9 for Class B loading spaces.

- iii. minimum 2.7 m (8.9 ft) width for standard and visitor spaces adjacent one wall or column if located more than 1.2 m (4 ft) from either end of the stall;
- iv. minimum 2.9 m (9.5 ft) width for standard and visitor spaces adjacent two walls or if column if located more than 1.2 m (4 ft) from either end of the stall;
- v. minimum 2.3 m (7.5 ft) width, 4.6 m (15.1 ft) length and 2.0 m (6.6 ft) vertical clearance for small spaces;
- vi. minimum 2.6 m (8.5 ft) width for small spaces adjacent one wall or if column located more than 1.2 m (4 ft) from either end of the stall;
- vii. minimum 2.7 m (8.9 ft) width for small spaces adjacent two walls or columns located more than 1.2 m (4 ft) from either end of the stall;
- viii. maximum 1.2 m (4 ft) setback from either end of a space for columns adjacent to standard and small car spaces;
- ix. the minimum required column setback from a 6.6 m maneuvering aisle is 0.3 m (1 ft) while not exceeding maximum 1.2 m (4 ft) column setback from either end of a space for columns adjacent to standard and small car spaces;

Note to Applicant: If 1.2m (4 ft) columns are required, then the stalls need to be treated as parking stalls adjacent a wall and require additional stall width. Refer to the Parking and Loading Design Supplement for additional information.

- x. removal of column encroachments from accessible spaces

Note to Applicant: Columns are not permitted to be within the stalls or access aisles

- xi. minimum 6.6m (21.7 ft) maneuver aisle

- A.2.7 provision of updated loading space(s), as per Section 5 – *Off-Street Loading Regulations* of the Parking By-law and the *Parking and Loading Design Supplement* by providing convenient, internal, stair-free loading access to/from site uses;

Note to Applicant: As per the *Heather Lands Design Guidelines*, Class B loading spaces to be provided on level P1 to serve each tower and Class B loading spaces are to be located in close proximity to elevators.

- A.2.8 provision of updated bicycle space(s), as per Section 6 – *Off-Street Bicycle Space Regulations*, including Class B bicycle spaces fully to be located on private property, including required access to spaces;

Note to Applicant: Ensure that the Class B bicycle spaces do not interfere with any access to the buildings.

- A.2.9 provision of general revisions to the architectural plans:

- i. all types of parking, loading, bicycle, and passenger loading spaces individually numbered, dimensioned, and labelled on the drawings;
- ii. section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projections and built obstructions;
- iii. design elevations at all breakpoints on both sides of ramps, drive aisles, loading and passenger loading spaces, accessible spaces, and entrances;
- iv. provide gridlines on the parking level drawings for reference;
- v. dimension all maneuvering aisle widths;
- vi. update drawings to show all required/provided Class B bicycle spaces;

A.2.10 provision of an updated Landscape and Site Plan to reflect the public realm changes including all of the off-site improvements sought for this development permit, including the following:

- i. show and dimension all city sidewalks with city standard concrete finishes;
- ii. delete proposed stairs from Engineering-Right-of-Way shown at the end of the sidewalk on W 35th Ave;
- iii. provision of landscaped area at back of city sidewalk to 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;
- iv. clearly indicate all city standard corner and letdown details;
- v. show and reference city standard concrete driveway crossings on Heather St;
- vi. indicate removal of the existing driveway crossings and reconstruction of the boulevard, sidewalk and curb to current standards on Heather St;

Note to Applicant: If the final approved City issued geometric design has not been provided by the City by DP issuance, then clearly note and label on the plans, that off-site improvements will be as per the final approved City issued geometric design.

Note to Applicant: Where a design or detail is not available, make note of the improvement on the site and landscape plans.

A.2.11 provision of financial security as per the Services Agreement from rezoning enactment to be provided prior to development permit clearance.

Note to Applicant: This condition is replicated on DP-2024-00802. Financial security must be made prior to the issuance of the first development permit application in Heather Lands CD-1 South.

A.2.12 provision of a complete Hydrogeological Study, as required by the Zoning and Development By-law (Section 4.3.4), which addresses the requirements outlined in the Groundwater Management Bulletin, including but not limited to:

- i. construction-related and permanent groundwater management, including quantitative estimates (in litres per minute) of anticipated construction and permanent groundwater discharge rates for City approval;

Note to Applicant: The previous groundwater management strategies are no longer proposed, and long-term groundwater discharge into the City drainage system is not allowed. A revised study should analyze the impacts of increased infiltration on local groundwater flow, especially the proposed infiltration feature in the north, and ensure infiltrated water from green infrastructure is not collected in the perimeter drainage system.

- ii. an updated Impact Assessment to confirm that there are no significant risks from groundwater extraction/diversion.

Note to Applicant: Groundwater has been extracted from the site of Oakridge Mall (41st and Cambie St.) 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.

- A.2.13 provision of a crossing application to the satisfaction of the General Manager of Engineering Services for new driveway crossing;

Note to Applicant: Review the City's Street Design Manual and show the typical commercial crossing design C7.2 on the Landscape plans and indicate if any existing street furniture, poles street trees or underground utility is impacted by the crossing design and location.

- A.2.14 Provision of a waste management plan with the following information:

- i. types of waste streams to be provided;
- ii. quantity and type of container for each waste stream;
- iii. collection frequency of each waste stream;
- iv. clear description of how the waste containers are to be transported to the designated staging area, including who will be responsible for transporting the bins;

Note to Applicant: For more information please refer to *the Garbage and Recycling Facility Storage Amenity Design Supplement*.

- A.2.15 provision of zero waste requirements, as per the Section F of the *Rezoning Policy for Sustainable Large Developments*, including:

- i. adequate space for collection bins and zero waste initiatives in buildings (F.3.1).
Mandatory requirements for Zero Waste Initiatives:
 - a. The solid waste storage amenities allotted must exceed the minimum set out in the guidelines to allow for waste diversion programs to ensure items banned from garbage are not put in garbage (e.g. electronics, foam packaging).

- b. There must be an infrastructure and maintenance plan to maintain a litter-free environment in exterior areas (e.g. public sidewalks and paths).
- ii. occupant/Public communication and education program required (F.3.2), including minimum of three items from Occupant/Public Education and Outreach Actions list under the Sustainable Large Developments Bulletin

Note to Applicant: Provide written confirmation of which procedures the development will be implementing from section 6.1.3 of the bulletin:

<https://guidelines.vancouver.ca/bulletins/bulletin-sustainable-large-developments.pdf>

- iii. additional Zero Waste Actions: Recycling, Organics and Waste Collection Systems (F.3.3). Buildings must incorporate zero waste efforts beyond the provision of standard recycling bins. The applicant must show how they plan to meet this objective by choosing and implementing as least seven initiatives from a list of 18 items under the Bulletin.
- iv. post Occupancy Plan Implementation Report Plan (F.3.4). The applicant must acknowledge intent to provide a Plan Implementation Report post-occupancy, with details regarding who will be responsible for submitting. Prior to DP issuance the applicant must agree to the terms and conditions set out in the Solid Waste Reporting Covenant.

A.2.16 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, please contact the Utilities Management Branch at umb@vancouver.ca.

A.2.17 the preparation of a Services Agreement, SRW, TDM, or Bridge Proximity 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.3 Standard Licenses & Inspections (Contaminated Sites) Conditions:

A.3.1 The property owner must provide:

- i. A complete and accurate Site Disclosure Statement;
- ii. A Ministry of Environmental Release Notice or Certification Document (e.g. AiP);
- iii. An agreement to remediate the property, including a Section 219 Covenant to restrict occupancy until a Certificate of Compliance or Final Determination is issued by Ministry of Environment and Climate Change Strategy for each of the site and, if any, the dedicated lands.

Note to Applicant:

- i. Site has a Final Determination but does not indicate a site exemption. Submit revised SDS if the Final Determination is valid for the proposed development.
- ii. Site has Final Determination.
- iii. A Remediation agreement is not required if the site is confirmed to have the exemption.

B.1 Standard Notes to Applicant

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **August 27, 2025**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.3 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.4 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Conditions of Development Permit:

- B.2.1 The property owner must fulfill requirements of Section 571(B) of the Vancouver Charter and Section 85.1(2) of the Land Title Act by submitting a complete and accurate Site Disclosure Statement and entering into legal agreements, if required, as follows: i) an agreement to remediate the site and contaminants that have migrated therefrom; and ii) a Section 219 Covenant to restrict occupancy until a Certificate of Compliance or Final Determination is issued by Ministry of Environment and Climate Change Strategy for the site, including any dedicated lands.
- B.2.2 A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work. All work on the site must be conducted in compliance with British Columbia's Environmental Management Act and Contaminated Sites Regulation. In the event that contamination of any environmental media is encountered, a Contaminated Site Groundwater Quality Declaration or Waste Discharge Permit Application must be submitted prior to commencing dewatering activities.
- B.2.3 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.2.4 Provision of a final signed and sealed RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

Note to Applicant: Provide a final cross-section detail of the flow control structure indicating flow control size and invert, emergency overflow invert and any other relevant details.

- i. Confirm the final storm connection invert and location through the Sewer Connection permit process.
- ii. Provide a detail/cross-section of the proposed green roof system along with any product specifications with the final submission.

- iii. Include the referenced geotechnical/infiltration testing study used to establish the infiltration rate of the proposed infiltration system in an appendix of the RWMP.
- iv. Calculate the post-development uncontrolled release rate using a minimum inlet time of 5 minutes for the 10-year event as per the Engineering Design Manual or provide technical justification for using a higher value.

B.2.5 Provision of a final signed and sealed standalone rainwater Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

Note to Applicant: Provide the anticipated start date for excavation and contact details for the retained professional(s). In addition, monitoring must include daily average flow rates, and be submitted monthly in the standard template provided to groundwater@vancouver.ca

- i. Every effort shall be made to prevent or limit the long-term discharge of groundwater to the sewer system.
- ii. The City shall be notified immediately of any changes that may be material to the City's review of the submitted final hydrogeological study (e.g. if the proposed excavation depth increases). Email the City at groundwater@vancouver.ca.
- iii. Confirmation of professional services retained to conduct construction-related discharge flow monitoring shall be submitted prior to Building Permit issuance for excavation work.

B.2.6 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, please contact the Utilities Management Branch at umb@vancouver.ca.

B.2.7 Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License.

Note to Applicant: Applications for provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a

government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act.

- B.2.8 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (street restoration manual section 02596 and Encroachment By-law (#4243 section 3A) and access around existing and future utilities adjacent to your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

- B.2.9 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 and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days 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.2.10 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended July 25, 2023) located here <https://guidelines.vancouver.ca/policy-green-buildings-for-rezonings.pdf>

Note to Applicant: Refer to the most recent bulletin Green Buildings Policy for Rezoning – Process and Requirements

- B.2.11 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 Bylaw 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.2.12 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.2.13 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.2.14 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.2.15 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.**

- B.2.16 A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work.
- B.2.17 All work on the site must be conducted in compliance with British Columbia's Environmental Management Act and Contaminated Sites Regulation.
- B.2.18 In the event that contamination of any environmental media is encountered, a Groundwater Quality Declaration or Waste Discharge Permit Application must be submitted prior to commencing dewatering activities.
- B.2.19 The developer should prepare a Sewer abandonment plan to cut and cap all of the existing connections from the site **prior to building permit issuance**.

Note to applicant: Please contact Keith Der, P.Eng., PMP, Senior Engineer, Technical Review (keith.der@vancouver.ca, 604-871-6430).

- B.2.20 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (street restoration manual section 02596 and Encroachment By-law (#4243 section 3A) and access around existing and future utilities adjacent to your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.