

**Heather Lands Parcel B - 620 W 35th Ave
DP-2024-00802 – CD-1 (pending)**

BC/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:

B. Clark, Urban Design
L. Chang, Landscape
B. Casidy, Development Services
E. Brooker, Housing Policy
J. Smallwood, Development Services
E. Finn, Parks 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:

- a 24-storey apartment (B1) with 207 strata units and 67 moderate income rental units;
- a 20-storey apartment (B2) with building with 203 strata units and 2 secured market rental units; and
- a 12-storey apartment (B3) with 101 secured market rental units and 32 moderate income rental units,

all over four levels of underground parking, having vehicular access from Manson St and W 35th Ave 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 Plan
	Appendix E	Site Plan
	Appendix F	Plans
	Appendix G	Elevations and Sections
	Appendix H	Shadow Study
	Appendix I	Landscape Drawings
	Appendix J	Applicant's Rezoning Response

● **Issues:**

1. Surface Loading;
2. Tower Massing of Buildings B2 and B3;
3. Relationship of Parcels B and F;

● **Urban Design Panel: Support with Recommendations 5-0**

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE

THAT the Board APPROVE Development Application No. DP-2024-00802 submitted, the plans and information forming a part thereof, thereby permitting the development of three buildings on this site consisting of a 24-storey apartment (B1) with 207 strata units and 67 moderate income rental units, a 20-storey apartment (B2) with building with 203 strata units and 2 secured market rental units and a 12-storey apartment (B3) with 101 secured market rental units and 32 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 strengthen the pedestrian site entry from W 35th Ave;

Note to Applicant: Refer to rezoning conditions 1.2, 1.8 and *Heather Lands Design Guidelines* (6.2.3 Homes in the Village, and 6.10.15 Parking, Loading and Services Spaces). See also Standard Engineering condition A.2.7.i and Standard Landscape condition A.1.21. The proposed garbage/recycling and surface loading deviate significantly from the Rezoning proposal, impacting the public realm along W 35th Ave. Locating an indoor amenity in the podium of Building B2 would help create an engaging frontage to enhance the public realm.

- 1.2 Design development to provide slenderer tower forms for towers B2 and B3;

Note to Applicant: Refer to rezoning condition 1.1, *Heather Lands Design Guidelines* (6.10.1 Building Typologies, and [Citywide Development Guidelines Early Actions](#)). This condition is intended to improve solar access, improve shadowing of the park and open spaces, and mitigate perceived bulkiness. It may be achieved by reducing tower floorplate size and further shaping tower forms. 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 count, and distribution of family units in the building. See also, Standard Park Board condition A.1.25.

- 1.3 Design development to create a stronger relationship between Parcels B and F;

Note to Applicant: Refer to rezoning conditions 1.8 and *Heather Lands Design Guidelines* (6.2. Character Areas and Expression, and 6.8 Overall Parking & Loading). Create a stronger link between the 2 sites by aligning the entry of Building B2 with the open space of Parcel F, and coordinating landscape design and features. Include a site plan showing both parcels, building entries, and landscape elements for rainwater management and the pollinator corridor. Develop the large triangular area at the northwest corner of Parcel B as a strong feature to enhance the plaza in the south Park and the 'Meeting Place' at Parcel F. See also, Standard Urban Design condition A.1.8 and Standard Landscaping condition A.1.21.

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 B)

		Heather Lands (South)				DP-2024-00802					Parcel F Proposed Figures	Remainder
		Permitted/Required				Proposed - Buildings B1, B2, and B3						
1 Site Size						Irregular (Existing site)						
1 Site Area						7,429.00 m ²						
Use (s)		Dwelling/Retail				Multiple Dwelling						
2 Floor Area	Max. Floor Area (A-F)	142,628.0	m ²	Total Floor Area		47,472.7	m ²	47,347.76	47,807.54			
	Max. Floor Area (B&C)	64,798.0	m ²	Total Dwelling Use Area		47,472.7	m ²		17,325.30			
	Min. Sec. Market Rental (B&C)	23,125.0	m ²	B1	21,525.6	m ²						
				B2	15,875.0	m ²						
				B3	10,072.1	m ²						
	Secured Market Rental Area		25,753.0	m ²					-	2,628.0		
	Min. Bel. Market Rental (B&C)	7,708.0	m ²	B1	15,715.0	m ²						
				B2	157.0	m ²						
				B3	9,881.0	m ²						
	Below Market Rental Area		7,745.0	m ²					-	37.0		
Strata Area		15,254.0	m ²									
B1	-	m ²										
B2	15,254.0	m ²										
B3	-	m ²										
Min. Amenity (A-F)		1,234.0	m ²	Amenity Area		360.6	m ²	522.7	350.7			
Min. Res. Stor. (3.7m ² per unit)		2,264.4	m ²	Residential Storage Area		2,283.7	m ²					
Max. Retail (B,C,&F)		230.0	m ²						230.0			
2 Floor Area Exclusions	Max. Open Balcony 12.0%	5,696.7	m ²	Open balcony 12.0%		5,718.4	m ²					
	Max. Amenity (A-F)	1,234.0	m ²	Total Amenity		360.6	m ²	522.7	350.7			
3 Height	Sub-Area B											
	Max. Storeys	24	st	Storeys								
	Max. Height	76.2	m	B1	24	st						
				B2	20	st						
				B3	12	st						
Height												
B1	73.4	m										
B2	61.0	m										
B3	38.6	m										
4 Parking	Min. Visitor	31		Visitor		31						
	Min. Accessible	22		Standard Accessible		420						
	Max. Small Car 25.0%	141		Accessible Small Car 21.4%		120						
	Total Parking				562							
5 Loading	Class	A	B	C	Total	Class	A	B	C	Total		
	Dwelling	3	3	0	6	Dwelling	3	2	0	5		
Total		3	3	0	6	Total		3	2	0	5	
6 Bicycle	Class	A	B			Class	A	B				
	Dwelling	1188	32			Dwelling	1188	32				
Total		1188	32			Total		1188	32			
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	
Unit Mix	Unit Type		#	%	Total Unit Type		#	%				
	Strata				Strata		203	100%				
					Studio		44	22%				
					1 Bedroom		75	37%				
	2 Bedroom		51	25%	2 Bedroom		59	29%				
	3 Bedroom		20	10%	3+ Bedroom		25	12%				
	2+ Bedroom		71	35%	2+ Bedroom		84	41%				
	Secured Market Rental				Secured Market Rental		310	100%				
					Studio		48	15%				
					1 Bedroom		141	45%				
				2 Bedroom		71	23%					
				3+ Bedroom		50	16%					
2+ Bedroom		109	35%	2+ Bedroom		121	39%					
Below Market Rental				Below Market Rental		99	100%					
				Studio		20	20%					
				1 Bedroom		31	31%					
				2 Bedroom		32	32%					
				3+ Bedroom		16	16%					
2+ Bedroom		35	35%	2+ Bedroom		48	48%					
Total Site				Total Site		612	100%					

Notes:

1. Note on Site Area: Site area is based on the submitted legal survey;

2. Notes on FSR and Floor Area:

- 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.1.13;
- Confirmation of tenure floor area totals is being sought per Standard Development Review Branch condition A.1.13 as the totals provided on the overlay plans do not coincide with the overall floor area;

3. Note on Height: Building grades were not provided and need to be finalized to confirm building heights, though the heights appear compliant - see Standard Development Review Branch condition A.1.14;

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;

City staff are not supportive of the driveway crossing off of W 35th Ave (refer to Standard Engineering condition A.2.7.i).

5. Note on Loading: City staff are not supportive of the relaxation of 1 Class B Loading space (see Standard Development Review Branch condition A.1.17) or the driveway crossing off of W 35th Ave (see Standard Engineering condition A.2.8);

6. Note on Bicycle: Dwelling unit areas are required to confirm Class A Bicycle Parking space requirements (see Standard Development Review Branch condition A.1.18);

● Legal Description

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

● History of Application:

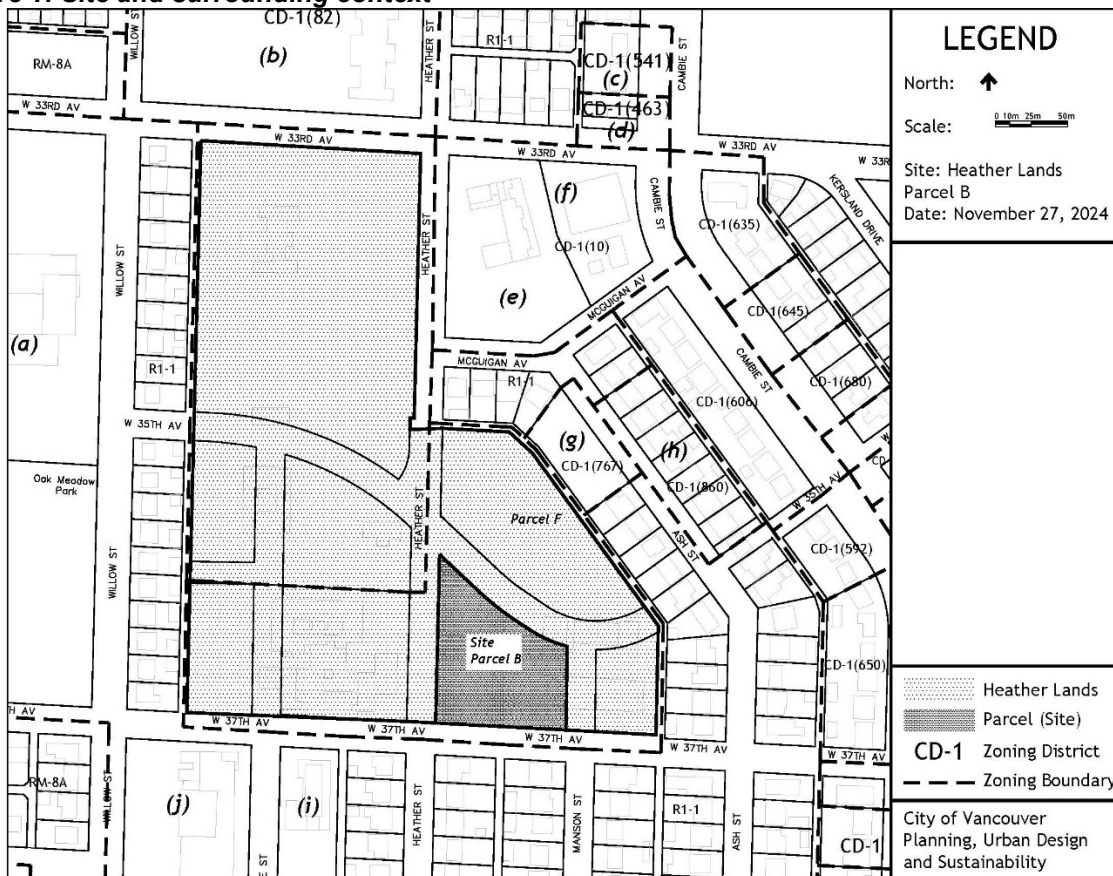
2024-08-16 Complete DP submitted
 2024-11-06 Urban Design Panel
 2024-12-04 Development Permit Staff Committee

● **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 B is situated in the southern portion of the site, adjacent W 37th Ave where a vacant building 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 x^wməθk^wəy̓ əm (Musqueam Indian Band), Sk̓wx̓wú7mesh (Squamish Nation), and səilwətał (Tsleil-Waututh Nation) (collectively the "MST 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 Street and W 35th Avenue, 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.) MST 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 (see Figure 3), 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 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 MST Peoples; and
- 'Teaching', transferring knowledge and location for the new CSF elementary school.

Figure 3: Neighbourhood Character Areas



Parcel B is one of the first Development Permit applications following rezoning. It is located at the southeast corner of the site and as such plays many important roles, including:

- To create a strong sense of home with livable buildings and a central semi-public courtyard;
- To reinforce the Meeting Point at Parcel F at the intersection of W 35th Ave and Heather St;
- To transition to the Heather St ROW (greenway) and adjacent southern park; and
- To provide setback areas for pollinator corridor along W 35th Ave.

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

• ***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 combined maximum floor area and a maximum building height for Parcels B. The maximum building height applies to the taller building within the parcel, and other buildings' heights reflected in the *Design Guidelines*.

• ***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.

• ***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 role and character of each parcel. Built form guidelines expand on building heights, setbacks, podiums, street walls, building dimensions, tower floor plate size, and tower separation, as well as overall character. 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 B include the provision of three towers (12 to 24 storeys) with 6 and 7 storey podiums framing W 35th Ave, Manson St, W 37th Ave and the Heather St R.O.W. The guidelines for Parcel B include a covered gathering space possibly inspired by the Nations' traditional cedar hat, play spaces inspired by nature, community garden spaces, and a stormwater detention pond. A Statutory Right of Way crosses through the parcel's outdoor space, providing a semi-public walkway for the community. Other important site features include a 5m (16 ft) setback outside the parkade along W 35th Ave to support trees and landscaping along the pollinator corridor, and an active edge along the Heather Street R.O.W. (greenway) to the west.

- ***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.

- ***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.

- ***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.

- ***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.

- ***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.

- ***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)**

This development permit application (DP) is generally consistent with the approved rezoning, with all three tower heights remaining as approved. Building B1 is a 24-storey tower with a 7-storey podium, B2 is a 20-storey tower with a 6-storey podium, and B3 is a 12-storey tower with a 6-storey podium. In response to conditions of Rezoning, the podiums were reduced and reshaped to enlarge the courtyard and improve sunlight access. As a result, density has been redistributed throughout the parcel and several variations in built form are proposed, including increase in tower floorplate size (see *Figure 4 and 5*).

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

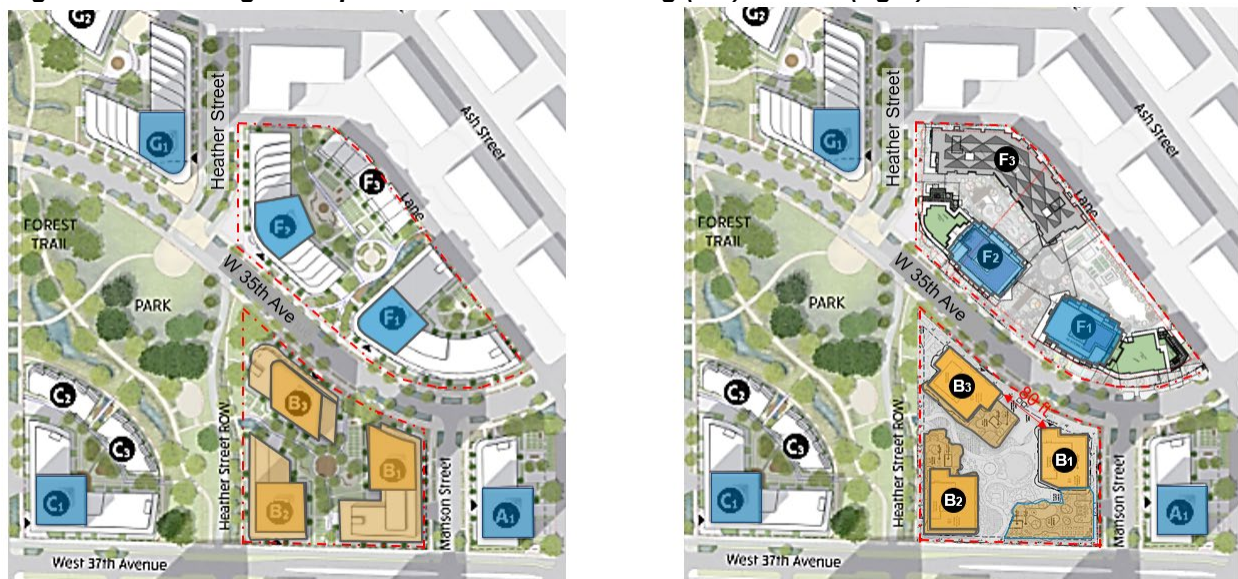


Figure 5: Building Heights and Massing Comparison between Rezoning (left) and DP (right)



a) Reduction in podium heights and massing

The Guidelines envision podium heights of 6 and 7 storeys, however partial 8th storeys were proposed at buildings B1 and B2.

Applicant Response:

The development permit application proposes a 6-storey podium for buildings B2 and B3, and a 7-storey podium for B1 (see *Figure 5*, right). The podiums were reduced in footprint and shaped to increase the size of the interior courtyard and maximize solar access.

Staff Assessment:

Staff is supportive of a simpler building form by minimizing terraces and shoulder setbacks to achieve more efficient and sustainable buildings. Elimination of the partial 8 storey of the B1 and B2 podiums is supported. Although the B1 podium is 7 storeys high, it does not increase shadowing of the courtyard or public open space. Landscape treatments to reduce the scale of the podium along W 35th Ave are recommended in Recommended condition 1.1.

b) Increase in tower floorplates

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

Applicant Response:

Massing has been updated to optimize open space on the site. One podium level of B2 was removed (from eight to seven) and the B3 tower was relocated further away from the courtyard and the Heather Street ROW. In the massing of the B1 podium and B3, an angled notch was introduced to increase the courtyard area and improve daylight access to the site's courtyard.

The application proposes tower floor plates from 665 sq.m (7,163 sq.ft) (B1), 686 sq.m (7,380 sq.ft) (B2), and 697 sq.m (7,502 sq.ft) (B3) to improve building efficiency and in turn ensure affordability.

Staff Assessment:

Staff is supportive of the proposed floorplate of tower B1, as the surrounding open spaces are large enough to support a larger tower massing, and as resulting shadows do not significantly impact public open space. Towers B2 and B3, however, should generally align with the expectation of the guidelines to achieve more slender tower forms to enhance sky views, solar

access and reduce shadows on the park as possible. Modest relaxations to floorplate sizes can be considered to support Indigenous-led developments.

Figure 6: Spring Equinox Shadow Comparison between Rezoning and DP (at March 21, 10am)

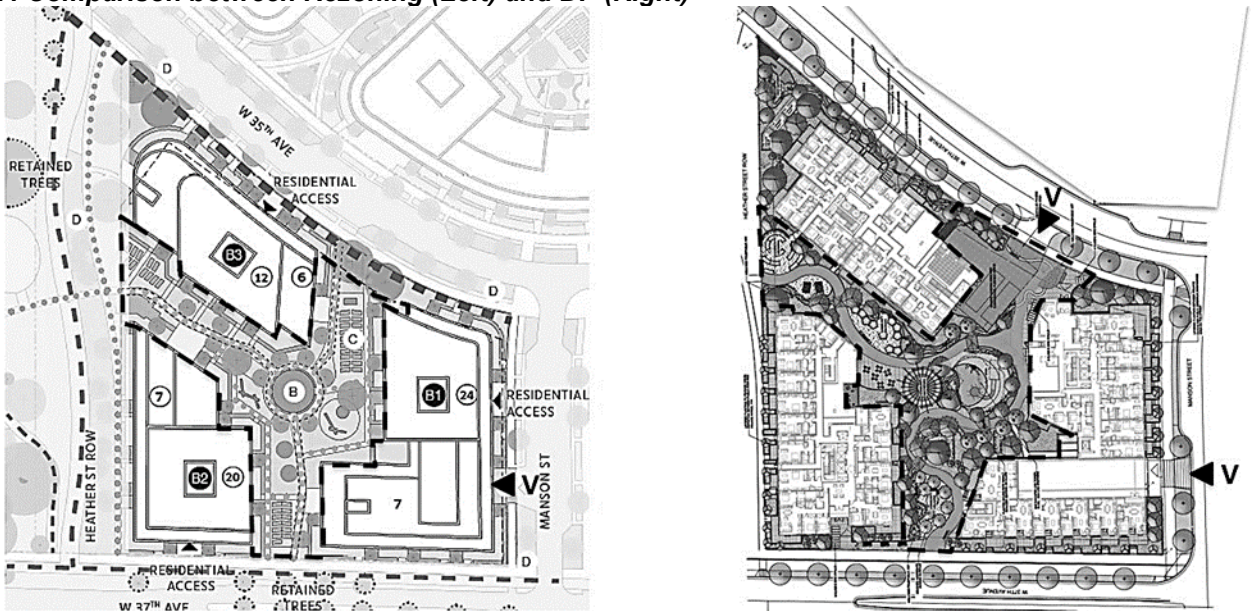


The Shadow Study Comparison (*Figure 6*) indicates towers B2 and B3 will shadow parts of the Southern Park at 10 a.m. on the Spring and Fall Equinoxes, until noon. The diagram above illustrates areas of increased and reduced shadow in the proposed Development Permit application under consideration. Recommendations to further refine the tower floor plate size and dimensions of B2 and B3 are included in Recommended condition 1.2.

c) Second Vehicular Entry and Surface Loading for Garbage/Recycling

The Guidelines envision one vehicular entry point on Manson St, with garbage, recycling and loading located below grade (See Left).

Figure 7: Comparison between Rezoning (Left) and DP (Right)



Applicant Response:

The application proposes a new vehicular site entry and surface loading off W 35th Ave (See Right).

Staff Assessment:

The additional vehicular entry and surface loading are not supported. Staff strongly recommend adhering to the concept approved at rezoning. Staff have included a condition to consider replacing the garbage/recycling area with ground floor amenity space, to better activate adjacent open spaces, including the public realm along W 35th Ave as per Recommended condition 1.1.

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 Rezonings (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	Design development to refine massing of towers and buildings to optimize sunlight on the park, and open spaces.
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	<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 is especially relevant for building B3 and B2 to minimize shadowing park west of Heather Street right-of-way. This may also contribute to a more visually striking and recognizable roof form and skyline.</p>
Applicant Response	<p>Massing has been updated to optimize open space on the site. One podium level of B2 was removed (from eight to seven) and the B3 tower was relocated further away from the courtyard and the Heather Street ROW. In the massing of the B1 podium and B3, an angled notch was introduced to increase the courtyard area and improve daylight access to the site's courtyard.</p>
Staff Assessment	<p>This condition has not yet fully met. Staff recommend further refinement to the tower B3 massing to enhance solar performance of the park and open spaces and mitigate perceived bulkiness, and address UDP comments regarding refinements to architectural expression. Refer to Recommended conditions 1.2 and 1.3 and also, Standard Urban Design condition A.1.4, regarding tower refinements.</p>
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 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. See also rezoning Landscape condition 1.11.</p>
Applicant Response:	<p>Private patios have been minimized within the pollinator corridor; those included have been sensitively positioned in coordination with upper balconies to minimize impacts to planted areas below.</p>
Staff Assessment	<p>This condition has not yet fully met. Staff request reduction of paved surfaces and relocating the surface loading and garbage/recycling area. Refer to Recommended condition 1.1.</p>
Rezoning Condition 1.8	<p>Design development to provide universally accessible pathways and connections to link transit, park, open space, and amenities as well as providing physical and visual linkages to the surrounding community.</p>
Applicant Response:	<p>The entries and pedestrian routes through the site are all universally accessible and provide physical and visual connections to all three parcel frontages to/from the central amenity space. Parkade slab has been set</p>

	such that all planting at ground level will be at grade, with minimal planter walls required in public areas.
Staff Assessment:	This condition has not yet been fully met. Staff recommend further refinement to the site plan to increase separation between buildings for improved pedestrian flow to the inner courtyard, and to create a stronger link between Parcels B and F.

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 A2.13.i requires a revised Hydrogeological Study demonstrating that the proposed development can be feasibly constructed without significant groundwater-related risks or negative impacts.

The *Heather Land Design Guidelines* intent was for a single co-located driveway crossing from Manson St for Parcel B to handle all vehicle and loading access to the site. The current secondary driveway is considered unsafe for the anticipated pedestrian traffic along W 35th Ave. Additionally, it disrupts the continuous frontage and pollinator corridor, which are designed to enhance the pedestrian experience as they enter the site from W 35th Ave.

Condition 1.1 and A.2.7.i requires redesign of the vehicle and loading access points into the site, to provide a single driveway crossing on Manson St.

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

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.

PARKS BOARD

The recommendations of the Parks Board 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, and three (3) in opposition.

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

Concerns expressed by respondents included the following:

- Building height, density and neighbourhood context;

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

- Impacts to the local infrastructure, including local schools and an increase in traffic;

Staff Response: New streets are proposed to serve the Heather Lands as part of the rezoning report, in addition to civic upgrades to facilitate traffic and infrastructure demand. Additionally, the rezoning includes a site for a Conseil Scolaire Francophone (CSF) French language school and childcare facility that is to be part of future permit applications for the Heather Lands.

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



B. Clark
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 provision of CAC payment as per the rezoning referral report.

Note to Applicant: This condition is replicated on DP-2024-00853. 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 refine the architectural expression of the towers;

Note to Applicant: UDP consensus item, 'to encourage and support further development and refinement of the towers while clearly maintaining their contrast in expression'. This can be achieved by further study of the three towers in relation to each other, their podiums, and the surroundings, especially the towers of Parcel F, the Meeting Point, and the open spaces and park to the west.

A.1.5 design development to strengthen the connections from the public realm to the courtyard by enlarging the pedestrian site entries;

Note to Applicant: Refer to Heather Lands Design Guidelines (6.10.6 Public Realm Interface with Residential, and 6.10.16 Landscaping). The intent of this condition is to encourage public access to the courtyard. It can be achieved by shaping the podiums to increase opening widths, and by detailed study of the location of architectural and landscape features.

A.1.6 design development to improve the Manson St parkade entry as a major site feature;

Note to Applicant: Refer to *Heather Lands Design Guidelines* (6.10.16 Landscaping, 6.8 General Parking and Loading, and 6.10.15. Parking, Loading, and Service Spaces). The Manson St parkade entry serves all the residents of Parcel B and vehicles of multiple sizes. Provide detailed drawings of this area, with dimensions, and public realm enhancements, such as special paving, planting, pedestrian-scale lighting, a feature pergola over the driveway, and decorative elements. Changes to the parkade entry should ensure both quality and functionality. See also, Standard Engineering condition A.2.7.

A.1.7 design consideration to provide a dedicated bike elevator for safe, convenient access to the parkade;

Note to Applicant: Refer to *Heather Lands Design Guidelines* (6.10.14 Bike Storage). Bicycle access should be designed as an attractive feature integral to the site.

A.1.8 design development to improve livability, as follows:

- a. Improve privacy, access to natural light and external views for units at the inner corner of B1 adjacent to the courtyard.
- b. Enlarge living areas of family units to be commensurate with the number of residents;

Note to Applicant: Some living areas for 3 bedroom units are smaller than 1 bedroom units.

- c. Ensure Building B3 provides 93 sq.m (1000 sq.ft) minimum indoor amenity space;
- d. Provide accessible washrooms and kitchenette for Building B2's ground floor amenity room;
- e. Provide windows in all habitable spaces;
- f. Enhance curvilinear balconies provide adequate usable outdoor space and indicate approximate area on the floor plans (typically 2.0 m x 2.7 m);
- g. Provide weather protection for top floor balconies; and
- h. Ensure storage rooms do not exceed 3.7 sq.m (40 sq.ft) maximum;

Note to Applicant: Refer to *Heather Lands Design Guidelines* (6.10.11. Livability).

- A.1.9 provide detailed drawings of the following elements to clearly show design intent and materials:
- a. primary building entry canopies, including height, depth, materials, and related features;
 - b. parkade exhausts and similar elements, to show their relationship to sidewalks, patios, landscaping (see also Recommended condition 1.3); and,
 - c. typical privacy screens between private open spaces, balcony railings, perimeter fencing, retaining walls, and pedestrian and vehicular gates;

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

Housing Policy conditions

- A.1.10 provision of written confirmation that the proposed mix of strata dwelling units include 44 studio units (22%), 75 one-bedroom units (37%), 59 two-bedroom units (29%), and 25 three-bedroom units (12%) will be maintained.

Note to Applicant: Any changes in the unit mix may on be varied under the distraction of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of dwelling units with two bedrooms, and 10% of dwelling units with three-bedrooms, as per the *Family Room – Housing Mix Policy for Rezoning Projects*.

- A.1.11 provision of written confirmation that the proposed mix of the market rental units include 48 studio units (15.5%), 141 one-bedroom units (45.5%), 71 two-bedroom units (23%), and 50 three-bedroom units (16%) will be maintained.

Note to Applicant: Any changes in the 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 dwelling units with two or more bedrooms, as per the *Family Room – Housing Mix Policy for Rezoning Projects*.

- A.1.12 provision of written confirmation that the proposed mix of the below-market rental units include 20 studio units (20%), 31 one-bedroom units (31%), 32 two-bedroom units (32%), and 16 three-bedroom units (17%) will be maintained.

Note to Applicant: Any changes in the 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 dwelling units with two or more bedrooms, as per the *Family Room – Housing Mix Policy for Rezoning Projects*.

Development Review Branch Conditions

A.1.13 confirmation of 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. exclude mechanical enclosure areas open to above from floor area;
- iii. include all above grade storage in floor area;
- iv. use one system of measurement consistently throughout the drawings;
- v. match the tenure floor areas in the data table to the number provided in the overlays;

A.1.14 confirmation of compliance with Section 8 – *Building Height*, of the Draft CD-1 By-law, through provision of:

- i. a Building Grades plan;

Note to Applicant: See also, Standard Engineering condition A.2.1.

- ii. height calculations for each building;

A.1.15 compliance with Section 9 – *Horizontal Angle of Daylight*, of the Draft CD-1 By-law;

Note to Applicant: Remove all dens without an exterior window meeting the daylight angle requirements.

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 5 – *Off-Street Loading Space Regulations* of the Parking By-law, by providing 1 additional Class B Loading space;

Note to Applicant: See also, Standard Engineering condition A.2.8.

A.1.18 confirmation of compliance with Section 6 – *Off-Street Bicycle Space Regulations* of the Parking By-law by providing the dwelling unit areas to confirm Class A requirements;

Note to Applicant: See also, Standard Engineering condition A.2.9.

A.1.19 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*

A.1.20 written confirmation that notification sign on the site has been removed;

Landscape Conditions

A.1.21 design development to improve all site edges and public realm interfaces;

Note to Applicant: Refer to Urban Design consensus items and Recommended conditions 1.1 and 1.3.

This may be achieved by the following:

- i. enhance pedestrian-oriented ground floor street frontage and public realm interface, with particular attention to the north courtyard entry adjacent to the Pollinator Corridor (W 35th Ave);
- ii. create a landscape composition that enhances the building’s façade, highlight the courtyard entry, and foster a more vibrant pedestrian environment and connection;
- iii. provide referenced cross sections through the north courtyard entry area to confirm and clarify design intent;
- iv. enhance the pedestrian and visual connection between Parcel B and Parcel F, and provide more robust planting of native species attractive to pollinating insects and birds/animals, in line with the overall vision for the Pollinator Corridor along W 35th Ave.

A.1.22 provision of updated and coordinated Arborist Report and documentation;

Note to Applicant: Provide a complete Arborist Report that includes detailed information on all existing site trees, including photos and rationale of removal.

A.1.23 coordination with Streets Engineering and Park Board of any proposed tree removals and of new street tree planting to be provided adjacent to the development site, where possible, which shall be confirmed prior to the 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.1.30.ii.

- 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 plan. Relocation of trenching locations are required if in conflict with tree protection.

Park Board conditions:

- A.1.25 design development to improve solar access to the south park, with particular focus on the area north of the northernmost extents of Parcel C, to the satisfaction of the General Manager of Parks and Recreation and the General Manager of Planning Urban Design, and Sustainability.

Note to Applicant: These improvements are for greater alignment with the *Solar Access Guidelines for Areas Outside of Downtown* and the *Heather Lands Policy Statement*. See also, Urban Design condition 1.2.

Urban Forestry Conditions

- A.1.26 provision of coordination with Engineering to ensure grades are raised along W 37th Ave for the safe retention of Trees C46-49;

- A.1.27 submission of a construction phasing plan to ensure the safe retention of City trees;

Note to Applicant: Confirm where site and machinery access is proposed, including construction logistics, crane setup and swing, pickup, loading, etc.

- A.1.28 provision of updated arborist report and tree management plan, including an outline of any additional tree protection mechanisms that may need to be put in place in coordination with construction logistics;

- A.1.29 provision of a tree removal application and payment;

Note to Applicant: Removal of City trees is contingent on an application and collection of tree values. Contact PBdevelopment.trees@vanouver.ca to initiate this process.

- A.1.30 provision of an updated Landscape Plan, including:

- i. an increased front boulevard width along W 37th Ave to a minimum of 2 m (6.56 ft);
- ii. tree species selection;

Note to Applicant: Tree species along:

- a. W 37th Ave – *Acer freemanii* X;
- b. Manson St – *Quercus macrocarpa* ‘Urban Pinnacle’;
- c. W 35th Ave – *Zelkova serrata* ‘Green Vase’.

Public Art Condition

A.1.31 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 (15) two-way Shared Vehicle(s) and the maintenance of (15) 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. (15) 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 Council 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 the Development Permit Application Drawings of property line grade 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 an updated Landscape and Site Plan to reflect the public realm changes including all the off-site improvements sought for this development permit, including the following:
- i. show/reference all sidewalks to have City standard concrete finishes;
 - ii. trees planted onsite shall have a minimum 0.6 m (1.97 ft.) setback from the property line;
 - iii. the landscaped area 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. clear demarcation/labelling of the SRW and the property line;
 - v. show a old control joint in sidewalk at the property line on the avenue/street;
 - vi. clearly indicate all City standard corner and letdown details;
 - vii. show/reference City standard driveway crossings on W 35th Ave and Manson St;
 - viii. indicate removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk and curb to current City standards on Heather St.

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

- A.2.6 provision of updated Parking By-law statistics to note the following:

“Accessible parking spaces held in common ownership and not be assigned to any strata lot”

- A.2.7 provision of parking access and design as per *Section 4 – Off-Street Parking Space Regulations* of the Parking By-law and *Parking and Loading Design Supplement*, including:

- i. safe and functional parkade access with the City right-of-way by providing Class B loading access off of Manson St;

Note to Applicant: As per the *Heather Lands Design Guidelines*, only one (1) co-located driveway crossing off Manson St for all vehicle and loading access is supported. This is required to facilitate a safe, continuous frontage and public realm. W 35th Ave is also intended to feature a pollinator corridor, which will create a more continuous green space without the interruption of a driveway. Refer also, Recommended condition 1.1.

- ii. safe and functional grades on the ramp and 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. a swept path turning analysis demonstrating two-way flow in/out of the site for Class B vehicles and the access route 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 2.6 m (8.5 ft) width for small spaces adjacent one wall or column if located more than 1.2 m (4 ft) from either end of the stall;
- v. maximum 1.2 m (4 ft) setback from either end of a space for columns adjacent to standard and small car spaces;
- vi. minimum required column setback of 0.3 m (1 ft) from a 6.6 m maneuvering aisle, while not exceeding 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 1.2 m (4 ft) columns are required, then all stalls need to be treated as per parking stalls adjacent a wall and require additional stall width. Refer to the *Parking and Loading Design Supplement* for additional information.

- A.2.8 provision of Loading spaces as per *Section 5 – Off-Street Loading Spaces* of the Parking By-law and the *Parking and Loading Design Supplement*, including convenient, internal, stair-free loading access to/from the site uses;

Note to Applicant: See also, Standard Development Review Branch condition A.1.17.

- A.2.9 provision of Bicycle spaces as per *Section 6 – Off-Street Bicycle Spaces* of the Parking By-law, including Class B bicycle spaces and required access to be located fully on private property;

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

- A.2.10 provision of updated Architectural Plans to include:

- i. all types of parking, loading, bicycle, and passenger spaces to be individually numbered, dimensions, and labelled on the drawings.

Note to Applicant: The proposed Class B loading spaces are missing critical information. Additionally, consider providing standard details for typical standard, small car, accessible parking spaces and bicycle spaces/types (locker, over sized, etc.) and dimension any a-typical spaces on the drawings.

- ii. dimensions of columns and column encroachments into parking spaces;
- iii. section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and to the underside of raised security gates considering mechanical projects and built obstructions;
- iv. design elevations at all breakpoints on both sides of ramps, drive aisle, loading and passenger loading spaces, accessible spaces, and entrances;
- v. updated drawings to show the location of the shared vehicle spaces, minimum 2.9 m (9.5 ft) width for all shared spaces;

- vi. updated drawings to show gridlines on the parking levels for reference;

A.2.11 provision of a Transportation Demand Management (TDM) Plan, including completed TSM Plan C – Shared Mobility Package form.

Note to Applicant: The provided form is incomplete. A letter of intent from a two-way car share company indicating their willingness to supply car share vehicles on the site at building occupancy is required. The letter shall indicate acceptance of the general location, configuration, and accessibility of the shared vehicle spaces.

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 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.2.15 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 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 transported to the staging area, including who will be responsible for transporting the bins;

Note to Applicant: Based on City staff calculations, the weekly collection frequency and waste room capacity is not adequate to service the building. For more information, please refer to *the Garbage and Recycling Storage Amenity Design Supplement*.

A.2.17 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-2024-00853. Financial security must be made prior to the issuance of the first development permit application in Heather Lands CD-1 South.

A.2.18 the preparation of a Services Agreement, SRW and TDM 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.1.5 Any existing City infrastructure adjacent to the site damaged during construction activities must be replaced to current COV Engineering Design Manual, Construction Specifications, Standard Detail Drawing, Canadian Electrical Code and the Master Municipal Construction Documents. Replacement is to be determined at the sole discretion of the General Manager of Engineering Services.

B.2 Conditions of Development Permit:

- B.2.1 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.2.2 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.**

Notes 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.2.3 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: Please 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.2.4 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.2.5 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.2.6 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.2.7 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.2.8 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.2.9 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.2.10 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.2.11 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.2.12 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.2.13 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.

B.2.14 This 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.2.15 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.2.16 All work on the site must be conducted in compliance with British Columbia's Environmental Management Act and Contaminated Sites Regulation.
- B.2.17 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.2.18 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.2.19 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.