CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	December 20, 2022
Contact:	Yardley McNeill
Contact No.:	604.873.7582
RTS No.:	15457
VanRIMS No.:	08-2000-20
Meeting Date:	January 17, 2023

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 396 Southwest Marine Drive

RECOMMENDATION TO REFER

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by HDR Architecture Associates Inc., on behalf of 396 SW Marine Drive Properties GP Ltd.[1], the registered owner of the lands located at 396 Southwest Marine Drive [*PID 007-866-623; Lot E Block 14 District Lot 311 Plan 14313*], to rezone the lands from I-2 (Industrial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.00 to 4.63 and the maximum building height from 30.5 m (100 ft.) to 79 m (259 ft.) to permit an 11-storey building and a 19-storey building containing light industrial, commercial uses and a child day care facility, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by HDR Architecture Associates Inc., received September 13, 2021 with addendum received on June 8, 2022, provided the

[1] Represented by Mercury Properties LP

Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

B. THAT subject to approval of the CD-1 by-law, a consequential amendment to Schedule E of the Zoning and Development By-law regarding landscape setbacks, generally as set out in Appendix C, be approved.

C. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be approved.

D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

E. THAT Recommendations A to D be adopted on the following conditions:

(i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

(ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

(iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone 396 Southwest Marine Drive to a CD-1 (Comprehensive Development) District, under the *Marpole Community Plan, Employment Lands and Economy Review Phase 2 Report: Emerging Directions for Consideration Through Vancouver Plan* and the *Marine Landing Policy Updates.* The application would permit two towers above a three-storey podium, containing a mix of industrial and commercial uses, along with a turn-key 37-space childcare facility for City ownership. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it in principle, subject to the Public Hearing, and subject to the Conditions of Approval contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

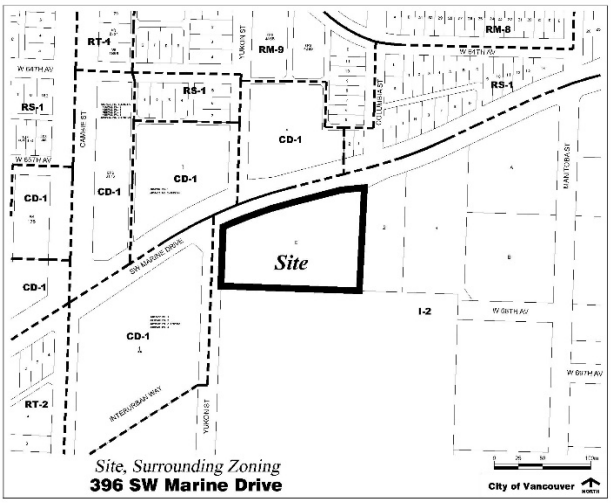
- Vancouver Plan (2022)
- Marpole Community Plan (2014)
- Employment Lands and Economy Review Phase 2 Report: Emerging Directions for Consideration Through Vancouver Plan (2020)
- Marine Landing Policy Updates (2021)
- Rezoning Policy for Sustainable Large Developments (2010, last amended 2018)
- Childcare Design Guidelines (1993, last amended 2021)
- Urban Forest Strategy (2014, last amended 2018)
- Green Buildings Policy for Rezonings (2010, last amended 2022)
- Community Benefit Agreement Policy (2018)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2020)
- Vancouver Development Cost Levy By-law No. 9755 (2008, last amended 2022)
- Vancouver Utilities Development Cost Levy By-law No. 12183 (2018, last amended 2022)
- Public Art Policy for Rezoned Developments (1994, last amended 2014)
- Latecomer Policy (2021)

REPORT

Background/Context

1. Site and Context

Figure 1: Location Map – Site and context



The subject site is on the southeast corner of Marine Drive and Yukon Street (Figure 1) in the Marine Landing area of Marpole. The Marine Landing developments and Canada Line station are one block to the west. Comprised of one legal parcel, the total site area is 12,615 sq. m (135,787 sq. ft.) with a frontage of 152.4 m (500 ft.) along Marine Drive and a depth of 61 m (200 ft.) along Yukon Street. The existing zoning is I-2 (Industrial) and the property is currently developed with a car dealership. Residential developments from towers to detached homes are

to the north and west, low-rise commercial development to the east, and the City-owned Manitoba Yards and light industrial development to the south.

Neighbourhood Amenities – The following amenities are within close proximity:

- *Parks:* Ash Park (500 m) and Winona Park (600 m)
- *Institutional:* Ecole des Colibris (550 m), St. Vincent's Hospital Langara (600 m), Sexsmith Community Pre-School (1 km), Pierre Elliott Trudeau Elementary School (1.6 km) and Sir Wilfred Laurier Elementary School (1.8 km)
- *Community Facilities:* Marpole-Oakridge Family Place (400 m), Marpole Neighbourhood House (1.6 km), Marpole-Oakridge Community Centre (1.7 km), and multiple childcare facilities (within 1 km)

2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the city over the next 30 years. The approved plan will serve as a framework with further implementation planning work to follow over the next two to four years. The site is located within the *Marpole Community Plan* area which is generally in alignment with the *Vancouver Plan*.

Marpole Community Plan ("*Plan*") – The site is located in the Cambie neighbourhood of the *Plan*. Subsection 6.4.9 identifies this as an "intensive employment area" with direction to encourage high-intensity employment uses, including office, institutional, and industrial uses. At-grade retail may be supported only in conjunction with high-intensity job uses. The *Plan* establishes building heights for up to 100 ft. and a density of up to 3.00 FSR.

Employment Lands and Economy Review Phase 2 Report: Emerging Directions for Consideration Through Vancouver Plan ("ELER") – The *ELER* was a research initiative and includes analysis of Vancouver's economy, changes over time, and future projections. The report identifies directions to guide future planning and engagement in the *Vancouver Plan* process with quick start actions to intensify job space in key areas. Quick Start Action 6 (b) considers additional heights and densities, beyond the provisions of the *Plan*, for intensive-employment sites that provide 100% employment space. This application is seeking additional height and density in accordance with this policy and the *MLPU*.

Marine Landing Policy Updates ("*MLPU*") – The updates provide guidance to evaluate rezoning applications in the Marine Landing area. The document supplements the *Plan* with directions regarding built form, public realm, transportation, and public benefits.

Strategic Analysis

1. Proposal

The rezoning proposal would permit two mixed-employment buildings (one 11-storey (56.9 m (187 ft.)) and one 19-storey (79 m (259 ft.)) above a three-storey podium (see Figure 2, and additional drawings in Appendix F).

The proposal contains retail uses at grade with industrial and office uses in the podium and towers above. The 37-space childcare facility is proposed on Level 3, with an adjoining outdoor area on the roof of the podium. A mid-block pedestrian link and mews separates the two buildings and provides a new north-south connection that bisects the site. The application consists of a total floor area of 58,384.3 sq. m (628,443 sq. ft.), an FSR of 4.63, and four levels of underground parking accessed from the lane. The application is subject to the *Rezoning Policy for Sustainable Large Developments,* and includes water management strategies, community gardens, a community food market and cyclist facilities (see Section 6 of this report).

Further, the application would amend the Zoning and Development By-Law, Schedule C, to remove the requirement for properties along the south side of Marine Drive, from Cambie Street to Manitoba Street, from being required to provide landscape setbacks in an M (Manufacturing), I (Industrial) or a CD-1 (Comprehensive Development) District (see Appendix C). Instead, new developments, such as this one, will be required to improve the public realm by providing wider sidewalks, separated bike lanes, and generous landscaping with new street trees, secured through a statutory right-of-way along Marine Drive. This amendment to Schedule C would also include the adjacent and already-completed Marine Landing development.

Figure 2: Perspective from Southwest Marine Drive looking southeast

2. Land Use

The proposal is for a mixed-employment development with high-intensity uses, including light industrial, office, and commercial. A childcare facility is also proposed. These uses are consistent with the *Plan* and *ELER*.

3. Form of Development, Height, and Density (refer to drawings in Appendix F and statistics in Appendix I)

In assessing urban design performance, staff consider the built form and public realm guidelines within the *Plan* and the *MLPU,* in addition to the provisions for additional height and density supported through the *ELER*.

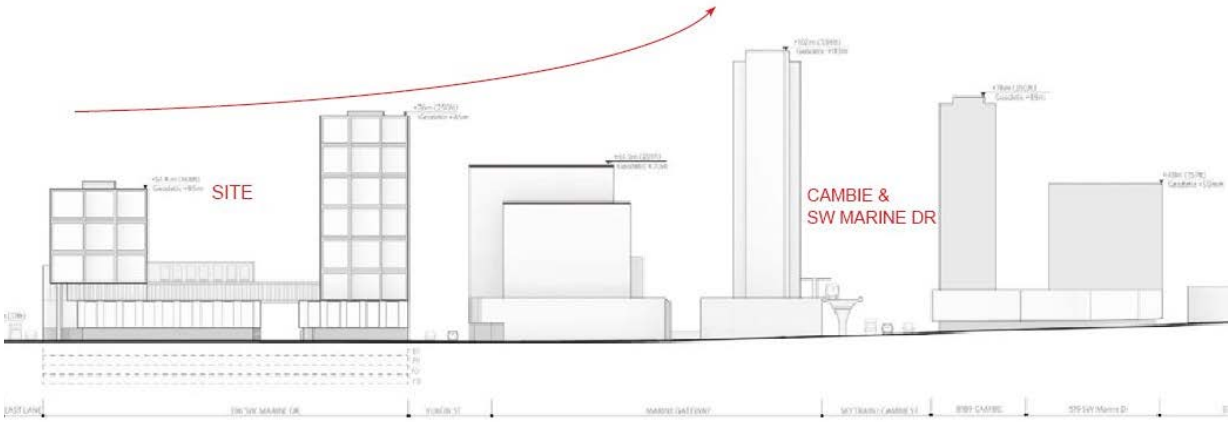
Form of Development – The *MLPU* establishes form of development guidance for new proposals. A variety of building heights and forms are anticipated for a range of employment needs and to support evolving workplaces. Large, intensive-employment sites are to be campus-like with multiple buildings and various floorplate sizes while stepping down in height, with the highest point at the Marine Landing station site. For this site, a two-tower typology is expected, with slim and compact vertical forms for taller towers and a bar-like horizontal form for shorter towers. Podiums are to be designed with flexibility to receive a variety of light industrial uses. High-quality, private indoor and outdoor amenities are anticipated for social engagement.

The application meets the form of development expectations for this area. Four levels of stacked light industrial spaces, amenities and at-grade commercial uses are proposed.

Amenity Space – *MLPU* directions anticipate workspaces which can also operate as common amenity spaces, to provide social engagement opportunities for employees. Several on-site amenities are proposed, including an indoor amenity room with adjacent outdoor amenity spaces at the podium's lower rooftop. Staff have included conditions in Appendix B to further enhance the quality and functionality of the amenities.

Public Realm – The *MLPU* seeks to improve pedestrian connections with generous sidewalks, active links, pedestrian mews, well-designed streets and lively public spaces. For this site, an improved walking and cycling route is expected along Marine Drive with a blue-green rainwater management system in the public realm. A primary active link will be introduced at the eastern edge for pedestrian and vehicular access. A "green" expression is expected along Yukon Street with large trees to improve the urban tree canopy and reduce the urban heat island effect.

Figure 3: Streetscape along Southwest Marine Drive looking south



A north-south 12.1 m (40 ft.)-wide mid-block pedestrian mews is proposed across the site, with active frontages for retail spaces and openness to the sky. The proposal is consistent with the public realm objectives of the *MLPU*. Conditions in Appendix B seek to further enrich the public realm and pedestrian experience by minimizing exit stairs and blank walls, and maximizing windows into active industrial spaces.

Height – A maximum building height of 51.8 m (170 ft.) for shorter towers with a maximum floor plate size of 1,858 sq. m (20,000 sq. ft.) is recommended. A height of 76.2 m (250 ft.) is sought for taller towers with a maximum floor plate size of 1,114 sq. m (12,000 sq. ft.). For this

application, the heights of 56.9 m (187 ft.) and 79 m (259 ft.) exceed what the *MLPU* anticipated, predominantly due to the sloping condition of the property towards the lane. Staff are supportive of the proposed heights given the site conditions and noting the application follows urban design principles of heights descending away from the tallest tower at the Cambie and Marine station site (see Figure 3).

Density – An overall density of 4.5 FSR is anticipated for new proposals, of which 1.5 to 2.0 FSR is dedicated to stacked light industrial use. The proposed development includes 1.46 FSR for light industrial uses, lower than required. The draft CD-1 Bylaw in Appendix A requires a minimum 1.5 FSR for light industrial uses, and will require changes to the proposal prior to submission of a development permit.

Urban Design Panel – The Urban Design Panel reviewed and supported this application on February 16, 2022, with recommendations to enhance the public realm and refine the childcare centre's design (see Appendix D). Staff have included conditions to address the recommendations of the Panel in Appendix B.

Staff reviewed the recommendations of the Urban Design Panel and conclude the proposal complies with the applicable local polices. Staff support the application subject to Urban Design conditions detailed in Appendix B.

4. Childcare Facility

The expected growth of employment spaces in this area will generate the need for additional childcare spaces. The applicant has offered a childcare facility to be delivered turnkey to the City as the community amenity contribution (CAC) from this development. The 37-space childcare facility is to be located on Level 3 of the 19-storey tower, with a contiguous dedicated outdoor play area on the south-facing podium. Staff have included a condition requiring no less than 429 sq. m (4,618 sq. ft.) of indoor space and no less than 520 sq. m (5,597 sq. ft.) of outdoor space to comply with the *Childcare Design Guidelines*.

City Ownership – If the rezoning is approved, the applicant is to construct the childcare facility to the City's satisfaction. Upon completion, the facility will be delivered turnkey as a separate air space parcel to the City. Dedicated mechanical and electrical systems, garbage and recycling areas, vehicle parking, and bicycle storage will be secured for use by the operator of the facility.

Non-profit Operators – Should the application be approved, staff will undertake processes to secure a non-profit organization to operate the childcare facility. Criteria for operator selection would typically prioritize a fit between the non-profit's mandate and programs that meet Council's objectives and community needs. A typical operating model would ensure that the operator be responsible for the administration, programming, operation, and associated facility costs, including regular maintenance and repairs. The City would typically be responsible for major repairs, and lifecycle replacement of major dedicated systems. Staff will return to Council separately for approval of the selected operator and terms.

5. Parking and Transportation

Four levels of underground parking are proposed, accessed from the lane. A total of 674 vehicle spaces, 349 bicycle spaces, and 25 loading spaces are proposed. The applicant is expected to meet the Parking By-law during the development permit (DP) process.

Given the proximity to the Canada Line Station and bus service, the proposal is eligible for vehicle parking reductions. Further parking reductions through transportation demand management (TDM) strategies may be explored during the DP stage. Engineering conditions in Appendix B secure statutory right-of-ways along Marine Drive and Yukon Street for an expanded and improved public realm. Provisions include a dedicated bicycle lane, in addition to securing a mid-block pedestrian connection, right-of-way for a new lane to the east, and a new street to the south.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that rezoning applications satisfy the green and resilient building conditions, including detailed strategies to meet energy, emissions and embodied carbon targets. This application complies with the policy.

Rezoning Policy for Sustainable Large Developments – This policy sets out criteria for large sites, defined as those larger than 8,000 sq. m (86,111 sq. ft.) in size or proposing more than 45,000 sq. m (484,375 sq. ft.) of new floor area. Applications are required to demonstrate how they will achieve sustainability goals across eight subject areas, and are reviewed as part of the development permit process. With 58,384.3 sq. m (628,443 sq. ft.) of proposed floor area, this application is subject to the policy's requirements.

Staff have reviewed the applicant's overall response and recommended improvements in specific categories. Conditions to secure the delivery of these features are contained in Appendix B, and additional details outlining how the proposal will meet this policy are contained in Appendix E.

Natural Assets – The *Urban Forest Strategy* seeks to protect and strengthen Vancouver's urban forest. The Protection of Trees By-law requires permission be sought to remove trees and to retain as many healthy trees as possible while still meeting the challenges of development. These efforts are in keeping with the City's goals of resilient natural systems in our urban areas.

There are two existing on-site trees and ten off-site City trees. The on-site trees are not proposed for retention due to their location within the footprint of the future development. Sixty-five new on-site trees are proposed at-grade and for the amenity areas above, in addition to seven new off-site street trees and a bio-swale along Yukon Street. See Appendix B for landscape and tree conditions, which improve future green assets in the boulevards and mid-block pedestrian mews.

7. Public Input

Public Notification – A rezoning information sign was installed on the site on October 5, 2021. Approximately 2,653 notification postcards were distributed within the neighbouring area on or about October 29, 2021. Notification, application information, and an online comment form was provided on the City's *Shape Your City Vancouver* (shapeyourcity.ca/) platform.

Virtual Open House – A virtual open house was held from November 1 to November 21, 2021. The open house consisted of an open-question online event where questions were submitted and posted with a response. A digital model was posted for online viewing.

Figure 4: Overview of Notification and Engagement

Public Response and Comments – Public input was provided via online questions, comment forms, by email and phone. A total of 113 visitors accessed the webpage. A total of 23 submissions were received. A summary of public responses are found in Figure 4 and detailed in Appendix D.

Generally, comments of support fell within the following areas:

- **Height, massing, density:** These were deemed appropriate for a location that is well served by a major transit hub. The replacement of the existing car dealership is welcomed, the design of the building is attractive, and fits within the neighbourhood.
- **Amenities and infrastructure:** Support for job space, commercial/retail, industrial, childcare centre, and the green roof.

Generally, comments of concern fell within the following areas:

- **Building design:** The design of the building is not aesthetically pleasing.
- **Traffic:** The development will exacerbate existing neighbourhood traffic issues.

Response to Public Comments – Regarding parking and traffic impacts, the number of parking spaces considers the site's proximity to transit, which may be further reduced at a development permit stage. Per conditions in Appendix B, design development is required to improve the public realm and pedestrian experience, and enhance the proposed overall architectural expression, character, and materiality.

8. Public Benefits

Community Amenity Contributions – This application is subject to a CAC review under the *Community Amenity Contributions Policy for Rezonings*. The applicant has offered an in-kind CAC consisting of the construction and delivery of a purpose-built 37-space childcare facility turn-key to the City valued at $6,174,630, see Childcare facility section above for additional details. As a condition of by-law enactment, a Covenant is required to be registered on title to prohibit both the separate sale and the strata subdivision of the property. Real Estate Services staff have reviewed the applicant's development pro forma and conclude that the CAC offering aligns with the expected financial performance of this application, and recommend that the offer be accepted.

Development Cost Levies – This site is currently subject to both City-wide and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage.

Based on the rates in effect as of September 30, 2022 and the proposed 57,910.3 sq. m (623,342 sq. ft.) of non-residential floor area subject to commercial rates, DCLs are estimated to be $15,380,417, including $20 of nominal DCL charges for the childcare facility.

Public Art Program – The application is subject to a public art contribution is estimated at $1,231,748. The contribution will be calculated on the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (at 80% of the public art budget).

A summary of public benefits associated with this application is included in Appendix H. Appendix G provides an overview of the implementation of the Marpole Public Benefits Strategy.

Financial Implications

As noted in the Public Benefits section this project is expected to provide an in-kind childcare, a DCL contribution and a public art contribution. See Appendix G for additional details.

The in-kind childcare would be delivered turnkey to the City as an air space parcel. Under current practice, the City will seek to appoint a non-profit operator for the facility but would remain responsible for major repairs, and lifecycle replacement of major dedicated systems. See Childcare facility section above for additional details.

CONCLUSION

The application is consistent with the *Marpole Community Plan, Employment Lands and Economy Review Phase 2 Report: Emerging Directions for Consideration Through Vancouver Plan* and *Marine Landing Policy Updates*. If approved, the application would contribute to the City's goals of complete communities with employment space and a childcare facility in close proximity to rapid transit.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to Public Hearing, together with a draft CD-1 By-law, as generally shown in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application including the form of development, as shown in plans in Appendix F, be approved in principle, subject to the applicant fulfilling conditions of approval in Appendix B.

* * * * *

396 Southwest Marine Drive
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A by-law to rezone an area to CD-1 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This by-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

   [Note: *Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.*]

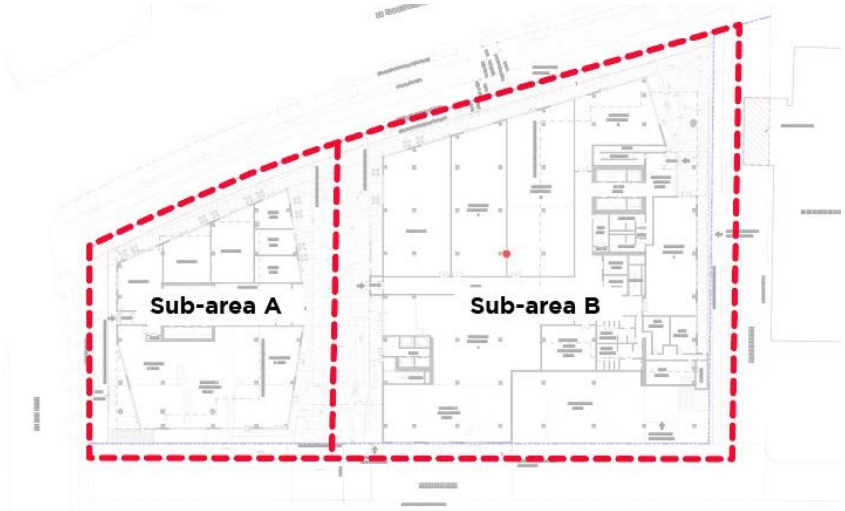
Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (___).

Sub-areas

3. The site is to consist of two sub-areas generally as illustrated in Figure 1, solely for the purposes of establishing the maximum permitted building height for each sub-area.

Figure 1: Sub-areas



Uses

4. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this by-law or in a

development permit, the only uses permitted within this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

(a) Cultural and Recreational Uses;

(b) Institutional Uses;

(c) Manufacturing Uses:

(d) Office Uses;

(e) Retail Uses;

(f) Service Uses;

(g) Utility and Communication Uses; and

(h) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of use

5. All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building other than the following:

(a) display of flowers, plants, fruits and vegetables in combination with a permitted use;

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor area and density

6.1 Computation of floor space ratio must assume that the site consists of 12,615 m^2, being the site size at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

6.2 The maximum floor space ratio for all uses combined is 4.63.

6.3 A minimum floor space ratio of 1.50 for industrial uses must be provided.

6.4 A minimum of 429 m^2 of floor area must be used for a child day care facility, secured to the City's satisfaction, for public use and benefit.

6.5 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

6.6 Computation of floor area must exclude:

(a) balconies and decks, and any other appurtenances which in the opinion of the Director of Planning are similar to the foregoing, provided that:

(i) the total area of these exclusions must not exceed 12% of the permitted floor area; and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;

(c) floors or portions thereof that are used for:

(i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;

(ii) bicycle storage; and

(iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing; and

(d) all storage area below base surface.

6.7 The Director of Planning or Development Permit Board may exclude from the computation of floor area:

(a) common amenity areas, to a maximum of 10% of the total permitted floor area; and

(b) additional floor area as required to meet licensing requirements for the child day care facility,

if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building height

7.1 Building heights in each sub-area must not exceed the permitted height for that sub-area, as set out in Table 1.

7.2 Despite section 7.1 of this by-law and section 10.1 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures in a sub-area, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed the permitted building height for that sub-area, as set out in Table 1.

Table 1: Permitted Building Height

Sub-area	Building height	Building height for portions of building with permitted common rooftop amenity spaces or mechanical appurtenances
A	79 m	82.1 m
B	56.9 m	60.2 m

* * * * *

396 Southwest Marine Drive
CONDITIONS OF APPROVAL

Note: If the application is referred to a Public Hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by HDR Architecture Associates Inc., on behalf of the registered owner, received September 13, 2021, with addendum received June 8, 2022, and provided that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1.1 Design development to enrich the public realm and pedestrian experience as follows:

(a) Maximize activation of the mid-block pedestrian mews; enhance the sense of openness.

Note to Applicant: The mews offers a unique opportunity for retail, office and industrial uses to activate the public realm. Limit elements such as the exit stairs, blank walls, internal perimeter circulation, and hallways, which interfere with this. Suggested strategies include setting back the upper storeys; reconfiguring/internalizing stairs and circulation; activating the southeast portion by redirecting the exit path to avoid tunnel-like spaces; maximizing windows into the active industrial spaces; additional design elements such as planting, integrated site furnishings and landscape elements, rainwater management opportunities, public art, signage and wayfinding. See also Landscape Condition 1.8.

(b) Provide continuous demountable weather protection along all commercial frontages, including retail, which is accessory to principal industrial uses.

Note to Applicant: Continuous weather protection should be integrated with the building design and be part of the overall architecture and composition. It should be appropriate in scale. A minimum depth of 1.8 m (6 ft.) at 2.7-3.65 m (9-12 ft.) above grade is recommended.

(c) Animate the at-grade eastern building elevation.

Note to Applicant: Careful attention should be given to the development's at-grade interface on all sides to ensure maximum activation. Above-grade

protrusions (e.g. parking/services) should be minimized, particularly along the eastern lane, as they create blank walls. Suggested strategies include extending the industrial storefront on Level 1; relocating the bike storage; lowering the industrial storefront to Level B1. This will ensure activation of the portion south of the north parking entry.

1.2 Design development to reinforce the building's industrial prominence by maintaining and building upon the proposed overall architectural expression, character and materiality.

Note to Applicant: The building represents an important evolution in the Marine Landing industrial lands and building typologies, as reflected in the proposed architectural expression with industrial references. While it is understood that the architectural expression and materials may evolve during the development permit stage, the evolution should preserve and build upon the proposed architectural language and the character-defining elements such as the container-ship motifs and industrial materials.

1.3 Design development to enrich the indoor and outdoor amenities; explore providing additional amenities on the East Tower's Level 4.

Note to Applicant: The size, quality and functionality of the indoor and outdoor amenity spaces should better reflect the needs of an intensive-employment building. Suggested strategies include cohesive concepts with programming that supports employment uses such as fitness rooms, games lounges, shower/change rooms, gathering eating spaces, kitchenettes, interactive outdoor elements; built-in seating; engaging landscape features; a balance of hard and soft scape. A meeting room format is not supported as it encourages additional workspace, which is incongruent with the intent of recreational amenity space. Explore utilizing the well-appointed and day-lit southern Level 4 roof for additional outdoor amenities with complimentary indoor amenities.

1.4 Design development to ensure functional use of the industrial spaces as per the *M and I Districts – Development Criteria for Functional Industrial Space Bulletin*.

Note to Applicant: In-depth review of the industrial spaces will occur at the Development Permit Stage. Ensure convenient access to loading for all industrial areas and individual tenancies (e.g. the southwest lower industrial spaces proposed access currently mixes with vehicular circulation).

1.5 Design development to provide green roofs as per the *Roof-Mounted Energy Technology and Green Roofs Bulletin*.

Note to Applicant: It should be noted on the architectural and landscape plans the type of green roof proposed, including the percentage. Refer to: https://bylaws.vancouver.ca/bulletin/bulletin-roof-mounted-energy-technologies-and-green-roofs.pdf

1.6 Identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design.

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

Crime Prevention through Environmental Design (CPTED)

1.7 Design development to respond to CPTED principles, including:

(a) Provide natural surveillance throughout pedestrian realm including underground parking, with glazing into publicly accessible areas such as elevator lobbies, and stairs.

(b) Reduce opportunities for theft in the underground parking and mail theft.

(c) Reduce opportunities for mischief in alcove and vandalism, such as graffiti.

(d) Reduce opportunities for skateboarding in the open spaces.

Landscape Design

1.8 Design development to enhance presentation to the public realm interface to achieve a pedestrian friendly, inviting frontage, by improving landscape treatment along mid-block pedestrian mews. This can be achieved by:

(a) Provision of organic landscape features such as planters, seating, soft landscaping around all common entry areas, pedestrian-scale lighting, etc., on the ground to further accent and soften the public realm. See also Urban Design condition 1.1 (b).

(b) Provision of vines added to any large blank wall facades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular “green wall” systems).

(c) Provision of high quality paving materials and finishes within the property line.

Note to Applicant: Different patterns, shades and finishes of paving materials as well as banding are supported to enhance visual interest.

1.9 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:

(a) Maximize natural landscape best management practices.

(b) Minimize the necessity for hidden mechanical water storage.

(c) Increase the amount of planting to the rooftop areas, where possible.

(d) Use permeable paving.

(e) Employ treatment chain systems (gravity fed, wherever possible).

(f) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the *Integrated Rainwater Management Plan*, Vol.1 and 2 for further information. A consulting engineer (subject matter expert) will

need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

1.10 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:

(a) Detailed stormwater report with calculations describing how the various best management practices contribute to the quality and quantity targets.

(b) A separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones.

(c) An overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to Applicant: The sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

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

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

1.12 Provision of detailed architectural and landscape cross sections (minimum 1/4 inch scale) through common open spaces, semi-private patio areas and the public realm.

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

1.13 Provision of site sections specifically in relation to proposed trees over slab structure to confirm adequate depth of soil is provided for trees.

Note to Applicant: Medium size trees should receive a minimum of 2.5 ft. to 3 ft. depth of soil (not including drainage layer), depending on ultimate tree size, for sustainable growth and health. The section should show tree rootball and depth dimension.

1.14 Coordination for the provision of new street trees, or any proposed City owned tree removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Engineering Services (Streets Design Branch) at 604-871-6131 to confirm tree planting locations and Park Board at 3-1-1 for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 ft. long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

1.15 Confirmation of viability for adequate maintenance into the future by the following:

(a) Provision of maintenance access from common areas for all planted areas.

(b) Provision of a permanent automatic high-efficiency irrigation system for all planted areas, confirming the irrigation and maintenance of planting into the future beyond the establishment period.

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand watering on private patio and amenity decks.

1.16 Provision of an outdoor Lighting Plan.

Note to Applicant: Outdoor lighting strategy should ensure functionality, safety and energy efficiency. Provide dimmers and timers for lights where feasible.

1.17 Provision on landscape drawings of landscape features intended to create bird friendly design.

Note to Applicant: Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the *Bird Friendly Design Guidelines* for examples of landscape features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at: http://former.vancouver.ca/commsvcs/guidelines/B021.pdf.)

Childcare Facility

1.18 Construction and delivery of a turnkey and fully fit, furnished, equipped and supplied 37-space childcare facility. Design development to ensure that the 37-space childcare centre is licensable by Vancouver Coastal Health's Community Care Facilities Licensing (CCFL) and meets the intent of the City's *Childcare Design Guidelines* and *Childcare Technical Guidelines*, to the satisfaction of the General Manager of Arts, Culture and Community Services, and the General Manager of Real Estate and Facilities Management.

1.19 Based on the City's *Childcare Design Guidelines*, a 37-space childcare centre will require a minimum indoor area of 429 sq. m (4,618 sq. ft.) and no less than 520 sq. m (5,597 sq. ft.) of outdoor space.

Note to Applicant: This does not include other requirements such as dedicated mechanical room, dedicated electrical room, dedicated garbage room, elevator shaft, and any necessary circulation space.

1.20 The facility is to be built with separate dedicated building systems so that its operating costs are accounted for and managed separately from the balance of the development. Mechanical and control systems should be designed to be as simple as possible to reduce maintenance costs and the need for specialized maintenance expertise.

1.21 Design development to minimize and mitigate any pollution, noise, fumes, and noxious smells or any hazardous elements, or any other negative impacts especially from the industrial space, on the childcare facility, and address any potential health and safety concerns and meet licensing requirements.

1.22 Each licensed program within the childcare centre must have its own dedicated outdoor play space including covered space, and have direct and contiguous access between indoor and outdoor program space.

Note to Applicant: Sunlight should penetrate into the outdoor area for a minimum of three hours per day at the winter solstice, two hours of which should occur during the typical playtime of 9:30am to 11:30am or 1:30pm to 4:30pm.

1.23 Design development to ensure that the indoor and outdoor spaces of the childcare centre are designed to maximize opportunities for healthy child development while ensuring a functional and licensable facility for the non-profit operator.

Note to Applicant: Pre-development permit, the provision of detailed design of the indoor and outdoor childcare areas is strongly encouraged. Detailed indoor and outdoor design will be required prior to issuance of a development permit.

1.24 Design and construct the outdoor childcare space to ensure that the full outdoor area can be supervised and licensed. Outdoor storage must be accommodated on site for program equipment and program strollers.

Note to Applicant: All work pertaining to the design, construction, fit, furnish, equip and supply for the childcare centre shall be to the satisfaction of the City's Managing Director of Social Policy and Projects, the City's Director of Facilities Planning and Development, and to the Regional Manager of Community Care Facilities Licensing.

1.25 Design development to ensure that the location of parking and drop-off stalls are safe and in proximity to the childcare centre elevator. Parking should avoid the need for parents and children to cross a drive aisle as much as possible.

1.26 A total of seven dedicated and signed parking spaces are required for the 37-space childcare facility, with five drop-off/pick-up parking stalls and two staff parking stalls.

1.27 Provision of dedicated, secure bicycle storage with a minimum of three Class A bicycle parking stalls and space for bike trailers and car seats.

1.28 Provision of secure bicycle parking for parent drop-off within easy access of the facility's entrance at street level.

1.29 Design development to minimize the number of balconies overhanging the outdoor play space and to ensure mitigation of fallen or thrown objects from any remaining overhanging balconies.

1.30 Design development of the childcare facility with effective signage at the parking level and ground level entrances to ensure clear wayfinding to the childcare facility.

Food Assets

1.31 Fulfill, to the satisfaction of the Director of Social Policy, the Sustainable Food Systems requirements of the *Rezoning Policy for Sustainable Large Developments*.

Note to Applicant: Based on the rezoning application material, the proposal includes community gardens, edible landscaping, a community food market, and consideration for an on-site organics management system. Both the community gardens and edible landscaping proposals are at an insufficient scale to be considered an eligible food asset on their own. However, both as elements combined under a single food asset may be considered. The development site is not a suitable site for a community food market unless it incorporates additional infrastructure to allow a broader range of food-based activities.

(a) Community gardens and edible landscaping: Design development to include edible landscaping and urban agriculture plots satisfying the *Rezoning Policy for Sustainable Large Developments Administrative Bulletin* and the *Urban Agriculture Guidelines for the Private Realm*, or any other applicable policy at the time of development permit, and meeting the following requirements:

(i) Provide a combination of individual plots and shared growing space to meet the minimum requirement of 1,200 sq. ft.

(ii) Provide support facilities as outlined in the *Urban Agriculture Guidelines for the Private Realm.*

(iii) Design development to include significant landscape allocation to plants with edible leaves, fruits, flowers, nuts and berries, in alignment with the characteristics and design guidelines outlined in the *Rezoning Policy for Sustainable Large Developments Administrative Bulletin*.

(iv) Indicate urban agriculture plots, edible landscaping, and support facilities on all plans and drawings submitted as part of the development permit process, and provide the following specific information to facilitate staff review:

i. A test fit of the agricultural plot area(s) demonstrating sufficient capacity to accommodate the proposed number of plots and required support facilities.
ii, A plan indicating all edible landscaped areas, accompanied with an edible species planting list.
iii. An operations plan identifying the primary user(s) of the community garden and edible landscaping areas, how they will

access the space, hours of access, and how the spaces will be maintained.

iv. A shadow study for all agriculture plot areas.

(b) Community food market: Design development to include a community food market meeting the Design Guidelines outlined in the *Sustainable Large Developments Administrative Bulletin*, in addition to meeting the following requirements:

(i) Provide access to a Class B loading bay to provide vehicular access to market space.

(ii) Consider co-locating near complementary amenities such as picnic benches.

(iii) Provide electrical infrastructure to support a broader range of community and food activities in the community food market location, including:

i. A duplex locking receptacle (15A, 120V NEMA L5-15R), 3 prong locking receptacle (20A, 120V NEMA L14-20R), and 4 prong locking receptacle (30A, 208V NEMA L14-30R), each on a dedicated circuit.

ii. Provision of a panel and kiosk within a weatherproofed and lockable enclosure at the proposed market site.

Note to Applicant: The design of electrical infrastructure is critical to ensuring that a variety of food-based activities can be supported in the designated area, such as refrigeration units for markets, food trucks.

(c) Additional food asset(s): Applicant to provide a third food asset to satisfy the requirements of the *Rezoning Policy for Sustainable Large Developments***.**

Note to Applicant: One option to consider is to pursue an on-site organics management system, as referenced in its *Sustainable Design Strategy Report*, or another food asset to the satisfaction of the City.

Sustainability

1.32 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (amended May 18, 2022) 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 Rezonings – Process and Requirements*.

Engineering

1.33 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.

1.34 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.

1.35 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 your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.

1.36 Confirmation that gates/doors are not to swing more than 0.3 m (1 ft.) over the property lines or into the statutory right-of-way (SRW) area.

1.37 Provision of a landscape and site plan that reflect the improvements to be provided as part of the Services Agreement.

Note to Applicant: Drawings must indicate that the off-site designs submitted as part of the DP application are preliminary, and that a final off-site geometric design will be provided by the City of Vancouver through the DP process.

1.38 Subject to the acceptance of the finalized TDM Plan, entry into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of two two-way Shared Vehicle(s) and the provision and maintenance of two Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:

(a) Provision of two two-way Shared Vehicle(s) to the development for a minimum period of three years.

(b) Entry into an agreement with a two-way Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s).

(c) Provision and maintenance the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles.

(d) Arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s).

(e) Provision of security in the form of a Letter of Credit for $50,000 per Shared Vehicle.

(f) 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 satisfactory to the Director of Legal Services, securing these conditions.

(g) 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.

Note to Applicant: The letter is to also indicate acceptance of the general location, configuration and accessibility of the shared vehicle spaces.

1.39 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: A TDM Plan with a minimum of 30 points is required (to achieve the proposed vehicle parking reduction.) The proposed plan achieves 32 points. A single TDM measure may count towards multiple land uses if it is usable by each land use. Refer to Schedule B of the TDM policy for detailed requirements for each measure. Provide TDM Plan as a separate package with complete information on TDM measures proposed, including the following clarifications:

(a) ACT-01 – Additional Class A bicycle parking:

(i) Update architectural plans to identify the number and location of the additional Class A bicycle spaces.

Note to Applicant: Additional Class A bicycle parking spaces must meet the standards and minimums identified in the Parking By-law, and/or applicable Design Guidelines.

(b) ACT-05 – Bicycle Maintenance Facilities:

(i) Update architectural plans to note and dimension the location of facilities.

(ii) Bicycle maintenance facilities to be located with convenient access to from Class A bicycle spaces.

(iii) Provision of an operational plan detailing the following:

i. a description of the amenities to be provided;
ii. a means of providing access to all residents, commercial tenants, and the public (if applicable); and
iii. a plan for maintaining these amenities.

(iv) If available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.

(c) ACT-06 – Improved End-of-Trip Amenities:

(i) Provision of concept design for improved end-of-trip amenities.

(ii) Update architectural plans to identify the location, number and type of end-of-trip amenities being provided.

(d) ACT-09 – Walking Improvements:

(i) Provision of streetscape plan and sections that show the location, design, and dimensions of existing and proposed pedestrian-oriented streetscape elements.

Note to Applicant: The proposed measure is not acceptable as a TDM measure.

(e) COM-01 – Car Share Spaces:

(i) Update architectural plans to identify/note/dimension car share spaces.

(ii) Spaces to be located with convenient, public access at-grade, or on P1.

(f) COM-02 – Car Share Vehicles and Spaces:

(i) Update architectural plans to identify/note/dimension car share spaces.

(ii) Spaces to be located with convenient, public access at-grade, or on P1.

(iii) Provision of detailed information as to how, and a design to enable, members of the car sharing organization access to the building's underground parking 24 hours a day, seven days a week.

(g) COM-03 – Additional Pick-Up / Drop-off Spaces:

(i) Update architectural plans to identify the number, location, design, and dimensions of additional passenger loading spaces.

(ii) Spaces to be located with convenient, public access at-grade, or on P1.

1.40 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which identifies the following:

(a) Secures provision of funding towards long-term TDM monitoring fund in the amount of $2 per sq. m of gross floor.

(b) Secures the provision of TDM measures on the site:

(i) ACT-01 – Additional Class A bicycle parking;
(ii) ACT-05 – Bicycle Maintenance Facilities;

(iii) ACT-06 – Improved End-of-Trip Amenities;
(iv) COM-01 – Car Share Spaces;
(v) COM-02 – Car Share Vehicles and Spaces;
(vi) COM-03 – Additional Pick-Up / Drop-off Spaces.

(c) Permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed.

(d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

1.41 Design development to improve access and design of bicycle parking and demonstrate compliance with the Bicycle Parking Design Supplement by performing the following:

(a) Automatic door openers for all doors providing access to Class A bicycle storage.

(b) Provide end-of-trip facilities as per Bylaw.

(c) Provision of secure independent Class A storage by land use.

(d) Design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances.

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

1.42 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:

(a) Confirmation that the slope of the loading bay does not exceed 5%.

(b) Removal of column(s) encroaching into required maneuvering area.

(c) Confirmation of 3.8 m (12 ft. 6 inch) vertical clearance for Class B loading.

1.43 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services:

(a) Improved two-way flow for vehicles on the ramp and in the parking areas through provision of parabolic mirrors on main ramp and throughout parkade.

(b) Provision of accessible parking as per Bylaw.

(c) Provide wheel stops for any parking space perpendicular to a pedestrian walkway or another parking space.

(d) Confirmation that column encroachments, setbacks and parking space widths comply with the Parking and Loading Design Supplement.

Note to Applicant: Column encroachments are not permitted in single module stalls. 2.3 m (7.5 ft.) of vertical clearance is required for access and maneuvering to all disability spaces.

1.44 Design development to improve accessibility and function of the proposed shared vehicle spaces through provision a 2.9 m (9.5 ft.) stall width for shared vehicle parking spaces.

1.45 Provision of the following information as part of the drawing submission at the development permit stage to facilitate a complete Transportation review:

(a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

(b) All types of parking and loading spaces individually numbered and labelled.

(c) Dimension of any/all column encroachments into parking stalls.

(d) Dimensions for typical parking spaces.

(e) Dimensions of additional setbacks for parking spaces due to columns and walls.

(f) Dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates.

(g) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates.

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

(h) Areas of minimum vertical clearances labelled on parking levels.

(i) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances.

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

(j) Indication of the stair-free access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: Stair ramps are not generally acceptable.

(k) Existing street furniture including bus stops, benches etc. to be shown on plans.

(l) The location of all poles and guy wires to be shown on the site plan.

1.46 Provision of a draft final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:

(a) General Requirements:

(i) Provide discussion in the report regarding the potential mitigation measure/s onsite for the anticipated overland flooding within the right-of-way or property boundary.

Note to Applicant: According to the Urban Drainage Overland Flood Assessment Figure 3 dated 2021/12/01 prepared by Aplin Martin, there is an increase in water depth from pre-development condition (0.3 m – 0.7 m) at the northeast and eastern parts of the property. Mitigation measures onsite should be considered such as appropriate grading elevations compared to the right-of-way and the anticipated maximum flood water elevation.

(ii) Include supplementary information on the proposed proprietary devices such as green roof, modular detention system, and water quality system including a cross-section detail and system specifications in a RWMP report appendix and/or on the drawings as needed.

(iii) Provide the landscape plan that supports the use of the landscape area or feature as a rainwater management practice. Ensure best management practice and requirements are adhered to for the design of the proposed rainwater management system which includes drainage by gravity to the receiving system for flow attenuation and overflow purposes.

(b) Volume Reduction:

(i) Prioritize methods of capture by Tier 1 and 2 with Tier 3 only as a last resort.

Note to Applicant: For this proposed mixed-use development with 679,310 sq. ft. gross floor area located within the designated floodplain, and with projected increases to sewer and water utility rates, the feasibility of a rainwater harvesting and reuse system to meet non-potable water demands should be thoroughly evaluated and considered. Appropriate justification should be described if excluded from the overall rainwater management plan.

(ii) Provision of design specifics and details of all best management practices (BMP) to support the design claim for meeting target requirements. Coordinate with the landscape architect on the details specific to the landscape portion, such as proposed growing medium depth and grading of hardscapes into adjacent landscaping.

(iii) Calculation of the detention tank volume to equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 and Tier 2 practices.

Note to Applicant: The size of the detention tank may be reduced proportional to the amount of impervious at-grade surface area directed to landscaping elements of adequate depth. Coordination with the landscape architect, soil storage capacities and a grading plan would be required to support the proposal. Provide an updated site plan detailing the routing of rainwater throughout the site.

(c) Water Quality Target:

(i) Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the DP submission, the following should be included for review for all proprietary devices:

i. Product Name and Manufacturer/Supplier
ii. Total area and % impervious being treated
iii. Treatment flow rate
iv. Supporting calculations to demonstrate adequate sizing
v. Include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV
vi. Location on of device in drawing or figure in the report

Note to Applicant: CDS Hydrodynamic Separator is not recognized by CETV as a verified technology for 80% TSS removal but if the majority of the site (>=60%) is routed to appropriately sized landscape areas prior to draining to a water quality treatment unit, then a "pretreatment" unit certified by Washington State's TAPE program such as the CDS unit may be proposed since cumulatively, the site will achieve the required 80% TSS removal by mass through a treatment train approach.

Note to Applicant: If a substantial proportion of the site (>80%) is proposed to capture precipitation for rainwater reuse purposes, then a treatment system for runoff discharged offsite would not be necessary.

(d) Release Rate:

(i) Update the peak flow calculations to use the 1:10 year return period with a minimum inlet time of five minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.

Note to Applicant: The post-development peak flow intensities in the modified rational method calculation drawing no. 21-5041-03 Appendix C may not be based on the 2100 IDF curve. Update the peak flow calculation as necessary.

Note to Applicant: Rainwater retained for rainwater reuse and harvesting may contribute to meeting the volume reduction requirement.

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

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

1.47 Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services registered prior to issuance of a development permit.

1.48 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.

1.49 Provision of a final signed and sealed standalone Operations and Maintenance Manual to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

1.50 Provision of an updated Final Hydrogeological Study which addresses the requirements outlined in the Groundwater Management Bulletin and includes:

(a) Completion of all items detailed in Section 9 of the Preliminary Hydrogeological Study (dated May 11, 2021).

(b) Adequate characterization and if required, monitoring of hydrostratigraphic units above the proposed slab depth. This may include any discrete high permeable zones which would contribute to groundwater discharge from the site.

Note to Applicant: All monitoring wells installed on site should have a satisfactory well completion, adhering to the requirements of the Groundwater Protection Regulation. This includes a proper seal in all annular spaces of the well.

(c) An updated Groundwater Management Plan which includes construction-related and permanent groundwater management, including anticipated groundwater discharge rates for City approval.

Note to Applicant: The City does not support the long-term discharge of groundwater to our drainage system. Every effort should be made to prevent or limit this discharge.

(d) An updated Impact Assessment which provides analysis to confirm that there are no significant risks from groundwater extraction/diversion.

Note to Applicant: The City does not accept the dewatering of peat due to associated risk of offsite settlement.

1.51 Provision of monitoring plan for construction related discharge to the sewer system. The monitoring plan must include daily average flow rates, and be submitted monthly to groundwater@vancouver.ca.

Note to Applicant: A hold will be placed on the issuance of a Building Permit for excavation. To remove the hold provide an anticipated start date for excavation, and the contact details for the professional services that have been retained to conduct this monitoring, to groundwater@vancouver.ca.

1.52 Developer's Engineer to submit a sewer abandonment plan to the City that details the following:

(a) The abandonment or removal of all existing storm, sanitary, and combined connections to the development site.

(b) The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.

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

(a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan https://vancouver.ca/files/cov/engineering-design-manual.PDF.

(b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

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.

1.54 The following statement is to be placed on the Landscape Plan:

"This plan is NOT FOR CONSTRUCTION and is to be submitted for review to Engineering Services a minimum of eight weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development and Major Projects and/or your Engineering, Building Site Inspector for details."

1.55 Landscape drawings to illustrate:

(a) Remove encroachments from City laneway. Surface treatment on City laneway to be standard asphalt only.

(b) Remove proposed pavers from City boulevard. Hardscape surface on City boulevard to be standard concrete only.

1.56 City supplied building grades are preliminary. Building grades are required to be finalized prior to DP issuance.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

THAT, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

2.1 Arrangements are to be made to the satisfaction of the General Manager of Engineering Services (GMES), the Approving Officer and the Director of Legal Services (DLS) for the dedication of: the south 12 metres; the east 12 metres; and a 32.5 m offset distance perpendicular from the face of the existing curb on the north side of Southwest Marine Drive; of the site for road purposes.

Note to Applicant: A subdivision plan and application to the Subdivision and Strata Group is required. For general information see the subdivision website at: http://vancouver.ca/home-property-development/apply-to-subdivide-or-join-properties.aspx

2.2 Arrangements are to be made to the satisfaction of the GMES and the DLS for release of Easement and Indemnity Agreement 482561M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

2.3 Provision of a building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site, along Southwest Marine Drive to achieve a 2.5 m offset distance measured from the new property line to the building face for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

2.4 Provision of a building setback and surface statutory-right-of-way (SRW) for public pedestrian use over a portion of the site, along Yukon Street to achieve a 5.5 m offset distance measured from the back of the existing curb for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

2.5 Provision of a surface SRW for public pedestrian use of the proposed central mews between the two buildings connecting Southwest Marine Drive to the new street to the south.

2.6 Provision of a watercourse covenant based on the presence of an old stream(s).

2.7 Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights-of-way for the Services are provided all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. Except as explicitly provided for in Conditions 2.8 (a) and 2.9 (a) the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

Note to Applicant: For general Latecomer Policy information refer to the website at https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect

(a) Provision of adequate water service to meet the fire flow demands of the project. Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by Aplin & Martin Consultants Ltd. dated August 4, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 300 mm along Yukon Street or 300 mm along Southwest Marine Drive. The maximum allowable service connection size is 300 mm.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

Note to Applicant: As per the City of Vancouver Building Bylaw, the principle entrance must be within 90 m of a fire hydrant. Should the final design of the building change such that this requirement is no longer satisfied, provision of a new hydrant to be installed in accordance to the aforementioned bylaw will be required. The developer is responsible for 100% of the cost of this upgrade.

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for

climate change. This shall be demonstrated by preparation of a Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.

Note to Applicant: Development to be serviced to the existing 300 mm SAN within Yukon Street and existing 375 mm STM sewers along the easement on 290 Southwest Marine Drive.

(c) Provision for the construction of new streets to current City standards within the dedication areas on the south and east sides of the site generally to include the following:

(i) New road per City “Higher Zoned Street” specifications.

(ii) Curb and gutter.

(iii) Curb returns at the intersections of new streets with existing streets.

(iv) Sidewalks.

(v) Front boulevard with street trees.

(vi) Relocation of existing electrical poles out of future roadway.

(vii) Installation of new catch basins storm mains as required to capture runoff from the roadway.

Note to Applicant: City to provide approved geometric design. All elements of the geometric design must be constructed to meet City Standards.

Note to Applicant: The use of passive flood gates at the parkade entrance to mitigate the risk of flooding from overland flow entering the underground parkade or alternate solution should be implemented. The location of the parkade entrance ramp and the grade of the entrance ramp should consider if surface runoff from the road or laneway could flow into the entrance.

(d) Provision of street improvements along Yukon Street adjacent to the site and appropriate transitions including the following:

(i) Minimum 1.8 m wide front boulevard (measured from the back of the existing curb) with street trees where space permits.

(ii) Minimum 3.0 m wide broom finish saw-cut concrete sidewalk.

(iii) Curb ramps.

(iv) Remove existing driveways and replace with full height curb, sidewalk and boulevard to City Standards.

(v) Remove existing retaining walls, concrete pads and other structures from City boulevard.

(vi) Relocation or replacement of the existing fire hydrant and above ground utility poles as required to accommodate the street improvements.

(e) Provision of street improvements along Southwest Marine Drive adjacent to the site and appropriate transitions including the following:

(i) 4.0 m wide frontage boulevard bioswale/bioretention adjacent Southwest Marine Drive to manage rainwater from street frontage and the uphill catchment. Water tolerant trees can be accommodated within the bioswale/bioretention.

Note to Applicant: Bioswale and bioretention generally include placement of plants, growing medium, catch basin and perforated pipe sub-drain connected to the sewer system. The end of perforated pipe will be connected to existing catch basin to manage excess runoff.

(ii) 3.5 m wide raised asphalt protected bike lane.

(iii) 3.0 m wide broom finish saw-cut concrete sidewalk.

(iv) 0.3 m wide type E curb between the bike lane and the sidewalk.

(v) Geometric changes to the existing curb alignment including new curb and gutter and any required road reconstruction to current standards.

(vi) Curb ramps.

(vii) Remove existing driveways and replace with full height curb, sidewalk and boulevard to City Standards.

(viii) Remove existing retaining walls, concrete pads and other structures from City boulevard.

(ix) Relocation or replacement of the existing above ground utility poles as required to accommodate the street improvements.

Note to Applicant: City to provide approved geometric design. All elements of the geometric design must be constructed to meet City Standards including, but not limited to relocation of existing catch basins or installation of new catch basins where required to accommodate the geometric design.

(f) Provision for the construction of an additional 1.5 m wide green infrastructure practice under the bike lane adjacent Southwest Marine Drive for additional rainwater infiltration/storage. This brings the total width of the green infrastructure system to 5.5 m.

Note to Applicant: Provide 5.0 m infiltration setback from all infiltrating green infrastructure to any below grade building structures. For further information, contact Green Infrastructure Implementation Branch, ESRGGIIDL@vancouver.ca

(g) Relocate existing kiosk at the corner of Southwest Marine Drive and Yukon Street out of future sidewalk and bike lane area.

(h) Provision of improvements at the intersection of Columbia Street and Southwest Marine Drive including installation of a pedestrian signal and geometric modifications to ensure site access to Southwest Marine Drive is right in, right out.

(i) Provision of cash contribution towards a west-bound left turn arrow at Manitoba Street and Southwest Marine Drive.

(j) Provision of signal modifications required to accommodate protected bike lanes adjacent to site on Southwest Marine Drive.

(k) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

(l) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations including new streets.

2.8 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

(a) Installation of a pedestrian signal and geometric modifications per Condition 2.7 (h).

Note to Applicant: The benefiting area for these works is under review.

Note to Applicant: An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

2.9 Provision of a legal agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services whereby the applicant is entitled to receive latecomer charges for a period of 24 hours following completion of the works contemplated by the following condition(s), which require(s) the applicant to provide excess or extended services:

(a) Construction of new streets per Condition 2.7 (c).

Note to Applicant: An administrative recovery charge will be required from the applicant in order to settle the latecomer agreement. The amount, which will be commensurate with the costs incurred by the City to administer the latecomer scheme, will be provided by the City and specified in the latecomer agreement.

2.10 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Childcare Facility

2.11 Make arrangements to the satisfaction of the Director of Legal Services, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services, for the provision, at no cost to the City, of a 37-space childcare facility. To secure this condition the applicant will enter into one or more agreements with the City which include, but may not be limited to, the following requirements, all to be satisfied at no cost to the City:

(a) Design, construction and delivery of a turnkey and fully fit, furnished, equipped (FF&E) and supplied 37-space childcare facility with a 12-space program for 0-3 year olds and a 25-space program for 3-5 year olds.

Note to Applicant: All work pertaining to the design, construction, fit, furnish, equip and supply for the childcare facility shall be to the satisfaction of the City's Managing Director of Social Policy and Projects, the City's Director of Facilities Planning and Development, and to the Regional Manager of Community Care Facilities Licensing.

Note to Applicant: For information purposes, the FF&E is estimated at minimum $2,500 per childcare space and is to be provided to the childcare operator. Exact costs may vary based on the operator's needs at the time of facility occupancy.

(b) The childcare facility must meet the intent of the City of Vancouver *Childcare Design Guidelines and Technical Guidelines*, and must be licensable by meeting the *Childcare Licensing Regulations of Community Care Facilities Licensing* (CCFL).

(c) The childcare facility must consist of no less than 429 sq. m (4,618 sq. ft.) of gross indoor space with adjacent outdoor space of no less than 520 sq. m (5,597 sq. ft.).

Note to Applicant: The recommended Gross Indoor Area is exclusive of mechanical and electrical rooms, stairwells, elevator shafts and lobbies. Consider an extra 15% of floor area for these items.

(d) The childcare facility indoor area must have a height of not less than 12 ft. floor-to-floor.

(e) The childcare facility must have dedicated parking stalls and storage spaces.

(f) Transfer to the City at no cost an air space parcel in fee simple containing the childcare facility (including its outdoor space), together with the appropriate rights and obligations applicable to the ownership and operation of this legal parcel including reciprocal easements and indemnities, repair and maintenance, cost sharing, insurance and other applicable legal obligations.

(g) The construction and delivery of the facility is to be secured by a Letter of Credit (LC), provided to the City prior to building permit issuance, the amount of which will be settled as part of the agreements required prior to rezoning enactment; all LCs must be in compliance with and in the form set out on the City's Letter of Credit Policy ADMIN 032: https://policy.vancouver.ca/ADMIN032.pdf.

(h) The applicant will grant the City an option to purchase, for a nominal purchase price, the childcare facility air space parcel, exercisable upon completion and acceptance of the childcare facility and registration of the related air space plan.

(i) An occupancy hold on the buildings to be constructed on the site subject to the completion of the design and construction of the childcare facility and satisfactory acceptance of the childcare facility by the City and transfer thereof to the City.

(j) Agreement to grant a perpetual right in favour of the City and the users of the childcare facility in the form of an easement, for access to and use of the elevator, dedicated garbage and recycling area, dedicated mechanical and electrical rooms, dedicated parking spaces, dedicated bicycle parking, and shared loading spaces as per Parking By-law on this site.

(k) Minimize the obligations of the childcare facility toward contributions to the common area costs of the overall development, to reflect those costs which are deemed to be directly attributable to the childcare facility or which are related to any part of the development for which the users or invitees of the childcare facility may (from time to time) have the use of and/or access to.

(l) Such other terms and conditions as the Director of Legal Service, in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services may in their sole discretion require.

Note to Applicant: Holds on the Development Permit and above-grade Building Permit in connection with certain milestones will also be applied to the project.

Community Benefits Agreement (CBA)

2.12 Enter into a Community Benefits Agreement as per the *Community Benefits Agreement Policy* on terms and conditions satisfactory to the General Manager of Arts, Culture and Community Services and the Director of Legal Services, which will require the Applicant and its development partners to:

(a) Participate in a First Source Hiring program, in consultation and partnership with community stakeholder groups and the City, making new entry level jobs available to equity seeking community members in Vancouver first and striving for an overall target of 10% of labour (including that for contractors, sub-contractors and other possible vendors) sourced from low-income communities and equity seeking groups across the city, including women in trades, Indigenous people, racialized communities, and others facing barriers to opportunity due to discrimination, exclusion and stigmatization.

(b) Demonstrate best efforts to procure a minimum of 10% of material goods and services from third party certified social impact and/or equity seeking businesses and social enterprises, across the entire lifecycle of the development site, prioritizing Vancouver-based ventures but extending through supply chains regionally and outside the Province and the Country where and when required. This includes, where applicable, post-occupancy and ongoing service needs.

(c) Demonstrate best efforts to attain 10% procurement of materials, good and services from Vancouver companies or companies located in Metro Vancouver or British Columbia. These may or may not also be equity seeking third party certified businesses as defined in the policy.

(d) Retain the services of an independent third party to the satisfaction of the City in order to assist in monitoring and reporting on the progress towards reaching these goals on an agreed upon timeline with the City of Vancouver during and upon completion of the projects and its various development phases. This may include, where applicable and where possible, post-occupancy and ongoing service needs.

(e) Section 219 is applicable to the entirety of the CBA Policy insofar as they:

(i) Participate in the city-wide CBA working group community of practice.

(ii) Retain the services of an independent third party to assist with achieving the targets established in the policy and monitoring and reporting on them and by doing so.

(iii) Demonstrate Best Efforts to achieve the targets in the CBA Policy to the satisfaction of the General Manager of Arts, Culture and Community Services.

Note to Applicant: Agreeing to these conditions as per the City of Vancouver CBA Policy does not preclude the applicant from entering into any additional agreements with communities including ones geographically located nearby the development site, or sites, or with First Nations.

Food Assets

2.13 Fulfill, to the satisfaction of the Director of Social Policy, the Sustainable Food Systems requirements of the *Rezoning Policy for Sustainable Large Developments* by delivering a minimum of three food assets. To secure this condition, the applicant may be required to enter into one or more agreements with the City which may include, but will not be limited to, the following:

(a) permit holds subject to completion of the design, construction, completion and/or satisfactory acceptance of the food assets;

(b) construction and delivery of the food assets to be secured by a Letter of Credit (LC), provided to the City prior to building permit issuance, the amount of which will be settled as part of this agreement prior to rezoning enactment; all LCs must be in compliance with and in the form set out on the City's Letter of Credit Policy ADMIN 032: https://policy.vancouver.ca/ADMIN032.pdf;

(c) requirements regarding the installation, maintenance, operation, repair and/or replacement of the food assets; and

(d) such other terms and conditions as the Director of Legal Services, in consultation with the General Manager of Arts, Culture and Community Services may in their sole discretion require.

Public Art

2.14 Execute an agreement satisfactory to the Director of Legal Services and the General Manager of Arts, Culture and Community Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to Applicant: Please call Tamara Tosoff, Public Art Planner (604-873-7947), to discuss your application.

Non-stratification Covenant

2.15 Enter into a Covenant pursuant to Section 219 of the Land Title act prohibiting both the strata subdivision of the property and any separate sale of such subdivided parcels.

Note to Applicant: The preceding agreement is not intended to prevent the airspace subdivision and subsequent transfer of the childcare facility described in requirement 2.12.

Environmental Contamination

2.16 As applicable:

(a) Submit a site disclosure statement to Environmental Services;

(b) As required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

(c) If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements constructed on the site pursuant to this rezoning until separate Certificates of Compliance, satisfactory to the City, for the on-site and off-site contamination, issued by the BC Ministry of Environment and Climate Change Strategy, have been provided to the City.

Agreements

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the By-law and at no cost to the City.

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

* * * * *

396 Southwest Marine Drive
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE ZONING AND DEVELOPMENT BY-LAW

In Schedule C, under “Marine Drive, south side, from:”, Council strikes out “Cambie Street to Crompton Street” and substitutes “Manitoba Street to Crompton Street”.

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

Amend Schedule A (CD-1 Zoning Districts regulated by Part 9) by adding the following:

“396 Southwest Marine Drive [CD-1 #] [By-law #] C-2”

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

Amend Schedule A (Activity Zone) by adding the following:

“[CD-1 #] [By-law #] 396 Southwest Marine Drive”

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396 Southwest Marine Drive
ADDITIONAL INFORMATION

1. Urban Design Panel

EVALUATION: Support with Recommendations (9-0)

Minutes: https://vancouver.ca/files/cov/02162022-udp-minutes.pdf

Introduction: Rezoning Planner, Scott Erdman, provided an overview of the policy for this site. Development Planner, Omar Aljebouri, then gave an overview of the urban design considerations.

Advice from the Panel on this application is sought on the following:

1) Height, density and overall massing.
2) The response to the public realm aspiration of the Marine Landing Guidelines (e.g. planting; solar access; treatment; activation; interface), in particular for the pedestrian mews and the pedestrian-level east building elevation.
3) Any preliminary advice for consideration at the Development Permit stage

The Applicant then gave an overview of their rezoning rationale for the proposal.

The Staff and Applicant teams then took questions from the Panel.

Panel's Consensus:

THAT the Panel SUPPORTS the project with the recommendations to be reviewed by City Staff:

1) Refinement of the ground plane design to improve the public realm.
2) Re-locating the daycare relative to the overhead coverage.

2. Public Consultation Summary

List of Engagement Events, Notification, and Responses

	Date	**Results**
Event		
Virtual open house (City-led)	November 1 – November 21, 2021	113 participants (aware)* • 42 informed • 14 engaged
Public Notification		
Postcard distribution – Notice of rezoning application and virtual open house	October 29, 2021	2,653 notices mailed
Public Responses		

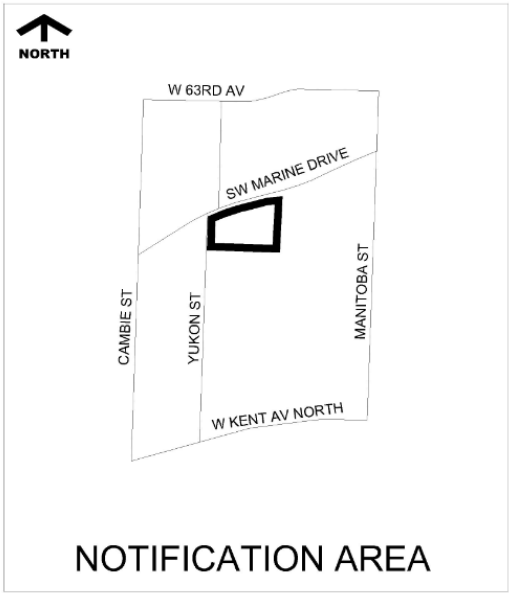
Online questions	November 2021	0 submittals
Online comment forms • Shape Your City platform	July 2021 – July 2022	23 submittals
Overall position • support • opposed • mixed	July 2021 – July 2022	23 submittals • 19 responses • 1 responses • 3 responses
Other input	July 2021 – July 2022	0 submittals
Online Engagement – Shape Your City Vancouver		
Total participants during online engagement period	July 2021 – July 2022	421 participants (aware)* • 154 informed • 22 engaged

Note: All reported numbers above are approximate.

* The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware**: Number of unique visitors to the application webpage that viewed only the main page.
- **Informed**: Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged**: Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

Map of Notification Area



Analysis of All Comments Received

Below is an analysis of all public feedback by topic.

Generally, comments of support fell within the following areas:

- **Height, massing, density:** The height and density of this project are appropriate for this location as it is well served by a major transit hub. The replacement of the existing car dealership is welcomed, the design of the building is attractive, and is an appropriate fit for the neighbourhood.
- **Amenities and infrastructure:** There is support for the job space, commercial/retail space, industrial space and the childcare centre that the development will bring to the neighbourhood. The proposed green roof is also supported.

Generally, comments of concern fell within the following areas:

- **Building design:** The design of the building is not aesthetically pleasing.
- **Traffic:** The proposed development will exacerbate existing neighbourhood traffic issues.

Generally, neutral comments/ suggestions/ or recommendations fell within the following areas:

- **Height, massing, density:** The proposed development should be taller to maximize the benefits of transit oriented development.
- **Parking:** The number of vehicle parking spaces should be reduced as the location of the development is well served by public transit.
- **Amenities and infrastructure:** The south side of the building should have an amenity space.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of support:

- The development will improve the pedestrian experience on Marine Drive and Yukon Street.
- There is support for transit oriented development.

General comments of concern:

- The angled columns of the building is not aesthetically pleasing. The ramp on the south side of the building might be too narrow for wheelchair and/or stroller use.
- Development will exacerbate existing traffic issues on Marine Drive, Cambie Street and Main Street.

* * * * *

396 Southwest Marine Drive
REZONING POLICY FOR SUSTAINABLE LARGE DEVELOPMENTS

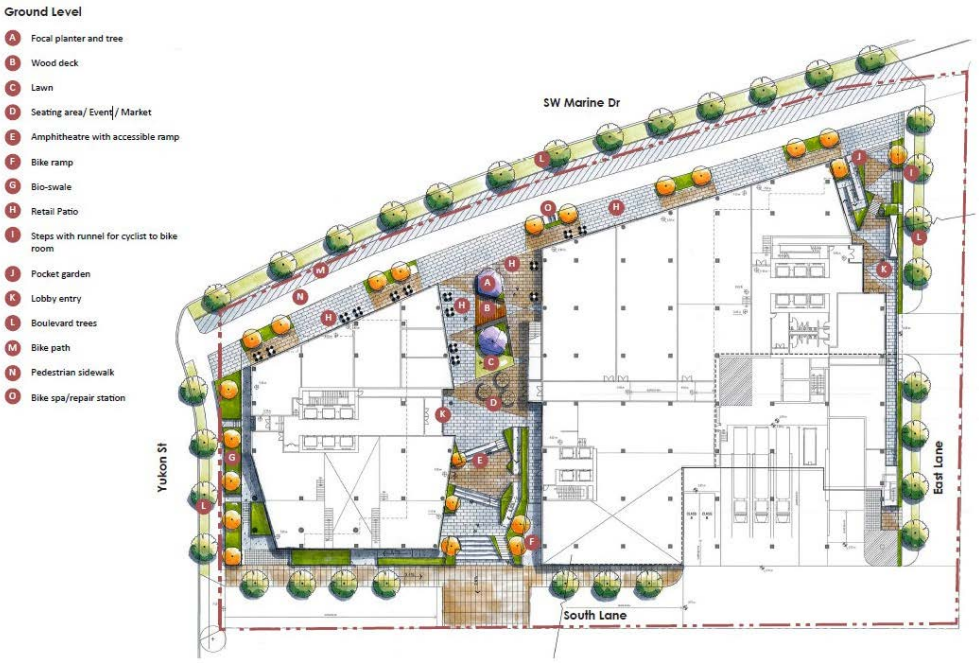
The *Rezoning Policy for Sustainable Large Developments* outlines eight requirements to advance the City's sustainability goals, and are reviewed as part of the development permit process. Details below explain how this application will meet the requirements:

- Sustainable Site Design – The design provides setbacks from the property lines to the underground parkade structure to allow on-site rainwater infiltration, additional tree canopy with fruit-bearing trees, and native plant species to support pollinators and bird species.
- Sustainable Food Systems – The application includes community garden plots, edible landscaping, and a community food market. Conditions seek to improve the usability of the market with built-in features for the open plaza area. An on-site organics management system may also be explored at the development permit stage.
- Green Mobility – The application includes convenient access to Class A and Class B bicycle parking, end-of-trip facilities, a cyclist 'cool-down station', and a 'bike spa amenity' area. Also proposed are car share and electric vehicle charging stations. A mid-block connection bisects the site to facilitate pedestrian connections, thus improving neighbourhood connections to Marine Drive Station and nearby bus loop. The applicant has also provided a preliminary Transportation Demand Management (TDM) Strategy to increase sustainable transportation options.
- Potable Water Management – Domestic Water Demands and Fire Flows Reports were provided as part of the application. Low-flow strategies are incorporated to achieve a 20% reduction in indoor water use. Plant species are proposed to achieve a 50% reduction in outdoor water use will also be explored.
- Rainwater and Groundwater Management – The application includes both a hydrological study and a preliminary integrated rainwater management plan (IRMP) with vegetation to improve the permeability of the site. Further design development at later stages will refine the IRMP to further enhance the landscape areas, including techniques to ensure water and storm water management throughout the site.
- Zero Waste Planning – Various measures to achieve a minimum of 70% waste diversion are proposed. This includes recycling and organics containers, training for future tenants and building operators with waste reduction, and an annual waste audit to assess additional opportunities for improvement. The preliminary Zero Waste Management Plan will be further refined through design development at later stages.
- Resilience – A Resilience Worksheet at the DP stage will be required to assess local risk, hazards, and mitigation strategies.
- Affordable Housing – As planning policy only permits mixed-employment uses at this location, an affordable housing component is not required.

* * * * *

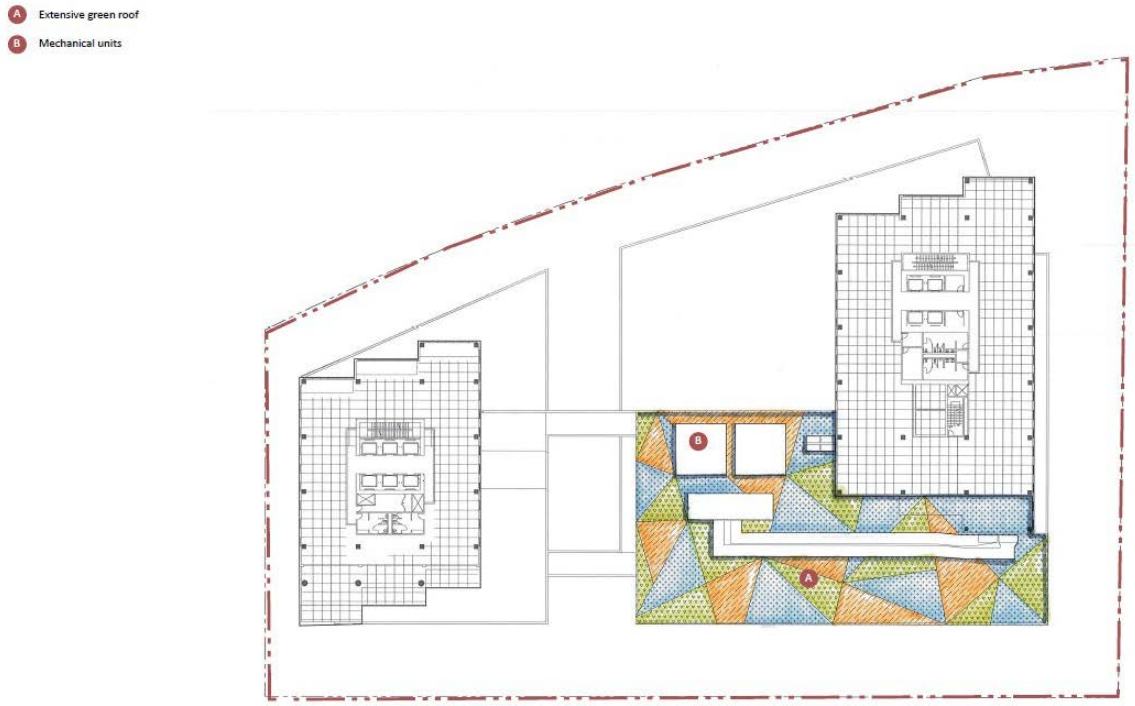
396 Southwest Marine Drive
FORM OF DEVELOPMENT
(BASED ON ADDENDUM DRAWINGS DATED June 8, 2022)

Ground Floor Landscape Plan



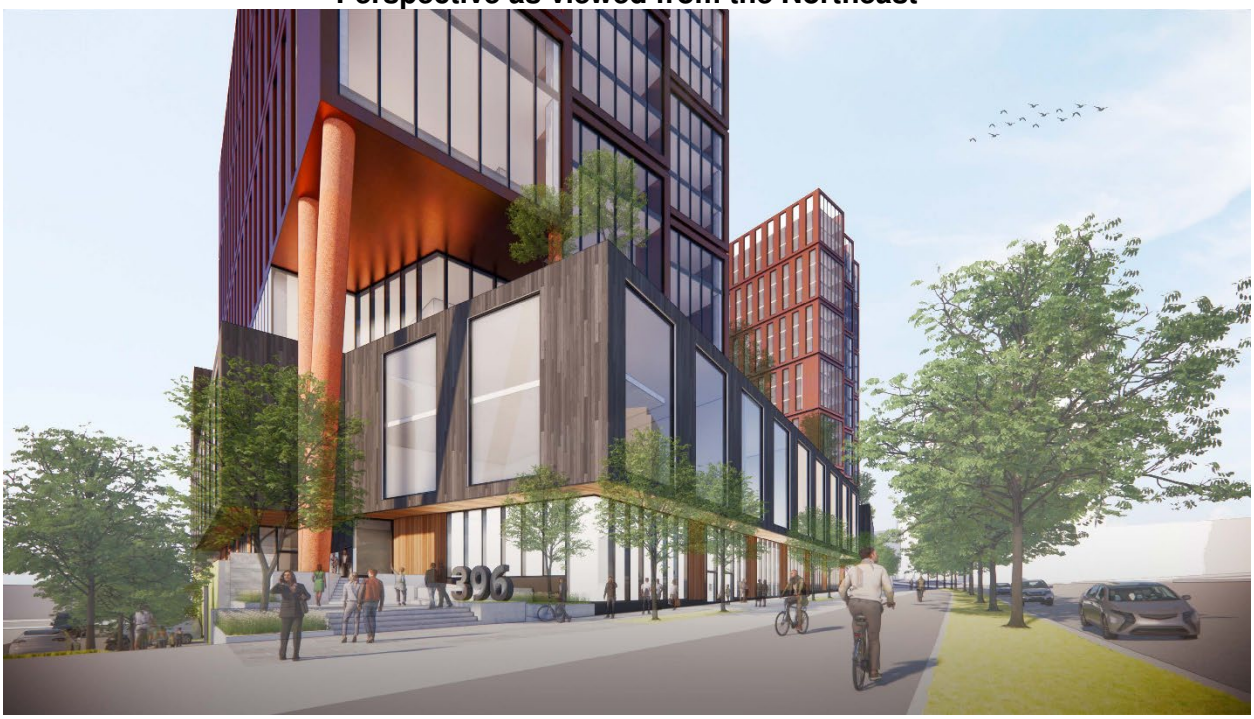
Level 3 Landscape Plan

Level 5 Landscape Plan



Perspective as viewed from the Northwest

Perspective as viewed from the Northeast



Perspective as viewed from the East

Perspective as viewed from the West

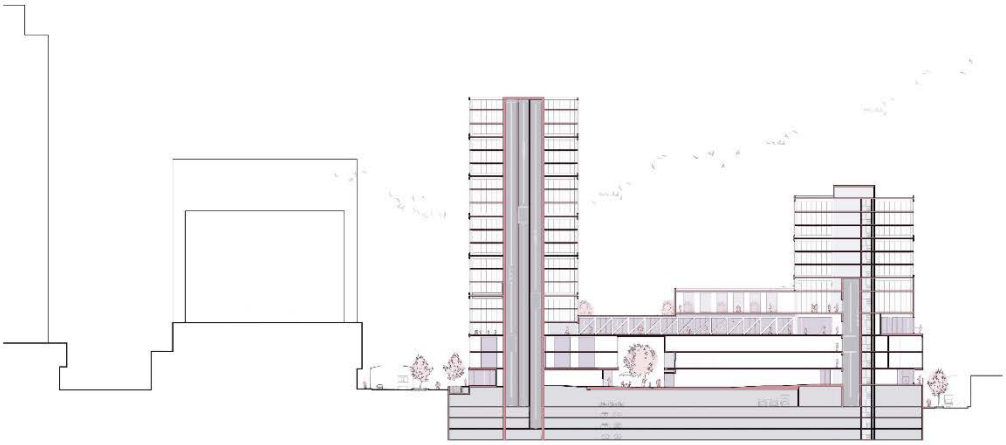
West Elevation (Yukon Street)

North Elevation (Southwest Marine Drive)

East Elevation

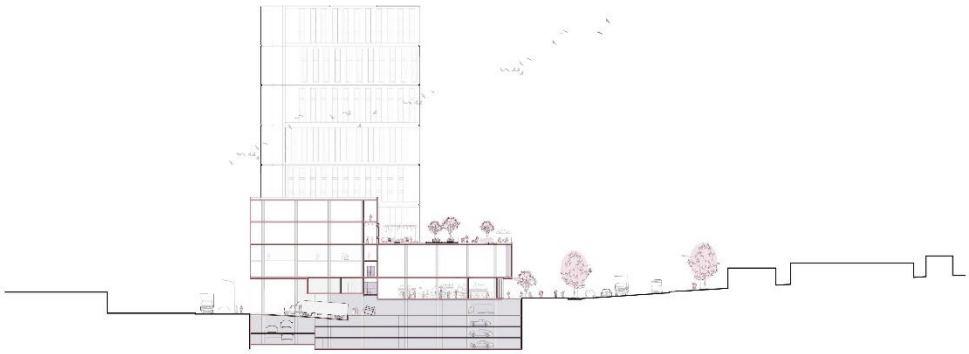
South Elevation

Building Section A



Building Section B

Building Section C



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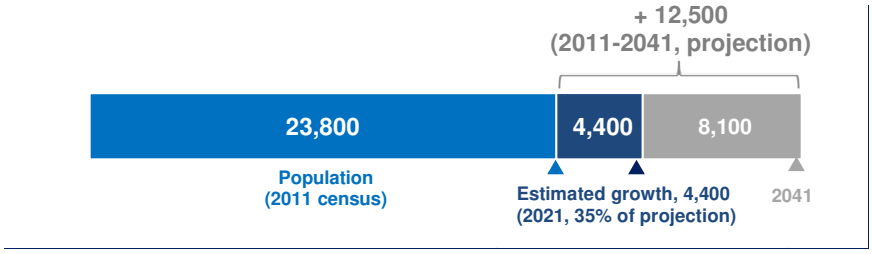
396 Southwest Marine Drive
PUBLIC BENEFITS IMPLEMENTATION DASHBOARD
MARPOLE COMMUNITY PLAN (2014)

Updated 2021 year-end

POPULATION GROWTH[a]

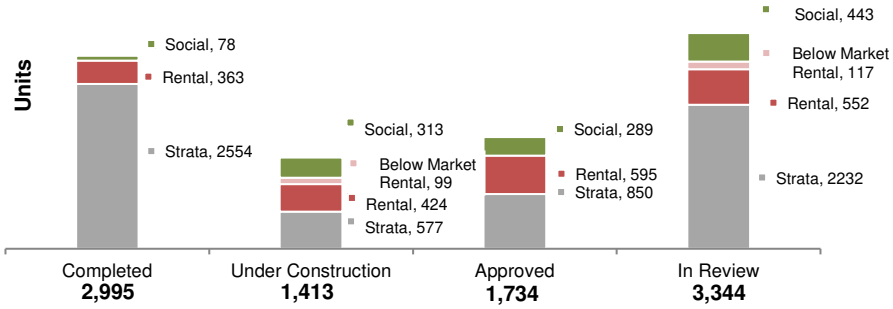
Marpole has grown by approximately **4,400** people since the 2011 census. The plan projects a total population of approximately **36,300** people by 2041.



DEVELOPMENT ACTIVITY (UNITS)[b]

Recent rezoning approvals:

- 750 SW Marine Drive
- 8804 Osler Street
- 8460 Ash Street and 8495 Cambie Street (Ashley Mar Co-op Site)
- 7730-7772 Cambie Street
- 8725 French Street



PUBLIC BENEFITS ACHIEVED AND IN PROGRESS SINCE 2014[c]

✓ On track to achieving targets → Some progress toward targets, more work required ○ Targets require attention

TARGETS See Chapter 17 of the Plan more details	COMPLETED	UNDER CONSTRUCTION	PLANNING/ DESIGN	PROGRESS
HOUSING • ~ 1,100 units of social housing (approx. 285 units at Pearson Dogwood) • ~ 835 secured market rental units (gross numbers of units reported)	• 363 secured market rental units • 78 TMH social housing units[d]	• 424 secured market rental units • 99 below market rental units • 313 social housing units		**104%** of secured rental target achieved (with BMR) ✓ **28%** of social housing target achieved →
CHILDCARE • ~ 234 spaces for children 0-4 • ~ 244 spaces for children 5-12	• 74 spaces for 0-4 yrs children (Marpole Family Place, Kids at Marine Drive)	• 69 spaces for 0-4 yrs children (David Lloyd George Elementary)		**42%** of spaces (0-4) achieved ✓ →
TRANSPORTATION / PUBLIC REALM • Renew sidewalks and improve accessibility • Additional access to the Fraser River • Work with TransLink and Coast Mountain Bus Company to maintain and enhance the existing transit network in Marpole • Pursue the construction of a new Canada Line station at West 57th Avenue	• SW Marine Drive bikeway improvements (Granville to Camosun streets) • North Arm Trail/Greenway: SW Marine Drive to Vivian Street along 59th Avenue • Arbutus Corridor temporary pathway • Plaza at 67th Avenue and Yukon Street		• Four bio-retention/rain gardens curb bulges (54th Avenue from Neal to Cambie streets) and bike lane improvements • Walking and cycling infrastructure improvements in Langara area	✓

TARGETS See Chapter 17 of the Marpole Community Plan for more details	**COMPLETED**	**UNDER CONSTRUCTION**	**PLANNING/ DESIGN**	**PROGRESS**
CULTURE • Preserve and stabilize cultural assets • Retain/create multi-use neighbourhood creative spaces • Reflect significant heritage themes (e.g. Musqueam presence) in public realm, public art, etc.	• Joy Kogawa House acquired and renovated • Six completed artwork • MC2 artist studios (2 units)			✓
CIVIC / COMMUNITY • Renew the Marpole Library • Replace or renew the existing Marpole-Oakridge Community Centre • Work with YMCA as potential partner to deliver aquatic services.	• Land acquired for Marpole Civic Centre		• Marpole Oakridge Community Centre renewal (youth centre, seniors centre, childcare, park fieldhouse)	✓
HERITAGE • Explore opportunities with Musqueam and other partners for funding to recognize historical and cultural importance of the Marpole Midden and c̓əsnaʔəm sites • 5% allocation from cash community amenity contributions in Marpole	• 5% allocation from cash community amenity contributions in Marpole		• Ongoing efforts for Fraser Arms Hotel and protection of c̓əsnaʔəm site	✓
SOCIAL FACILITIES • Marpole Oakridge Family Place expansion • Neighbourhood House expansion • Explore opportunities for affordable office for non-profit organizations	• Marpole Oakridge Family Place • Marpole Neighbourhood House restoration		• Non-profit space at Marpole Civic Centre • Youth and Seniors Centre at Marpole Oakridge Community Centre	✓
PARKS/OPEN SPACES • New Park Space/Access to Fraser River • Pearson Dogwood park • 1-2 plazas through redevelopment • Upgrade 2 parks	• 63rd Avenue and Yukon Street green rainwater infrastructure plaza • Ash Park Playground replacement • Winona Park Playground replacement		• William Mackie Park renewal • Oak Park playground upgrades	→

EXPLANATORY NOTES

The Public Benefits Implementation Dashboard assists in monitoring progress toward the delivery of public benefits anticipated from the community plans. Data in this tracker reflects activity within the plan boundaries (and significant public benefits adjacent to the plan area) since Plan approval.

[a] **Population Growth:** Growth is calculated by taking the difference between the latest census year and the base population and adding an estimate based on floor area completed between the latest census and the end of the most recent reporting period.

[b] **Development Activity:** Development Activity reports on gross new units, includes Building Permits, Development Permits, and rezoning applications:
- Completed: Occupancy Permit issuance
- Under Construction: Building Permit issuance
- Approved: Approved Rezoning Applications and Development Permits submitted without a rezoning
- In review: In Review Rezoning Applications and Development Permits submitted without a rezoning

[c] **Public Benefits Achieved:** Public benefits in planning/design typically include City-or partner-led projects that have begun a public process or have made significant progress in planning or design stages, but have not yet moved to construction. Housing units and public benefits secured through developer-initiated applications are not included in the planning/design column and not counted towards public benefits achieved prior to construction as numbers and status may change throughout the permitting process.

[d] **Temporary Modular Housing (TMH):** Modular homes that provide supportive housing services to residents with low and moderate incomes who have a need for transitional housing. See the Housing Vancouver webpage for more information**.** Note that TMH units do not count towards the affordable housing targets in the *Marpole Community Plan*.

* * * * *

396 Southwest Marine Drive
PUBLIC BENEFITS SUMMARY

Project Summary

An 11-storey and 19-storey development with commercial retail, office, light industrial, and a 37-space childcare facility.

Public Benefit Summary:

The proposal would generate a DCL payment, public art contribution, and a 37-space childcare facility delivered turnkey to the City.

	Current Zoning	Proposed Zoning
Zoning District	I-2	CD-1
FSR (site area = 12,615 sq. m (135,787 sq. ft.)	3.00	4.63
Floor Area	37,845 sq. m (407,361 sq. ft.)	58,384.3 sq. m (628,443 sq. ft.)
Land Use	Industrial	Mixed Use

Summary of development contributions expected under proposed zoning	
City-wide DCL[1]	$11,592,484
Utilities DCL[1]	$3,787,913
Public Art[2]	$1,244,315
Community Amenity Contribution – In-Kind Childcare Facility	$6,174,630
TOTAL	**$22,799,362**

[1] Based on by-laws in effect as of September 30, 2022. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage . DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's DCL Bulletin for more details.

[2] Based on rates in effect as of 2016. Rates are subject to adjustments, see Public Art Policy and Procedures for Rezoned Developments for details.

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396 Southwest Marine Drive
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
396 Southwest Marine Drive	007-866-623	Lot E Block 14 District Lot 311 Plan 14313

Applicant Information

Architect	HDR Architecture Associates Inc.
Developer	Mercury Properties LP
Property Owner	396 SW Marine Drive Properties GP Ltd., Inc.

Development Statistics

	Permitted Under Existing Zoning	Proposed Development
Zoning	I-2	CD-1
Site Area	12,615 sq. m (135,787 sq. ft.)	12,615 sq. m (135,787 sq. ft.)
Uses	Industrial	Mixed Use
Floor Area	37,845 sq. m (407,361 sq. ft.)	58,384.3 sq. m (628,443 sq. ft.)
Floor Space Ratio (FSR)	3.00 FSR	4.63 FSR
Height	30.5 m (100 ft.)	East tower, top of parapet: 56.9 m (187 ft.) East tower, top of mechanical: 60.2 m (198 ft.) West tower, top of roof slab: 79 m (259 ft.) West tower, top of mechanical: 82.1 m (269 ft.)
Parking, Loading and Bicycle Spaces	as per Parking By-law	674 vehicle parking spaces 337 Class A bicycle spaces 12 Class B bicycle spaces 6 Class A loading spaces 16 Class B loading spaces 3 Class C loading spaces To be determined at development permit stage
Natural Assets	2 on-site trees 10 off-site trees	65 new replacement on-site trees 17 off-site trees (existing 10 retained + 7 new) To be confirmed at the development permit stage

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