

## SUMMARY AND RECOMMENDATION

**5. REZONING: 1755 West 14th Avenue**

**Summary:** To rezone 1755 West 14th Avenue from RM-3 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a second residential rental building with 116 new market rental housing units, and the addition of two new rental units to the existing building on the site containing 134 unsecured rental units. All units will be secured as market rental housing units. A height of 36.6 m (120 ft.) and a floor space ratio (FSR) of 3.45 are proposed.

**Applicant:** Sun Life Assurance Company of Canada, Inc.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of December 15, 2015.

**Recommended Approval:** By the Acting General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Sun Life Assurance Company of Canada, Inc. No. A58591, to rezone 1755 West 14th Avenue [*Lots 12 to 20, Block 428, DL 526, Plan 3557; PID: 012-762-130, 012-762-156, 012-762-181, 012-762-229, 012-762-237, 012-762-253, 012-762-288, 012-762-318, 012-762-334, respectively*] from RM-3 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.65 to 3.45 to permit the development of an additional residential rental building on this site with 116 new market rental housing units, and the addition of two new rental units to the existing building on site containing 134 unsecured rental units all of which will thereafter also be secured as market rental housing units, generally as presented in Appendix A of the Policy Report dated December 4, 2015, entitled "CD-1 Rezoning: 1755 West 14th Avenue", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by MCM Partnership and stamped "Received on August 7, 2015", subject to the following conditions, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

## Urban Design

1. Architectural expression will employ a palette of high quality durable materials and a refined detail finish.

Note to Applicant: The materials as indicated in the current submission satisfy this condition).

2. Design Development to improve the solar responsiveness of the proposed tower.

Note to Applicant: Detailed design development of the elevations should reflect their differing solar orientations to improve passive solar responsiveness of the building).

3. Design development to improve the termination of the tower.

Note to Applicant: Detailed design development should consider the termination of the tower as a skyline element and seek to improve its visual interest.

4. Consideration of design development to improve the overall sustainability strategy of the proposed development.

Note to Applicant: Recognising that the proposed development meets LEED Gold requirements, detail design development should consider ways to improve the energy performance of the development as a whole by exploring options for double glazing in the existing tower and adding solar panels for hot water, etc.

## Crime Prevention through Environmental Design (CPTED)

5. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:

- (i) theft in the underground,
- (ii) break and enter,
- (iii) mischief and vandalism such as graffiti, and
- (iv) mitigate possible CPTED concerns in the parking area.

## Landscape Design

6. Design development to the successful retention of trees at the west edge.

Note to Applicant: An updated arborist report is required. To ensure tree retention at the west edge, the existing retaining wall, soil and grades should be maintained in situ.

7. Design development to grades, retaining walls, walkways and structural design to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and plants.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. It may be necessary to angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

8. Design development to location of utilities.

Note to Applicant: avoid the awkward placement of utilities (e.g. pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

9. At time of first development permit, provision of:

(i) Detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8":1 ft. scale minimum. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. 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 Landscape 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.

(ii) 'Tree Removal/Protection/Replacement Plan' in coordination with arboricultural services, including the assessment of existing trees, retention value rating, retention feasibility, remediation recommendations, site supervision and letters of assurance for supervision.

Note to Applicant: given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives from the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

(iii) Provision of detailed cross section through tree protection zones to indicate limits of excavation, special construction methods, footing design, grading and re-landscaping.

(iv) Clarifications on the plan(s) for all landscape features (common areas, hardscaping, walls, trees, plantings) to be labeled as "retained" or "new".

- (v) Provision of detailed cross sections (minimum 1/4" inch scale) through all proposed common open spaces and semi-private patio areas (typical).

Note to Applicant: the sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the residential unit.

- (vi) Provision of an arborist report addendum.

- 10. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

Note to Applicant: special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along streets and shared walkways. Ensure that pathways in the common amenity area allow for wheelchair manoeuvring.

- 11. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.
- 12. Provision of high efficiency irrigation for all planted areas and hose bibs in proximity to the shared urban agriculture garden plots.

Note to Applicant: to encourage patio gardening, consider providing hosebibs for all private patios equal and greater to 100 sq. ft. (9.29 m<sup>2</sup>);

### Housing

- 13. That the proposed total unit mix of 23% studio, 48% one-bedroom and 29% two bedroom units, be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

- 14. The building is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
- 15. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

### Engineering

- 16. Delete the portions of trellises shown encroaching over the south property line onto City property (Drawing no. A011).
- 17. Provision of access doors, with automatic openers, for access into all bicycle rooms provided on-site and also on doors providing cyclist access to the building exterior.

18. Clearly identify existing and proposed garbage storage areas such that they do not obstruct the required loading areas.
19. Please identify the specific number of bins and recycling totes for the site. Please reference the Garbage and Recycling Design Supplement available on our public web site. Note the recycling room does not appear to have an access point and is above the elevation of the loading bays which appear to provide at grade access to the lane. Clarify how bins/totes will be delivered to the lane for pick up.
20. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.
21. Modify the bicycle parking to meet bylaw and design supplement requirements ensuring that the bicycle room(s) must not contain more than 40 bicycle spaces except where the additional bicycle spaces are comprised of lockers.
22. Label on plans, with a line and arrow, the route to be used by cyclists to travel between the bicycle rooms and the exterior of the building.
23. Provision of Class B loading spaces in compliance with the requirements of the Parking By-Law. Modification of the loading bay design is required to:
  - (i) Provide a loading bay slope not exceeding 5%,
  - (ii) Provide a standard loading throat (1.6 m in width at 68 degrees) for each loading space,
  - (iii) Additional loading bay width of 3.8 m (12'6") is required for the second loading space, and
  - (iv) Provide a loading space length of 8.5 m with provision of space at the rear for unloading furniture etc.
24. An interconnected water service will be required for this development. Please contact Engineering Water Design branch for details.

#### CONDITIONS OF BY-LAW ENACTMENT

- (c) 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 and to the Acting General Manager of Planning and Development Services, the General Manager of Engineering Services, the Chief Housing Officer and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

#### Engineering

1. Consolidation of Lots 12 to 20, Block 428, DL 526, Plan 3557 to create a single parcel and subdivision of that site to result in the dedication of the west 7 feet (the Building Line area) for road purposes.

2. Provision of a natural watercourse agreement. Records indicate a natural watercourse passes through this site, a legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed.
3. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS). PBS requirements include:
  - (i) Size: At minimum, the smallest sized station at 16 m x 4 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.
  - (ii) Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing for easy access to the street. Near the corner of 14th Avenue and Burrard Street is preferred.
  - (iii) Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
  - (iv) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
  - (v) Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
  - (vi) Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.
4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the 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. No development permit for the site will be issued until the security for the services are provided.
  - (i) Provision of improved curb ramps and curb returns at the northwest and northeast corners of Burrard Street and 14th Avenue intersection.
  - (ii) Provision of a minimum 7'-0" (2.14 m) broom-finish sidewalk with saw-cut joints on Burrard Street.
  - (iii) Provision of street trees adjacent the site where space permits.

- (iv) Provision of a minimum 10'-0" (3.05 m) wide front boulevard with a sod lawn and large street trees on Burrard Street for the Public Realm. Vancouver Park Board to advise on largest trees applicable to the space.
  - (v) Relocation of the wood pole at the lane entry adjacent the site to provide for future unobstructed access by pedestrians to the widened sidewalks and improved public realm along Burrard Street. Confirmation that the pole can be relocated is required from all utility companies that use the pole.
  - (vi) Provision of a standard concrete lane crossing at the lane south of 13th Avenue on the east side of Burrard Street including adjustment of the curb returns and sidewalk on both sides of the lane entry to accommodate the crossing installation.
  - (vii) Provision of improved street lighting on both frontages of the site to LED standards and pedestrian scale lighting along the Burrard St frontage.
  - (viii) Provision of a cash contribution of \$150,000 towards a pedestrian activated signal at 14th Avenue and Burrard Street or nearby to provide improved safety for Burrard Street crossings and future bike facilities.
  - (ix) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
  - (x) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks

(including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

## Housing

6. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all residential units as secured market rental housing units for the longer of 60 years and life of the building(s), subject to the following additional conditions:
  - (i) A no separate-sales covenant.
  - (ii) A no-stratification covenant.
  - (iii) That none of such units will be rented for less than one month at a time.
  - (iv) Such other terms and conditions, including in respect of form of development, as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

## Community Amenity Contribution (CAC)

7. Pay to the City the Community Amenity Contribution of \$ 2,170,845 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$ 2,170,845 is to be allocated towards local serving amenities and the purchase of heritage density.

## Heritage Density Transfer

8. Secure the purchase and transfer of the value of \$1,085,423 of heritage density from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to



the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

## Soils

9. If applicable:

- (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
- (ii) As required by the Manager of Environmental Planning 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
- (iii) If required by the Manager of Environmental Planning 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 Planning, 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 on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 Covenants pursuant to Section 219 of 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.

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.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated December 4, 2015, entitled "CD-1 Rezoning: 1755 West 14th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its

mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by the same report.

- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated December 4, 2015, entitled "CD-1 Rezoning: 1755 West 14th Avenue".
- D. THAT Recommendations A to C 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the costs;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law 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.

[RZ - 1755 West 14th Avenue]