

4. REZONING: 526-548 West King Edward Avenue

Summary: To rezone 526-548 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building, containing a total of 42 dwelling units. A height of 20.0 m (66 ft.) and a floor space ratio (FSR) of 2.35 are proposed.

Applicant: Romses Architects

Referral: This item was referred to Public Hearing at the Regular Council Meeting of March 8, 2016.

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 Romses Architects on behalf of Tianco Investment Group Inc., the registered owners, to rezone 526-548 West King Edward Avenue [*Lots 5, 6 and 7, all of Block 680 District Lot 526 Plan 6539; PIDs 010-870-873, 010-870-881, 010-870-890, respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.35 FSR and the height from 10.7 m (35 ft.) to 20 m (65.77 ft.) to permit the development of a six-storey residential building with four two-storey townhouses fronting the lane, containing a total of 67 dwelling units, as generally presented in Appendix A of the Policy Report dated February 23, 2016, entitled "CD-1 Rezoning: 526-548 West King Edward 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 Romses Architects Inc., on behalf of Tianco Investment Group Inc., and stamped "Received Planning Department, December 16, 2015", 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. Design development to improve livability of ground floor units adjacent to the east lane.

Note to Applicant: These units have their main floor 2 to 3 feet below grade, and are within 8ft of the lane. Light access and resident comfort can be improved in these units by raising the floor elevation by 1 ft. to el. 233 ft. or by creating two-storey units along this edge.

2. Design development to projecting balconies on the north and south facades of the main building, to reduce the appearance of bulk and mass.

Note to Applicant: This can be achieved by revising the material construction on the sides to the balconies to provide a lighter, more open appearance. Vertical or horizontal louvers could achieve this. Further, sliding screens cannot be accommodated the north-facing balconies as they further increase the appearance of mass, and do not provide solar shading. If these devices are maintained, the balconies cannot be considered as floor space exclusion.

3. Design development to comply with Horizontal Angle of Daylight requirements.

Note to Applicant: This can be achieved by converting the below-grade living space in the townhouse units to include storage space. The proposed living space is too far below grade to achieve a supportable horizontal angle of daylight (HAD). To achieve appropriate HAD, the townhouses would have to be raised at least 4 ft., which is not supportable. To be excluded from floor area, private below grade storage rooms may not exceed 10 m². The stair and corridor to access parking, and other non-storage uses at this level in the townhouse is included in floor area.

4. Design development to reduce massing along south lane.

Note to Applicant: This can be achieved by removing the 3 ft. deep decks on the second floor of the townhouse units that project into the 4 ft. setback. These decks may be treated as "Juliet" style decks with guards in front of the sliding doors.

5. Design development to reduce massing over the 4 storey portion of the building;

Note to Applicant: This can be achieved by internalizing the stair that projects past the east wall at the 5th level of the building. Privacy screens at this level should not exceed 48" in height. Privacy should be achieved with layered evergreen planting.

6. Confirmation that the proposed setbacks from the property line shall remain consistent with the rezoning application submission unless conditions state otherwise.

Note to Applicant: The proposed building setbacks submitted can be considered as a minimum setback but could be increased if warranted by the design development process, noting that no built elements can project into setbacks.

7. Design development to improve amenity spaces.

Note to Applicant: This can be achieved by providing better connection between the ground floor amenity room and the adjacent outdoor space. Alternately a second amenity room could be added and located adjacent to the fifth floor roof deck. At least one amenity room should be a minimum of 400 sq. ft. in size and accommodate an accessible washroom and kitchenette.

8. Design Development to improve interface of site circulation.

Note to Applicant: This can be achieved by internalizing the stair from the east second floor corridor so that it exits into the north south courtyard. Provide a landscape buffer between the exit pathway on the west side and the adjacent property. Retaining should be absolutely minimized along this path edge.

9. Design development to reduce overlook potential to neighbouring properties.

Note to Applicant: This can be achieved by setting back railing for the roof decks and providing perimeter planters on both the west and southeast roof decks. These planters should be located adjacent to neighbouring properties (including the lane edge) and accommodate planting that will provide year-round visual screening to neighbouring properties. Coordinate information on architectural and landscape drawings.

10. Design development to improve the public realm interface at West King Edward Avenue.

Note to Applicant: Reduce the height of the planters in front of the proposed patios of the private unit entries, so they are about 1m above grade and provide a transition to the higher patios. Confirm that landscape walls adjacent to the common entry stair and ramp do not exceed approximately 1 m.

11. Provision of authentic, high-quality, durable exterior finish materials.

Note to Applicant: The proposed high quality materials including brick, cladding panels, stone and wood contribute to the design of the proposal and should be included in the Development Permit application.

12. Provision of notation on the drawings to indicate the location of significant building services.

Note to Applicant: Servicing such as a pad mounted transformer (PMT) or mechanical venting, etc. should be located so that it does not have a negative impact on the public realm, or private outdoor space. It should be screened from view. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every

effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

13. Submission of a bird friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

14. The proposed unit mix including 13 two-bedroom, 9 three-bedroom and 1 four-bedroom units are to be included in the Development Permit drawings, which may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units.

Crime Prevention through Environmental Design (CPTED)

15. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Landscape

16. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8" high curb.

17. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

18. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal

accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

19. Provision of a Landscape Plan consistent with the draft Cambie Corridor Public Realm Plan.
20. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
21. At time of development permit application:
 - (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
 - (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
 - (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.

- (vi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.
- (viii) Trellis and vines to be provided over the underground garage access ramp.

Sustainability

- 22. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

- 23. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management; or LEED Gold if using LEED for Homes midrise or another LEED Rating System and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

Housing Policy

- 24. Design development to ensure that a minimum of 25% of the proposed market strata units are designed to be suitable for families with children, including some three bedroom units.

Engineering Services

25. Delete the portions of structure shown encroaching over the east property line into the lane on page A2.03 (note: this appears to be merely a drafting error).
26. Clarify garbage storage and pick-up space and clearly notate on the plans. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins. and Note; pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.
27. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- (i) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: A column 2' in length must be set back 2' from either the opening to or the end of the parking space, otherwise additional stall width is required. Refer to the Parking and Loading Design Guidelines at the following link:

<http://vancouver.ca/home-property-development/parking-policies-guidelines.aspx>

- (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, and at all entrances.

Note to Applicant: The slope and length of the ramp sections must be shown on the submitted drawings. Confirm the ramp slope as drawing A2.03 shows a 15% slope and drawing A2.04 shows 12.5%. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4m in length. Ramps which have a 15% slope and are exposed to the weather must be heated.

- (iii) Modification of the parking ramp design as the slope must not exceed 10% for the first 20' from the property line.
- (iv) Provision of all Class A bicycle spaces to be located on the P1 parking level or at grade.
- (v) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside. Please indicate a clear and continuous line from the bicycle storage areas to the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (vi) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
 - (vii) Number and dimensioned all stalls.
28. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
29. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

30. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
31. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
32. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services

Note to applicant: The development should tie sanitary and storm connections into the existing sanitary and storm mains in the lane west of Cambie St. An interconnected water service will be required for this development.

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, the General

Manager of Planning and Development Services, the General Manager of Engineering Services 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 5, 6 and 7, Block 680, DL 526, Plan 6539 to create a single parcel and subdivision of that site to result in the dedication of a 10'x10' corner-cut truncation in the southeast corner of the site for lane purposes.

Note to Applicant: All portions of the building above and below grade are to be deleted from the required corner-cut area.

2. Provision of building setback and a surface SRW to achieve a 5.5.m distance from the back of the City curb to the building face on W. King Edward Avenue. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.
3. 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 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 applicant's 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.
 - (ii) Provision of street re-construction adjacent to the site on W. King Edward including the following:
 - a. new concrete curb and gutter,
 - b. 2.44 m wide raised protected bike lane,
 - c. 1.8 m wide concrete sidewalk with saw-cut joints,
 - d. Provision of LED pedestrian scale lighting.

- e. A review of existing street lighting adjacent the site and upgrading of that lighting to meet current LED lighting standards where necessary.
 - f. Work to include adjustment of all effected utilities and services to accommodate the geometric changes. (Note: geometric design concept to be provided by the City).
- (iii) Provision of street trees adjacent the site where space permits.
4. 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.
5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and the Cambie Corridor Plan that may include but are not limited to agreements which:
- (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes available;
 - (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation; and
 - (iii) grant use of and access to suitable space required for the purposes of an energy transfer station as established in the Neighbourhood Energy Connectivity Standards Design Guidelines, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant:

- a. Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.

- b. The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
 - c. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.
6. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.

Soils

7. 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 Protection, 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.

Heritage Density Transfer

8. Secure the purchase and transfer 347 m² (3,736 sq. ft.) of heritage density (which has a value of \$242,838) 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 a 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.

Community Amenity Contribution (CAC)

9. Pay to the City the cash component (being \$2,185,541) of the total Community Amenity Contribution of \$2,428,379 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 \$2,185,541 is to be allocated as follows:

- (i) \$1,214,190 (50% of total CAC package) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area; and
- (ii) \$971,352 (40% of total CAC package) towards childcare and community facilities in and around the Cambie Corridor Plan area; and

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 are 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 the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, as generally set out in Appendix C of the Policy Report dated February 23, 2016, entitled "CD-1 Rezoning: 526-548 West King Edward Avenue".
- C. THAT, subject to the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, as generally set out in Appendix C of the Policy Report dated February 23, 2016, entitled "CD-1 Rezoning: 526-548 West King Edward 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 cost;
 - (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 - 526-548 West King Edward Avenue]