

SUMMARY AND RECOMMENDATION

1. REZONING: 288-388 West King Edward Avenue

Summary: To rezone 288-388 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of two four-storey residential buildings with two-storey townhouses and an amenity room fronting the lane, containing a total of 56 dwelling units. A height of 15.1 m (50 ft.) and a floor space ratio (FSR) of 1.76 are proposed.

Applicant: Mosaic Yukon Limited Partnership

Referral: This item was referred to Public Hearing at the Regular Council Meeting of April 19, 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 Mosaic Yukon Limited Partnership, on behalf of Mosaic Yukon Holdings Ltd. and Susan Miriam Prottas, the registered owners, to rezone 288-388 West King Edward Avenue [Lots 1 to 5, Block 682, District Lot 526, Plan 6539; PIDs 010-879-072, 010-879-099, 010-879-137, 010-879-170 and 010-879-188 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 1.76 FSR and height from 10.7 m (35 ft.) to 15.1 m (50 ft.) to permit the development of two four-storey residential buildings with two-storey townhouses and an amenity room fronting the lane, containing a total of 56 dwelling units, generally as presented in Appendix A of the Policy Report dated April 11, 2016, entitled "CD-1 Rezoning - 288-388 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 Shift Architecture Inc., on behalf of Mosaic Yukon Limited Partnership and stamped "Received Planning Department, November 5, 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 pedestrian connections through the courtyard.

Note to Applicant: A direct and visually clear route from the principal buildings to the common amenity space should be provided to facilitate use and activation of the space. For the east building, the main entrance lobby should be relocated to align with access to the amenity space. The corridors may be relocated to exit directly to the courtyard, rather than the front of the building. For the west building, the side entry to the courtyard should be emphasized architecturally, and in the landscape design. See related Landscape Condition.

2. Design development to provide a consistent architectural expression, material quality and level of detail, at all elevations, including courtyard and rear elevations, in-keeping with the expectations of the Cambie Corridor Built Form Guidelines.

Note to Applicant: The Guidelines note that individual buildings should express a unified architectural concept, with authentic and high quality design details.

3. Design development to strengthen the expression of the principal building entrances.

Note to Applicant: The Guidelines note that building entrances should be clearly recognizable, appropriately scaled, and provide a point of distinctiveness in the overall streetscape design.

4. Submission of a bird friendly strategy for the design of the building is encouraged in the application for a development permit.
5. The proposed unit mix including 35 two-bedroom and 2 three-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)

6. Design development to respond to CPTED principles, having particular regard 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

7. Design development to the central courtyard area to be more reflective of the strong expression of the buildings, by providing more classical,

streamlined, modern layout for the space, while allowing for clear functionality of north-south access.

Note to Applicant: The curve in the walkway should be replaced by straight lines and 90 degree corner turns. All planting in the common courtyard should be flush with the grade, i.e. not raised, while still allowing adequate depth of soil of minimum 3' for trees, not including drainage layer. This may require deeper excavation of the parkade to allow for head room. The feature specimen tree should be in a generous, square planter, also flush with the courtyard.

8. Design development to include as many existing healthy, mature trees and shrubs as possible as part of the proposed landscape plan.

Note to Applicant: The arborist report mentions the Japanese Maple on lot #326 or #362, as a good candidate for relocation. There are other healthy mature shrubs that would also be good candidates and should be identified, tagged and referenced for reuse.

9. Provision of an updated and revised arborist report, to include discussion and detail methods of safe protection and relocation of the existing trees and shrubs (see Condition 8 above) in context of demolition of existing houses and proposed footprints, grades and other site constraints. Report to include a scaled and dimensioned tree protection plan, with Tree reference numbers and Critical Root Zones. Confirmation of safe tree protection is required.

10. 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.

11. 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.

12. 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.

13. 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 buildings' open space and public realm.

14. Provision requirements at the 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 materials 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) Sections 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 detail 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 garages vent 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

15. 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.

16. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and the strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Engineering Services

17. Show all 1st risers for stair entries a minimum of 1'-0" behind the property lines.
18. Delete ramping shown beyond the property line at the parkade entry and garbage holding area.
19. Provision of a separate application to Engineering Services for proposed street improvements. Please update landscape and site plan to reflect the street improvements proposed for this rezoning. (Engineering will supply geometrics for the street improvements as they become available.)
20. 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) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the underground parking area, at the front and rear of the proposed Class A loading bay, and at all entrances along the property lines.
- (ii) (ii) The slope of the parking ramp should not exceed 12.5% after the first 20 ft. from the property line.

21. Clarify how the overhead security gate is operated and note on plans.

Note to Applicant: If a pad mounted activation device is proposed, the ramp width must be increased to 22 ft.

22. Note on plans, with a black line with arrow, the expected exit path to be used by residents to travel between the bicycle rooms and the building exterior.
23. Provision of automatic door openers on all bicycle room doors.

Neighbourhood Energy Utility

24. 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.
25. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply 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.

26. 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.
27. 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.
28. 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.

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 1 to 5, Block 682, District Lot 526, Plan 6539 to create a single parcel.
2. Provision of a statutory right-of-way (SRW) over the north 0.55 m of the site for road purposes.
3. Provision of an added SRW, to the proposed 0.55 m SRW, should it be necessary, to provide for bus stop improvements along the King Edward Avenue frontage of the site.
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 designated, 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 for future street re-construction on King Edward Avenue adjacent to the site to generally include the following: new curb and gutter, curb ramps and curb return, a 2.5 m raised protected bike lane, a 1.22 m grass front boulevard with street trees, a 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints, including adjustment to all existing infrastructure to accommodate the proposed King Edward Avenue improvements. Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

Note to Applicant: Any street tree relocations or removals necessary to meet the street reconstruction plans will require the approval of the General Manager of Parks and Recreation.
 - (ii) Provision of added street works to accommodate the proposed bus stop improvements should they not be captured in the street reconstruction noted above.
 - (iii) Provision of upgraded street lighting and new pedestrian scale lighting adjacent the site to meet the standards set by this rezoning and the adjacent street uses.
 - (iv) Provision of an on-street separated north-south bike lane in the median on King Edward Avenue.

- (v) Provision of a standard concrete lane crossing on the east side of Yukon Street at the lane south of King Edward Avenue.
 - (vi) Provision of a 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints and new curb ramps, and a 1.22 m grass front boulevard with street trees on the Yukon Street frontage of the site.
 - (vii) Provision of street trees adjacent the site where space permits.
 - (viii) 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.
 - (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.
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.

Neighbourhood Energy Utility

6. 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, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: 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.

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.

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.

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 of heritage density with a value of \$202,422 being equivalent to approximately 289 m² (3,114 sq. ft.) of floor area, based on an estimated purchase price of \$65.00 per sq. ft., which price may be varied or negotiated resulting in a higher or lower amount of purchased density from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable heritage density, currently at \$65.00 per buildable square foot as of this date, the City recognizes that the applicant may negotiate its best price to secure the required density at a lower cost, but the City will only recognize a value of the density above \$65.00 per buildable square foot if the applicant and the owner of the donor site can demonstrate that bona fide market conditions warrant the increased purchase price.

Note to Applicant: Letter "A" and "Letter B" in the City's standard format are 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. In addition to the transfer of heritage density (\$202,422), that represents 10% of the overall CAC package, pay to the City a Community Amenity Contribution of \$1,821,798 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 \$1,821,798 is to be allocated as follows:
 - (i) \$1,012,110 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area; and
 - (ii) \$809,688 towards childcare and community facilities in and around the Cambie Corridor Plan area.

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 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.

- 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 Subdivision By-law, as generally set out in Appendix C of the Policy Report dated April 11, 2016, entitled "CD-1 Rezoning - 288-388 West King Edward Avenue".
- C. THAT Recommendations A and B 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 the expenditures of funds or incurring of costs is at the sole risk of the person making the expenditures 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 sole 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 - 288-388 West King Edward Avenue]