

## SUMMARY AND RECOMMENDATION

**2. REZONING: 4976-5010 Cambie Street**

**Summary:** To rezone 4976-5010 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a seven-storey residential building, and to retain and designate the heritage “Wong Residence” and “Volcanic Rock Outcropping” landscape feature at 5010 Cambie Street. The proposal contains a total of 49 residential dwelling units with a height of 23.5 metres (77 feet) and a floor space ratio (FSR) of 2.46.

**Applicant:** SHIFT Architecture Inc.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of May 17, 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 SHIFT Architecture Inc. on behalf of Pennyfarthing Q.E. Park Properties Inc., the registered owners, to rezone: 4976-5010 Cambie Street [*Lots 5 to 7, all of Block 840, District Lot 526, Plan 8324; PIDs 002-974-258, 010-152-199, and 010-152-211, 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 2.46 FSR and the height from 10.7 m (35 ft.) to 23.5 m (77 ft.) to permit the development of a seven-storey residential building containing a total of 49 dwelling units, and to retain and rehabilitate the heritage Wong Residence, generally as presented in Appendix A of the Policy Report dated May 3, 2016, entitled “CD-1 Rezoning and Heritage Designation - 4976-5010 Cambie Street”, 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 Pennyfarthing Q.E. Park Properties Inc., and stamped “Received August 14, 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. Design development to the architectural expression of the new building to better respond to the retained Wong Residence and the overall context.

Note to Applicant: At the south and east elevations, the proposed three-storey massing provides a transition to the lower massing at the Wong Residence and across the lane. The architectural treatment of the three-storey mass should emphasize this relationship, and the upper storey massing should be de-emphasized with a lighter, subsidiary expression. The three-storey massing at the lane should be shifted to the north to align with future town houses at the rezoning site to the north, and provide open space with improved solar access at the south east corner contiguous with the Wong Residence surface parking area. The west façade should express a four-storey datum line to relate to the four-storey shoulder line at the new principal building at the adjacent rezoning site to the north, and the north elevation should be developed to respond to the buildings and open space directly adjacent at the north site. The response should incorporate subtle steps in the massing, as well as further architectural design development to the façade.

2. Design development to mitigate the apparent height of the building by minimizing the extent of projections above the main roofline.

Note to Applicant: Stairwell penthouses are provided for both common and private roof deck access. Reduce the height of the penthouse for the common stairwell, including elevator and mechanical equipment enclosure, to the minimum required. Private access should be via angled hatches that do not exceed 1.2 m in height, or deleted. Trellises, or other built landscape features, over 1.2 m in height should be deleted. Guard rails should be set back substantially from the roof edges to reduce their prominence. The planted area should occupy a substantial portion of the overall roof, including the full perimeter, and be in-keeping with the expectations of the Planning Administration Bulletin: 'Discretionary height Increases - Roof Mounted Energy Technologies and Green Roofs'. Common roof deck amenity should be maintained for all residents.

3. Design development to the east elevation to activate the lane, consistent with the expectations of the Cambie Corridor Plan Built Form Guidelines.

Note to Applicant: Units at the base at the lane should maintain a townhouse configuration with entries facing the lane.

4. Design development to the landscape to substantially retain the rock outcrop.

Note to Applicant: The main floor level may be lowered so that a ramp is not required or minimized. The rock outcrop should be retained in its existing form as much as possible, and not cut into.

5. Design development to provide an improved configuration and location for the amenity room.

Note to Applicant: The amenity room should be of a more functional shape and size for gatherings, and have an improved alignment and connection to the lobby entry. A small kitchen and washroom should be provided. It is recommended that the amenity room be located at the southwest corner adjacent the building entry lobby and with overlook to the rock outcrop.

6. Design development to the basement rooms for Unit CH1 to comply with the expectations of the Planning Administration Bulletin ' Bulk Storage and In-Suite Storage - Multiple Family Residential Developments.'

Note to Applicant: Habitable space is not permitted in this location as daylighting requirements cannot be met. Bulk storage rooms may be provided if reconfigured to comply with the size limitations and design parameters within the bulletin. Compliant bulk storage rooms are excluded from floor area. Stair access to in-suite bulk storage in the basement, and any required vestibule is counted in floor area.

7. Design development to the laneway house to be compatible with the Milton Wong Residence in terms of its form and character.

Note to Applicant: The laneway house should occupy the approximate footprint of the existing carport. While it need not copy the style of the Wong Residence, its' overall design should be complimentary to the Milton Wong house and site.

8. The proposed unit mix including 22 two-bedroom, 10 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)**

9. 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**

10. Design development to the responsible retention of all trees proposed for protection in the "Tree Protection and Removal Plan" dated May 12, 2015 by DK Ltd., including any offsite trees and vegetation;

Note to Applicant: in reference to the arborist report by Florian Fisch, dated June 8, 2015. While the proposal indicates that existing trees have been retained and integrated, there may be further design requirements at the development permit stage, including arborist reporting. To optimize the root protection zone, a minimum setback distance beyond the dripline may be necessary, subject to further review. There is a row of trees or a hedge on the northerly neighbour site (i.d.# 102-106) that is in conflict with the excavation. To resolve this conflict, a written neighbor consent letter and a tree removal permit application must be submitted, or the trees/ vegetation must be retained through design development.

11. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and landscaping.

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. To avoid raised planters above grade, angle the corner of the underground slab downward (1.0 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.

12. Design development to location of utilities.

Note to Applicant: avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. 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. At time of first development permit, provision of:

- (i) A 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) A Tree and Rock Outcrop Protection Plan:

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 drawn out of the arborist report(s), such as clearly illustrating the limit of excavation and footing design (shotcrete and vertical shoring). Tree replacements are likely best located on the proposed phased landscape plans. The rock outcrop, in its entirety, should also be illustrated and protected with protection fences.

(iii) Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through tree protection zones, all proposed common open spaces and semi-private patio areas;

Note to Applicant: in tree protection areas, the sections should illustrate and dimension the limit of excavation, 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.

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

16. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.

17. Provision of a partial irrigation plan:

Note to Applicant: provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 square feet (9.29 m<sup>2</sup>). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

## Housing

18. 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

19. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: 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.

20. Provision of a landscape plan that reflects the off-site improvements sought by this rezoning.

Note to Applicant: Please update the plan to reflect all of the proposed street work. A geometric of the Cambie curb alignment will be supplied by Engineering Services.

21. 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 automatic door openers on the doors providing access to the bicycle rooms.
- (ii) Provide an alcove for the bike room access off the parking ramp and maneuvering aisle.
- (iii) Identify the path to be used by residents to move their bikes from the bicycle rooms to the building exterior by marking the route(s) with a line and arrow onto the plans.
- (iv) Provide Class B bicycle rack(s) on private property that can comfortably hold six (6) bicycles.

Note to Applicant: the orientation of the bicycle racks shown on the ground floor landscape plan does not allow 6 bicycles to occupy the spaces.

- (v) Provision of a convex mirror at the bottom of the shared parking ramp.
  - (vi) Clarify and identify the location of the parking security gate for this site.
22. 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.
23. 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.

24. 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.
25. 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.
26. 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 and to the Acting 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 and 6, Block 840, District Lot 526, Plan 8324 to create a single parcel.
2. Confirmation that a shared access agreement (in a form and content acceptable to the City) between this site and the development site to the north (lot 4) is fully registered in Land Titles Office and provides for the required access or, provision, modification or replacement of an agreement to allow for the proposed access arrangement. This agreement will include a Section 219 Covenant in favour of the City which provides that the agreement will not be modified or released without the City's consent.

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 upgrading of the existing 250 mm diameter combined sewer that serves the site. A new 200 mm sanitary sewer and 375 mm storm sewer are required to be constructed from the existing manhole adjacent the site in the lane east of Cambie Street to the upstream manhole in the lane east of Cambie Street (approximately 57 Meters). The sewer upgrade is estimated at \$125,000 in 2016 dollars.
    - (iii) Provision for future street re-construction on Cambie Street adjacent to the site to generally include the following;
      - a. new curb and gutter,
      - b. a 2.5 m wide raised protected bike lane,
      - c. a 2.13 m (7’-0”) wide broom finish concrete sidewalk with saw cut joints, and
      - d. improved street and pedestrian LED lighting including adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

  - (iv) 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, 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.

## Heritage

6. The owner enters into a Heritage Restoration Covenant for the rehabilitation, registration and long-term protection of the heritage building. The agreement is to be completed and registered in the Land Title Office to the satisfaction of the Director of Planning and the

Director of Legal Services prior to the enactment of the rezoning by-law.

Note to Applicant: The agreement must be signed by the owner and any party with a financial charge on the title to give priority. The purpose of the agreement is to secure the protection of the heritage building during and after construction and ensure its rehabilitation in a timely manner consistent with a conservation plan, in addition to allowing the City to place a commemorative plaque on the building or lands, and related matters. Please contact the heritage planner to receive a copy of the draft agreement for review.

7. Designation of the exterior of the heritage building as a protected heritage property and the Volcanic Rock Outcropping as protected heritage landscape resource, pursuant to sections 593 and 594 of the Vancouver Charter and enactment of the Heritage Designation By-law by Council.
8. Submit a finalized copy of the Conservation Plan for the heritage building as prepared by the heritage consultant.

#### **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.

#### **Community Amenity Contribution (CAC)**

10. Pay to the City the cash component of the Community Amenity Contribution of \$2,056,285 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 \$2,056,285 is to be allocated as follows:

- (i) \$1,028,142 (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) \$1,028,143 (50% 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 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.

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 approval in principle of the rezoning, the existing heritage feature, known as the "Volcanic Rock Outcropping", be added to the Vancouver Heritage Register as a landscape resource; and the existing building, known as the "Wong Residence", (the "heritage building") at 5010 Cambie Street [*PID: 010-152-211; Lot 7, Block 840, District Lot 526, Plan 8324*] be added to the Vancouver Heritage Register in the 'A' evaluation category.
- C. THAT, subject to approval in principle of the rezoning, pursuant to Sections 593 and 594 of the Vancouver Charter, Council approve the designation of both the heritage building and the Volcanic Rock Outcropping as protected heritage property.
- D. 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, generally as presented in Appendix C of the Policy Report dated May 3, 2016, entitled "CD-1 Rezoning and Heritage Designation - 4976-5010 Cambie Street".
- 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 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 - 4976-5010 Cambie Street]