

## SUMMARY AND RECOMMENDATION

**5. REZONING: 4138 Cambie Street**

**Summary:** To rezone 4138 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building and 2 two-storey townhouses containing a total of 22 dwelling units. A height of 20.5 m (67 ft.) and a floor space ratio (FSR) of 2.31 are proposed.

**Applicant:** Pennyfarthing Hillcrest Developments Ltd.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of June 13, 2017.

**Recommended Approval:** By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd. on behalf of Yuk Ying Ng, the registered owner, to rezone 4138 Cambie Street [*PID 010-949-020; Lot 2, Block 681, District Lot 526, Plan 6212*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.31 and the height from 10.7 (35 ft.) to 20.5 m (67 ft.) to permit the development of a six-storey residential development, containing a total of 22 dwelling units, generally as presented in Appendix A of the Policy Report dated May 30, 2017 entitled "CD-1 Rezoning: 4138 Cambie Street", be approved subject to the following conditions:

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

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by Raymond Letkeman Architects Inc., on behalf of Pennyfarthing Hillcrest Developments Ltd., and stamped "Received Planning, Urban Design and Sustainability, September 28, 2016", provided that the Director of Planning 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 Director of Planning, who shall have particular regard for the following:

**Urban Design**

1. Design development to provide improved common amenity space.

Note to Applicant: Common indoor and outdoor amenity space should be provided suitable to the project size, and number and type of units. Common outdoor space should include children's play space. It is

recommended that common outdoor space be provided at the courtyard. For more information, refer to the *High-Density Housing for Families with Children Guidelines*.

2. Design development to provide a green roof in keeping with the expectations of the Planning By-Law Administration Bulletin *Roof-mounted Energy Technologies and Green Roofs*.

Note to Applicant: Common outdoor space may also be provided at the roof top.

Note to Applicant: The height of the guard rails above the sixth storey may be relaxed if a substantial portion of the roof is a green roof (minimum of 25% of the roof area for an intensive green roof and 50% for an extensive green roof).

3. Design development to provide an enhanced lane edge treatment in keeping with the expectations of the Cambie Corridor Plan.

Note to Applicant: The proposed 5 ft. setback is supported. Lane edge planting, planter walls, and walkways should provide texture, lighting, and detailing that promotes a pleasant walking environment in the lane. Refer to the Cambie Corridor Plan, Section 6.4, Public Realm: Streets and Lanes.

4. Design development to maintain a high quality architectural design at the development permit stage.

Note to Applicant: Brick cladding should be incorporated at the side elevations for a more cohesive, high quality expression.

5. The proposed unit mix, including one studio unit (5%), 15 two-bedroom units (68%), and six three-bedroom units (27%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% two-bedroom and 10% three-bedroom 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 Design

7. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to a standard Plant List. The Landscape Plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/grades and public utilities such as lamp posts, hydro poles, fire hydrants.

8. Provision of a Tree Plan.

Note to Applicant: Provide a Tree Plan that is separate from the Landscape Plan and consistent with the survey and arborist report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including offsite trees and any necessary tree protection barriers. Tree replacements can be shown on the proposed landscape planting plans.

9. Illustration of measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should be provided to describe the rainwater management strategy.

10. Provision of large scale, dimensioned, landscape sections [typical] through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

11. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 sq. m) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

12. Design development to integrate the architecture, grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

13. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.
14. Coordination with the south neighbor regarding the proposed removal of tree #51.

Note to Applicant: The removal of tree #51 will be necessary to facilitate the form of development. However, the tree may be shared with the south property. A neighbor consent letter should be provided. In the event that a neighbor consent letter cannot be provided and the tree is verified to be legally shared, the tree will need to be retained.

15. Design development to locate site utilities and vents onto private property and integrate discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

16. Consideration to incorporate the principles of the City of Vancouver *Bird-Friendly Design Guidelines* for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City.

Note to Applicant: For more information, refer to the guidelines at <http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf> <http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

## Sustainability

17. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for the 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.

18. All new buildings in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management 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 of 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.

19. In lieu of the requirements outlined in Condition 18, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the *Green Buildings Policy for Rezonings - Process and Requirements* (amended April 28, 2017 or later).

## Engineering

20. This site is to provide independent garbage storage and pick up. A single point of access to garbage in multiple parkades breaches the security provisions of typical parkade design. Pick up operations do 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. If this cannot be confirmed then on-site, at grade bin storage will be required.
21. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection /removal or slab pour that requires additional street use beyond the already identified project street use permissions.
22. Provision of the following note on the landscape plan: "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Kevin Cavell at 604.873.7773 for details."
23. Delete concrete connector sidewalks shown extending over the property line in the lane.

24. Compliance with Section 4.8.4 *Required Disability Parking Spaces* of the Parking Bylaw.

Note to Applicant: One additional Disability Parking space shall be provided on site.

25. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Confirm how residential parking security is to be maintained as per Section 4.13.5 of the Parking Bylaw for this application and the adjacent sites, noting the comments in condition (b)19 regarding garbage storage.
- (ii) Provision of design elevations on both sides of all ramp sections, at all break points, throughout the parking level and at all entrances.
- (iii) Provision of 7.5 ft. vertical clearance at the overhead gate to P1 and at knock out panel access to adjacent property to the north.
- (iv) Dimension the vertical clearances of the parking level on the section drawings and label the minimum vertical clearance, including at overhead gates and mechanical projections.

Note to Applicant: Minimum 2.3 m clearance is required for Class A loading and disability spaces.

- (v) Confirm that 2.3 m minimum vertical clearance is provided from the lane to the Class A loading, Disability parking and Garbage and Recycling room.
- (vi) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

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

- (vii) Provide automatic door openers on the doors providing access to the bicycle room(s).

Note to Applicant: If manddoors are required at overhead gates for bicycle access, manddoors are to be incorporated into the overhead gates to maintain 20 ft. drive aisles.

### Technical Analysis

26. Compliance with the Administrative Bulletin *Bulk Storage and In-Suite Storage - Multiple Family Residential Developments*.

Note to Applicant: Twelve additional storage lockers shall be provided. Alternatively, in-suite storage may be provided for each unit, and up to 40 sq. ft. may be deducted from the floor area for each unit that

contains a bulk storage room. Also, ensure the two lockers underneath stairs in the parkade comply with the provisions of the Bulletin in regards to minimum ceiling height.

27. Notation of the following geodetic heights on the Elevation Drawings and Section:

- (i) top of railing above the sixth storey; and
- (ii) top of parapet above the sixth storey.

28. Notation of the Class B Bicycle spaces on the Site Plan.

29. Clarification of the location of the privacy screen as illustrated on page A401.

Note to Applicant: This screen is not illustrated on the Elevation Drawings nor the Roof Plan. If it is proposed, it shall be illustrated on all drawings and its geodetic height shall be noted.

30. Clarification of the use of the roof deck above the sixth storey.

Note to Applicant: Illustrate all architectural and landscape features on the Roof Plan and the Landscape Plan.

31. Clarification of the information on the FSR Overlays and FSR Summary.

Note to Applicant: The numbers are blurred and illegible.

32. Provision to delete survey information from the Main Floor Plan.

### **Neighbourhood Energy Utility**

33. The proposed approach to site heating and cooling, developed in collaboration with the City, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.

34. Design of the development must provide for Neighbourhood Energy System (NES) compatibility and shall adhere to the following requirements:

- (i) 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 NES 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 NES 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.

- (ii) 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.
- (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated NES, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
- (iv) 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.

35. In lieu of the requirements outlined in Condition 34, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings*. Where, at time of development permit, the applicant chooses to pursue a Near Zero or Low Emissions Green Building under this policy, the design of the development shall adhere to the following requirements:

- (i) Any gas fueled heating systems, including but not limited to domestic hot water, will be designed for NES compatibility to preserve the opportunity to eventually connect to a future low-carbon NES. The applicant will refer to *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general requirements.
- (ii) 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: 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 technical requirements.

If following requirements of the *Green Buildings Policy for Rezonings*, the applicant will be required to work in collaboration with City of Vancouver Sustainability staff to demonstrate that the development is on track to achieve the above requirements and what must be submitted at each stage of permit [see Condition (b)19].

## CONDITIONS OF BY-LAW ENACTMENT

- (iii) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering Services

1. Provision of a knockout panel and arrangements (legal agreements) to secure access to underground parking from within the adjacent development site at 4162 Cambie Street (Lot A, Block 681, DL 526, Plan EPP59286) will be required. Similarly, if the proposed vehicle access onto adjacent northerly Lot 1 via both the subject site and Lot A is supported, then provision of a knockout panel and arrangements to secure access to underground parking within future development on that northerly property at 4118 Cambie Street (Lot 1, Block 681, DL 526, Plan 6212) will be required. Confirmation that a secured parking access corridor can be provided through the site is to be confirmed.
2. 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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 a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
  - (iii) Provision of street re-construction on Cambie Street adjacent to the site to generally include:
    - a. New curb and gutter;

- b. 2.5 m (8.2 ft.) wide raised protected bike lane;
- c. 1.83 m (6.0 ft.) wide broom finish concrete sidewalk with saw cut joints;
- d. Improved street and pedestrian LED lighting including a lighting analysis and design; and
- e. 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 speed humps in the lane east of Cambie Street between King Edward Avenue and 26th Avenue.
  - (v) Upgrading of the traffic signal at King Edward Avenue & Cambie Street from Audible to Accessible (APS). APS buttons provide an audible queue, vibro tactile feedback and produce less noise/disturbance than the current audible style signals.
3. 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.
4. If, at time of development permit, the applicant chooses not to meet requirements of the *Green Buildings Policy for Rezonings (amended February 7, 2017)*, they will 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, 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 a 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.

- 5. If, at time of development permit, the applicant chooses to meet requirements for the *Green Buildings Policy for Rezoning* (amended February 7, 2017), they will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

#### Environmental Contamination

- 6. If applicable:
  - (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental

Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

### Community Amenity Contribution

7. Pay to the City a Community Amenity Contribution of \$983,730, 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 \$983,730 is to be allocated as follows:
  - (i) \$491,865 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (ii) \$393,492 (40%) toward childcare and community facilities in and around the Cambie Corridor Plan area; and
  - (iii) \$98,373 (10%) to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

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

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

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

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated May 30, 2017 entitled "CD-1 Rezoning: 4138 Cambie Street".
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated May 30, 2017 entitled "CD-1 Rezoning: 4138 Cambie Street".

- D. THAT A through C be adopted on the following conditions:
- (a) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (b) 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;
  - (c) 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 - 4138 Cambie Street]