

## SUMMARY AND RECOMMENDATION

**4. REZONING: 8242 Oak Street**

**Summary:** To rezone 8242 Oak Street from RS-1 (One-Family Dwelling) District and C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of an eight-storey mixed-use building containing a total of 50 dwelling units, office space, and commercial space. A height of 29.4 m (97 ft.) and a floor space ratio (FSR) of 3.00 are proposed.

**Applicant:** IBI Group

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of September 19, 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 IBI Group on behalf of Coromandel Oak 67 Holdings BT Ltd. and Coromandel Oak 67 Development BT Ltd., the registered owner, to rezone 8242 Oak Street [*Lot A (See 356574L) and Lot 13, except the east 10 feet and the west 7 feet now highways, both of Lot 15, Block B, District Lots 319, 323 and 324, Plan 1685; PIDs: 014-436-078 and 014-435-942 respectively*] from RS-1 (One-Family Dwelling) District and C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) to 3.00 FSR and to increase the height to 29.4 m (97 ft.), to permit the development of an eight-storey mixed-use building, containing a total of 50 dwelling units, office space, and commercial space, generally as presented in Appendix A of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 8242 Oak 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 IBI Group on behalf of Coromandel Properties, and stamped "Received Planning and Development Services (Rezoning Centre), December 19, 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 to the following:

## Urban Design

1. Design development to better animate the public plaza, per section '10.2 Open Spaces and Plazas' in the Marpole Community Plan, as follows:
  - (i) Provide active ground floor uses at grade at the east side of the plaza, with access from the plaza and/or 67th Avenue.
  - (ii) Reduce the at-grade setback from the active use to the south property line and provide hardscaping, in order to provide a defined, animated edge to the public realm, per section '7.1 Mixed Use Buildings' of the Marpole Community Plan.

Note to Applicant: Active ground floor uses facing the plaza could include retail or amenity space. Refer to conditions 8 and 9 regarding further design development of the plaza.

2. Design development to simplify massing at the rear by eliminating the bump-out at Level 8 (between gridlines 4 and 5).

Note to Applicant: The 8 ft. setback may be slightly reduced (to minimum 7 ft.) to accommodate more livable dwelling unit layouts.

3. Design development to improve the interface of the podium with the public realm on Oak Street and at the plaza.
  - (i) Reduction in the size of the office lobby to maximize retail space;
  - (ii) Consideration to relocate the office entry to the north end of the Oak Street façade or to the plaza, to ensure contiguous retail space;
  - (iii) Provide a greater articulation along the primary retail frontage, including niches or inset areas;
  - (iv) Provide a weather canopy or canopies with distinctive architectural character;
  - (v) Refine use of exterior materials with greater texture, visual interest and variety; and
  - (vi) Refine use of lighting, landscaping and urban furniture.
4. Design development to improve the outdoor amenity spaces by providing further opportunities for children's active play.
5. The proposed unit mix, including 23 one-bedroom units (46%), 20 two-bedroom units (40%) and 7 three-bedroom units (14%), 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.

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

Note to Applicant: Refer to the *Bird-Friendly Design Guidelines* for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

#### Crime Prevention through Environmental Design (CPTED)

7. 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

8. Design development to the public plaza area to increase pedestrian amenity through the provision of tree canopy, permanent site furniture, artistic elements and/or public art (where applicable).

Note to Applicant: Further work may be requested at the development permit stage.

9. Design development to the slab in the public plaza area to ensure that all trees are planted level with the plaza surface and with a minimum growing medium below slab containing soil volume targets of 16 cubic metres. For each tree, growing medium should be approximately 1 m deep and no less than 2 m radially, measured from the trunk. Soil cells, structural soils and contiguous planting troughs should be explored.
10. Design development to the rooftop amenity space to meet the requirement for 25% green roof area as a combination of adequately sized urban agriculture planters and other intensive and extensive green roof features.
11. Design development of the rainwater management strategy and related grey water/mechanical systems to be scaled and integrated with full infiltration from hard and soft surfaces within the site, to the greatest extent practicable.

Note to Applicant: The applicant is encouraged to reference the

Integrated Rainwater Management Plan (IRMP), Volume II, Best Management Practises, supported by Council in April 2016. At the development permit stage, further design development may be requested.

12. Design development to locate site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.
13. Design development to reduce potable water consumption in the irrigation systems by using drought tolerant plant species, efficient irrigation rainwater technology and rainwater harvesting methods, to the greatest extent practicable.
14. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to Applicant: The Landscape Plan should include a planting plan listing 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. Illustrate and clarify all outdoor surface/paving materials, site furniture, bicycle racks, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

15. Provision of large-scale sections [typical] through landscaped areas, including the ground-oriented interface, the slab-patio-planter relationship, street trees, the lane interface, common areas and upper storey planters.

Note to Applicant: The sections should include the planter materials, tree canopy, tree stem, outline of the root ball, voiding, built up membrane and dimensions.

16. Provision of spot elevations to all outdoor areas (including top/bottom walls), including offsite context spot elevations in proximity (public sidewalks, inner boulevards and lanes).
17. Provision of adequate soil volumes and depths for planting on slabs and in planters.

Note to Applicant: To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs should angle down to provide deeper soils. Within the site at the public plaza level, the slab must be lowered below to avoid the necessity for above grade planter walls that would impede pedestrian flow.

18. Provision of universal design principles in the outdoor spaces.

Note to Applicant: Special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along shared circulation routes.

19. Provision of a "Tree Removal and Protection Plan" in coordination with arboricultural services, including the assessment of existing trees and retention feasibility.

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 Tree Plan should clearly illustrate all trees to be removed and/or retained, where applicable, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

20. Provision of a partial irrigation plan to demonstrate efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs to be provided for all patios of 9.3 sq. m (100 sq. ft.) or greater in size.

Note to Applicant: Specification notes and irrigation symbols should be added to the drawing.

21. Provision of all necessary infrastructure to support urban agriculture, including hose bibs, tool storage, work tables and seating.

### **Sustainability**

22. Confirm that the building is on track to meet the requirements of the preceding *Green Buildings Policy for Rezonings* (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.

23. In lieu of the requirements outlined in Condition 22, 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>.

## Engineering

24. 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 and 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.
25. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
26. Delete special treatments shown extending onto the City lane and beyond the 67th Avenue and Oak Street property lines.
27. Show standard commercial sidewalk treatments on Oak Street adjacent the site and residential treatments on 67th Avenue adjacent the site including standard four piece tree surrounds where new street trees are supplied.
28. Provision of a detailed landscape plan that reflects the off-site improvements sought by this rezoning. Please submit an updated landscape plan directly to Engineering for review.
29. Provision of all Class B bike parking to be installed on private property and not encroaching on public property and clear of any SRWs.
30. Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
31. Provision of direct 'stairs free' loading access from the loading bay to the CRU and commercial elevator core.

Note to Applicant: Consider providing a loading dock, loading elevator or lift, or sloping the loading corridor to achieve this. The loading corridor shall not require access through the garbage room.

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

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

Note to Applicant: The slope must not exceed 10% for the first 20 ft. from the property line. The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slope may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.

- (ii) Dimension all stall widths and column encroachment widths.

Note to Applicant: If columns encroach more than 0.15 m (6 in.) into the stall from the stall dividing line, additional stall width is required. The column width along gridline 7 are dimensioned 8 1/8" on drawing A31B and A31C.

- (iii) Dimension the width of the overhead gate at gridline 5/D on drawing A31C as a minimum 6.1 m (20 ft.) is required.

- (iv) Provision of the minimum vertical clearance for the main ramp, security gates and loading bays.

Note to Applicant: Show the overhead gate on the parking ramp on drawing A42 noting the minimum vertical clearance at the gate. 2.3 m (7.6 ft.) of vertical clearance is required for access and maneuvering to all disability spaces. 3.5 m (11.5 ft.) of vertical clearance is required for Class B loading spaces and maneuvering.

- (v) 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, if required. 'Stairs free' access is required for the bike room at gridline A/3 on drawing A31C.

- (vi) Provide an alcove for the bike room access off the maneuvering aisle.

- (vii) Modification to the column outside of the bike room at gridline E/8 on drawing A31C to provide a clear 4 ft. wide access aisle or delete stall 18.

## 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, 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. Consolidation of Lot A (See 356574L) and Lot 13, except the east 10 feet and the west 7 feet now highways, both of Lot 15, Block B, District Lots 319, 323 and 324, Plan 1685 to create a single parcel.
2. Release of Easement and Indemnity Agreement 447013M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

3. Provision of a building setback and a surface statutory right-of-way (SRW) on Oak Street adjacent the site to achieve a minimum of 5.5 m (18 ft.) from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the property line is required to determine the final setback and SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing, landscape and bicycle parking at grade but the encroaching building portions shown below grade and at the third storey and above will be accommodated within the SRW agreement.
4. Provision of a plaza statutory right-of-way (SRW) agreement for the public use of the plaza as proposed in the Marpole Community Plan. The encroaching building portions shown below grade and at the third storey and above will be accommodated within the SRW agreement.
5. Provision of a Services Agreement to detail the on- 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 will be issued until the security for the services is 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 an upgraded sewer main by twinning the sewer main on Oak Street from 67th Avenue to approximately 83 m north of 67th Avenue (to existing manhole), or provision of a report or management plan by a registered professional demonstrating that post development stormwater run-off flowrates for the one in five year storm will be less than or equal to current site run-off flowrates. Legal arrangements may be required to ensure ongoing operations of certain stormwater storage systems.
- (iii) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
- (iv) Provisions of new cast-in-place (CIP) light broom finish concrete sidewalk adjacent the site with saw cut joints on Oak Street and 67th Avenue to current area standards.
- (v) Provision of street reconstruction on 67th Avenue adjacent the site to generally include the following:
  - a. New curb and gutter.
  - b. A 2.5 m (8.2 ft.) wide raised protected bike lane.
  - c. A minimum 2.13 m (7 ft.) wide CIP light broom finish concrete sidewalk with saw cut joints.
  - d. Curb ramps.
  - e. Relocation of the fire hydrant.
  - f. Adjustments to all existing infrastructure to accommodate the proposed street improvements.
- (vi) Provision of new curb and gutter and removal of the existing driveway crossings on Oak Street.
- (vii) Provision of a standard concrete lane crossing including replacement of the curb returns on both sides of the lane and upgrading of the curb ramps to meet current standards.
- (viii) Provision of upgraded street lighting on all frontages adjacent the site and new pedestrian lighting on 67th Avenue. A review of

the existing lighting is required to determine its adequacy and upgraded lighting is to be provided where required.

- (ix) Provision of signal upgrades or replacement of the existing signal to a new full signal at the intersection of Oak Street and 67th Avenue. This will include signal modifications to accommodate the proposed separate bicycle facility, an accessible pedestrian signal, an Uninterrupted Power Supply unit and LED intersection lighting. Work is to include all changes to City infrastructure to accommodate the signal improvements.
- (x) Provision of speed humps in the lane east of Oak Street between 67th and 64th Avenues.
- (xi) Provision of a relocated bus stop and shelter on Oak Street adjacent the site. The following is required:
  - a. New bus stop to provisionally be located approximately 18.3 m (60 ft.) from curb return and crosswalk. The final stop location and layout is to be determined by Engineering and Coast Mountain Bus Company.
  - b. Modify site plan to show existing trolley poles along Oak Street.
  - c. Remove proposed tree pit along Oak Street in the bus zone. Street trees may only bookend the bus zone, if space permits.

Note to Applicant: Removal and reinstallation of shelter is to be coordinated with the Street Furniture Coordinator in Street Activities Branch of Engineering Services and a minimum of 4 weeks' notice is required for the removal/reinstallation of the bus shelter.

- 6. 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 System Vista, Vista switchgear, pad mounted transformers, LPT 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

## Environmental Contamination

7. 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 this 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 issued to the City.

## Community Amenity Contribution

8. Pay to the City a Community Amenity Contribution of \$2,700,000 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 \$2,700,000 is to be allocated as follows:
- (i) \$479,655 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (ii) \$1,215,000 toward childcare and community facilities in and around the Marpole Community Plan area; and
  - (iii) \$135,000 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, the application to amend the appropriate schedule of the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 5, 2017 entitled "CD-1 Rezoning: 8242 Oak Street", be approved.
- 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 September 5, 2017 entitled "CD-1 Rezoning: 8242 Oak Street".
- D. 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 5, 2017 entitled "CD-1 Rezoning: 8242 Oak Street".
- E. THAT A through 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 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 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 - 8242 Oak Street]