



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: November 28, 2017  
Contact: Susan Haid  
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RTS No.: 12289  
VanRIMS No.: 08-2000-20  
Meeting Date: December 12, 2017

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: 8378-8432 Oak Street

**RECOMMENDATION**

- A. THAT the application by Bold Properties (Oak St.) LP, on behalf of Bold Properties (Oak St.) Nominee Inc., the registered owner, to rezone 8378-8432 Oak Street [*Lots F, H, I and J, all Except the West 7 Feet and the East 10 Feet, Now Highways, and Lot G, Except the East 10 Feet and the West 7 Feet, Now Highways, all of Lot 32, Block B, District Lots 319, 323 and 324, Plan 2010; PIDs 014-110-016, 008-407-177, 014-110-032, 014-110-067, and 008-762-350 respectively*] from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.75 to 2.50 FSR and the height from 9.2 m (30 ft.) to 22.1 m (73 ft.) to permit the development of a six-storey residential building containing a total of 38 market residential units, be referred to a Public Hearing together with:
- (i) plans prepared by Gateway Architecture Inc., received on April 28, 2017;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- C. THAT Recommendation 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 expenditure 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;
  - (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.

### **REPORT SUMMARY**

This report evaluates an application to rezone five lots located at 8378-8432 Oak Street from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with a total of 38 market residential units over two levels of underground parking. The site is located in the Oak sub-area of the *Marpole Community Plan* (the “Plan”).

Staff have assessed the application and conclude that it generally meets the intent of the Plan. Staff support the application, subject to design development and other conditions outlined in Appendix B. Staff recommend that the application be referred to Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to Public Hearing and to the conditions in Appendix B.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council Policies for this site include:

- *Marpole Community Plan* (2014, last amended 2017)
- *Green Buildings Policy for Rezoning* (2010, last amended 2017)
- *Community Amenity Contributions Through Rezoning* (1999, last amended 2016)
- *Family Room: Housing Mix Policy for Rezoning Projects* (2016)
- *High-Density Housing for Families with Children Guidelines* (1992)
- *Greenest City Action Plan* (2012, last amended 2016)
- *Renewable City Strategy* (2015)
- *Urban Forest Strategy* (2014)

## REPORT

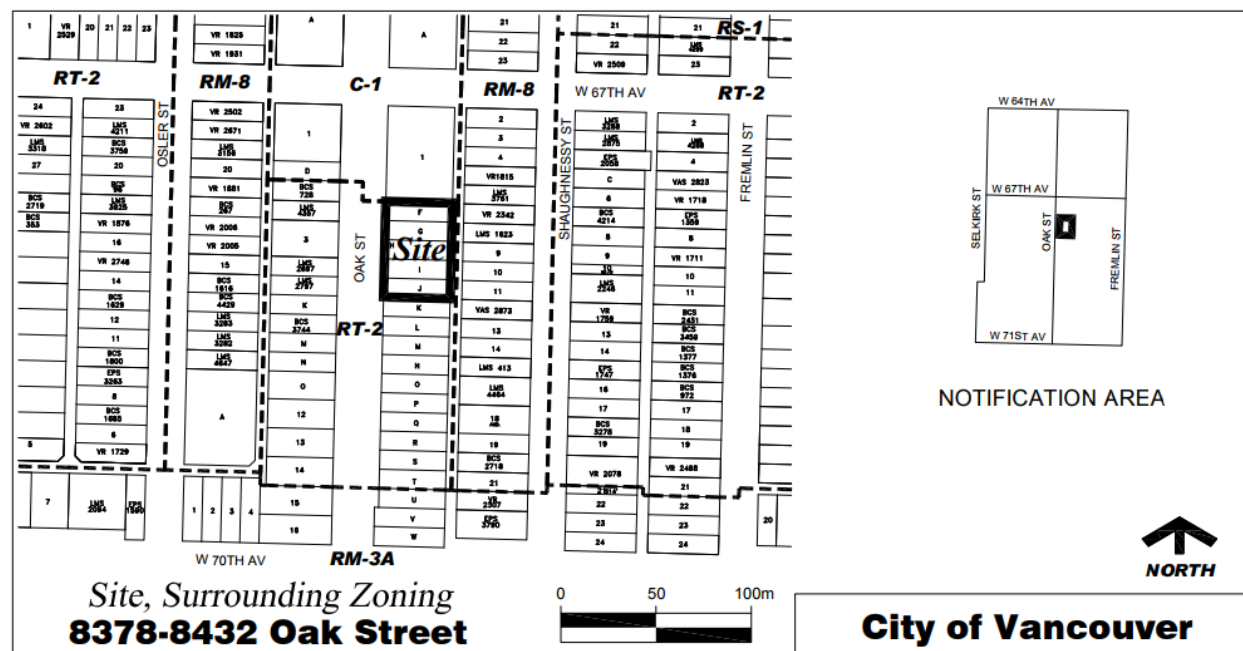
### Background/Context

#### 1. Site and Context

This 1758.1 sq. m (18,924 sq. ft.) site is located on the east side of Oak Street between 67th and 70th Avenues. The site measures approximately 50.3 m (165 ft.) wide and 35.1 m (115 ft.) deep. Currently the site is zoned RT-2 and contains five detached one-family dwellings. Directly to the north sites are zoned C-1 and include local commercial services. Sites to the east across the lane are currently detached one-family dwellings that are zoned RM-8 and could be developed with three-storey townhouse developments. The site is served by the 17 bus route along Oak Street and is located within a 15 minute walk of the Marine Drive Canada Line Station.

Nearby rezoning applications under review include 8444-8480 Oak Street, located immediately to the south of the site, 8599 Oak Street, located at the southwest corner of Oak and W 70th Avenue. A rezoning application at 8242 Oak Street on the northeast corner of Oak Street and 67th Avenue was recently approved.

Figure 1 – Site and Surrounding Zoning (including notification area)



#### 2. Policy Context

In 2014, Council adopted the *Marpole Community Plan* (the "Plan"). Subsequent to a comprehensive planning process, the Plan identified land uses, density limits, building heights and building forms for sites within Marpole.

Section 6 of the Plan (Places) provides direction for development of neighbourhood character, density, land use and form of development. The subject site is within the “Oak” neighbourhood and subsection 6.3.2 of the Plan specifically supports residential buildings up to six storeys in height with an emphasis on two- and three-bedroom units for families. The maximum density is 2.5 FSR. Section 7 of the Plan (Built Form Guidelines) also includes guidelines for the form of development.

In July 2016, Council adopted the *Family Room: Housing Mix Policy for Rezoning Projects*, updating family unit requirements for new rezoning applications to provide a minimum of 35% of total units as suitable for families, including a minimum of 25% two-bedroom units and a minimum of 10% three-bedroom units. Section 8 of the Plan (Housing) also requires that new multi-family developments have two- and three-bedroom units for families.

The proposal includes a small outdoor children’s play area at grade, in line with the *High-Density Housing for Families with Children Guidelines*.

This application proposes that all 38 units be two- or three-bedroom units, achieving 100% of the total units as suitable for families. A condition of approval has been included in Appendix B to ensure that this unit mix is maintained.

The Plan includes direction to create mid-block connections along Oak Street through blocks longer than a standard block length, such as this block; and to create a safe walking experience along Oak Street with wider sidewalks of at least eight feet, an outside planted boulevard width of at least six feet, and a double row of trees with the inside row located on private property as per section 7.2.3.

## ***Strategic Analysis***

### **1. Proposal**

The application proposes to rezone the site from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District. A six-storey multi-family residential building is proposed (see Figure 2). A pedestrian connection is proposed at the southern edge of the site which will be publicly accessible. In total, the application proposes 38 dwelling units (30 two-bedroom [79%] units and eight three-bedroom [21%] units) with a total FSR of 2.5 and a building height of 22.1 m (73 ft.). Two levels of underground parking accessed from the lane are proposed, with a total of 52 vehicle parking spaces and 48 bicycle parking spaces.

### Figure 2 - Site Plan

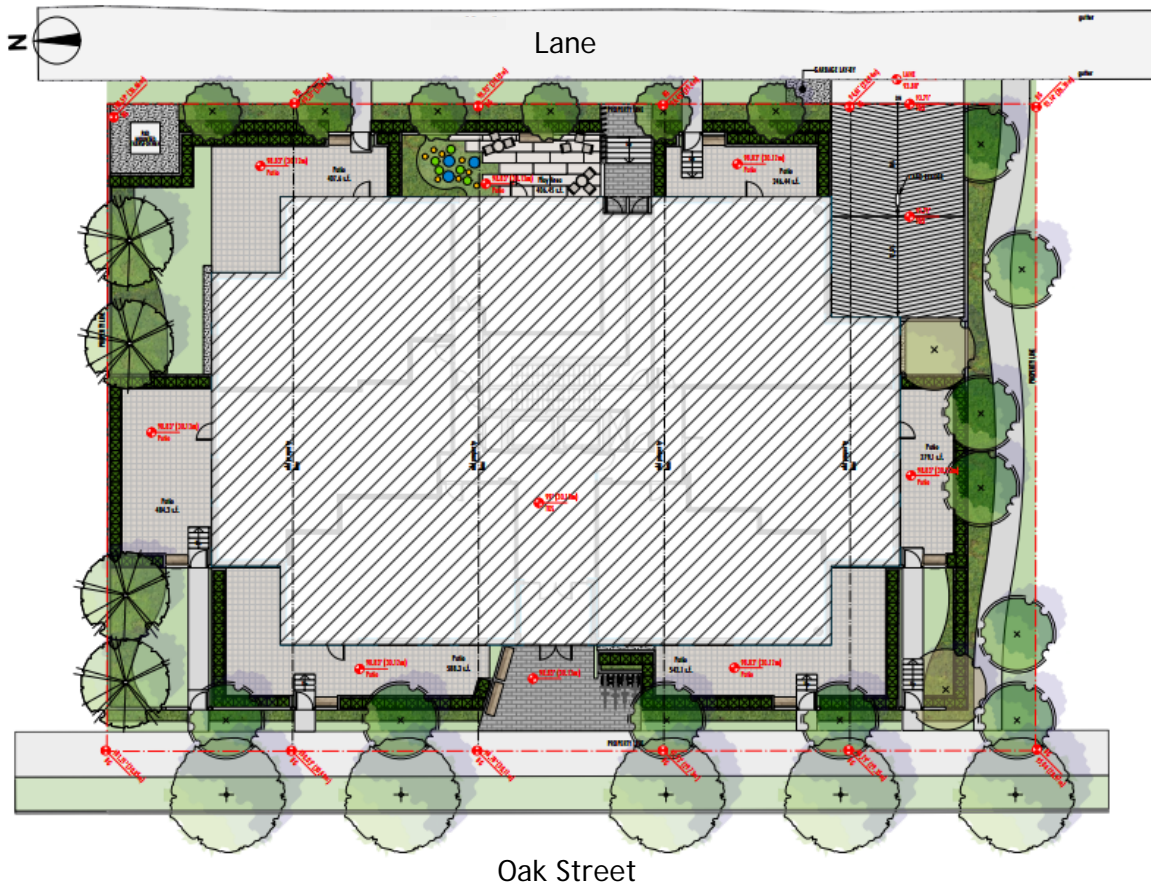


Figure 3 - Perspective view looking northeast on Oak Street



## 2. Land Use, Density, and Form of Development (Refer to drawings in Appendix E)

The application proposes a six-storey residential building with setbacks above the fourth storey, consistent with the expectations of the Plan. The proposal is consistent with the height and built form guidelines set out in the Plan, noting that staff support the proposed frontage width of 130 ft. The Plan allows consideration of frontages of approximately 100 ft., and the architectural design responds well to this direction with substantial notching of the form at the corners to mitigate the perceived width and provide a primary façade width of 100 ft. Ground-floor units have entrances and patios facing the street and lane to provide visual interest and variation.

Under the Plan, a public mid-block connection is required at the south end of the proposed development to break down the length of the block and improve pedestrian connections in the neighbourhood. The mid-block connection will ultimately connect through to Shaughnessy Street as the sites across the lane redevelop. This site will provide half of the required mid-block connection, with the remainder to be provided by the adjacent site. Conditions of the rezoning seek further refinements to the design, including improvements to the amenity space and the treatment of the site edges to ensure a pedestrian-friendly interface at the street, lane and mid-block connection.

The Urban Design Panel reviewed and supported this application on August 23, 2017 (see Appendix D). Staff conclude that the design is in keeping with the expected character of development as outlined in the Plan and support the application, subject to the design development conditions noted in Appendix B.

## 3. Transportation and Parking

Vehicle and bicycle parking are provided within two levels of underground parking, accessed from the lane. The application proposes 52 vehicle parking spaces and 48 bicycle parking spaces which would be provided in accordance with the Parking By-Law. Engineering Services has reviewed the rezoning application and has no objections to the proposed rezoning provided that the applicant satisfies the rezoning conditions included in Appendix B, and the loading standards included in Appendix C.

## 4. Environmental Sustainability

The *Green Buildings Policy for Rezoning*s (amended by Council on February 7, 2017) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. The new requirements are mandatory for all rezoning applications received after May 1, 2017. Applications such as this application received prior to May 1, 2017 may choose to meet this updated version of the policy or the preceding version.

This application, received prior to May 1, 2017, has opted to satisfy the preceding version of the *Green Buildings Policy for Rezoning*s, which requires rezoning applications achieve a minimum of LEED® Gold rating, with targeted points 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. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the *Green Buildings Policy for Rezoning*s, indicating that the project could attain the required LEED® points and, therefore, would be eligible for LEED® Gold rating.


The Plan also recommends a deconstruction plan for diverting demolition waste. A condition of rezoning in Appendix B requires 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).

### ***PUBLIC INPUT***

**Public Notification** – The City of Vancouver Rezoning Centre webpage included notification and application information as well as an online comment form. A rezoning information sign was also installed on the site. A total of 1,249 notifications were distributed within the neighbouring area on or about June 8, 2017. A community joint open house was held on June 29, 2017 with staff and applicant teams for this rezoning application as well as a rezoning application for 8599 Oak Street. A total of approximately 22 people attended (see Figure 4).

**Public Response and Comments** – The City received a total of two responses to the application by email or comment form. Comments expressed concern regarding the number of vehicle parking stalls and geographic location for family-oriented units. General support for the project was also expressed.

**Figure 4 – Public Notification Summary**

Total notifications	 1249
Open House attendees	22
Comment sheets	1
Other feedback	1

In response to feedback received during the application review process, staff note that the application is consistent with the requirements of the Parking By-law, and that the percentage of family units provided exceeds the required minimum 35% under the *Family Room: Housing Mix Policy for Rezoning Projects*.

### ***PUBLIC BENEFITS***

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

#### ***Public Benefits – Required by By-law or Policy***

**Development Cost Levies (DCLs)** – Development Cost Levies collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement



housing (social/non-profit housing) and engineering infrastructure. This site is subject to the City-wide DCL rate, which is currently \$168.13 per sq. m (\$15.62 per sq. ft.). This rate is applied to the proposed 4,395.3 sq. m (47,310 sq. ft.) of floor area. On this basis, a DCL of approximately \$738,982 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30th of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12 months from the date of DCL By-law rate adjustment, provided that it has been submitted prior to the adoption of such DCL By-law rate adjustment. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL By-law rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

**Public Art Program** – The *Public Art Policy for Rezoned Developments* requires that rezonings involving a floor area equal to or greater than 9,290 sq. m (100,000 sq. ft.) allocate a portion of their construction budgets to public art or provide cash in lieu as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

#### ***Public Benefits – Offered by the Applicant***

**Community Amenity Contribution (CAC)** – Within the context of the *City's Financing Growth Policy* and the *Marpole Community Plan*, an offer of a Community Amenity Contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers take into consideration community needs, area deficiencies and the impact of the proposed development on City services. They typically include either the provision of on-site amenities or a cash contribution towards other public benefits.

In order to provide more certainty and clarity and to improve processing efficiency for rezoning applications, an approach to CACs based on a target CAC rate has been implemented for residential sites, such as this, within the Plan. This rate is the basis for all six-storey residential rezoning proposals within the Plan.

The applicant has offered a total CAC package of \$1,969,888 using the target CAC rate of \$640.26 per sq. m (\$59.48 per sq. ft.) based on the net additional increase in floor area (3076.7 sq. m). The application was received on April 28, 2017 and changes to the target CAC rate for this area made on September 30, 2017 are not applicable to this application.

Target CACs are payable prior to rezoning enactment and are subject to an annual inflationary adjustment which takes place on September 30 of each year. In order to ensure fairness to rezoning applications that have been submitted prior to the adoption of new inflation adjusted CAC targets, in-stream rezoning applications are exempt from CAC target increases provided that a rezoning application has been submitted to the City and a rezoning application fee has been paid.

Staff recommend that the cash CAC be allocated to the following identified community needs:

- \$984,944 (50%) to the City's Affordable Housing Reserve to increase the affordable housing supply in and around the Marpole area.



- \$886,450 (45%) toward community facilities and/or childcare serving residents and/or workers in or near Marpole. Examples of community facilities referenced in the Marpole Public Benefit Strategy include the upgrading/expansion of Marpole-Oakridge Community Centre and the Marpole Library as these facilities are renewed.
- \$98,494 (5%) to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

The allocations recommended are consistent with the Public Benefits Strategy included in the Plan. See Appendix F for a summary of the public benefits that would be achieved should this application be approved.

### ***IMPLICATIONS/RELATED ISSUES/RISK***

#### ***Financial***

As noted in the section on Public Benefits, the applicant has offered a cash CAC of \$1,969,888 to be allocated as follows:

- \$984,944 (50%) to the City's Affordable Housing Reserve to increase the affordable housing supply in and around the Marpole area.
- \$886,450 (45%) toward community facilities and/or childcare serving residents and/or workers in or near Marpole.
- \$98,494 (5%) to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

Approval of specific projects will be brought forward as part of the Capital Plan and Budget process.

This site is within the City-wide DCL District. It is anticipated that the project will generate approximately \$738,982 in DCLs.

### ***CONCLUSION***

Staff assessment of this rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and its context, and that the application, along with the recommended conditions of approval, is consistent with the intent of the *Marpole Community Plan* with regards to land use, density, height and form.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-Law generally as set out in Appendix A, and that, subject to the public hearing, the application including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the application fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*

8378-8432 Oak Street  
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

*[Note: Schedule A is not attached to this appendix; it is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to public hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Multiple Dwelling; and
  - (b) Accessory uses customarily ancillary to the uses permitted in this Section.

**Conditions of use**

3. The design and layout of at least 35% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms, of which:
    - (i) at least 25% of the total dwelling units must be two-bedroom units, and
    - (ii) at least 10% of the total dwelling units must be three-bedroom units;
  - (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

## Floor area and density

- 4.1 Computation of floor space ratio must assume that the site area is 1,758.1 sq. m, being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2 The floor space ratio for all uses must not exceed 2.50.
- 4.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
  - (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12% of permitted floor area; and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the minimum exclusion for a parking space must not exceed 7.3 m in length; and
  - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 sq. m per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 4.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.
- 4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any use other than that which justified the exclusion.

### Building height

5. Building height, measured from base surface, must not exceed 22.1 m.

### Horizontal angle of daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in Section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all of the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in Section 6.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any site adjoining CD-1 ( ).
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit, or
    - (ii) 9.3 sq. m.

### Acoustics

7. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

\* \* \* \* \*

8378-8432 Oak Street  
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for Public Hearing.

**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 Gateway Architecture Inc., on behalf of Bold Properties (Oak St.) Nominee Inc., and stamped "Received Planning & Development Services (Rezoning Centre), April 28, 2017", 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 of by the Director of Planning, who shall have particular regard to the following:

**Urban Design**

- 1. Design development to relocate the amenity space to the south east corner of the site.

Note to Applicant: The driveway is to be relocated further north to provide the amenity space at the south east corner. This will improve solar access and outlook for the amenity room and associated outdoor space, as well as providing an improved interface with the public realm at the midblock pedestrian connection.

- 2. Design development to the landscaping of the site edges to ensure a pedestrian-friendly interface, at the street, lane and mid-block pedestrian connection.

Note to Applicant: Explore opportunities to improve unit entry identification and provide additional landscaping nodes at the site edges at the pedestrian level, noting there will be some reduction in the extent of private patios.

- 3. Provide high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and performance.

- 4. The proposed unit mix, including 30 two-bedroom units (79%) and 8 three-bedroom units (21%), 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 of Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

5. 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)

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. Design development to the integration of 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).

8. Design development to increase the amount of rooftop planting and presence of vegetation by adding extensive green roofs, larger planters in combination with small species tree canopy.
9. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.
10. Design development to locate site utilities and vents onto private property and integrated 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.

11. 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.

12. Provision of a large scale Tree Plan to be attached to the landscape plan submission.

Note to Applicant: This can be done by attaching a printed large scale version of the tree management plan (by ACL) to the landscape plan drawings.

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

Note to Applicant: This is not a performance requirement. The Integrated Rainwater Management Plan (I.R.M.P) is an emerging policy that supports rain water management on development sites. Provide a brief written rationale to describe the approach to rainwater management.

14. Provision of a vegetative surface area calculation overlay plan.

Note to Applicant: The plan should differentiate between extensive and intensive green roof types and provide a percentage ratio of soft and hard surface cover proposed.

15. 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.

16. 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.

## 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. Any new building in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning*s (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 Rezoning*s 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

20. 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.
21. Delete all treatments, landscaping and features shown over the property line on the city lane.

22. 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.
23. Clearly show the Oak Street statutory right-of-way (SRW) line and dimension, and the mid-block pedestrian connection SRW line and dimension on the drawings.
24. 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.
25. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

26. Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
27. Provision of an updated 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.

28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Confirmation that the security gates that include doors will function as a full 20 ft. wide gates when opened otherwise alternative door systems must be employed to ensure 20 ft. wide manoeuvring aisles are available when security gate is operated.
  - (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, throughout the parking levels and at all entrances. The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.

- (iii) Provision of updated section drawing showing elevations, vertical clearances, and security gates for the main ramp and the parking levels.

Note to Applicant: label the minimum clearance for parking levels on drawing, including overhead gate and mechanical projections. Minimum 2.3 m clearance is required for Class A loading and disability spaces.

- (iv) Dimension all stall widths, and column encroachment widths.
- (v) Provision of additional stall width for visitor stall 5 next to the overhead gate.

#### 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, make arrangements for the following:

##### Engineering Services

1. Consolidation of Lots F, H, I and J, all Except the West 7 Feet and the East 10 Feet, Now Highways, and Lot G, Except the East 10 Feet and the West 7 Feet, Now Highways, all of Lot 32, Block B, District Lots 319, 323 and 324, Plan 2010 to create a single parcel.
2. Provision of building setback and a surface statutory right-of-way (SRW) to achieve a 4.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing, benches, landscape and bicycle parking at grade but the encroaching building portions shown below grade will be accommodated within the SRW agreement.
3. Provision of a 12 ft. wide surface statutory right-of-way (SRW) adjacent the south property line of the site for public pedestrian purposes. The treatments within the SRW are to be designed to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services. The below grade parkade will be accommodated within the SRW agreement.
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 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 sewer system upgrade to adequately serve the site. Separate and upgrade the existing combined sewer on Oak Street from the existing manhole fronting 8420 Oak Street to the separated manhole south of 70th Avenue (approximately 205 m). The sewer upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.
- (iii) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Water Course Bylaw. The plan shall achieve the following objectives:
  - a. Retain or infiltration the 6-month storm event volume (24 mm) onsite;
  - b. Treat the 2-year event (48 mm) onsite; and
  - c. Maintain the pre-development 5 year storm event rate. The predevelopment estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.
- (iv) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work. Note: as-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.
- (v) Upgrading the existing pedestrian signal to a full signal at the intersection of Oak Street and 67th Avenue. This will include signal modifications such as: an accessible pedestrian signal, an Uninterrupted

Power Supply unit, improved intersection LED lighting, electrical kiosks, power sources, pole and base replacements as needed to provide for the signal upgrade. The signal upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

- (vi) Provision of street trees adjacent the site where space permits.
  - (vii) Provision of a 2.44 m (8 ft.) CIP light broom finish sidewalk with saw cut joints and a minimum 1.83 m (6 ft.) wide sod grass front boulevard on Oak Street.
  - (viii) Provision of upgraded street lighting on Oak Street to current LED standards including a review of the existing lighting to determine its adequacy and a lighting design as 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 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 B.C. 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**

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 (CAC)

7. Pay to the City the Community Amenity Contribution of \$1,969,888 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 \$1,969,888 is to be allocated as follows:
- (i) \$984,944 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the *Marpole Community Plan* area.
  - (ii) \$886,450 (45%) toward childcare and community facilities in and around the *Marpole Community Plan* area; and
  - (iii) \$98,494 (5%) 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.

\* \* \* \* \*



8378-8432 Oak Street  
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE PARKING BY-LAW NO. 6059

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking Requirements
8378-8432 Oak Street	( )	( )	Parking, loading and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-law except that:  (a) 1 Class A loading space is required.

\* \* \* \* \*

8378-8432 Oak Street  
ADDITIONAL INFORMATION

Urban Design Panel (August 23, 2017)

**EVALUATION: SUPPORT WITH RECOMMENDATIONS**

**Introduction:** Robert White, Rezoning Planner, introduced the project as a rezoning application for a site in Marpole on the east side of Oak Street between 67th and 70th Avenues. To the north of the site is a gas station within the neighbourhood commercial (C-1) node around 67th Avenue, and to the east/west/and south are single family homes.

The site itself is comprised of five parcels currently zoned RT-2, and measures approximately 165 feet wide by 115 feet deep (approximately 19,000 square feet). Each parcel currently contains a single family home.

Under the *Marpole Community Plan*, the lots across the lane to the east have been pre-zoned RM-8 to support 2.5-storey townhouse developments. The Plan anticipates enhancing the neighbourhood commercial node to the north with mixed-use buildings up to eight-storeys and up to 3.0 FSR. Staff are reviewing a Rezoning Application at 8242 Oak Street for an eight-storey mixed-use building with 50 residential units at 3.0 FSR. For the rest of Oak Street between 64th and 72nd Avenues, including this site, the Plan anticipates residential buildings up to six-storeys and up to 2.5 FSR.

In this area the Plan calls for:

- Buildings with notable setback above the fourth storey
- Building widths of approximately 100 ft.
- Mid-block connections to break-up these long blocks (750 ft. / 230 m)
- An enhanced public realm along Oak Street with a planted boulevard, wider sidewalks, and a double row of trees.

This proposal is to rezone from RT-2 to CD-1 to permit a six-storey market residential development with 38 dwelling units, 52 vehicle parking spaces, and 48 bicycle parking spaces. It proposes an FSR of 2.5 and a height of 22.1 m (73 ft.). A mid-block pedestrian connection is included at the south end of the site to connect Oak Street to the lane and ultimately through to Shaughnessy Street. The proposal includes two levels of underground parking, as well as 79% two-bedroom units (30), and 21% three-bedroom units (8).

The building has a 100 foot front face, with two 15 foot wings set back on both sides. The total width of the building is approximately 130 feet. There is a notable building setback above 4th storey of at least 8 feet.

Public Realm features include: sidewalks with a planted boulevard of at least 6 ft. and sidewalk of 8 ft., a row of trees on the City boulevard, and a row of trees on the private property edge. The proposal includes a mid-block crossing of a minimum of 4 ft. for a usable path, and once an adjacent property develops it can extend to a minimum of 6 ft.

Marie Linehan, Development Planner, introduced the project as falling within an area with built form guidelines that recommend six-storey buildings with setbacks above the 4th storey

to provide a transition to adjacent lower buildings as the Marpole Plan develops, including future townhouse sites across the lane. In some areas of the Plan, a row of two-storey townhouses is required at the lane to provide a further transition, but on this block due to the shorter lot depth of 115 ft., that is not required. The shoulder and 16 ft. rear yard setback is expected to provide the transition.

The recommended building frontage width is approximately 100 ft., which is intended to provide consistency with the scale of apartment buildings in the Marpole area. For this site, a single building is proposed with a width of 130 ft. and notching of the form at the corners to provide a 100 ft. frontage. The single building allows for larger side yard setbacks than the minimum 8 ft. required under the Plan with 18 ft. at the north end adjacent the mixed-use site and 12 ft. at the south end in addition to a 12 ft. right-of-way.

The mixed-use site to the north may be rezoned to eight-storeys with a two to three-storey podium, under the Plan. The setback at the interior property line to the podium can be 6 ft., so with an 18 ft. setback on the subject site, there will be a 24 ft. separation between the podium and the proposed building.

This site is required to provide a 12 ft. right-of-way for half of the mid-block pedestrian connection with the remainder required of the adjacent site when it redevelops. An additional 12 ft. setback is provided to the building proper with patios. The site to the south would mirror this requirement. Ground floors adjacent mid-block connections should have an active edge with entrances and windows facing the pedestrian path. To that end, staff has recommended that the applicant explore relocating the parkade entry north and away from the edge of the pedestrian path, and the applicant has shown that option for the Panel to review, as well as the original application.

Advice from the Panel on this application is sought on the following:

- 1) Comment on the overall height, density and form of development relative to the Marpole Plan Built Form Guidelines.
- 2) Does the form provide an appropriate transition to surrounding sites?
- 3) Comment on the two options for the design of the south edge adjacent the pedestrian connection, in terms of meeting the objective to provide an active, pedestrian-friendly edge condition.

The planning team then took questions from the panel.

**Applicant's Introductory Comments:** The applicant noted the bedroom location and units. The massing and articulation call for a four-storey podium with an 8 ft. setback which is actually 10 ft. It is a symmetrical building design with shoulders setback on the ends on the north and south. There is a punch window appearance is on the lower storeys in the proposal.

There are tapered balconies on the corners and tapered fins that form frames in the design. The frames would alternate on different floors. The roof would be used by the top floor suites accessible by stairs. The building would be air conditioned. There is a machine room proposed. The amenity would be next to the public connection at the corner in one option.

The other scheme has the amenity in the centre. The building is intended to be LEED Gold sustainability rating.

The large setbacks allow for nice layering and generous spaces for the laneway and front. Trees with scale are possible. The amenity space in the lane could activate the lane. Concrete metal panels are planned for materiality.

The applicant team then took questions from the panel.

**Panel Consensus:** Having reviewed the project it was moved by Mr. Lamontagne and seconded by Mr. Cheng

THAT the Panel SUPPORT the project with the following recommendations:

- Move the amenity to the southeast corner
- Move the parkade entry ramp north
- More attention to creating a public porch, especially on Oak Street, perhaps by reducing the private patio spaces
- Look at more shading depending on solar aspects
- Keep the architectural expression simplified in the next stage

**Related Commentary:** Overall, the panel supported the density height and massing of the proposal. The transition to the surrounding sites is nice, and the generous size of the family units was appreciated.

Use the door at the street to access the ground units. The two main floor units on the east and west sides in front of two bedrooms are a pathway which is 'uncomfortable', and a relocation of the pathway is recommended. It is a simple elegant refined building design.

**Applicant's Response:** The applicant team thanked the panel for the input.

\* \* \* \* \*

8378-8432 Oak Street  
FORM OF DEVELOPMENT

Site/Landscape Plan



West Elevation (Oak Street)



East Elevation (Lane)



South Elevation (side yard)



North Elevation (side yard)





Perspective on Oak Street (view from northwest)



Perspective on Oak Street (view from southwest)



\* \* \* \* \*

8378-8432 Oak Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Six-storey residential building, containing 38 market residential units.

**Public Benefit Summary:**

The project would generate a DCL payment and a CAC offering to be allocated toward city-wide heritage amenity, affordable housing and childcare and community facilities.

	Current Zoning	Proposed Zoning
Zoning District	RT-2	CD-1
FSR (site area = 1,758.1 sq. m / 18,924 sq. ft.)	0.75	2.50
Floor Area (sq. m)	1,318.6	4,395.3
Land Use	Single family residential	Multiple family residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	51,518	738,982
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage Conservation Reserve		98,494
	Affordable Housing		984,944
	Parks and Public Spaces		
	Social/Community Facilities		886,450
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		51,518	2,708,870

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.  
For the City-wide DCL, revenues are allocated into the following public benefit categories: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

**8378-8432 Oak Street  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**Applicant and Property Information**

Address	8378-8432 Oak Street
Legal Descriptions	Lots F, H, I and J, all Except the West 7 Feet and the East 10 Feet, Now Highways, and Lot G, Except the East 10 Feet and the West 7 Feet, Now Highways, all of Lot 32, Block B, District Lots 319, 323 and 324, Plan 2010; PIDs 014-110-016, 008-407-177, 014-110-032, 014-110-067, and 008-762-350 respectively
Applicant/Developer	Bold Properties (Oak St.) LP
Architect	Gateway Architecture Inc.
Property Owner	Bold Properties (Oak St.) Nominee Inc.

**Development Statistics**

	Permitted Under Existing Zoning	Proposed	Recommended
Zoning	RT-2	CD-1	
Site Area	1,758.1 sq. m (18,924 sq. ft.)	1,758.1 sq. m (18,924 sq. ft.)	
Land Use	Two-family dwelling	Multiple dwelling	
Maximum FSR	0.75	2.5	
Maximum Height	9.2 m (30 ft.)	22.1 m (73 ft.)	
Floor Area	1,318.6 sq. m (14,193 sq. ft.)	4,395.3 sq. m (47,310 sq. ft.)	
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law	As per Parking By-law, noting 1 Class A loading space is required.

\* \* \* \* \*