

SUMMARY AND RECOMMENDATION

6. REZONING: 2075 West 12th Avenue

Summary: To rezone 2075 West 12th Avenue from C-7 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 48 secured market rental housing units and 32 underground parking spaces. A height of 20.0 m (65.7 ft.) and a floor space ratio (FSR) of 3.5 are proposed.

Applicant: Yamamoto Architecture Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of November 14, 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 Yamamoto Architecture Inc., on behalf of Strand Arbutus Development Limited, to rezone 2075 West 12th Avenue [*PID: 014-181- 002, Lot 4 (Reference Plan 5178) of Lot A, Block 385, District Lot 526, Plan 1949*] from C-7 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.25 to 3.5 and the building height from 13.8 m (45.3 ft.) to 20.0 m (65.7 ft.) to permit the development of a six-storey residential building containing 48 secured market rental housing units and 32 underground parking spaces, generally as presented in Appendix A of the Policy Report dated October 31, 2017 entitled "CD-1 Rezoning: 2075 West 12th Avenue" and the memorandum dated November 29, 2017, entitled "CD-1 Rezoning: 2075 West 12th Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Yamamoto Architecture Inc. and stamped "Received City Planning Department, March 23, 2017", subject to the following conditions, provided that the General Manager of Planning, Urban Design and Sustainability may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

1. Design development to increase the setbacks to improve dwelling unit livability, particularly at the ground floor level adjacent the Arbutus Greenway.

Note to Applicant: A patio setback of 7.5 ft. should be provided at the west side of the ground floor including a 1.5 ft. landscape strip as a buffer to the future pedestrian and bicycle path at the adjacent Greenway. A front yard setback of 9.5 ft. should be provided at the southeast corner to align with the front setback at the adjacent building across the lane to the east.

2. Design development to the massing in response to the context and site conditions.

Note to Applicant: The form may be less symmetrical to address the different site conditions, in particular the prominence of the southwest corner at the entrance to the Arbutus Greenway which may have a more vertical expression.

3. Design development to increase the amount of common outdoor amenity space.

Note to Applicant: While the constraints of the small site and the proximity to the Greenway and neighbourhood parks are noted, an outdoor amenity space of approximately 500 sq. ft. is to be provided and include children's play space.

4. That the proposed unit mix for family units, 35 per cent two-bedroom units and 19 per cent three-bedroom units, 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 the Development Permit Board provided that it does not go lower than 35 per cent of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

5. Design development to respond to CPTED principles, having particular regards 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.

Sustainability

6. All new buildings in the development will 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 1 point for stormwater or rainwater management, and a 22 per cent 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.

Landscape Design

7. Final Design development to the integration of the ground level planters, underground slab and overall architecture to provide maximum plant growing depth (exceed BCLNA Landscape Standard) to support tree and plant health.

Note to Applicant: This can be done by angling the parking structure slab down at the edges. Raised planters at the front edge should be minimized or avoided. Consideration to building code parking space headroom clearance limits is needed. Underground parkade uses that would prohibit slab angling should be relocated away from planted edges, especially the front (south) edge, to the greatest extent practicable.

8. Further coordination with city staff and the project arborist at the development permit stage to protect street tree roots associated with public realm improvements.

Note to Applicant: This will require further attention by the landscape architect and project arborist to anticipate and reduce unnecessary root disturbances, wherever possible. Retention of the existing public sidewalk/boulevard in the critical root zone may be necessary. The below grade foundation design should employ vertical excavation and shotcrete shoring techniques that remain in place permanently to the degree necessary to enhance tree root protection. Coordination will be needed with Engineering, Planning and Park Board (Urban Forestry) for the final public realm landscape design submitted for development permit and construction phase.

9. At time of Development Permit:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the 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.

- (ii) Provision of large scale architectural and landscape sections [typical] through planted areas, including the slab-patio-planter relationship.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball.

- (iii) Deletion of artificial turf in the west sideyard (planted area).

Note to Applicant: Alternative planting materials should be explored.

- (iv) Large scale detailed elevations/sections for the proposed green wall system and the perimeter fencing.

- (v) Note to Applicant: Perimeter fencing should be high quality and consistent with architectural materials. Fencing adjacent the Arbutus Greenway should be residential in scale and allow light through to the hedging.

- (vi) Provision of additional details for storm water management on the landscape/building plans and in a letter from the subject matter expert.

Note to Applicant: Response should include calculations for achieving LEED performance credits and rainwater targets.

- (vii) Provision of high efficiency irrigation for all planted areas.

Note to Applicant: Illustrate symbols (irrigation stub locations), written specifications and notations on the landscape plans in this regard.

- (viii) Provision of a revised Tree Removal/Protection Plan.

Note to Applicant: To be further coordinated with the arborist report/ landscape plan. Provide dimensions for all tree protection barriers and additional construction management directives drawn out of the arborist report(s) and shown on the landscape plan.

- (ix) Provision of an arborist supervision assurance letter.

Note to Applicant: The letter should outline the important construction milestones where the arborist will need to be notified in advance to attend the site and provide services. The letter should and be signed by the applicant/owner, the arborist and the contractor.

- (x) Incorporate the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat, in addition, reduce potential threats to birds in the City.

Note to Applicant: refer to

<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachmen tC.pdf>.

Engineering

- 10. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
- 11. The following is to be addressed at the development permit stage:
 - (i) 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.
 - (ii) 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.

- (iii) 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 of the building design or sourcing adjacent private property from which to construct) and be aware that a minimum 60 days' lead time is required for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
 - (iv) Provision of revised building sections and a labelled site plan.

Note to Applicant: The sections shall reflect actual grade conditions so that the relationship between below-grade structure and overlying 3.0 m SRW can be understood. The site slopes downward to the north and west and it is unclear how the below-grade structure accounts for this.

- (v) Provision of a second landscape plan that illustrates the future condition with the Arbutus Greenway located within the SRW. For this purpose, the applicant may assume that the greenway element closest to the building is a hard-surfaced walkway.
- (vi) Update the landscape plans to reflect the requirements of this rezoning and submit a copy directly to Engineering for review and include the following statement on the landscape plans.

The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and 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 Engineering, Development Services and/or your Engineering, Building Site Inspector for details."

- (vii) Provide automatic door openers on the doors providing access to the bicycle room(s) from grade and note on plans.
- (viii) Provision of 6 Class B bicycle parking to be on private property as per the By-law.

Note to Applicant: The proposed standard bike rack has access from one side only. In order for this bike rack to meet the By-law it would need to be located so that it could be accessed from both sides or consider a second bike rack on the west side of the lobby entrance.

- (ix) Clarification of garbage pick-up operations, provide on-site pick-up location so that bins are not stored on the City lane.
- (x) Show existing BC Hydro right of way on the site plan and clearly label it (or reference its discharge if arrangements are made for this).
- (xi) Provision of revised building grades (There are no plans for future lane north of the site so reference to future lane can be removed and grades adjusted as needed).

12. 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, within the parking levels and at all entrances.

Note to Applicant: 15 per cent slopes on the parking ramp may be acceptable if a 7.5 per cent to 10 per cent transition ramp is provided at the bottom for at least 4 m in length.

- (ii) Provision of column placements to comply with the Parking and Loading Design Supplement as none are shown.
- (iii) Provision of an improved section drawing showing minimum vertical clearance for O/H gate on the parking ramp.
- (iv) 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.

Housing Policy and Projects

- 13. The proposed unit mix, including 2 studio (4 per cent), 20 one-bedroom units (42 per cent), 17 two-bedroom units (35 per cent), and 9 three-bedroom units (19 per cent), 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 35 per cent of the dwelling units designed to be suitable for families with children.

- 14. The development is to comply with the High-Density Housing for Families with Children Guidelines, and include a kitchenette and accessible washroom in the indoor common amenity rooms.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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 General Manager of Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 1. Discharge of BC Hydro Right of Way (registered as 321681M) or written permission from BC Hydro & Telus for the excavation and construction of the underground parkade within the west 9.56 feet of the site (The right of way area).

2. Provision of a building setback and surface right of way in favour of the City to achieve a 3.0 metre distance from the west property line. This statutory right of way is to either replace BC Hydro/Telus statutory right of way 321681M, or be in addition to it should the chargeholder provide the permission contemplated by condition 1. The right of way area shall be clear of all structures, landscaping, chairs and tables at grade and above. Landscaping is to be minimal and not include any trees, and all features must be removable at the request of the General Manager of Engineering Services. The statutory right of way shall accommodate the proposed below grade parking.
3. 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 for the site will be issued until the security for the services is provided.

- (i) 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 to 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 to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (ii) Provision of new 1.83 m (6 ft.) CIP light broom finish concrete sidewalk with saw cut joints on West 12th Avenue and new curb ramps adjacent the site subject to further review (see Landscape Condition (b) 8).
- (iii) Provision of a standard concrete commercial lane crossing.
- (iv) Adjustment/removal of the paved crossing on 12th Avenue immediately west of the site including reconstruction of the curb and sidewalk to meet with the Arbutus Greenway Plan.
- (v) Provision for lane repaving of the lane east of Arbutus from 12th Avenue to the lane north of 12th Avenue.
- (vi) Provision of pedestrian countdown timers at the intersection of Arbutus Street and West 12th Avenue.
- (vii) Provision of LED lighting at the Arbutus Street and 12th Avenue intersection.
- (viii) Provision of street trees adjacent the site where space permits.

- (ix) 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 per cent of any water system upgrading that may be required.
- (x) 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 infiltrate 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 pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.

- (xi) Provision of modified sewer services for the site. Abandonment of the existing service connections and manhole in the lane east of the site and those portions of the sanitary sewer main connecting to the existing main on West 12th Avenue and provision of new separate sanitary and storm connections from the site to the existing mains on West 12th Avenue.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but 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.

In addition, 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. If this development opts for a gas service, the gas riser must be installed on private property.

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.

Housing

5. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as market rental housing units for the longer of 60 years or the life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant;
 - (ii) A no stratification covenant;
 - (iii) That none of such units will be rented for less than one month at a time; and;
 - (iv) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to applicant: This condition will be secured by a Housing Agreement to be entered into by the City, by by-law, enacted pursuant to section 565.2 of the *Vancouver Charter*.

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.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the CD-1 By-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated October 31, 2017, entitled "CD-1 Rezoning: 2075 West 12th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.
- 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 31, 2017, entitled "CD-1 Rezoning: 2075 West 12th Avenue".
- D. THAT A through C 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 sole risk of the person making the expenditures or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ - 2075 West 12th Ave]