

SUMMARY AND RECOMMENDATION

4. REZONING: 8378-8432 Oak Street

Summary: To rezone 8378-8432 Oak Street from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit development of a six-storey residential building, with a total of 38 residential units, over two levels of underground parking. A height of 22.1 m (73 ft.) and a floor space ratio (FSR) of 2.50 are proposed.

Applicant: Bold Properties (Oak St.) LP.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of December 12, 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 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, generally as presented in Appendix A of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 8378-8432 Oak Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by 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 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.

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 the 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.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as presented in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 8378-8432 Oak Street".
- C. THAT 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.

[RZ - 8378-8432 Oak St]