

SUMMARY AND RECOMMENDATION

3. REZONING: 431-455 West King Edward Avenue

Summary: To rezone 431-455 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit a new four-storey residential building and two-storey townhouses at the lane with 42 secured market rental units. A building height of 14.6 metres (48 feet) and a floor space ratio (FSR) of 2.01 are proposed.

Applicant: Integra Architecture Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of January 30, 2018.

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 Integra Architecture Inc., on behalf of 1022003 B.C. Ltd., the registered owner, and CIBT Education to rezone 431-455 West King Edward Avenue [*Lots 13 to 15, Block 661, District Lot 526, Plan 2913; PIDs: 013-343-700, 013-343-742, and 013-343-769 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.01 FSR and the height from 10.7 m (35 ft.) to 14.6 m (48 ft.) to permit the development of a four-storey residential building containing a total of 42 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated January 16, 2018 entitled "CD-1 Rezoning: 431-455 West King Edward 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 Integra Architecture Inc. on behalf of CIBT Education, and stamped "Received Planning and Development Services (Rezoning Centre) July 14, 2016", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard for the following:

Urban Design

1. Design development to provide a substantial break (no less than 10 ft.) in the laneway townhouse building which will result in two separate buildings.

Note to Applicant: A single building in excess of 80 ft. is not supported in the *Cambie Corridor Plan*. This refinement will improve the scale and livability of the townhouse buildings at the lane.

2. Design development to improve the courtyard performance by increasing its dimension and by lowering it to be closer to natural grade and better related to units that are located along it.

Note to Applicant: This may be achieved by optimizing the parking structure and/or lowering the elevation of the main building. Units in the main building can be considered along the courtyard to provide amenity to the units, and to enliven the courtyard space.

3. Design development to re-locate the indoor amenity space to the rooftop and along with it, provide a co-located outdoor amenity space. An increase is sought on each of these spaces by providing no less than 700 sq. ft. for the indoor amenity and 1,400 sq. ft. for the outdoor amenity space.

Note to Applicant: A southern sun exposure must be provided to ensure viability of landscape enhancements and urban agriculture plots.

4. Design development to provide a children's play area at grade, in line with the *High-Density Housing for Families with Children Guidelines*.
5. The proposed unit mix, including 5 one-bedroom units (12%), 24 two-bedroom units (57%), 11 three-bedroom units (26%), and 2 four-bedroom units (5%), 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% of the dwelling units designed to be suitable for families with children.

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

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

Crime Prevention through Environmental Design (CPTED)

7. Design development to respond to CPTED principles, having particular regard for the following:
 - (i) Theft in the underground parking;
 - (ii) Residential break and enter;
 - (iii) Mail theft; and
 - (iv) Mischief in alcoves and vandalism, such as graffiti.

Landscape Design

8. Design development to improve the livability of the common courtyard by the following:
 - (i) Widen the distance between buildings to achieve a more usable space, with the common walkway to be a minimum 8 ft. wide.
 - (ii) Provide more usable common space in the area between the two townhouse buildings by replacing some of the planted area with additional seating or other common uses.
 - (iii) Provide more opportunities for informal seating and gathering by including some lawn areas, seat walls and additional benches.
 - (iv) Delete water feature and replace with a planting bed, flush with the courtyard rather than raised, for a smooth, unobstructed visual experience. This will require alterations to the parkade height in order to allow adequate depth of soil.
 - (v) Orient planting beds along the walkway towards the common side, in layers with lower plants in front of taller ones.
 - (vi) Relocate the children's play area, including benches for parent supervision, closer to the common courtyard, where visual access for adult supervision of children can take place. The play area should receive maximum solar orientation and should not be covered.
9. Design development to include the addition of minimum four significant, larger scale deciduous trees in free soil areas (on free grade) for the provision of a higher quality landscape and additional future tree canopy.

Note to Applicant: This can be accommodated in the 8 ft. setbacks along the side yards at both ends of the common courtyard.

10. Design development to provide a more conservative tree removal strategy to enable the retention and protection of all or some of the adjacent east property trees.

Note to Applicant: A revised arborist report should recommend tree retention, based on further assessment of health and condition. Trees which are not viable will require a Letter of Consent from the property owner for removal.

11. Design development to fourth level common terrace through the following:
 - (i) Provision of additional planters at the terrace edge and visible from the street.
 - (ii) Provision of urban agriculture plots following the City's Urban Agriculture Guidelines for the Private Realm and including infrastructure as required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

12. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

13. Consideration to improve sustainability by the provision of an extensive green roof.
14. A full Landscape Plan for proposed landscape is to be submitted. The Landscape Plan should illustrate proposed plant materials (with common botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum of 1:100 or 1/8" scale and should match the architectural site plan.
15. Section details at a minimum scale of 1/2"=1' scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details should show dimensioned rootballs to confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future. The depth should exceed BCCLA standards.

16. Sections (1/4"=1' or 1:50) illustrating the buildings to the public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The sections should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in sections.

17. New proposed street trees should be coordinated with the Park Board and Engineering and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.

18. A high-efficiency automatic irrigation system is to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.

19. A Landscape Lighting Plan is to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings. All existing light poles should be shown.

Sustainability

20. 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.

21. Any new building in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist, must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning

policy. Proof of registration of the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

22. In lieu of the requirements outlined in condition 21, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at: <http://guidelines.vancouver.ca/G015.pdf>.

Engineering

23. 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.
24. Clarify garbage storage and pick-up space. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering Garbage and Recycling Storage Facility Design Supplement for recommended dimensions and quantities of bins.

Note to Applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick up. Bins are to be returned to storage areas immediately after emptying.

25. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane.
26. Provision of a landscape and site plan that reflects the off-site improvements sought for this rezoning. Please submit an updated plan for review.
27. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of direct, stair-free access from the laneway to the apartment elevator core for loading.

Note to Applicant: Parking may not be available on King Edward Avenue in front of the site for loading due to certain street improvements.

- (ii) Provision of an updated parking floor plan showing the full extent of the main parking ramp on the plans.
- (iii) Provision of additional design elevations throughout the parking level, both sides of the manoeuvre aisle at all break points and at all entrances to calculate the slope and crossfall and ensure City building grades are correctly met at the property lines.
- (iv) Confirmation that the slope shown from elevation 211.88 ft. to 208.50 ft. is correct.
- (v) Provision of a section drawing showing elevations, vertical clearances, and security gates for the parking level.
- (vi) Label minimum clearance for parking levels on the plan and section drawings, including at overhead gate and mechanical projections.

Note to Applicant: Minimum 2.3 m overhead clearance is required for access and maneuvering to all disability spaces.

- (vii) Show all overhead gates on drawing A-2.000.
- (viii) Provision of 13'-1 ½" width and 7'-6 ½" vertical clearance for disability stall 12.

Note to Applicant: Consider providing two disability stalls and a shared access aisle at stall 46 and 47.

- (ix) Provision of an updated plan showing the access route from the Class A bicycle spaces to reach the outside. The route must be 'stairs free' and confirm the use of the parking ramp or elevator, if required.
- (x) Provide automatic door openers on the doors providing access to the bicycle room(s).

Note to Applicant: An interconnected water service is required for this development.

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering Services

1. Consolidation of Lots 13 to 15, Block 661, District Lot 526, Plan 2913 to create a single parcel and subdivision of that site to result in the dedication of the south 0.75 m for road purposes.

Note to Applicant: Delete all landscaping features (metal railing, gates, gate column, etc.) from the area to be dedicated.

2. Provision of a shared access agreement between the subject site and the adjacent site at 467-495 West King Edward Avenue (Lots 10 to 12, Block 661, District Lot 526, Plan 2913) to secure access to the proposed underground parking.
3. 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 street reconstruction on King Edward Avenue adjacent to the site to generally include the following:

- a. New curb and gutter.
 - b. A 2.5 m wide raised protected bike lane.
 - c. A 1.22 m (4 ft.) sod grass boulevard with street trees.
 - d. A 1.83 m (6 ft.) wide broom finish concrete sidewalk with saw cut joints.
 - e. Work to include adjustments of all existing infrastructure to accommodate new road geometry and street changes.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

- (ii) Provision of street trees adjacent the site where space permits.
- (iii) Provision of upgraded street lighting and pedestrian scale lighting adjacent the site.
- (iv) Provision of adequate water service to meet 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.
- (v) Provision of a stormwater detention tank to maintain pre- and post-development run-off flows to meet the 1 in 5 year storm standard (the net change in capacity is to be zero). A stormwater storage covenant will be required.

Note to Applicant: Sewer connection is to be to the 300 mm combined sewer in the lane north of King Edward 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 are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way (SRW). Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

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 rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years or the life of the building, subject to the following 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.
- (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 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 the Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been issued to the City.

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 registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over other such 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, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated January 16, 2018, entitled "CD-1 Rezoning: 431-455 West King Edward 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 property owner(s) and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated in the same report.
- C. THAT, subject to the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated January 16, 2018, entitled "CD-1 Rezoning: 431-455 West King Edward 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 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 - 431-455 West King Edward Ave]