

SUMMARY AND RECOMMENDATION

4. REZONING: 3510 Fraser Street

Summary: To rezone 3510 Fraser Street from C-2 (Commercial) to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use development with a seniors centre at-grade and 58 secured seniors social housing units above. A height of 21.1 metres (72.5 feet) and a floor space ratio (FSR) of 3.5 are proposed.

Applicant: DYS Architecture

Referral: This item was referred to Public Hearing at the Regular Council Meeting of May 15, 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 DYS Architecture (DYS) on behalf of Vancouver Affordable Housing Agency (VAHA), as agent for the registered owner, the City of Vancouver (the City), to rezone 3510 Fraser Street [*Lot A Block 54 District Lot 301, Group 1 New Westminster District Plan BCP50970, PID 028-868-218*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.5 to 3.5 and the maximum building height from 13.8 m (45 ft.) to 21.1 m (72.5 ft.) to permit the development of a six-storey mixed-use building with a seniors centre at grade and 58 secured seniors social housing units, generally as presented in Appendix A of the Policy Report dated May 1, 2018, entitled "CD-1 Rezoning: 3510 Fraser Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL FOR THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DYS Architecture and stamped "Received City Planning Department, March 23, 2018", subject to the following conditions, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

Urban Design

1. Design development to improve the common amenities, as follows:
 - (i) Convert the north-east units on Levels 4 and 5 to amenity rooms;
 - (ii) Add access doors and substantial glazing, to connect the amenity rooms to the adjacent rooftop terraces;
 - (iii) Consider converting the proposed amenity room at Level 6 into two studio units;

Note to Applicant: East elevation, Level 6, may become more solid.

2. Design development to reduce apparent bulk and massing on the east side of the building, and improve the interface to the RS-1 neighbour, as follows:
 - (i) Remove the projecting terrace at the south end of the building, Level 2;
 - (ii) Remove the balcony at the north-east corner, Level 6;
 - (iii) Further animate the east elevation by adding windows and, where feasible, increasing the size/height of strip windows;

Note to Applicant: The three private balconies should be reconfigured to more closely align with floor below. Consider deleting the shared terrace and replacing with a low-maintenance gravel roof. To achieve a more neighbourly expression, it's recommended to add and/or increase windows particularly at Levels 2 and 3.

3. Design development to improve the building elevations, as follows:
 - (i) Delete sunshades on north and east elevations;
 - (ii) Consider adding sunshades to the west (Fraser St) elevation;
 - (iii) Refine the dark grey "frame" element;
 - (iv) Consider using a lighter-coloured exterior cladding inside the inset balconies the inset balconies (ie. at the north-west corner);
 - (v) Consider lowering the weather canopy to approximately 3.5m above grade (where the white band is currently indicated), to improve its performance and create a more "enclosed" sidewalk space.

Note to Applicant: Sunshades should be integrated into a rational passive design approach. To improve the legibility of the "frame" element, a significant change in plane between the frame and the brown inset should

be created. There should also be a rational, consistent approach to how the frame wraps corners.

4. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit;

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

5. Design development to consider the principles of CPTED, having particular regard for:
 - (i) theft in the parking area;
 - (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 *Green Buildings Policy for Rezoning* (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>

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning – Process and Requirements* (amended April 28, 2017 or later).

Landscape Design

7. Design development to expand the size and programming of common amenity space(s) to provide a more usable space;

Note to applicant: This should include additional opportunities for social interaction, such as additional benches and seat walls for passive seating and gathering. Urban agriculture plots should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

8. Design development to improve privacy and mitigate overlook of the common terraces on Levels 2 and 4 onto neighbouring site to the east, by relocating and/or adding planting beds along the east edge.

Note to Applicant: The plants should be visible from the neighbouring property.

9. Design development to buffer the surface parking area by the addition of substantially more planting beds, to include the addition of minimum three significant, larger scale deciduous trees on site, for the provision of a higher quality landscape and additional future canopy.

10. Provision of a revised arborist report to recommend tree protection measures for the two retained trees on the east neighbouring site, in context of the proposed site plan.

Note to Applicant: A Letter of Assurance should also be submitted to ensure that arborist will supervise any work within the tree protection zones.

11. 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.

12. Consideration to improve sustainability by the provision of an extensive green roof.

13. At time of development permit application, the following:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and 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 1:100 or 1/8" scale and should match the architectural site plan.
- (ii) Section details at a minimum scale of 1/2"=1'-0" 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 BCSLA standard.
- (iii) A high-efficiency automatic irrigation system to be provided for all planted areas.

- (iv) A Landscape Lighting Plan 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.

- (v) Provision of improved graphic readability by deleting grey tones to ensure the plan reads well in black and white.

Engineering

- 14. Parking, loading and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-Law

Note to Applicant: Parking relaxations will apply to the site and shall be discussed in full at the Development Permit stage. (See Appendix C of the Policy Report dated May 1, 2018, entitled "CD-1 Rezoning: 3510 Fraser Street")

- 15. 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.

- 16. 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.

- 17. Provision of a new driveway crossing to current standards on East 19th Avenue.

Note to Applicant: A crossing application is required.

- 18. Provision of a wide, continuous weather protection on both frontages.

Note to Applicant: A separate application is required to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.

- 19. 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 to the street.

20. Provision of an updated landscape plan to reflect the offsite improvements being sought in the rezoning is required. The following statements are to be noted on the landscape plan:
 - (i) All sidewalks between the curb and property line are to be reconstructed fully at the applicant's expense."
 - (ii) 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."
21. Installation of parking regulatory signage on Fraser Street and East 19th Avenue adjacent the site to the satisfaction of the General Manager of Engineering Services".
22. Design development to resolve conflict between drive aisle and bike room access.
23. Provision of automatic door openers on the doors providing access to the bicycle room and note on plans.
24. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Dimension maneuvering aisle width.
 - (ii) Additional parking space width is required for parking space 2.
 - (iii) Provide dimensions showing length and width of parking spaces.
 - (iv) Provision of additional information on the drawings showing the vertical clearance from the drive aisle surface to the portion of the building on level 2.
 - (v) Dimension bike storage locker sizes and dimension the access aisle widths within the bike room.
 - (vi) Provision of Class B bicycle parking on private property as per the Parking By-Law
 - (vii) Provision of disability parking requirements.

Refer to the Parking and Loading Design Guidelines at the following link: <http://vancouver.ca/home-property-development/parking-policies-guidelines.aspx>

25. Staff are seeking a detailed response toward the IRMP requirements outlined in the *Green Buildings Policy for Rezonings*. As the project moves to detailed design, provide a revised Rainwater Management Plan (RMP), that details how the rainwater management system meets the IRMP requirements for quantity and quality and addresses the following:
- (i) How will the 600 mm of peat be addressed in the construction? Will it be removed? If it remains in place, then is there a strategy to deal with settling or for keeping moisture in the peat? This should be considered in the rainwater management plan.
 - (ii) The stormwater management report indicates there is limited potential for infiltration. What infiltration rate used for the detention/infiltration system sizing? What will the drain down time be for a full 24 mm event?
 - (iii) If the 20.9 m³ infiltration will not be achieved through the detention system, then consider a green roof. The volume retained in the green roof can be applied to the 24 mm retention goal.
 - (iv) It is noted that a portion of the paved parking lot will be graded towards a landscaped area to the east of the site. Calculations need to be provided to show that the runoff from the paving can be accommodated in the landscaped area. The northern section of the landscaped area is directly adjacent to a neighbouring property. How will the runoff directed to the landscaped area not simply enter the perimeter drain to this property or otherwise adversely impact the property.
 - (v) There is no indication on the drawings as to the location of the detention system. Where is this located? If it is located beneath the on-site parking the applicant should consider permeable pavers throughout the parking area and access drive

Note to Applicant: Provision of on-site backflow prevention is required for sanitary and storm service connections.

Note to Applicant: Development to be serviced to the existing 200 mm sanitary sewer and 525 mm storm sewer along E 19th Ave.”

Note to Project Coordinator: A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

Affordable Housing

26. Submission of a draft operating budget and rent schedule demonstrating a viable optimisation of affordability on this site with a minimum of 30% of housing units in the building renting to households with incomes below the BC Housing Income Limits or such other greater percentage of housing units rented to such households with a view of maximizing

affordability while ensuring the financial viability of the project, with a review of same prior to issuance of an occupancy permit, all to the satisfaction of the General Manager of Arts, Culture and Community Services.

27. Prior to issuance of the Development Permit, applicant to install and display a sign on the site, throughout construction, that acknowledges that social housing is being provided as part of the City of Vancouver's initiatives. Sign design, format and location to be approved by the City.

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, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Release of Easement & Indemnity Agreement 529166M (commercial crossing) prior to building occupancy.

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

2. Provision of an easement agreement for the encroaching portions of the house from the adjacent easterly lot (the North ½ of Lot B, Block 54, District Lot 301, Plan 187).
3. Provision of a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of one (1) Shared Vehicle and the provision and maintenance of one (1) Shared Vehicle Parking Space for use exclusively by such on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
 - (i) Provide (1) Shared Vehicle to the development for a minimum period of (3) years.
 - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle.
 - (iii) Provide and maintain the Shared Vehicle Parking Space for use exclusively by such shared vehicles.

- (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space.
 - (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle unless otherwise agreed to by the general manager of Engineering Services and the Director of Legal Services; and
 - (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.
 - (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy. 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.
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 is provided.
- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (ii) Provision of 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 50% of the 6-month event (24 mm);

- (b) Treat the 6-month (48 mm) onsite; and
- (c) Maintain the pre-development 2 year 24hr storm event rate and volume. 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, rain water management and green infrastructure systems.

- (iii) 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.
 - (iv) Provision of street trees adjacent to the site where space permits.
 - (v) Provision of a 2.3 m (7'-6") sod lawn front boulevard and a light broom finish saw cut concrete sidewalk on Fraser Street between the front boulevard and the property line.
 - (vi) Provision of a 2.14 m (7'-0") sod lawn front boulevard and a light broom finish saw cut concrete sidewalk on East 19th Avenue between the front boulevard and the property line.
 - (vii) Removal of the existing driveway crossing on Fraser Street and East 19th Avenue and provision of new curb and gutter.
 - (viii) Provision of upgraded street lighting adjacent to the site to current LED standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
 - (ix) Provision of intersection lighting upgrade to LED standards (all four intersection poles are to receive upgraded lighting).
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.

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.

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.

Affordable Housing

6. Make arrangements to the satisfaction of the General Manager of Arts, Culture and Community Services (or successor in function) and the Director of Legal Service to enter into a Housing Agreement securing all dwelling units as social housing for 60 years or life of the building, whichever is greater, which will contain the following terms and conditions:
 - (i) A no separate sales covenant;
 - (ii) A no stratification covenant;
 - (iii) A provision that none of the dwelling units in the building will be rented for less than one month at a time;
 - (iv) Requiring such units to be used for "social housing", as that term is defined in the Vancouver Development Cost Levy By-law No. 9755;
 - (v) Requiring such units to be made available to seniors, as defined within the Housing Agreement;
 - (vi) Including such other terms and conditions as the Director of Legal Services and the General Manager of Arts, Culture and Community Services may 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 595.2 of the Vancouver Charter.

Soils

7. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or

enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on 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 restricted 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 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 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 Appendix B of the Policy Report dated May 1, 2018, entitled "CD-1 Rezoning: 3510 Fraser Street", 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 Arts, Culture and Community Services.
- C. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated May 1, 2018, entitled "CD-1 Rezoning: 3510 Fraser Street", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendments to the Parking By-law, generally set out in Appendix C of the Policy Report dated May 1, 2018, entitled "CD-1 Rezoning: 3510 Fraser Street".

- E. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated May 1, 2018, entitled "CD-1 Rezoning: 3510 Fraser Street".
- F. THAT A through E be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, 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 - 3510 Fraser Street]