

## SUMMARY AND RECOMMENDATION

**2. REZONING: 6110-6170 Oak Street and 975 West 46th Avenue**

**Summary:** To rezone 6110-6170 Oak Street and 975 West 46th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District. The proposal is for 33 rowhouse units in six buildings, with a total floor area of 3 915.3 square metres (42,144 square feet), a floor space ratio of 1.0, and a maximum height of 3 storeys (10.7 metres or 35 feet). The proposal also includes one level of underground parking accessed from the lane, which would contain 66 vehicle spaces and 64 bicycle storage spaces.

**Applicant:** Craig Rowland, Listraor Development Corporation

**Recommended Approval:** By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Listraor Development Corporation on behalf of Listraor (West 46th) Homes Ltd., to rezone 6110-6170 Oak Street [*Amended Lot 11 (See 442324L) and Lots 12 to 14, all of Block I of Block 1008 District Lot 526, Plan 10897, PID: 009-274-718, 009-247-220, 002-247-238 and 009-247-262, respectively*] and 975 West 46th Avenue [*PID: 009-247-271, Lot 15, Block I of Block 1008 District Lot 526 Plan 10897*] from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.6 to 1.0 to permit a rowhouse development, generally as presented in Appendix A of the Policy Report dated October 2, 2012, entitled "CD-1 Rezoning - 6110-6170 Oak Street and 975 West 46th 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 Merrick Architects and stamped "Received City Planning Department, February 20, 2012", subject to the following conditions, provided that the General Manager of Planning and Development Services 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 and Development Services, who shall have particular regard to the following:

**Design Development**

1. Design development to the buildings to create variety and individual expression among them.

Note to Applicant: This can be achieved by varying the form at key points of the development and creating details, forms or materials that are individual to each building.

2. Design development to strengthen the public realm at the site edges.

Note to Applicant: This can be achieved by increasing the variety and sizes of trees proposed, particularly along Oak Street. The approach should include appropriate street trees on City property. See also Conditions (b) 11, 13 and 15.

3. Design development to the semi-private courtyard, creating areas of special interest and focus, providing more variety and opportunities for social interaction and informal children's play.
4. Provision of enlarged scale building elevations and sections illustrating key architectural elements including detailed transitions between materials reflecting the residential scale and character of the area.
5. Provision of a weather protected cover over all open stairs to the underground parking structure.

Note to Applicant: The stairs and the exposed parking ramp should be well integrated with the overall landscaping.

#### **Crime Prevention Through Environmental Design (CPTED)**

6. Design development to consider the principles of CPTED having particular regard for reducing opportunities for theft in the underground parking and for reducing opportunities for graffiti on walls and solid fences at the lane.

#### **Sustainability**

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a score of Energuide 82.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 82 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

#### **Engineering**

8. Amend the legal description on page A0.01 to read; Amended Lot 11 (See 442324L), Lots 12, 13, 14 & 15, all of Block I of Block 1008, DL 526, Plan 10897.
9. Delete the proposed back boulevard trees on 46th Avenue. Planting consistent with the boulevard planting guidelines is required.

10. Parking, loading and bicycle spaces in accordance with by-law requirements on (date of enactment of CD-1 by-law).

### **Landscape**

11. Provision of substantial in ground replacement tree planting wherever possible.
12. Landscape plantings to ensure compatibility with built structures and long term health of tree species.  
  
Note to Applicant: Recommend smaller tree species to be located at front yards with larger tree species on the City boulevard.
13. Provision of adequate planting medium depth within planters on structures to meet the BCSLA latest standard.
14. Design development to ensure landscape diversity by providing a balanced selection of evergreen and deciduous plant species.
15. Provision of a flexible Child's Play Space incorporating forms for people to engage in active and passive social play in the common amenity patio area.
16. Provision of new street tree planting with expanded boulevard width on Oak Street in consultation with the City Engineer and Park Board.
17. Provision of a high-efficiency automatic irrigation system specified in all common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.

### **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 Engineering Services and the and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

#### **Engineering**

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

1. Consolidation of Amended Lot 11 (See 442324L), Lots 12, 13, 14 & 15, all of Block I of Block 1008, DL 526, Plan 10897 to create a single parcel;
2. Replacement of utility SRW agreement 338981M and an increase in width of the SRW to form an ultimate width of 2.0 metres (6.56 feet);
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 the applicant's expense 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:

- a. Provision of street trees adjacent the site where space permits;
- b. Provision of countdown timers and audible signals at the intersection of Oak Street and West 46th Avenue;
- c. Provision of a water fountain near the corner of West 46th Avenue and Oak Street designed, constructed and installed at the applicant's expense. The fountain is to be located on public property and serviced by a separate water service connection at the applicant's expense;

Note: The City pays for water and maintenance once the fountain has been installed and accepted by the City.

- d. Provision of street improvements on West 46th Avenue adjacent the site consisting of pedestrian level lighting and improved landscaping on the public boulevards;
- e. Provision of a standard concrete lane crossing at the lane east of Oak Street on the north side of West 46th Avenue; and
- f. Provision of improved curb ramps and curb return at the northeast corner of West 46th Avenue and Oak Street.

Note to applicant: Should construction result in the need to replace the city sidewalk in front of the site then sidewalk width standards of the day would apply, a 6 ft. wide or wider walk would be sought space permitting.

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. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way with no reliance on public property for placement of these features. 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.
5. 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 as determined by the applicant's mechanical consultant to determine if water system 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.

Note: 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 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, subject to approval of the rezoning at a Public Hearing, the Subdivision By-law be amended as set out in Appendix C; and

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

- C. THAT Recommendations A and B be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 and that 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 - 6110-6170 Oak Street and 975 West 46th Avenue)