

SUMMARY AND RECOMMENDATION

2. REZONING: 4320 Slocan Street

Summary: To rezone 4320 Slocan Street from C-1 (Commercial) District to CD-1 (Comprehensive Development) District. The proposal is for a four-storey, mixed-use residential-commercial building containing 41 units of for-profit affordable rental housing and two at-grade commercial rental units. A floor space ratio (FSR) of 2.14 and a floor area of 2 970.3 square metres (31,972 square feet) are proposed.

Applicant: Vincent Yen, Yenik Realty Ltd.

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 Yenik Realty, on behalf of Yen Hoy Enterprises Ltd., to rezone 4320 Slocan Street [*Lots 2 and 3 and Amended Lot 4 (Explanatory Plan 4663), Block 2 South West 1/4 Section 47 Town of Hastings Suburban Lands Plan 4272; PIDs: 011-650-320, 011-650-346 and 011-985-577 respectively*] from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.20 to 2.14 to permit the development of a four-storey mixed-use commercial and residential building with 41 residential units secured as for-profit affordable rental housing, generally as presented in Appendix A of the Policy Report dated January 2, 2013, entitled "CD-1 Rezoning: 4320 Slocan 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 Allan Diamond Architect, and stamped "Received City Planning Department, August 10, 2012", 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:

Crime Prevention Through Environmental Design (CPTED)

1. Design development to respond to CPTED principles, having particular regard for:
- (i) theft and security in the parking area;
 - (ii) break and enter; and
 - (iii) mischief and vandalism, such as graffiti.

Sustainability - Green Building

2. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings Policy for Rezoning, including a minimum of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for Certification of the project are also required under the policy.

Landscape Design

3. Illustration on the Landscape Plan of the location of the landscape section.

Note to Applicant: A notation should be added to this section indicating the location of the lane.

4. Clarification of the grades in the rear and side yards.

Note to Applicant: Additional grades should be provided for top and bottom of the exterior stair, for the urban agriculture area and for the south side yard. An exterior stair may be necessary to go from the common amenity area to the urban agriculture area. The urban agriculture area and the south side yard should be at existing grade.

5. Illustration on the Site Plan and Landscape Plan of all parking garage vents, emergency generators, transformers, or gas meters.

Note to Applicant: All utilities that are visible from the lane or from the street should be located in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

6. Provision of dimensioned tree barriers (illustrated on the Landscape Plan) around all existing neighbouring trees 0.2 m or greater located within 2 m of the property line and around all existing street trees located adjacent to the development site as per City of Vancouver Guidelines.

7. Provision of a high efficiency irrigation system for all common areas, including the entry and upper terrace areas.

Note to Applicant: A hose bib shall be provided for the area with urban agriculture garden plots. A notation to that effect should be added to the drawings. The irrigation system design and installation system shall

be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

8. Provision of the following notation on the Landscape Plan for new street trees:

“Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering services New trees must be of good standard, minimum 0.6 m caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 2.44 m long and 0.46 m deep. Planting depth of root ball must be below sidewalk grade. New street trees to be provided adjacent to the development site and to be confirmed prior to the issuance of the building permit. Call Park Board for inspection after tree planting completion.”

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements.

Engineering

9. Correct the east property line dimension of 115.16' on pages A-100, A-200 & A-201 to be 159.16', as indicated on the site survey plan.

10. Provision of a canopy application is required.

Note to Applicant: Canopies must be fully demountable and drained to the buildings internal drainage system.

11. Provision of minimum vertical clearance of 2.3 m (7.55 ft.) from the street to all required maneuvering aisles and access to disability parking spaces.

Note to Applicant: The overhead gate on drawing A-400 measures 2.18 m (7.15 ft.) of vertical clearance.

12. Provision of 6.4 m (21.0 ft.) parallel stalls in the lane.
13. Confirmation that the power pole in the lane is to be relocated to ensure access to the parking stalls or reconfiguration of the parking stalls to avoid interference with the wood pole in the lane.
14. Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints to be able to calculate slopes and cross falls.

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 and Development Services, 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

1. Release of Easement & Indemnity Agreements 421135M (commercial crossing) and 271389M (support agreement), and Indemnity Agreement 32702M (support agreement) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to enactment of the zoning 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 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 are provided.
 - (i) Provision of adjusted sidewalk and boulevard widths on Slocan Street. A 1.5 m (4.92 ft.) front boulevard and 2.0 m (6.28 ft.) concrete, saw cut sidewalk is required for the frontage of the site and extending to the Slocan Street/SkyTrain overpass.
 - (ii) Provision of asphalt paving of the lane adjacent the site from East 27th Avenue to the south edge of the development.
 - (iii) Provision of a standard concrete lane entry at the intersection of East 27th Avenue and the lane east of Slocan Street.
 - (iv) Provision of street trees adjacent the site where space permits.
3. 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. 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.
4. 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.

5. Provision, operation, and maintenance of 1 shared vehicle and the provision and maintenance of 1 shared vehicle parking space for use exclusively by such shared vehicle and under the conditions outlined below:

- (i) The developer will be required to fund \$25,000 for the purchase of each required shared vehicle and fund \$11,500 for operating costs for each required shared vehicle.

Note to Applicant: These dollar amounts are subject to inflationary increases and final amounts will be calculated prior to occupancy.

- (ii) Management services to be provided by the professional shared vehicle organization subject to an agreement to be entered into with the developer on terms and conditions satisfactory to the City.

- (iii) The registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of 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, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development.

- (iv) The provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces.

Note to Applicant: These dollar amounts are subject to inflationary increases and final amounts will be calculated prior to Occupancy.

Housing

6. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure all 41 housing units as for profit affordable rental housing pursuant to the Short Term Incentives for Rental Housing (STIR) Program for 60 years or life of the building, whichever is greater, subject to a no separate-sales covenant and a non-stratification covenant through a STIR housing agreement, and subject to such rentals being made available as rental housing units.

Soils

7. Submit a site profile to the Environmental Protection Branch (EPB).

8. As required by the Manager of Environmental Protection 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.
9. If required by the Manager of Environmental Protection 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 Protection, City Engineer 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 a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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 in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated January 2, 2013, entitled "CD-1 Rezoning: 4320 Slocan Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by the same report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- C. THAT the application to amend Schedule E of the Sign By-law to add the CD-1 and to assign regulations in accordance with Schedule "B" (C-2), be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated January 2, 2013, entitled "CD-1 Rezoning: 4320 Slocan Street".

- E. THAT Recommendations A through D 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 - 4320 Slocan Street]