



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: July 9, 2013  
Contact: Kent Munro  
Contact No.: 604.873.7135  
RTS No.: 10152  
VanRIMS No.: 08-2000-20  
Meeting Date: July 23, 2013

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning - 7249 Cypress Street

**RECOMMENDATION**

- A. THAT the application by The Airey Group, on behalf of 7249 Cypress Development Corp., to rezone 7249 Cypress Street (*PID 011-076-241; Lot 10 of Lot M, Block 11, District Lot 325A, Plan 5761*), from RS-6 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.7 to 1.2 to permit development of a three-storey building containing five townhouses and one commercial retail unit with a residential unit above, be referred to a Public Hearing, together with:
- (i) plans received February 18, 2013;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, 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-1), also be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally in accordance with Appendix C, for consideration at the Public Hearing.

- C. THAT, subject to enactment of the rezoning by-law, the Noise Control By-law be amended to include this Comprehensive Development District in Schedule A as set out in Appendix C;

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

- D. THAT Recommendations 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 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.

### ***REPORT SUMMARY***

This report evaluates an application to rezone 7249 Cypress Street from RS-6 (One-Family Dwelling District) to CD-1 (Comprehensive Development) District to permit the development of a Housing Demonstration Project (HDP) consisting of five three-storey townhouses and one commercial retail unit with a residential unit above. This application is consistent with the direction in Vancouver's Housing and Homelessness Strategy to increase the diversity of housing forms in low density residential neighbourhoods. The proposed townhouses would demonstrate a new form of housing in the neighbourhood and provide more affordable options for home ownership relative to adjacent single-family houses. As well, the proposed commercial unit will support and enhance the existing local shopping area. Staff have assessed the application and find that the proposal meets the criteria required to qualify for consideration as a Housing Demonstration Project, by demonstrating a new housing form in the neighbourhood, improved affordability and a degree of neighbourhood support. Staff support the application, subject to rezoning conditions outlined in Appendix B. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing along with the conditions of approval outlined in Appendix B.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

- Interim Rezoning Policy for Increasing Affordable Housing Choices (2012)
- Housing and Homelessness Strategy (2011)
- Green Building Rezoning Policy (2010)
- Arbutus Ridge/Kerrisdale/Shaghnessy Community Vision (2002)
- Neighbourhood Housing Demonstration Project Policy (1996).



and Homelessness Strategy, approved in July 2011, reaffirmed Council's priorities to maintain and expand housing opportunities in Vancouver.

According to the Neighbourhood Housing Demonstration Project Policy (January 1996) as well as the Arbutus Ridge/Kerrisdale/Shahnessy (ARKS) Community Vision (November 2005), to be considered a Housing Demonstration Project, an application must demonstrate the following:

- a new housing form in the neighbourhood;
- improved affordability; and
- a degree of neighbourhood support.

In addition, any HDP proposals would need to conform to the applicable Community Vision directions. Staff feel that these criteria are met by the current application, as discussed below.

### *Strategic Analysis*

#### **1. Proposal**

This application proposes to rezone 7249 Cypress Street from RS-6 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit development of a Housing Demonstration Project consisting of five three-storey townhouses and one commercial retail unit with a residential unit above at a density of 1.2 FSR all over one level of underground parking.

#### **2. Housing Demonstration Project (HDP) Criteria**

- a) **New Housing Form** — This application proposes strata-titled, ground-oriented townhouses in a predominantly single-family area, where multiple-dwelling developments geared towards families are relatively unique. The introduction of townhouses in this neighbourhood is consistent with directions for new housing types within the Arbutus Ridge/Kerrisdale/Shahnessy (ARKS) Community Vision. Direction 15.5 "Allow some Traditional Rowhouses" in the ARKS Community Vision supports the type of housing proposed in the rezoning application.

The development is also consistent with Strategic Direction 2 in the Housing and Homelessness Strategy, particularly the priority action of "using financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households." This action has been articulated further with the approval of an Interim Rezoning Policy for Increasing Affordable Housing Choices, aimed at encouraging innovation and enabling real examples of ground-oriented affordable housing types across the city. Although it does not specifically propose to sell units at 20% below market value as would be anticipated under the Interim Policy, this proposal will offer a more affordable alternative to other options for family housing in the neighbourhood.

- b) **Improved Affordability** — The applicant has indicated a selling price averaging \$1,185,000 (in today's market) for family units that range between 111 m<sup>2</sup> and 188 m<sup>2</sup> (1,200 and 2,025 sq. ft.) By most City-wide indicators of housing affordability, dwelling units at such a price would not typically be considered to be attainable for an average Vancouverite.

However, existing housing prices in the ARKS community are some of the highest in the City with single-family houses in this immediate neighbourhood currently listed for sale for asking prices ranging from \$1,500,000 to \$10,000,000 depending on lot size, age, location and condition of the dwelling. In relative terms, therefore, the units proposed in this application will provide housing opportunities in this particular neighbourhood that are below the prevailing price ranges for family housing and in that sense will offer a measure of improved affordability.

- c) **Neighbourhood Support** – Two public open houses, one prior to the submission of the rezoning application and one after, were held with the local community to gauge neighbourhood support. Generally, response to the application has been relatively minimal with comments from residents and community members both in support and in opposition to the proposal (see Public Input section for additional information). Staff conclude a reasonable degree of neighbourhood interest and support for this project has been demonstrated through the application review process.

### 3. Land Use

The project would consist of five ground-oriented, three-storey townhouses occupying 797.8 m<sup>2</sup> (8,587 sq. ft.) and one commercial unit with a residential apartment unit above occupying 222.5 m<sup>2</sup> (2,395 sq. ft.). The proposed townhouse form is consistent with the ARKS Community Vision directions to increase ground-oriented housing choices in areas adjacent to arterial roads and shopping. Directly across West 57th Avenue is a small C-1 zoned shopping area that serves that local community. The addition of the proposed commercial unit is supportive of the ARKS Community Vision direction to enhance existing local shopping areas. The proposed non-residential uses that are included in Appendix A for the commercial unit include those types of uses found within the adjacent local shopping area (C-1 District Schedule).

### 4. Density, Height and Form of Development (refer to drawings in Appendix E)

The proposed development consists of six residential units and one commercial unit in two buildings (Figure 2) at a Floor Space Ratio (FSR) of 1.2. The first building, located at the south end of the site contains one two-bedroom residential unit above a single commercial unit. The second building, facing Cypress Street, is comprised of five three-bedroom townhouses. The buildings are located over an underground parking structure containing ten vehicle spaces, accessed from East Boulevard. The project provides private outdoor space to each unit, in the form of a patio and/or roof deck.

The proposed townhouse units are designed each with a front entry and porch on Cypress Street, and a rear patio on East Boulevard. The staggered massing and overall scale of the development is designed to reflect the adjacent single-family streetscape along Cypress Street. Building heights vary slightly due to the slope of the site. The maximum height at any point within the development is 10.7 m (35.1 ft.), consistent with the maximum height permitted under the existing RS-6 zoning.

The Urban Design Panel reviewed the application on May 8, 2013 and supported it (see the panel minutes in Appendix E). Panel members recommended making a more distinct rhythm for the townhouses along Cypress Street and to soften the edge along East Boulevard.



south ends of the townhouse building. Pedestrian access to the individual townhouse units is provided from Cypress Street with a pathway located between the commercial and residential buildings. Pedestrian access to the commercial unit is provided along West 57th Avenue and the residential apartment unit is accessed from Cypress Street at the north end of the commercial building. Engineering Services has reviewed the rezoning application and have no objections to the proposed rezoning provided that the applicant satisfies the rezoning conditions included in Appendix B.

## **6. Environmental Sustainability**

The Green Building Rezoning Policy (adopted by Council on July 22, 2010) requires that rezoning applications received after January 2011 achieve a minimum of LEED® Gold rating, including 63 LEED® points under the LEED® for New Construction program, with targeted points for energy performance, water efficiency and stormwater management. Registration and application for certification of the project is also required. The application is proposing to achieve a Gold rating in the LEED® Canada for Homes program with a threshold of 68.5 points needed to achieve a gold rating. The LEED® Canada for Homes Checklist submitted with the application indicates that 63 points will be achieved with an additional 14 optional points possible. Staff concur that the approach will meet the intent of the Green Building Rezoning Policy, subject to conditions outlined in Appendix B.

### ***PUBLIC INPUT***

Prior to submitting a rezoning application, the applicant hosted a public open house to discuss the proposal with the community. Notification of this event was mailed to 390 surrounding property owners in the notification area as shown in Figure 1. A total of 25 people, as well as City staff and the applicant team, attended this open house and 20 comment sheets were submitted. Four expressed concerns about the proposal and were generally opposed, 13 expressed support and another three expressed support but with some concerns. The majority of concerns expressed related to existing traffic and parking problems in the area, the perceived precedent that the rezoning would set and incompatibility of the design with the existing single-family character of the neighbourhood.

Subsequent to receipt of a formal application, a rezoning information sign was installed on the site on April 3, 2013. A notification card, dated April 3, 2013 was mailed to the same notification area inviting neighbours to a public open house on April 17, 2013. A total of 32 people, as well as City staff and the applicant team, attended this open house. In addition, the City of Vancouver Rezoning Centre webpage included notification and application information, as well as an online comment form.

Since notification of the formal rezoning application, emails, phone calls and open house feedback forms have been received from 21 members of the public. Based on the written responses, approximately 40% of respondents support the application and 60% oppose it. The majority of concerns raised relate to existing traffic congestion and parking issues within the area, existing pedestrian safety issues, and the potential of the new development to exacerbate these concerns. Other areas of concern included the proposed height and density, the proposed design in relation to the existing single-family character of the area and feedback that suggested that the proposed development should face East Boulevard rather than Cypress Street. Comments in support of the project primarily referenced the new housing options the project would create in the neighbourhood, as well as the quality of the

design of the project. Other comments in support referenced the potential for the proposal, including the new commercial unit, to bring additional people and vibrancy to the area. One specific comment that was received indicated that any contribution from the development should go toward local improvements and amenities in the neighbourhood.

Staff believe that the recommended design conditions for the development permit, contained in Appendix B, address concerns identified during the consultation process. In response to the public commentary regarding existing traffic congestion and parking issues in the area, Engineering Services staff have reviewed the proposed development and expect it to have little or no impact on traffic or street parking in the area. A detailed summary of comments received is provided in Appendix D.

### ***PUBLIC BENEFITS***

In response to City policies which address changes in land use, this application offers the following public benefits:

#### **1. Required Public Benefits:**

**Development Cost Levies (DCLs)** – Development Cost Levies collected from new development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The subject site is in the City-wide DCL area where the current rate for residential uses developed at a density at 1.2 FSR or less is \$31.32/m<sup>2</sup> (\$2.91/sq. ft.) and the current rate for commercial uses is \$134.55/m<sup>2</sup> (\$12.50/ sq. ft.). It is anticipated that the new floor area of 984.0 m<sup>2</sup> (10,592 sq. ft.), including the commercial floor area of 96.4 m<sup>2</sup> (1,038 sq. ft.), will generate a DCL of approximately \$41,912. . DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment which takes place on September 30th of each year. A public benefits summary is provided in Appendix F.

#### **2. Offered Public Benefits:**

The Director of Real Estate Services has reviewed this proposal and has concluded that the rezoning will result in a modest increase in land value. The applicant has offered a contribution of \$48,000. Typically for Housing Demonstration Projects, any increase in land value attributed to the rezoning is allocated to the Affordable Housing Fund. Public input for the proposal indicated a strong neighbourhood desire for a contribution from the application to be allocated to local improvements and amenities. Therefore, in this case, staff are recommending that the contribution be allocated to new community gardens and community garden improvements in the ARKS area. Social Policy staff have indicated that there is an opportunity to utilize these funds to improve existing community gardens and to create new community garden plots in the neighbourhood.



### *FINANCIAL IMPLICATIONS*

As noted in the section on Public Benefits, the applicant has offered a voluntary contribution of \$48,000 towards new community gardens and community garden improvements in the ARKS area. The site is subject to the City-wide Development Cost Levy and it is anticipated that the applicant will pay \$41,912 in DCLs.

### *CONCLUSION*

Staff support the application for a Housing Demonstration Project at 7249 Cypress Street, that proposes five family-oriented townhouses and one commercial unit with a residential apartment unit above in the Arbutus Ridge/Kerrisdale/Shaghnessy (ARKS) neighbourhood. The General Manager of Planning and Development Services recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A. Further it is recommended that, subject to the public hearing, the application including the form of development, as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*

7249 Cypress Street  
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

*[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Cultural and Recreational Uses, limited to Artist Studio;
  - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law, and Multiple Dwelling;
  - (c) Institutional Uses, limited to Child Day Care Facility;
  - (d) Office Uses, limited to General Office, Financial Institution, Health Care Office, and Health Enhancement Centre;
  - (e) Retail Uses, limited to Farmers' Market, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;
  - (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Repair Shop Class - B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade;

- (g) Accessory uses customarily ancillary to the uses permitted in this Section 2.2.

#### Floor Area

- 4.1 Computation of floor space ratio must assume that the site consists of 820 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law.
- 4.2 Floor space ratio for all uses must not exceed 1.2, and the number of dwelling units must not exceed 6.
- 4.3 Computation of floor area must include:
  - (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
  - (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
  - (c) where the distance from a floor to the floor above or, where there is no floor area to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height.
- 4.4 Computation of floor area must exclude:
  - (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the permitted residential floor area;
  - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length and the maximum exclusion for heating and mechanical equipment shall not exceed 1.4 m<sup>2</sup> in each unit;
  - (d) areas of undeveloped floor located:
    - i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or

- ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m; under covered verandas or porches as described in subsection (f), and to which there is no permanent means of access;
  - (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
  - (f) covered porches if:
    - i) they are located at the basement or first storey;
    - ii) that portion facing the street or rear property line is open or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law;
    - iii) the total area being excluded does not exceed 5% of the permitted floor area; and
    - iv) the ceiling height, including roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor.
- 4.5 The use of floor area excluded under section 4.4 must not include any purpose other than that which justified the exclusion.

### **Building Height**

- 5.1 Building height, measured from base surface, must not exceed 10.7 m.

### **Setbacks**

- 6.1 Setbacks for multiple dwellings on the site must be a minimum of:
- (a) 2.4 m from the east property line;
  - (b) 0.5 m from the west property line; and
  - (c) 2.5 m from the north property line.
- 6.2 Despite the provisions of section 6.1, the Director of Planning may allow projections into the required setbacks if:
- (a) the Director of Planning first considers all applicable Council policies and guidelines; and

- (b) portions of buildings which may project into required setbacks are:
  - (i) steps,
  - (ii) bay windows which project no more than 0.6 m into a required setback or 0.6 m from the building face,
  - (iii) balconies, eaves, bays or similar features,
  - (iv) canopies, if:
    - a. they are cantilevered;
    - b. they do not project more than 1.2 m measured at right angles to the face of the building; and
    - c. they are not located closer than 0.3 m measured horizontally from any window of a habitable room where any part of such window is located below the level of the canopy;
  - (v) entry porches located at the basement or first storey,
  - (vi) cantilevered eaves forming part of a porch,
  - (vii) chimneys or piers,
  - (viii) underground parking and storage structures located entirely below grade,
  - (ix) access structures to underground parking, and
  - (x) hydro and gas utility meters, vaults or similar equipment.

#### Horizontal Angle of Daylight

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 If:
  - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of the unobstructed view is not less than 3.7 m;the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.
- 7.5 An obstruction referred to in section 7.2 means:
  - (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any site adjoining CD-1 ( ).
- 7.6 A habitable room referred to in section 7.1 does not include:
  - (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:

- (i) 10% or less of the total floor area of the dwelling unit, or
- (ii) 9.3 m<sup>2</sup>.

### Acoustics

8. A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

\* \* \* \* \*

7249 Cypress Street  
DRAFT CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

**CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Matrix Architecture, on behalf of the Airey Group, and stamped "Received City Planning Department, February 18, 2013", 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:

**Urban Design**

- 1. Design development to the townhouse building to create a more compatible relationship to the existing residential streetscape.

Note to Applicant: This can be achieved by reducing the height or massing of the north unit and treating the north wall to minimize exposed concrete and create architectural interest. The central townhouses can be shifted to create a more significant step to the south unit, similar to that to the north unit.

- 2. Design development to the west elevation to create a softer transition to East Boulevard.

Note to Applicant: This can be achieved by ensuring retaining walls do not exceed 1 m in height, and are located so that there is adequate space on site for layered planting in front of the retaining walls. Retaining walls should be treated with a high quality finish such as stone or brick.

- 3. Design development to better integrate pedestrian and vehicular access to the underground parking.

Note to Applicant: The stairs would ideally be enclosed within the buildings structure. The north stair must be located at least 1.5 m from the north property line. Concrete walls around the vehicle access should be minimized and where required be treated with high quality material and

screened with landscape. The parking access visible from East Boulevard should be treated with high quality paving such as brick or concrete pavers.

4. Provision of additional information on the elevation drawings, indicating window size and location on the reflected elevations of the neighbouring building.
5. Design development to integrate utilities into the building, wherever possible. Identification on the site plan of building servicing requirements, including BC Hydro requirements.

Note to Applicant: Any required BC Hydro servicing box should be located on the East Boulevard side and within the subject site, and be well integrated into the site plan, and screened with landscape where possible.

Note to Applicant: Advanced planning will be needed to integrate utilities and access into structures and behind lockable, decorative gates or screened with landscaping. Avoid the awkward placement of utilities (pad-mounted transformers, Vista junctions boxes, underground venting) in the public realm or visible to primary walkways and entrances.

6. Provision of high quality windows and exterior finish materials compatible with the residential context.

Note to Applicant: The proposed brick and wood exterior cladding, and wood, and steel trims must be listed on the elevations and keyed to the drawings.

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

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

Note to Applicant: As with any development, the applicant must consider and design against uncommon but potential risks such as the perceived safety of underground parking areas, mischief and vandalism.

Provide a strategy that identifies the particular risks that may arise on this site and proposes specific features to mitigate them. Show on the plans where these features should be located, and provide an indicative design for them. Of particular interest are the underground parking ramp and breezeway areas. Any lighting strategy should ensure appropriate lighting levels and CPTED performance, while minimizing glare for nearby residents.



## Landscape

8. Design development to maximize the retention of trees.

Note to Applicant: The arborist report submitted with the rezoning application indicates the retention of existing street trees along Cypress Street and the 1.9' Hemlock tree located on the neighbouring site to the north. Detailed plans at the development permit stage will need to demonstrate due care and attention to avoid encroachments into the critical root zones. Any tree on a shared property line will need to be safely retained. Where a 'shared tree' is in conflict with an excavation, a neighbour consent letter should accompany the application.

9. Design development to explore opportunities for enhancing the public realm treatment at street level to provide high-quality landscaping and amenities to encourage positive social interaction in consultation with the General Manager of Planning and Development Services and to the satisfaction of the General Manager of Engineering Services by incorporating street furnishings such as permanent benches, waste receptacles and bike racks for public use.
10. Design development of the commercial patio at the southernmost tip of the site to provide a simplified open space to feature a large caliper deciduous tree located on private property within a permeable paving surround.
11. Provision of separate gated entries to the rear private patios on East Boulevard.
12. Provision of best current practices for managing water conservation including high-efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching (to be illustrated on the Landscape Plan).

Note to Applicant: Proposed plantings should be consistent with the City of Vancouver Water Wise Landscape Guidelines.

13. Provision of hose bibs for all private patios greater than 9.29 m<sup>2</sup> (100 sq. ft.), for hand watering.
14. Provision of maximum plant growing medium depth (to exceed British Columbia Landscaping and Nursery Association (BCLNA) standards) for all planted areas on structures.
15. At time of development permit application, provision of:
  - (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 of 1:100 metric or 1/8" imperial scale.

- (ii) Large scale (1:50 metric or 1/4" imperial scale) partial plans, elevations and sections illustrating the detailed treatment of the project's public realm interface at the street and lane edges; include planter walls, stairs, landscaping, soil depth (indicated by underground structures), and other landscape features, as applicable.

### Engineering

16. The following are to be addressed at the development application stage.

- (i) A canopy application is required. Canopies must be fully demountable and drained to the building's internal drainage system. Canopies are defined as a rigid roof-like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (VBBL section 1A.9.8).
- (ii) Correct the legal description on page A1.1 to read "Lot 10 of Lot M, Block 11, DL 325A, Plan 5761".
- (iii) Clarify garbage pick-up operations for both residential and commercial uses. Pick-up operations should not rely on use of public property for storage of garbage bins. Confirmation that a waste hauler can access and pick up from the location shown on the plans is required.
- (iv) Any landscaping proposed on public property is to meet the Boulevard Gardening Guidelines. Please amend the landscape plan to reflect the guidelines and submit a copy to Engineering for review.

### Sustainability - Green Building

- 17. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under LEED® Canada for Homes with a minimum of twelve energy and atmosphere points.

Note to Applicant: Provide a LEED® Canada for Homes checklist confirming that the project will achieve Gold level and a detailed written description of how the minimum target points will be achieved. Both checklist and description should be incorporated into the drawing set and significant LEED® features detailed on the plans.

- 18. Applicants are strongly encouraged to provide a deconstruction strategy for demolition of existing buildings on site to divert at least 75% of demolition waste (excluding materials banned from disposal) from the landfill. A deconstruction strategy may be submitted at the time of development permit application.

## 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 and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Director of Social Policy and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. 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 concrete curb and gutter, widened sidewalk to 1.8 m and pavement to centerline on East Boulevard adjacent the site.
  - (ii) Provision of widened sidewalk to 1.8 m on Cypress Street adjacent the site.
  - (iii) Provision of street trees adjacent to the site where space permits.
  - (iv) Provision of improved curb ramps at the Cypress Street, West 57th Avenue, East Boulevard intersection (three curb ramps will be required).
2. 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 applicants' 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.
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.

#### **Contribution toward Community Gardens**

4. Pay the amount of \$48,000 to the City, prior to enactment of the CD-1 By-law, as a contribution toward community garden improvements and/or new community gardens within the Arbutus Ridge/Kerrisdale/Shaghnessy (ARKS) area, to the satisfaction of the Director of Social Policy, and on terms and conditions satisfactory to the Director of Legal Services.

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 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 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.

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.

\* \* \* \* \*

**7249 Cypress Street  
DRAFT CONSEQUENTIAL AMENDMENTS**

**SIGN BY-LAW NO. 6510**

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"7249 Cypress Street                      [CD-1#]                      [By-law #]                      B (C-1)"

**NOISE BY-LAW NO. 6555**

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 #]                      [By-law #]                      7249 Cypress Street"

**7249 Cypress Street  
ADDITIONAL INFORMATION**

**1. Urban Design Panel**

The Urban Design Panel reviewed this application on May 8, 2013, and supported (7-1) the proposed use, density and form of development.

**Introduction:** Michelle McGuire, Rezoning Planner, introduced the proposal for a rezoning on a triangular site at the junction of Cypress Street, East Boulevard and West 57th Avenue. The site is a single lot that currently has a single family house located on it. Ms. McGuire described the context for the area noting the supermarket and the single family houses across the street. This rezoning application proposes to rezone the site from RS-6 to CD-1 to allow development of five three-storey townhouses and one commercial unit with a residential apartment above. The proposal is being considered under the Housing Demonstration Project policy that allows consideration of projects that demonstrate a new form of housing in the neighbourhood; improved affordability and a degree of neighbourhood support.

Ann McLean, Development Planner, further described the project. The proposed townhouse building has 2.5-storey expression with pitched roofs and a traditional residential expression, and a height of 35 feet. The building at the corner containing the commercial unit has a flat roof. The two buildings are separated by a breezeway. This breezeway provides access to the underground level for the commercial unit as well as outdoor space for the end unit. Private outdoor space is provided with raised terraces along East Boulevard and on the roof of the corner building. The project is proposing to achieve LEED® Gold.

Advice from the Panel on this application is sought on the following:

We ask for the UDP's comments on the proposed form, height, density and use with particular regard to:

- the relationship of the proposed buildings to each of the site edges; and
- amount and design of open space on the site.

Ms. McGuire and Ms. McLean took questions from the Panel.

**Applicant's Introductory Comments:** Paul Lebofsky, Architect, further described the proposal and mentioned that there is not any impact on the East Boulevard side of the site and there is a church across the road. They have included residential over commercial with an apartment. The residential portion has been staggered back to respect the zoning envelopes and to reflect the stepping of the existing building that flanks the building on the north. He added that it is a modest project that they feel fits well into the neighbourhood. Mr. Lebofsky described the landscape plans noting that they will be enhancing the street trees and will retain the existing trees on the site. Flowering trees will be added in front of the commercial building.

The applicant team took questions from the Panel.

**Panel's Consensus on Key Aspects Needing Improvement:**

- Consider making a more distinct rhythm along the street edge;
- Consider softening the edge along East Boulevard.

**Related Commentary:** The Panel supported the proposal and thought it was well done and supported the form, height and density.

The Panel thought it was a handsome little project and that the commercial building had been on the site for decades and that it would be a welcome addition on the corner. The Panel liked the unit layouts as well as the use of materials. The Panel did not have any issues with the relationship to the side edges.

Some Panel members thought the second townhouse could be shifted back to make the legibility of the massing clearer and would give a more distinct rhythm to the massing. A couple of Panel members suggested staggering the townhouse units to make the units read better. While another Panel member suggested anchoring the commercial to the townhouses.

The Panel supported the landscape plans, however, one Panel member thought the edge along East Boulevard was too high and needed some softening. Another Panel member noted that the access to the south unit was cumbersome.

**Applicant's Response:** Mr. Lebofsky thanked the Panel and said they would take the comments under consideration.

## **2. Comments – General Manager of Engineering Services**

The General Manager of Engineering Services has no objection to the proposed rezoning, provided that the applicant complies with conditions as shown in Appendix B.

## **3. Comments – Landscape Design**

The Landscape Development Specialist reviewed the rezoning application and, in a memo dated June 8, 2013, provided conditions for inclusion in the staff report as shown in Appendix B. The following comments were provided by the Landscape Specialist:

This application is proposing the retention of existing street trees along Cypress Street and new street trees on East Boulevard. Excavation for the driveway ramp to the underground parking garage on East Boulevard may be in conflict with the safe retention of the neighbour's Hemlock (tree) located adjacent to the north edge of the development site. In regards to ensuring adequate protection for the neighbouring tree protection, further design development will be needed.

The rezoning documents show the removal of several healthy site trees. Staff note the unavoidable loss of existing tree canopy, given the location of the proposed buildings.

There may be opportunities to further explore landscaping of the public realm on East Boulevard and West 57th Avenue. Simplifying the planting arrangement of new trees and shrubs within the patio area at the southernmost corner of the site will benefit pedestrian circulation between West 57th Avenue and East Boulevard. The boulevard adjacent to the proposed private patios along East Boulevard may be more fully developed with residential quality landscaping to soften the west building façade. Provision of gated private patio entrances may further benefit the residential quality landscaping along East Boulevard.

#### 4. Public Input

Subsequent to receipt of a formal application, emails, phone calls and open house feedback form have been received from 19 members of the public.

The following concerns regarding the application were raised:

- The proposal will exacerbate existing traffic congestion and parking issues in the area.
- The approval of this rezoning will set a precedent for further rezonings in the area.
- The development will not pay enough toward public amenities and improvements in the neighbourhood.
- The development will cause the need for a traffic light to be installed at East Boulevard and West 57th Avenue.
- The proposed commercial unit does not provide any parking therefore it will add to the parking issues already experienced in the area on the adjacent streets.
- The proposal is too dense. Six units on one single family property is too many and will create too many impacts.
- The proposed form of development and design are not in keeping with the existing single family residential character of the area.
- The proposed form of development is similar to apartments and would threaten the existing quiet residential character of the area.
- The existing proposal will not attract empty nesters as there are too many stairs for people who are looking to downsize and “age in place”.
- The commercial unit should not include a pub or wine bar.
- The proposal should not use East Boulevard like a back alley as it is a residential street.
- The development will exacerbate existing pedestrian safety issues. It is already very difficult to cross the adjacent main streets like West 57th avenue and West Boulevard.
- The proposal is not supported by the ARKS Community Vision.

The following comments were received in support of the application:

- The proposal appears to be a well-designed development, with good reference to the existing single family housing predominant in the neighbourhood.
- In favour of the potential for the project to add to the vibrancy of the area with the addition of the new commercial unit as well additional neighbours.
- The proposed townhouses will provide some housing variety.
- The townhouses will integrate well with the existing single family streetscape.
- The proposed vehicle access for the underground parking is in the right location away from West 57th Avenue.
- The commercial unit should be community oriented with local serving uses.
- The development should contribute to community amenities in the area.
- The proposal meets the intent of the ARKS Community Vision to add additional housing variety close to shopping.
- The proposal will strengthen and support the existing shopping area.
- The housing units will be more affordable than adjacent single family development and will allow additional families to locate in the neighbourhood.

\* \* \* \* \*



7249 Cypress Street  
FORM OF DEVELOPMENT

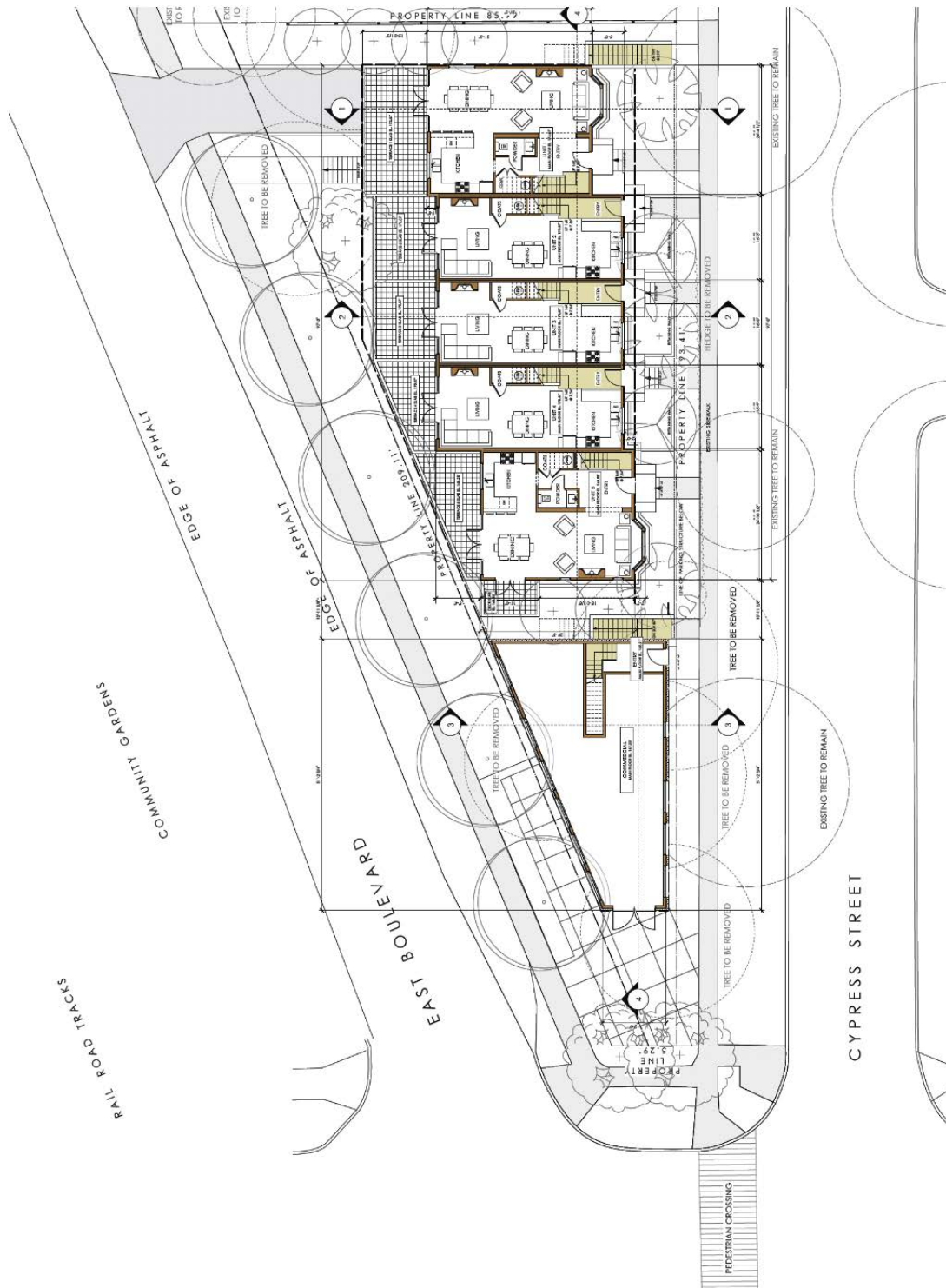
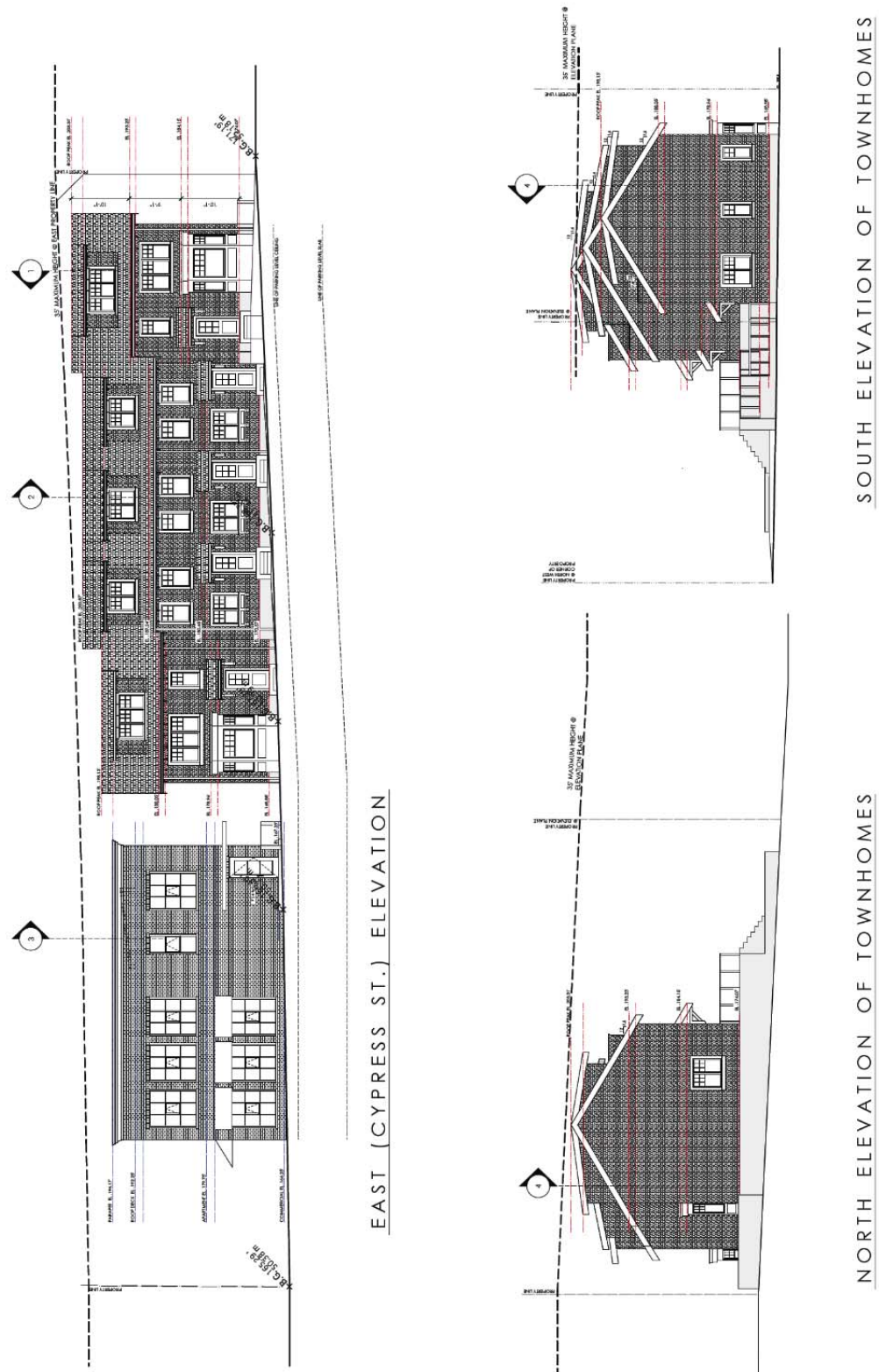


Figure 1: Site Plan



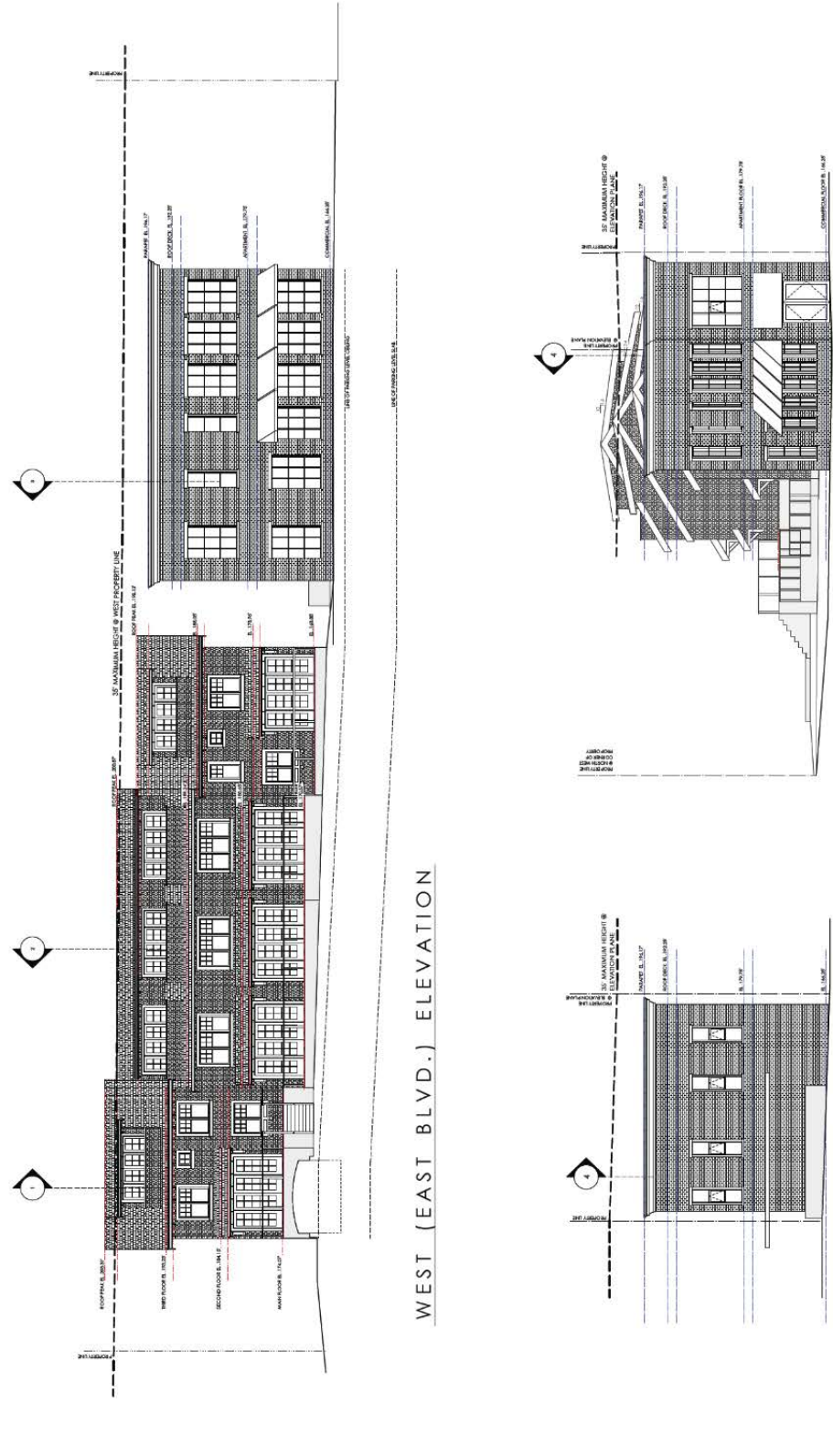


Figure 3: Elevations (East Boulevard and North and South Elevations of the Commercial Building)







Figure 5: Landscape Plan



CYPRESS STREET RENDERING

Figure 6: Rendering (Cypress Street)

7249 Cypress Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Housing Demonstration Project with five family-oriented townhouses and one commercial unit with a residential apartment unit above.

**Public Benefit Summary:**

The application would generate a contribution toward improving existing community gardens and creating new community garden plots within the ARKS Community.

	Current Zoning	Proposed Zoning
Zoning District	RS-6	CD-1
FSR (site area = 8,827 sq. ft./820 m <sup>2</sup> )	0.7	1.2
Buildable Floor Space (sq. ft.)	6,179	10,592
Land Use	One-Family Dwelling	Multiple Dwellings and commercial uses

Public Benefit Statistics		Value if built under Current Zoning	Value if built under Proposed Zoning
Required*	DCL (City-wide)	\$17,981	\$41,912
	Public Art	N/A	
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		\$48,000
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$17,981	\$89,912

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ for each of the Area Specific DCL Districts.

**7249 Cypress Street**  
**APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT AND PROPERTY INFORMATION**

Street Address	7249 Cypress Street
Legal Description	PID 011-076-241; Lot 10 of Lot M, Block 11, District Lot 325A, Plan 5761
Applicant/Architect	The Airey Group/Matrix Architecture and Planning Inc.
Property Owner/Developer	7249 Cypress Development Corp/The Airey Group

**SITE STATISTICS**

Site Area	820 m <sup>2</sup> (8,827 sq. ft.)
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**DEVELOPMENT STATISTICS**

	Development Permitted Under Existing Zoning	Proposed Development	Recommended Development (if different than proposed)
Zoning	RS-6	CD-1	
Uses	Single Family Residential	Multiple Dwelling and various commercial uses	
Maximum Floor Space Ratio	0.7	1.2	
Maximum Floor Area	6,179 sq. ft.	10,592 sq. ft.	
Residential Floor Area	6,179 sq. ft.	9,944 sq. ft.	
Commercial Floor Area	not permitted	1,038 sq. ft.	
Maximum Height	35.1 ft. (conditional)	35.1 ft.	
Site Coverage	40%	49%	
Parking Spaces	1	10	
Bicycle Spaces	0	12 Class A	

\* \* \* \* \*