



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: July 9, 2013
Contact: Kent Munro
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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 - 755-795 West 41st Avenue

RECOMMENDATION

A. THAT the application by Arno Matis Architecture Inc., on behalf of Buffalo Investment (Canada) Ltd., to rezone 755-795 West 41st Avenue (*Lots 1 to 5 of Lot 2, Block 998, District Lot 526, Plan 8455; PIDs: 010-074-759, 010-074-783, 010-074-821, 010-074-864 and 010-074-881 respectively*) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.87 and the height from 10.60 m (35 ft.) to 19.50 m (64 ft.) to permit the development of two six-storey residential buildings and two-storey townhouses containing a total of 74 residential units, be referred to a Public Hearing, together with:

- (i) plans prepared by Arno Matis Architecture Inc., received September 21, 2012;
- (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 Public Hearing.

B. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C;

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

- C. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C;

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.

- D. THAT Recommendations A to 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; 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 five lots located at 755-795 West 41st Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of two six-storey residential buildings and two-storey townhouses containing 74 dwelling units all over two levels of underground parking. Staff have assessed the application and find that it meets the intent of the Cambie Corridor Plan. 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

Relevant Council Policies for this site include:

- Cambie Corridor Plan (2011)
- Transportation 2040 (2012)
- Green Building Rezoning Policy (2010)
- Community Amenity Contributions Through Rezonings (1999).

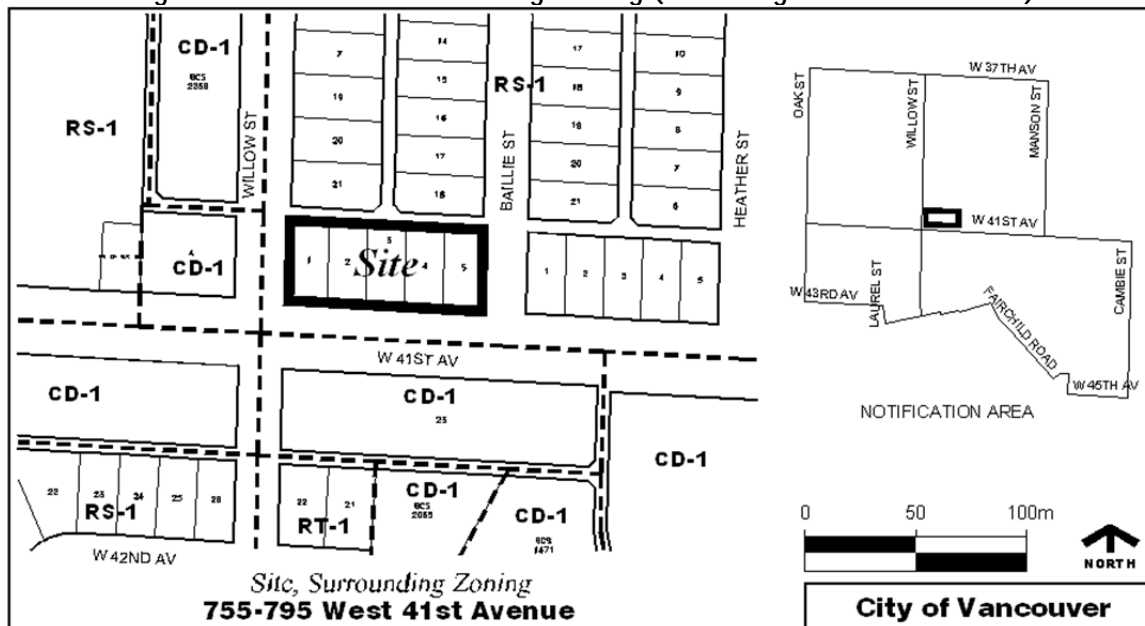
REPORT

Background/Context

1. Site and Context

This 3,180.4 m² (34,234 sq. ft.) site is located on the north side of West 41st Avenue between Willow and Baillie streets (see Figure 1). The site is comprised of five legal parcels and has 87.0 m (285.6 ft.) of frontage along West 41st Avenue and 36.6 m (120 ft.) of frontage along each of Willow and Baillie Streets. Detached housing is located to the north and east of the site. Further to the east is the Cambie Street shopping area. To the south is a mix of institutional and residential development as well as the Oakridge Shopping Centre. To the west is a mix of varying forms of residential development and the Translink Bus Barns site.

Figure 1: Site and surrounding zoning (including notification area)



2. Policy Context

In 2011, Council adopted Phase 2 of the Cambie Corridor Plan (CCP). Phase 2 culminated a comprehensive planning process that identified land uses, density, building heights, and building forms for sites along the arterial streets within the Cambie Corridor, with an emphasis on mid-rise building forms.

Section 4 of the CCP (the “Neighbourhoods” section) provides direction for development in each area of the corridor, including neighbourhood character, public realm and urban design principles. The rezoning site is located within the “Oakridge Town Centre” neighbourhood. In this neighbourhood, the CCP calls for residential buildings along West 41st Avenue that enhance the public realm with wide green setbacks and additional landscaping.

Subsection 4.4.3 specifically supports residential buildings up to six storeys in height with consideration for up to eight storeys in close proximity to Cambie Street. A density range of 2.0 to 2.5 floor space ratio (FSR) is suggested, but is not a maximum. The housing strategy of the CCP also calls for 25% of the units to be suitable for families (two bedrooms or more). This application proposes that 38 of the 74 units be two-bedroom units and 20 units be three-bedroom units, achieving 81% of the total units as suitable for families.

Strategic Analysis

1. Proposal

The application is for a residential development with two six-storey buildings along West 41st Avenue and two-storey townhouses located along the lane all over two levels of underground parking. The application proposes to increase the maximum FSR from 0.70 to 2.87 and to increase the maximum height from 10.60 m (35 ft.) to 19.50 m (64 ft.). The proposal contains 74 dwelling units with a total residential floor area of 9,128 m² (98,252 sq. ft.). The proposal includes a courtyard that separates the six-storey buildings from the two-storey townhouses along the lane.

2. Density

The CCP indicates that supportable density on any particular site is to be determined by analysis of site-specific urban design and public realm performance. The ultimate floor space ratio may be higher than the estimated range noted in the CCP as long as the built-form guidelines have been successfully achieved. Staff have concluded that, based on the proposed built-form, setbacks and massing, the 2.87 FSR can be achieved in this particular instance.

3. Form of Development (refer to drawings in Appendix E)

The proposed buildings follow the recommended form of development in the CCP for building height and length. The CCP limits height to six storeys, and recommends that building length be no more than 45.7 m (150 ft.) to allow for sunlight and a general feeling of openness between buildings. In this application, both of the main buildings are less than 36.5 m (120 ft.) in overall length, separated by a central open space that is 7.9 m (26 ft.) between buildings, except at the stairs.

For residential buildings, the CCP recommends a setback of 3.1 to 4.6 m (10 to 15 ft.) from the street, depending on the character of the street. The top two levels should be stepped back from the street to create a consistent four-storey street wall, with a similar step back at the rear to minimize shadowing onto nearby properties. In the application, the exterior walls are set back at least 3.1 m (10 ft.) from the existing southern property line along West 41st Avenue, and there is a step back of 2.4 m (8 ft.) at the fifth level, which meets the general intent of the CCP. A comparison of the application to a typical form of development anticipated by the CCP is provided in Appendix E.

The proposed townhouses that front the rear lane generally follow the built form guidelines for the Cambie Corridor in terms of height, building length and spacing from the street-facing buildings that are noted above. The CCP recommends that rear setbacks be similar to those of Laneway Houses to allow for an appropriate transition to the lane, including landscaping.

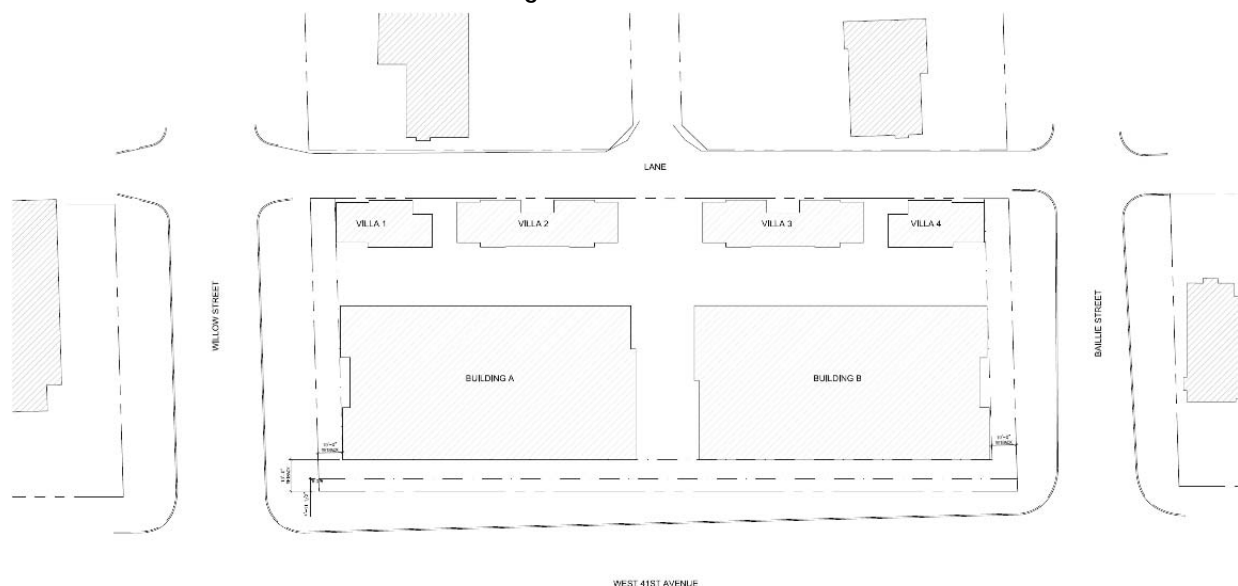
Through a condition of approval (Appendix B), staff are recommending that a minimum setback of 0.6 m (2 ft.) be provided from the lane for the townhouse buildings.

The proposed exterior treatment is characterized by a number of decorative angled fins that extend out from the exterior walls, giving the building a distinctive visual expression in the context of the Cambie Corridor. Staff considered a number of factors that provide support for this approach to the built expression in this case, including:

- the arterial character of West 41st Avenue,
- the existing and planned scale of buildings in the nearby context such as Oakridge Centre,
- the planned expansion of the public realm for pedestrian and bicycling spaces,
- the neighbourhood response to notification,
- the shadow studies provided,
- the proposed building setbacks and upper level step back,
- the reduced massing at the rear of the main building as compared to a typical Cambie Corridor building,
- the relatively shallow floor plates that improve residents' access to natural light,
- the strong support by the Urban Design Panel for this particular design, and
- the value of architectural variety in the Cambie Corridor.

Based on the above considerations, and subject to the fulfillment and development of the proposed building features at the development permit stage, staff support the proposed combination of street setbacks and exterior treatments.

Figure 2: Site Plan



Staff conclude that the design responds well to the expected character of this area and support the application, subject to the design conditions noted in Appendix B.

4. Transportation and Parking

Access to the underground vehicle and bicycle parking is proposed from the rear lane. Parking for the proposed development includes 115 vehicle spaces, 96 class A bicycle spaces and 22 class B bicycle spaces. 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.

5. 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, with targeted points for energy performance, water efficiency and stormwater management; along with registration and application for certification of the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

Under the Rezoning Policy for Cambie Corridor, all new buildings must be readily connectable to a district energy system. Additionally, agreements are required to ensure connection to a low-carbon district energy system if and when available. Conditions of rezoning have been incorporated that provide for district-energy-system compatibility and future connection.

Public Input

The City of Vancouver Rezoning Centre webpage included notification and application information as well as an online comment form. Notification signs were also posted on the site on November 13, 2012. An open house was held on November 20, 2012, with staff and the applicant team present. Approximately 27 people attended the event and three comment forms were received. Two of the comments forms indicated concern about increased traffic congestion and the proposed height of the proposal. The third comment form indicated preferences for the proposed unit layouts.

Public Benefits

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

Required Public Benefits:

Development Cost Levies (DCLs) – Development Cost Levies collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The site is located in the Oakridge-Langara DCL area where the current rate is \$79.49/m² (\$7.39/sq. ft.). On this basis, a DCL of approximately \$726,082 would be anticipated.

Council recently approved replacement of the area-specific Oakridge-Langara DCL with the City-wide DCL. This change will take effect on March 12, 2014. If this rezoning application is approved by Council, the project may be subject to City-wide DCL rates which are currently \$134.55/m² (\$12.50/sq. ft.) depending on when a building permit application is submitted for

the project. If the City-wide DCL rate is in effect at the time of building permit application submission, a DCL of approximately \$1,228,150 would be anticipated.

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.

Offered Public Benefits:

Community Amenity Contribution (CAC) – In the context of the City's Financing Growth Policy and the CCP, the City anticipates voluntary CACs from the owner of a rezoning site to help address the impacts of rezoning. Contributions for Cambie Corridor rezoning applications are evaluated by staff in light of the increase in land value expected to result from rezoning approval, community needs, area deficiencies and the impact of the proposed development on City services.

In order to provide more certainty and clarity as sites along the Cambie Corridor redevelop and to improve processing efficiency for rezoning applications, an approach to CACs based on a target CAC rate is being implemented beginning with this application. A target CAC rate will be applied for all four- to six-storey residential rezoning proposals within the Cambie Corridor Plan Phase 2 area (see diagram in Appendix F). All other rezoning applications would continue to be processed using a negotiated approach for CACs. The target CAC rate will be reviewed and adjusted from time to time to ensure that the rate is appropriate.

Based on an evaluation of previously approved Cambie Corridor rezonings, a target CAC rate of \$55 per square foot, based on the net additional increase in floor area, has been determined to be appropriate for this application and for future Phase 2 area residential rezonings of four- to six-storeys in height. This target CAC rate falls within the range of CAC contributions that arose from previous rezoning applications and it appropriately reflects the increase in land value expected to result from rezoning.

Based on the \$55/sq. ft. fixed-rate target, this applicant has offered a cash CAC of \$4,080,000. Real Estate Services staff recommend that this offer be accepted.

Staff recommend that this CAC be allocated as follows:

- \$2,040,000 to the affordable housing fund, to be spent in the Cambie Corridor area.
- \$1,790,000 towards additional childcare facilities in the Cambie Corridor area.
- \$250,000 towards constructing a portion of the future walking and cycling infrastructure on West 41st Avenue.

See Appendix G for a summary of the public benefits that would arise should this application be approved.

FINANCIAL IMPLICATIONS

As noted in the section on Public Benefits, the applicant has offered a cash CAC of \$4,080,000, to be allocated to the Affordable Housing Fund (\$2,040,000), childcare in the Cambie Corridor area (\$1,790,000), and walking and cycling infrastructure on West 41st Avenue (\$250,000). Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

The site is currently within the Oakridge-Langara DCL District and, as of March 12, 2014, that area will be incorporated in the City-wide DCL District. It is anticipated that the applicant will pay approximately \$726,082 to \$1,228,150 in DCLs, depending on when the applicant applies for a Building Permit (before or after March 12, 2014).

CONCLUSION

Staff assessment of this rezoning application has concluded that the proposed form of development represents an acceptable urban design response to the site and context. The proposal includes unique and imaginative architecture that was supported by the Urban Design Panel. Planning staff conclude that the application is consistent with the Cambie Corridor Plan with regard to land use, density, height and form.

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.

* * * * *

755-795 West 41st Avenue
DRAFT 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) Multiple Dwelling; and
 - (b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of Use

3. The design and lay-out of at least 25% of the dwelling units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines".

Floor area and density

- 4.1 Computation of floor space ratio must assume that the site consists of 3 180.4 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

- 4.2 The floor space ratio for all uses must not exceed 2.87.
- 4.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 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:
 - (i) the total area of all such exclusions must not exceed 12% of permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.
- 4.5 Computation of floor area may exclude amenity areas, except that the total exclusion must not exceed the lesser of 20% of permitted floor area or 929 m².
- 4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any purpose other than that which justified the exclusion.

Building Height

- 5 Building height, measured from base surface, must not exceed 19.5 m.

Setbacks

Setbacks for all storeys up to and including the fourth storey, must be a minimum of:

- (a) 3.0 m from the east property line,
- (b) 3.0 m from the west property line,
- (c) 0.6 m from the north property line, and

- (d) 3.9 m from the south property line existing as of September 21, 2012,

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) architectural appurtenances such as decorative exterior fins or fixed external shading devices,
 - (ii) steps,
 - (iii) balconies, eaves, bays or similar features,
 - (iv) entry porches located at the basement or first storey,
 - (v) cantilevered eaves forming part of a porch,
 - (vi) chimneys or piers,
 - (vii) underground parking and storage structures located entirely below grade,
 - (viii) access structures to underground parking, and
 - (ix) hydro and gas utility meters, vaults or similar equipment, and
 - (x) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.

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 m².

Acoustics

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

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

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755-795 West 41st Avenue
PROPOSED 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 THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Arno Matis Architecture Inc., on behalf of Buffalo Investment (Canada), and stamped "Received City Planning Department, September 21, 2012", 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. Provision of a rear yard of at least 0.6 m (2 ft.) to accommodate landscaping and a transition to the residential lane.

Note to Applicant: The setback from the lane should be increased around building entries to accommodate hand rails, steps, landings, and similar features.

- 2. Design development to dwelling units to accommodate a more usable entrance area and patio, and to reduce blank wall conditions at the rear of the site.

Note to Applicant: The intent is to provide a safe, active and green interface around unit entries and townhouses. In particular, avoid designs that create an abbreviated or abrupt transition from the suite into the public realm. In some cases this can be improved by reorienting outdoor stairs, by providing more landing or patio area, or by providing more buffer space in the form of planted setbacks. See also Landscape Conditions.

- 3. Design development to meet the *Cambie Corridor Draft Public Realm Plan* including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

4. Design development to create more distinctive and visually notable common entryways for the two main buildings.

Note to Applicant: Some creativity will be needed to distinguish the public entries within each street-facing façade, given the variety of exterior treatments proposed. See Section 5 of the *Cambie Corridor Plan* for more information.

5. Design development to mitigate privacy and overlook issues for new and existing residents.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features needed to balance access to natural light with privacy concerns.

6. Provision of a universally accessible ramp connection between West 41st Avenue and the children's play space in the Amenity Terrace.

7. Design development to create open spaces suitable for children's play with adjacent common amenity rooms.

Note to Applicant: Staff commend the applicant for providing a wide range of units, and recommend that the various amenity areas and open spaces be rearranged to improve the functionality of these common areas for families with children. See the *High-Density Housing for Families with Children Guidelines* for more information.

8. Consideration to provide a better visual connection through the site from south to north.

Note to Applicant: Intent is to augment the visual and physical openness of the site created by building separation. This can be accomplished by reducing or relocating the structure over the parkade ramp, by providing through pathways, or other measures.

9. Provision of enlarged building details at ½" = 1'-0" scale or better for the various positions and intersections of the exterior fins and frames.

Note to Applicant: Staff commend the architect for the distinctive expression and solar shading created by these elements. Intent is to show how the quality and variety of the exterior design proposed at rezoning will be achieved in detail. Drawings should be in plan and section.

10. Provision of high quality and durable exterior finishes.

Note to Applicant: Intent is to maintain the proposed architectural quality, including the material palette of wood veneer, metal frames, white concrete and glass.

11. Revision of the plans to remove habitable rooms from the underground parkade level;

Note to Applicant: Direct access to the suite, including stairways and elevators, and storage rooms up to 3.7 m², may be retained and excluded from floor area.

12. Confirmation that:

- (i) the courtyard width between the main buildings and the townhouse buildings, and
- (ii) the setbacks (at ground level and above the 4th level) and building separation for the two six-storey buildings,

as shown on Drawing Numbers A.202 and A.206 (submitted as part of the rezoning application on September 21, 2012), have been maintained;

Note to Applicant: Intent is to ensure consistency of the development permit with the upper floor step back and open spaces around the proposed buildings that were proposed at rezoning.

Crime Prevention Through Environmental Design (CPTED)

13. Design development to respond to CPTED principles, having particular regards for:

- (i) theft in the underground parking;
- (ii) residential break and enter;
- (iii) mail theft; and
- (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

14. Provision of 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.

Note to Applicant: The deconstruction strategy should be provided at the time of development permit application.

15. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold as required by the *Green Buildings Policy for Rezoning*s, including a minimum of 63 points in total, 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.

16. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future District Energy System to supply all heating and domestic hot water requirements. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

17. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
18. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Landscape Review

19. Provision of urban agriculture in the form of edible landscaping and including some areas (planters or plots) suitable for urban agriculture activity. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should reference the *Urban Agriculture Guidelines for the Private Realm* and should maximize sunlight, integrate into the overall design and provide universal access.
20. Provision of a high quality public realm adjacent the site, including a double row of street trees along the West 41st Avenue frontage.
21. Design development to improve the edge condition at the site perimeter, within semi-private patio spaces and between buildings.

Note to Applicant: Attention will be needed to ensure that common areas (walkways, breezeway, patios, corridors) are pedestrian friendly and visually clear, avoiding dead ends and ambiguous way finding. Ground oriented semi-private residential patios and areas between buildings should be more clearly delineated, respecting CPTED principles (security, ownership, safety). Grade resolution at the lane should be resolved on private property (unit access stairs are shown to encroach into the lane). Self-supporting architectural walls exposed to the public realm should be surfaced or screened with landscaping to mitigate opportunities for graffiti.

22. Design development to provide substantial greening of the roof deck, including permanent planters, seasonal tree canopy cover and adequate soil volumes/ irrigation.

23. Design development to locate site utilities and vents on private property and integrate them discreetly into the building, avoiding landscaped and common areas.
24. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.
25. At time of development permit application:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical names and the size and quantity of all existing and proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements, the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a detailed "Tree Removal/ Protection/ Replacement Plan" (refer to Protection of Tree bylaw, sec.4.3).

Engineering

26. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the *Parking By-law* and the *Parking and Loading Design Supplement*:

- (i) Engage the services of a Transportation Consultant to review and modify the Class B loading.

Note to Applicant: The Class B loading space does not appear to have adequate maneuvering to turn around and exit up the parking ramp.

- (ii) Modify the parking ramp design to provide a smooth transition through the inside radius at the bottom of the main parking ramp that does not exceed 12.5% slope.

Note to Applicant: The current design appears to show a 2 ft. drop at this inside corner.

- (iii) The provision of parallel visitor parking spaces is not supported.

Note to Applicant: It is almost impossible to back into visitor space #2 because of the distance between the drive aisle in front of parking spaces 3 to 7 and the position of this space.

27. Correct the legal description on page A.101. It should be corrected to read "Lots 1 to 5 of Lot 2, Block 998, District Lot 526, Plan 8455".
28. Clarify if steps or pavers are proposed over the property line in the lane. Delete those portions of steps or pavers that encroach onto public property.
29. Modify the landscape plan to reflect the agreed upon improvements on public property and submit a copy of the revised plan directly to Engineering for review.
30. Please add the followings notes to the landscape plan.
 - (i) Note: Should construction damage to the City sidewalks result in greater than 50% of the sidewalks needing repairs they are to be reconstructed to the standard in place at the time of sidewalk repairs and will likely be wider than currently shown on the plans.
 - (ii) Note: This plan is Not for Construction of any public property facilities. Prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services and be issued as "For Construction"; 8 weeks' notice is requested. No work on public property may begin until plans receive "for construction" approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details.
 - (iii) Note: This site will require an interconnected water services (2 connection points) please contact water design branch for details.
 - (iv) Note: Please confirm with water design branch that the water meter room is located correctly.
31. Please clarify garbage pickup operations. Confirmation that a waste hauler can access the garbage area and pick up from the location shown is required.

Soils

32. A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media that may be contaminated and may be encountered during any subsurface work at the site.

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 Managing Director of Cultural 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. Consolidation of Lots 1 to 5 of Lot 2, Block 998, District Lot 526, Plan 8455 to create a single parcel.
2. Dedication of the south 1.8 m along West 41st Avenue of the site for road purposes.

Note to Applicant: A Subdivision application will be required.

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 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 standard concrete lane entries at the lane north of West 41st Avenue on the west side of Baillie Street and the east side of Willow Street
 - (ii) Provision of 1.8 m standard concrete sidewalk on Baillie Street adjacent the site.
 - (iii) Provision of improved curb ramps on West 41st Avenue at the Baillie and Willow Street corners of the site.
4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. 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.

Sustainability

5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a District Energy System, if and when the opportunity is available and in accordance with the City's policy for *District Energy Connectivity Standards* and the *Cambie Corridor Plan*, which may include but are not limited to agreements which:
 - (i) require buildings on site to connect to a District Energy System, once available;

- (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling District Energy System connection and operation; and
- (iii) grant access to and use of suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

Soils

6. If applicable:

- (i) Submit a site profile to the Environmental Protection Branch (EPB);
- (ii) 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; and
- (iii) 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Community Amenity Contribution (CAC)

7. Pay to the City the Community Amenity Contribution of \$4,080,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$4,080,000 CAC is to be allocated as follows:
- (i) \$2,040,000 to the affordable housing fund;
 - (ii) \$1,790,000 to childcare facilities in the Cambie Corridor area; and
 - (iii) \$250,000 to construct a portion of the future walking and cycling infrastructure on West 41st Avenue.

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.

755-795 West 41st Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

Add the CD-1 to Schedule C of the Parking By-Law with the following provisions as Parking Requirements:

Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Parking By-Law on *[date of enactment of CD-1 By-law]*; except that:

- the minimum residential parking requirement may be reduced by 10%; and Class A loading for residential uses must be provided at a rate of 0.01 per dwelling unit.

DRAFT AMENDMENTS TO THE SUBDIVISION BY-LAW NO. 5208

A consequential amendment is required to delete Lots 1 to 5 of Lot 2, Block 998, District Lot 526, Plan 8455; PIDs: 010-074-759, 010-074-783, 010-074-821, 010-074-864 and 010-074-881 from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

* * * * *

755-795 West 41st Avenue
ADDITIONAL INFORMATION

Urban Design Panel

EVALUATION: SUPPORT (8-0)

Introduction: Ian Cooper, Rezoning Planner, introduced the proposal for a rezoning of five lots on West 41st Avenue between Willow and Baillie Streets. The rezoning is from RS-1 (single family) to CD-1 (comprehensive development) to add multiple unit residential use, increase the density from 0.6 to 2.87 and increase the maximum height from two storeys to six.

The project is for two 6-storey apartment buildings along West 41st Avenue and 2-storey townhouses on the lane. Approximately 20% of the units will be rental with more than 50% being two bedrooms or greater. There is a planned courtyard between the main building and the townhouses. Mr. Cooper noted that LEED™ Gold is required under the green rezoning policy. He added that the site will potentially be heated by a district energy system. The site falls under the Cambie Corridor Plan and generally meets the requirements in the plan.

Sailen Black, Development Planner, further described the proposal and the context for the area with single-family homes to the north with the Oakridge Shopping Mall to the southeast. Mr. Black noted that there is 26 feet between the two main buildings and each building is about 119 feet in length. He described the architecture and mentioned the undercut form that is created by the overhanging second storey, the setbacks around the buildings as well as the distinctive exterior with expressed fins and edges. As well he described the policy for the site, the Cambie Corridor Plan, noting that townhouses are recommended on the lane for deeper lots.

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

- Handling of courtyard and open spaces in terms of liveability and amenity for future residents;
- Spacing between buildings in the streetscape; and
- Handling of the public realm interface around the edges of the site, noting distinct site conditions of rear lane, bicycle upgrades, arterial traffic, and secondary local streets.

Mr. Cooper and Mr. Black took questions from the Panel.

Applicant's Introductory Comments: Arno Matis, Architect, further described the proposal noting that they meet or exceed all of the Cambie Corridor Plan courtyard spacing requirements. The townhouses on the lane have a single stand-alone unit on each corner with two duplex units in between. The parking entrance is mid-block and all of the loading and garbage is handled below grade. On the West 41st Avenue side the two large massing blocks vary a little bit in elevation with the stepping down of the grade. As well each building has its own separate core at grade. There is a social amenity space on each side of the south facing courtyard with an interior space and a social space in the courtyard. The project consists of rental units and the corner units are multi storey garden units. There are also a number of two bedroom units to meet the requirement for family housing. Mr. Matis noted that the shadowing to the north is decreased due to the shaping of the buildings. There are two

outdoor social spaces on the roofs and then there are also some private decks in the corners of both buildings.

Chris Phillips, Landscape Architect, described the landscape plans noting that they tried to take advantage of private ground floor spaces and every roof top. Every ground floor unit has some outdoor space while the courtyard has bamboo screening to give some privacy between the units. At the front the units will have access from West 41st Avenue. Also along West 41st Avenue is a planned bicycle route with a tree lined boulevard. There are three social spaces planned. One is at the ground plane between the two buildings and the two amenity spaces in each building flank that outdoor space. A dual level reflecting pool is planned for over the parking garage entry. It is proposed to have a centre swale of cobble and scored concrete in the lane. As well there is some greening on the lane edges. Willow Street will have a station for bicyclists with bike racks and a drinking fountain.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Consider adding access through the courtyard from West 41st Avenue to the lane;
- Consider moving the townhouse entries to the side rather than facing the lane.

Related Commentary: The Panel supported the proposal and thought it was a well-designed project. The Panel supported the height, use, form and density and as well they appreciated the quality of the architecture. One Panel member noted that the applicant had a fundamental understanding of the urban context and the regulatory guidelines and was working with them in a clear way. The Panel agreed that the building form was original and would set a precedent in the neighbourhood.

Several Panel members suggested moving the townhouse entries to each side rather than having them front the lane. Several Panel members thought there might be some privacy issues with the balconies and suggested using the guards and dividing elements to further the privacy. Most of the Panel would like to see greater penetration through the courtyard rather than having the circulation stopped at the water feature. One Panel would like to see a semi-public walkway through the site. They also noted that the narrow buildings were a good solution for adding more sunlight into the units.

The Panel liked the way the courtyard was handled but thought the bamboo meeting the trees might not be appropriate. Although they thought 26 feet was narrow for the courtyard, they agreed that it should be well detailed to make it work. One Panel member suggested mimicking the modular expression of the building in the use of the materials for the bike racks.

Applicant's Response: Mr. Matis thanked the Panel for their comments. He said he liked the ideas of having the entrances to the townhouses from the courtyard rather than directly off the lane. As well he said he appreciated the comments regarding the flow through the courtyard and the pedestrian access.

Building Code Review

The following comments are based on the preliminary drawings prepared by Arno Matis Architecture Inc., stamped September 21, 2012 for the proposed rezoning application. This is a preliminary review in order to identify issues which do not comply with the Vancouver Building By-law.

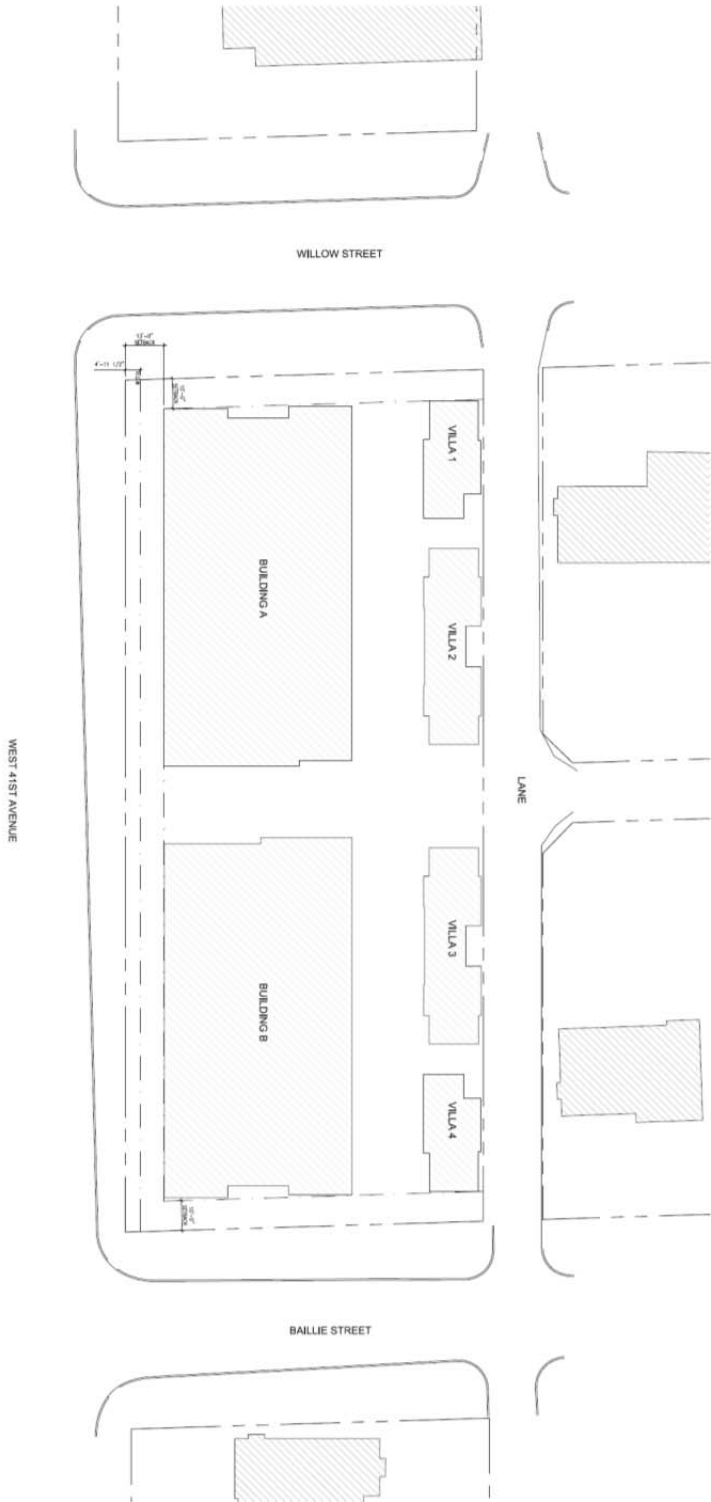
As a general note: this project consists of a single building over a common underground storage garage. There are 2 towers (3.2.6 requirements for high buildings does not apply) separated by a central breezeway, and, low-rise townhouses at the North of the site.

1. Exits at the 2 towers are non-conforming. A minimum of 2 exits per floor are required within both of the 2 towers however the plans only show 1 potential exit at ground level via an exit lobby in both towers, albeit with residential suites opening directly onto these lobbies in contravention of Clause 3.4.4.2.(2).(c) of the Building By-law. At the exit stairwells in both towers there is no indication of where the second proposed exit stair leads to (i.e. 1 leads to an exit lobby, the 2nd stair does not exit at ground level). This means that floor levels 2 through 6 in both towers are only served by 1 exit (2 are required).
2. The plans do not clearly show the means of egress/exits from the storage garage. The stairs do not lead to the towers' ground floor exit lobbies, they appear to discharge at the breezeway but the plans do not show a connection between the stairs at the breezeway and the exit stairwells in the storage garage. A minimum of 2 exits must be provided from the storage garage beneath the towers. Other issues noted are: convergence of exits at the breezeway is not permitted if these are the only 2 exits from the parking garage, and, at the West tower the door that opens onto the ground floor public corridor from the upper landing of the proposed exit stairwell of the storage garage obstructs the width of the means of egress (public corridor) in contravention of Sentence 3.3.1.23.(1) of the Building By-law.
3. The scale of the drawings makes it difficult to confirm exact dimensions however it appears that there are dead end public corridors in both towers that exceed the 6 m maximum length permitted by Sentence 3.3.1.9.(7) of the Building By-law, and, the distance between the proposed exits at floor levels 2 thru 6 appears to be less than the 9 m minimum required by Clause 3.4.2.3.(1).(b) of the Building By-law.
4. Disabled access to the bike storage rooms is a requirement of Clause 3.8.2.27.(4).(e) of the Building By-law. The rooms containing 41 storage lockers and 18 storage lockers are not accessible to disabled persons as drawn since they do not have the clearances to the latched sides of the entry doors (at the corridor) or the clear level areas both sides of these doors as required by Sub-Clauses 3.3.1.13.(10).(b).(i) and (ii) of the Building By-law.

* * * * *

755-795 West 41st Avenue
FORM OF DEVELOPMENT

Site Plan



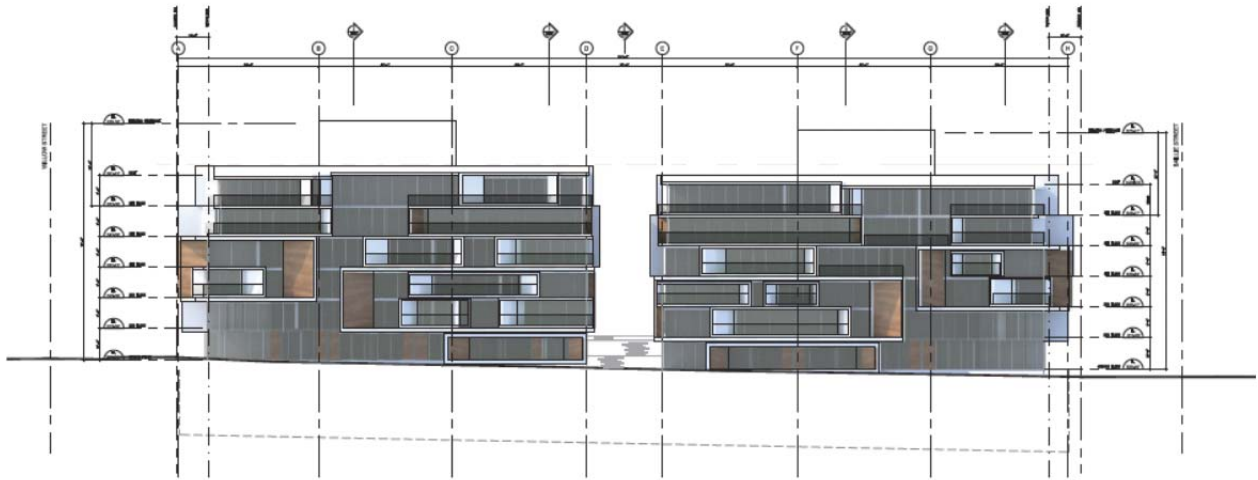
3D Perspective Views



3D Perspective Views



Elevations



South Elevation

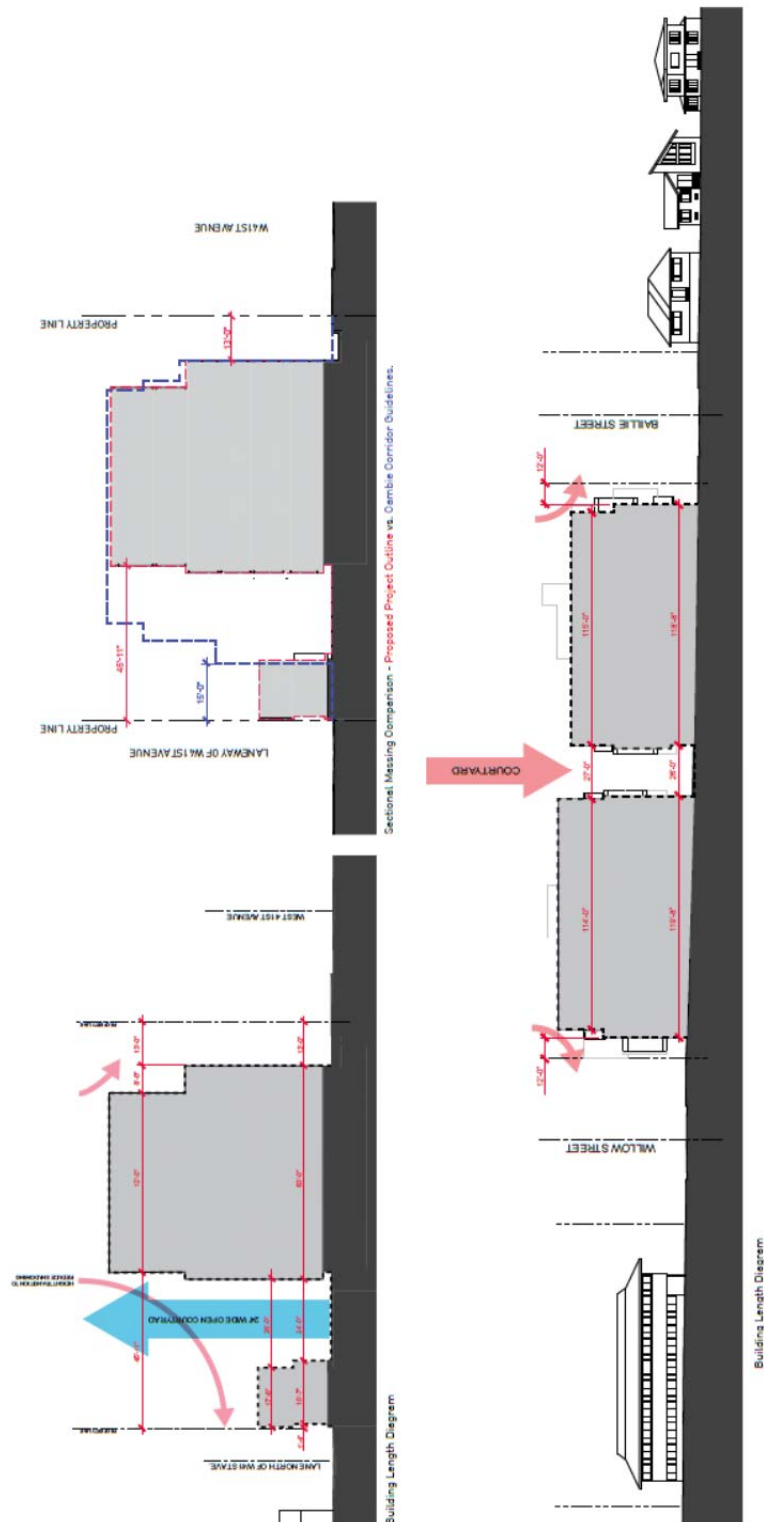


North Elevation

The top drawing is a section view of a building facade, showing a central vertical core and two side wings. The central core is filled with blue, while the side wings are filled with grey. The drawing includes a grid of vertical lines labeled 1 through 12 and horizontal lines labeled 1 through 12. A vertical dimension line on the left indicates a height of 100'-0". A horizontal dimension line at the bottom indicates a width of 100'-0". The drawing also shows a cross-section of the building's structure, including a central vertical core and two side wings. The central core is filled with blue, while the side wings are filled with grey. The drawing includes a grid of vertical lines labeled 1 through 12 and horizontal lines labeled 1 through 12. A vertical dimension line on the left indicates a height of 100'-0". A horizontal dimension line at the bottom indicates a width of 100'-0".

The bottom drawing is an elevation view of the same building facade, showing the central vertical core and two side wings. The central core is filled with blue, while the side wings are filled with grey. The drawing includes a grid of vertical lines labeled 1 through 12 and horizontal lines labeled 1 through 12. A vertical dimension line on the left indicates a height of 100'-0". A horizontal dimension line at the bottom indicates a width of 100'-0". The drawing also shows a cross-section of the building's structure, including a central vertical core and two side wings. The central core is filled with blue, while the side wings are filled with grey. The drawing includes a grid of vertical lines labeled 1 through 12 and horizontal lines labeled 1 through 12. A vertical dimension line on the left indicates a height of 100'-0". A horizontal dimension line at the bottom indicates a width of 100'-0".

Building Massing Analysis



Note: This diagram compares the application proposal to a typical form of development that would be anticipated for this site under the Cambie Corridor Plan.

Cambie Corridor

 Cambie Corridor Study Area South Vancouver Industrial Area

Phase 2 - Core Area

Phase 3 - Transit-influenced Area

**755-795 West 41st Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary:

Residential development with two six-storey apartments and four two-storey townhouse buildings containing a total of 74 dwelling units.

Public Benefit Summary:

The project would provide a CAC of \$4,080,000, to be allocated to the affordable housing fund, pedestrian and bicycle infrastructure and childcare facilities in the Cambie Corridor area.

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 3,180.4 m ² /34,234 sq. ft.)	0.70	2.87
Buildable Floor Space (sq. ft.)	23,964 sq. ft.	98,252 sq. ft.
Land Use	Single-family residential	Multi-family residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)		
	DCL (Oakridge-Langara)	\$177,094	\$726,082
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		\$1,790,000
	Cultural Facilities		
	Green Transportation/Public Realm		\$250,000
	Heritage (transfer of density receiver site)		
	Affordable Housing		\$2,040,000
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$177,094	\$4,806,082

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.
For the Oakridge-Langara DCL, revenues are allocated into the following public benefit categories: Engineering (7%); Replacement Housing (30%); and Parks (63%).

**755-795 West 41st Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

Applicant and Property Information

Address	755-795 West 41st Avenue
Legal Descriptions	Lots 1 to 5 of Lot 2, Block 998, District Lot 526, Plan 8455; PIDs: 010-074-759, 010-074-783, 010-074-821, 010-074-864 and 010-074-881, respectively
Developer	Buffalo Investment (Canada) Ltd.
Architect	Arno Matis Architecture Inc.
Property Owners	Buffalo Investment (Canada) Ltd.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	RS-1	CD-1
SITE AREA	3,180.4 m ² (34,234 sq. ft.)	3,180.4 m ² (34,234 sq. ft.)
USES	One-Family Dwelling	Multiple Dwelling
FLOOR AREA	2,226.3 m ² (23,964 sq. ft.)	9,127.6 m ² (98,252 sq. ft.)
Floor Space Ratio (FSR)	0.70 FSR	2.87 FSR
HEIGHT	9.50 m (31.20 ft.)	19.50 m (64.00 ft.)
PARKING, LOADING AND BICYCLE SPACES	as per Parking By-law	as per Parking By-law