

SUMMARY AND RECOMMENDATION

2. TEXT AMENDMENT: 970 Union Street (Villa Cathay Care Home)

Summary: To amend CD-1 (Comprehensive Development) District (505) By-law No. 10306, to increase the floor space ratio (FSR) from 1.7 to 3.0 and increase the maximum height from 11.7 m (38 ft.) to 33.0 m (108 ft.). This would permit expansion of the existing seniors care facility through an 11-storey addition, increasing the total number of care beds from 188 to 225.

Applicant: Joe Y. Wai Architect Inc.

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

- A. THAT the application, by Joe Y. Wai Architect Inc. on behalf of Villa Cathay Care Home Society to amend the text of CD-1 (505) By-law No. 10306 for 970 Union Street [*PID 007-584-415; Block 125, District Lots 181 and 2037, Plan 16060*] to increase the floor space ratio from 1.7 to 3.0 and to increase the height from 11.7 m (38 ft.) to 33.0 m (108 ft.) to permit an 11-storey addition to the existing community care facility, generally as presented in Appendix A of the Policy Report dated June 10, 2013, entitled "CD-1 Text Amendment: 970 Union Street (Villa Cathay Community Care Facility)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Joe Y. Wai Architect Inc., and stamped "Received City Planning Department, November 9, 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. Clarification of exterior finishes and materials on the elevation drawings.

Note to Applicant: Finishes should be consistent in quality with the existing building and nearby development.

2. An increase in the rear yard setback for the tower element from the Venables Street property line to a minimum distance of 3.6 m, and an

enhanced landscaping treatment in the resulting front yard to improve walkability on the Venables Street sidewalk.

3. Relocation of the parking ramp entrance to be accessed directly off Raymur Avenue.

Sustainability

4. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

Note to applicant: Provide a LEED® checklist confirming the above and 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. Confirmation of LEED® registration of the project is also required under the policy.

Landscape

5. Design development to retain healthy trees not impacted by construction.

Note to Applicant: Trees to be noted on a legal survey and to be assessed in an arborist report for retention/protection viability. Consideration should be given to relocation possibility of any site trees. For trees that cannot be retained or relocated, replacement with a specimen of equal or greater quality as originally approved will be required.

6. Design development to expand programming to include opportunities for shared and/or therapeutic gardening in the common outdoor open spaces.

Note to Applicant: Shared gardening areas should be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

7. Provision of a comprehensive and detailed Arborist Report by an ISA-certified arborist to assess all site trees for viability of retention. Report to include risk assessment and methods for the safe retention of as many existing trees as possible. The report must also contain methods of safe protection of trees on City property and any adjacent properties.

Note to Applicant: The report must include specific details about the method of protecting the trees listed as being retained. Also included should be a dimensioned plan of the tree protection barriers, in context of the Site Plan.

8. Provision of a Construction Management Plan confirming safe tree retention.

Note to Applicant: The plan should consider excavation and building materials storage, construction access and vehicle maneuvering during the construction process. For more details refer to Section 7, Protection of Trees By-law.

9. Provision of a Tree Management Plan clearly showing all trees to be retained, removed and replaced, in coordination with the Arborist Report.
10. Provision of a complete Landscape Plan. 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 details of other proposed landscape features. Landscape Plan to clearly distinguish existing vs. proposed elements. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
11. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate proposed landscape elements including planters on structures, benches, fences, gates, arbors and trellises, and other features. Planter section details must confirm depth of proposed planting on structures.
12. A high-efficiency automatic irrigation system to be provided on all planted rooftops.
13. A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings. All existing light poles should be shown.

14. Any emergency generators, transformers, and gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

Engineering

15. 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:

- (a) Provision of an improved site plan showing the north curb line of Union Street and the north leg of Raymur Avenue.

Note to Applicant: The plan should include the location of all curb ramps, trees and all street furniture. Depending on this additional information, the location of the porte-cochere crossings may need to be adjusted to be clear of pedestrians crossing Union Street.

- (b) Deletion of the proposed Raymur Avenue loading access.
- (c) Provision of Class B loading and all required maneuvering to be provided on site.

Note to Applicant: Loading from the porte-cochère would achieve this.

- (d) Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints and within the parking and loading areas to be able to calculate slopes and cross falls. Provide elevations on sections drawings.

Note to applicant: The slope must not exceed 10% for the first 20' from the property line.

- (e) Provision of a section drawing showing elevations, vertical clearances, and security gates for the main ramp.

Note to Applicant: Disability parking spaces require 7.5' (2.3 m) of vertical clearance and Class B loading requires 12.5' (3.8 m) of vertical clearance.

- (f) Provision of an improved plan showing the maneuvering for the largest vehicle accessing the Class B loading space.
- (g) Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note; pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying.

Social Development

- 16. Provision of a copy of the signed Tenant Relocation Plan as required and approved by Vancouver Coastal Health Authority.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner, make arrangements for the following:

Engineering

1. Provision of a 7 m x 1 m statutory right of way on Prior Street/Venables Street at the approximate location of the existing bus shelter to enable this bus stop to be made wheelchair accessible.
2. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (a) Provision of upgraded street lighting to LED standards along Union Street, adjacent to the subject site.
 - (b) Provision of concrete sidewalk a minimum of 1.8 m wide, grass boulevard a minimum 1.2 m wide, concrete curb and gutter, concrete sidewalk and asphalt pavement to centerline on Raymur Avenue adjacent the site.
 - (c) Provision of a corner bulge at the corner of Raymur Avenue and Union Street adjacent the site should the street design allow for its installation. (A review of the road geometric at this corner is required to determine if space is available for a bulge installation.)
 - (d) Provision of street trees adjacent the site where space permits.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
4. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the 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.

Community Amenity Contribution (CAC)

5. In recognition of the community's use of the facility's multi-purpose room, make arrangements to the satisfaction of the Director of Social Development and the Director of Legal Services to secure continued public access to the multi-purpose room.

Soils Agreement

6. If applicable:
 - (a) Submit a site profile to the Environmental Protection Branch (EPB).
 - (b) 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.
 - (c) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites 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-laws.

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.

- B. THAT, at the time of enactment of the amending by-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated June 10, 2013, entitled "CD-1 Text Amendment: 970 Union Street (Villa Cathay Community Care Facility)".
- C. THAT Recommendations A and B 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

(RZ. 772/2012 - 970 Union Street)