

## SUMMARY AND RECOMMENDATION

**4. REZONING: 5650 Victoria Drive (5648-5658 Victoria Drive)**

**Summary:** To rezone 5650 Victoria Drive (5648-5658 Victoria Drive) from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit a six-storey commercial and residential building, with 30 units of secured market rental housing. A floor space ratio (FSR) of 3.65 and a building height of 18.9 m (62 ft.) are proposed.

**Applicant:** Matthew Cheng 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 Matthew Cheng Architect Inc., on behalf of Bhandal Homes Ltd., to rezone 5648-5658 Victoria Drive [*Lots 45 and 46, except the west 7 feet, now road, Block 16 District Lot 394 Plan 2501; PIDs 008-796-203 and 010-852-441 respectively*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.65 and the height from 13.8 m (45 ft.) to 18.9 m (62 ft.) to permit the development of a six-storey mixed-use commercial and residential building with all 30 residential units secured as market rental housing, generally as presented in Appendix A of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5658 Victoria Drive)", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Matthew Cheng Architect Inc. and stamped "Received City Planning Department, November 14, 2012", subject to the following conditions, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

**Design Development**

1. Design development to architectural expression, with particular regard to street facing elevations, employing a palette of high quality durable materials and a refined detail finish.

Note to Applicant: Subject to advice in condition 3 below, the materials as proposed in the current submission satisfy this condition.

2. Design development to the rooftop amenity space to address the following:
  - (a) Provision of direct barrier-free access to the communal space by means of stairs and elevator;
  - (b) Minimization of the height of the elevator structure overrun;
  - (c) Substantive enlargement of the intensive green roof to occupy a minimum of 25% of the roof area;
  - (d) Minimization of the amount of over-height elements required to maintain the planted area and with consideration for views, overlook and shadowing to be given to the siting and sizing of such elements as required; and
  - (e) Consideration to provide shading and weather protection to at least part of the amenity space through the development of a modest canopy structure.

Note to Applicant: Access to the rooftop common area as currently proposed is by means of stairs only. Common amenity areas should be open and accessible to all residents, so design development of an elevator to serve the rooftop amenity space is required. The discretionary height increases required to achieve barrier-free access to the roof top amenity space will be considered as per the City of Vancouver bulletin on 'Roof Mounted Energy Technologies and Green Roofs- Discretionary Height Increases' subject to design development as outlined above.

3. Design development of the architectural expression to refine detail and material palette of the following elements.

- (a) Residential entry canopy;

Note to Applicant: Consideration should be given to further design development of the residential entrance canopy to Victoria Drive to achieve a more refined detail to the structure and to provide a less aggressive colour than currently proposed.

- (b) Base to mid-rise expression;

Note to Applicant: Consideration should be given to refining the proposed material expression to Victoria Drive from second floor to fifth floor levels by softening the colour palette proposed to provide a less dark brick and less strident colours for other materials.

- (c) Interface between materials;

Note to Applicant: Detailing of the interface between materials on both the Victoria Drive and laneway elevations is likely to be

problematic, especially between the narrow bands of yellow HardiePanel and brick as currently proposed. Consideration should be given to resolving the difficulty of the interface in this location by developing a window wall solution with coloured panels to replace the detail as currently proposed.

- (d) Landscape design to laneway at ground floor level;

Note to Applicant: Consideration should be given to providing increased planting in the laneway by developing a trellis detail along the ground floor.

- 4. Design development to provide required visitor parking spaces;

Note to Applicant: this can be achieved by reassigning two residential parking spaces as visitor parking spaces.

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

- 5. Design development to respond to CPTED principles, having particular regard for:

- (a) Theft and security in the parking area;
- (b) Break and enter; and
- (c) Mischief and vandalism, such as graffiti.

#### **Landscape Design**

- 6. Provision of a continuous landscape planter along the east edge of the middle patio as a green buffer adjacent to the single family residential properties to the east.

- 7. Provision of a substantial landscape buffer in the planters located between the second floor private patios for privacy screening purposes.

Note to Applicant: This can be achieved by using taller shrubs, such as yew hedging.

- 8. Provision of hardy broad-leaf evergreen shrubs at the lane edge planter.

Note to Applicant: Consider locating a hardy vine to climb the concrete wall and low- growing plants such as *Arctostaphylos uva-ursi* and/or long grasses to cover the growing medium.

- 9. Provision of new street trees on Victoria Drive to the satisfaction of the General Manager of Engineering Services, and to be confirmed prior to issuance of the Building permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan: "Final spacing, quantity and tree species

to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion”.

### Sustainability

10. 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, including a minimum of 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point and one storm water point.

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. Registration and application for certification of the project is also required under the policy.

### Engineering

11. Written confirmation is required from BC Hydro, and any other affected utility company that the guy wire attached to the wood pole in the lane can be relocated to avoid impacting the proposed commercial parking entry.

Note to Applicant: Guy wire and utility relocations are to be fully at the applicant's expense.

12. Arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for the canopy encroachment over City property.

Note to Applicant: Canopies must be fully demountable and meet the requirements of the Vancouver Building By-law No. 9419. Submission of a canopy application to Engineering is required.

13. Modification of the main parking ramp to provide the required transition slopes of 7.5% to 10% through the right-angled turn on the parking ramp, and at the top and bottom of any parking ramp with a slope in excess of 12.5%.

Note to Applicant: Consider an elevated curved section through the right-angled turn at Levels P1 and P2.

14. Provision of a 3.0 m x 3.0 m (10.0 ft. x 10.0 ft.) corner cut at the bend in the main and Level P1 parking ramps to enable vehicle passage through this section the parking ramp.
15. Design development to provide all required Class A bicycle spaces on Parking Level P1, and provision of wheel ramps on the stairs located closest to the lane to facilitate bicycle egress.

#### CONDITIONS OF BY-LAW ENACTMENT

- (c) That prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Social Development 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 45 and 46, both except the West 7 Feet, Block 16, DL 394, Plan 2501 into a single parcel.
2. Provision of surface statutory right of way of 2.808 m to achieve a 4.5 m public sidewalk width measured from the existing curb face to the building face.

Note to Applicant: A minimum of 15 feet of overhead clearance should be provided for any projections over/above the proposed statutory right of way.

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 are to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right of way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
4. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the

upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

## Housing

5. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure all residential units as for-profit affordable rental housing units pursuant to the City's Short Term Incentives for Rental Housing (STIR) Program for 60 years or life of the building, whichever is greater, subject to a no separate-sales covenant and a non-stratification covenant, and subject to all such units being made available as rental housing for a term not less than one month at a time, and on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

## Soils

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; and
  - (c) 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 site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5658 Victoria Drive)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated in the same report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- C. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5658 Victoria Drive)", be approved.
- D. THAT, at the time of enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5658 Victoria Drive)".
- E. THAT Recommendations A through D be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

**(RZ - 5650 Victoria Drive)**