

SUMMARY AND RECOMMENDATION

3 REZONING: 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street

Summary: To rezone 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit two six-storey residential buildings with a total of 114 dwelling units. A height of 22.3 m (73 ft.), a floor space ratio (FSR) of 2.87 and a residential floor area of 9,475 m² (101,987 sq. ft.) are proposed.

Applicant: IBI Group

Referral: This item was referred to Public Hearing at the Regular Council Meeting of November 19, 2013.

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 IBI Group, on behalf of Feng Yun Shao, to rezone 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street [*Lots 1 to 5, Block 872, District Lot 526, Plan 8313; PIDs: 008-636-923, 010-166-033, 010-166-050, 010-166-068 and 010-166-076 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.60 to 2.87 and the building height from 10.6 m (35 ft.) to 22.3 m (73 ft.) to permit the development of two six-storey residential buildings containing a total of 114 dwelling units, generally as presented in Appendix A of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by IBI Group., on behalf of Feng Yun Shao), and stamped "Received City Planning Department, October 4, 2013", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to provide a more consistent and notable step back above the fourth storey.

Note to Applicant: Intent is to better support the Cambie Corridor Plan in creating a clear street wall at this height for all six storey developments. For example, the fifth storey projection on the east building must be set farther back.

2. Design Development to provide a reduction in the three-storey portion of the building nearest to the lane to two storeys;

Note to Applicant: Building forms along the lane can be up to storeys in height and generally consider design conditions for overlook and privacy.

3. Design development to provide an open area with pedestrian access through the middle of the site of at least 7.3 m (24 ft.) to maximize the openness between buildings and allow for better on-grade amenity space.

Note to Applicant: Intent is to augment the visual and physical openness of the site created by the physical building separation. Projecting slabs, guard rails and other structures should be avoided in the central 7.3 m wide space for residents that connects West 41st Avenue with the lane from north to south. Public access is not required.

4. Design development to mitigate privacy and overlook issues to nearby 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.

5. Design development to avoid shadowing on the neighbours to the north that is attributable to trelliswork, guard rails, balconies, overhangs, and decorative features on the north side of the building.

Note to Applicant: Intent is to create a better transition to the low scale of neighbours to the north. Similar features facing toward the south and Oakridge Centre are not included in this condition.

6. 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.

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

Note to Applicant: Amenity areas and open spaces should be arranged 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. Provision of high quality and durable exterior finishes.
9. Design development to improve the amount of open space along the front and rear of the site.

Note to Applicant: Front setbacks should provide at least 3.6 m (12 ft.) and rear setbacks should provide at least 4.5 m (15 ft.) of open space for the residents at the ground level along the majority of each façade.

10. Notation on the floor plans to show the previous building outline.

Note to Applicant: The form of development may not extend beyond the design in the rezoning application.

CPTED

11. 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

12. 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.

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

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

of the project are required under the policy. See the Green Rezoning Process bulletin and the Green Buildings Policy for Rezoning for more information.

14. 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.

15. 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.
16. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Landscape Review

17. Provide intensive and extensive green roof areas on the roof tops of new buildings;
18. Provide infrastructure for Urban Agriculture on common roof decks;
Note to Applicant: The spaces should include areas for tool storage, composting, and seating. At least two hose bibs should be provided in each Urban Agriculture area.
19. Design Development to improve the central at-grade south-facing landscaped courtyard;

Note to Applicant: Incorporate a secure secondary pedestrian access path to the lane. Reconfigure the balance of hard and soft landscape forms to improve pedestrian flow around a central sunny gathering space with green surround;

20. provision of more substantial greenery and amenities for pedestrians at the street and lane;

Note to Applicant: Intent is to create a safe, interesting and high quality pedestrian experience throughout the public realm interface. Provide a double row of street trees where space permits. New trees within landscape setbacks along street frontages should have direct access to the natural water table wherever possible.

21. Design development to provide maximized growing medium for tree and shrub planters to ensure long term health;

Note to Applicant: Structures such as underground parking slabs and retaining wall may need to be altered to provide adequate depth and continuous soil volumes. Growing medium should be better than BCLNA standards. Trees planted on structures and with pavement surrounds should be consolidated within a trench to maximize soil volume. Individual trees should have approximately 30 cubic metres of soil if not consolidated.

22. Provide a landscape design and lighting plan consistent with the Cambie Corridor Public Realm Plan;

Note to Applicant: The lighting plan must address all common pedestrian routes, courtyards and the lane edge. Ensure that light levels are achieved for CPTED performance while minimizing glare for residents;

23. Design development to integrate utilities into the building, where possible;

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

24. Provide best current practices for irrigation and managing water conservation including high-efficiency irrigation, aspects of xeriscaping making use of drought tolerant plant selection and mulching;

25. Provide hose bibs for all patios greater than 100 sq. ft. in area;

26. Submission of a fully labelled Landscape Plan, Sections and Details at the Development Permit Stage;

27. Provide large-scale sections (1/4"=1'-0" or 1:50) illustrating the townhouse to public realm interface at the street, lane, and common courtyard areas, and

Note to Applicant: The sections should include planters, retaining walls, guardrails, patios, privacy screens, stairs and tree planting depths, and

28. Provide an ISA Certified Arborist tree assessment report for all tree proposed to be removed and retained, as noted on the survey, to the satisfaction of the Director of Planning;

Engineering

29. Parking, loading and bicycle parking are to be provided as per the Vancouver Parking By-law.

30. Property line dimensions must be added to the site plan.

31. Provision of all Class A bicycle parking on level P1.
32. Deletion of what appears to be a sidewalk or specialty paving beyond the property line in the lane.
33. Clarification of garbage pick-up operations. Please confirm that a waste hauler can access and pick up from the location shown without reliance for storage of bins on public property.
34. Provide details of space usage within the garbage room. Please show garbage and recycling bins. Note; for the 114 units proposed 4- 5'x8' bin spaces are required with additional space for recycling. A compactor is recommended for this development.
35. Clarification of garbage pick up operation. Confirmation from a waste hauler that they can access and pick up from the location shown without reliance on storage of bins on public property.

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, Block 872, DL 526, Plan 8313 to create a single parcel and subdivision of that parcel to result in the dedication of a southerly 1.8 meter portion of the site on 41st Avenue for road purposes.
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 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.

- b. Provision of greenways standard concrete sidewalks on Heather St. adjacent the site. (minimum 6' wide or wider with saw cut control joints)
 - c. Provision of standard concrete lane entries on Heather St. and Manson St lane entries to the site.
 - d. Provision of street trees adjacent the site where space permits.
 - e. Payment to the City of \$60,000 towards signal improvements at Heather Street and West 41st Avenue. Works will include but are not limited to the installation of countdown timers and audible pedestrian signals, and installation of an additional signal head on the island signal mast to serve eastbound motorists.
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.

Sustainability

4. 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:
 - a. require buildings on site to connect to a District Energy System, once available;
 - b. 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
 - c. 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

5. If applicable:
 - a. Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - b. As required by the Manager of Environmental Planning 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. If required by the Manager of Environmental Planning 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 Planning, the General Manager of Engineering Services 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.

Public Art

6. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

Heritage Density Transfer

7. Secure the purchase and transfer of 1,336 m² (14,385 sq. ft.) of heritage density (which has a value of \$935,025) from a suitable donor site.

Note to applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Note to Applicant: In the event that Letter "B" submitted following rezoning and prior to enactment does not effect the transfer of the full amount of 1,336 m² (14,385 sq. ft.) of heritage density submitted referred to in the letter "A" and submitted prior to rezoning Public Hearing, then a cash payment in lieu (Valued at \$65 per square foot of un-transferred heritage density) must be made prior to enactment.

Community Amenity Contribution (CAC)

8. Pay to the City the Community Amenity Contribution of \$3,304,980 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 to be allocated as follows:
 - a. \$2,120,000 to the Affordable Housing Reserve;
 - b. \$934,980 to social and cultural office space in the Cambie Corridor area; and
 - c. \$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.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street".
- C. THAT, subject to enactment of the CD-1 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 November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street".
- 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 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 - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street)