



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: February 6, 2014
Contact: Kent Munro
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VanRIMS No.: 08-2000-20
Meeting Date: February 18, 2014

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning: 458-476 West 41st Avenue

RECOMMENDATION

- A. THAT the application by GBL Architects Inc., on behalf of Qualex-Landmark Residences Inc., to rezone 458-476 West 41st Avenue (*Lots 19 and 20, Block 857, DL 526, Plan 7737; PIDs 010-337-407 and 010-337-423 respectively*) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.55 FSR and the height from 10.6 m (35.0 ft.) to 20.1 m (66.0 ft.) to permit the development of a six-storey residential building, as well as lane-fronting two-storey townhouses, containing a total of 50 dwelling units to be secured as market rental housing, be referred to a Public Hearing, together with:
- (i) plans prepared by GBL Architects Inc., received October 3, 2013;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B;

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

- B. THAT, if after Public Hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B, 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 by this report.

- 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 two lots located at 458-476 West 41st Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with lane-fronting two-storey townhouses containing a total of 50 units of secured market rental housing. This rezoning application was not made pursuant to a City rental housing program; therefore a Development Cost Levy (DCL) waiver is not being requested. However, all of the residential units are proposed as non-stratified market rental housing and the applicant has agreed to secure all units as such for a period of 60 years or life of the building, whichever is greater.

Staff have assessed the application and conclude that it meets the intent of the Cambie Corridor Plan. The application contributes to the Cambie Corridor Plan's rental housing goals and to the City's rental housing targets as identified in the Housing and Homelessness Strategy. Staff support the application, subject to design development 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:

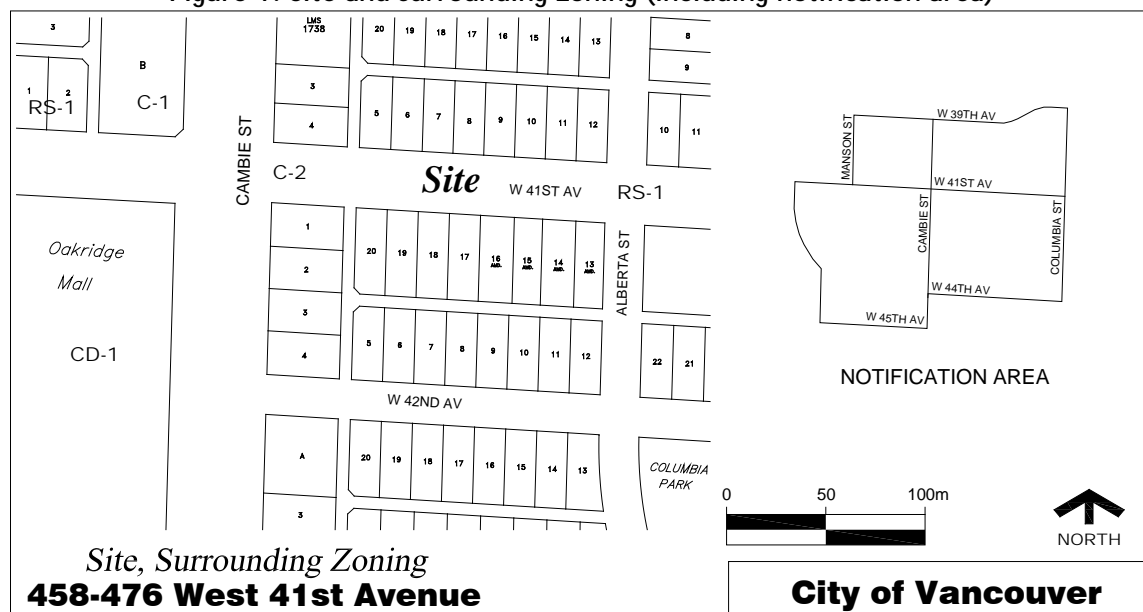
- Cambie Corridor Plan (2011)
- Housing and Homelessness Strategy (2011)
- Community Amenity Contributions Through Rezonings (2011)
- Green Building Rezoning Policy (2010)
- High-Density Housing for Families with Children Guidelines (1992).

REPORT

Site and Context

The subject site is located on the south side of 41st Avenue east of Cambie Street (see Figure 1). Comprised of two legal parcels with an overall frontage of 31.4 m (103 ft.) along 41st Avenue, the site is currently developed with single-family houses, as are the surrounding properties to the north, south and to the east. Directly to the west properties are developed with mixed-use buildings fronting onto Cambie Street. Future land uses on sites to the south will be the subject of Phase 3 planning for the Cambie Corridor. The site is located on a major arterial with excellent access to transit; the Oakridge-41st Avenue Canada Line station and bus routes on both Cambie Street and 41st Avenue are immediately available.

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



Policy Context

Cambie Corridor Plan – On May 9, 2011, Council adopted Phase 2 of the Cambie Corridor Plan (the “Plan”). The subject site is within the “Oakridge” neighbourhood of the Cambie Corridor Plan. The “Neighbourhoods” section of the Plan provides direction for development including neighbourhood character, public realm and urban design principles.

For this site, sub-section 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 (i.e. within two lots). A density range of 2.0 to 2.5 floor space ratio (FSR) is suggested, but is not a maximum. Supportable density is to be determined by analysis based on site-specific urban design and public realm performance.

The housing strategy of the Plan also calls for 25% of the units to be suitable for families (two bedrooms or more). This application proposes that 14 of the 50 units be two-bedroom units, achieving 28% of the total units as suitable for families.

Housing and Homelessness Strategy – On July 29, 2011, Council endorsed the Housing and Homelessness Strategy 2012-2021 which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life.

The 3-Year Action Plan 2012-2014 identifies priority actions to achieve some of the strategy's goals. The priority actions consistent with this application are to refine and develop new zoning approaches, development tools and rental incentives to continue the achievement of secure purpose-built rental housing and to use financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households. This application proposes one- and two-bedroom units that would be secured as market rental housing.

STRATEGIC ANALYSIS

1. Proposal

This application proposes to rezone the site located at 458-476 West 41st Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District. A six-storey residential building facing 41st Avenue along with lane-fronting two-storey townhouses are proposed (see Figure 2). In total, the application proposes 50 dwelling units with one level of underground parking accessed from the rear lane.

Figure 2 - Site Plan



Housing

Vancouver's Housing and Homelessness Strategy strives to enhance access to and options for affordable housing in the City and it sets a number of near- and long-term rental housing targets. Rental housing is inherently more affordable than home ownership and an objective of the Housing and Homelessness Strategy was to increase the supply of the rental housing segment of the housing continuum.

While this application has not come in under the a City rental housing program, and no incentives are being requested, all of the residential units are proposed as non-stratified secured market rental housing. To ensure that these dwelling units remain rental, a housing agreement would secure the units as rental for 60 years or the life of the building, whichever is greater. This application, if approved, would add 50 units to the City's inventory of rental housing, which would be a contribution towards the stated near- and long-term targets (see Figure 3).

Rental housing for families with children is a high priority for the City, particularly in the Cambie Corridor. The housing strategy of the Cambie Corridor Plan calls for 25% of the units to be suitable for families (two bedrooms or more). This application proposes that 14 of the 50 units be two-bedroom units, achieving 28% of the total units as suitable for families.

Figure 3 - Progress Towards the Secured Market Rental Housing Targets as set in the City's Housing and Homelessness Strategy (2011)

	TARGETS		PROJECTS TO JANUARY 2, 2014 (including this application)					GAP	
	Near-Term (2014)	Long-Term (2021)	Completed	Under Construction	Approved	In Progress ¹	Total	Above or Below 2014 Target	Above or Below 2021 Target
Secured Market Rental Housing Units	1,500	5,000	374	900	1,565	713	3,552	2,052 Above Target	1,448 Below Target

1. "In Progress" units are defined as those proposed in rezoning and development applications. This unit count is subject to change, as all proposed units may not proceed to approval, development and completion.

2. Land Use and Density

The proposed residential land use and density are consistent with the Cambie Corridor Plan. The Plan indicates that supportable density on any particular site is to be determined by analysis of site-specific urban design and public realm performance. Staff have concluded that, based on the proposed built form, setbacks and massing, the proposed density of 2.55 FSR can be achieved on this site, subject to design conditions noted in Appendix B.

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

The application proposes one six-storey building along 41st Avenue and a row of two-storey townhouses facing the rear lane separated by an internal landscaped courtyard. The proposed buildings are consistent with the recommended form of development in the Cambie Corridor Plan for building height and frontage. The Plan envisions building height of six storeys in this area with consideration for up to eight storeys close to Cambie Street, including this site. In this case, the applicant has chosen not to pursue an eight-storey form in order to facilitate the use of wood frame construction.

For six-storey residential buildings, the Plan recommends that the top two floors step back from the lane to reduce the apparent scale toward existing smaller-scale neighbours. Some design development is recommended at the development permit stage to improve the apparent scale at the rear of the six-storey building. The Urban Design Panel reviewed and supported the application on November 20, 2013. Staff conclude that the design responds to the expected height and building type for this part of the Cambie Corridor and support the application, subject to the conditions noted in Appendix B.

4. Transportation and Parking

Vehicle and bicycle parking are proposed within an underground parking garage accessed by a ramp off the rear lane at the southeast corner of the site. The application includes 28 parking spaces and 63 bicycle storage spaces which would be in accordance with the Parking By-law provisions.

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.

In accordance with the Cambie Corridor Plan, all new buildings must be readily connectable to a district energy system when available and agreements are required to ensure this. Conditions of rezoning have been incorporated that provide for district energy system compatibility and future connection.

The Cambie Corridor Plan also requires a deconstruction strategy for diverting demolition waste. A condition of rezoning in Appendix B requires provision of a deconstruction strategy for demolition of existing buildings on site so that at least 75% of the demolition waste (excluding materials banned from disposal) is diverted from the landfill.

Public Input

The City of Vancouver Rezoning Centre webpage included notification and application information as well as an online comment form. A rezoning information sign was posted on the site and an open house was held on November 19, 2013 with staff and the applicant team present. Approximately 23 people attended the event and 11 comment forms, letters and emails were received (2 in favour / 5 opposed / 4 unsure). The majority of comments with concerns focused on the amount of proposed parking, in that it would not be sufficient for the proposed development. Comments in support indicated that the location was well suited for additional density with easy access to shopping and high quality transit. A more detailed public consultation summary is included in Appendix D.

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 centres, replacement housing (social/non-profit housing) and engineering infrastructure. This site was formerly subject to the Oakridge-Langara DCL, but as of March 12, 2014 Council implemented the replacement of the area-specific Oakridge-Langara DCL with the City-wide DCL. As of

March 12, 2014, the site will be subject to the City-wide DCL rate of \$136.38/m² (\$12.67/sq. ft.). On this basis, a DCL of approximately \$470,716 is anticipated. DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30.

Public Art Program – The floor area associated with the proposed development is below the minimum threshold for public art contribution requirements.

Offered Public Benefits:

Rental Housing – The applicant has proposed that all of the residential units be secured as market rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City's rental housing stock for the life of the building or 60 years, whichever is greater.

The development of secured market rental housing aligns with the City's priorities to encourage the continued building of strong, safe and inclusive communities that are sustainable, affordable, and environmentally sound. Rental housing provides a more affordable housing option for nearly half of Vancouver's population and contributes to a number of City initiatives intended to sustain socially, economically and environmentally thriving communities.

If this rezoning application is approved, the rental housing would be secured through a housing agreement with the City, and would be subject to the conditions noted in Appendix B.

Community Amenity Contributions (CACs) – In the context of the City's Financing Growth Policy, the City anticipates the offer of a community amenity contribution (CAC) from the owner of a rezoning site to address the impacts of rezoning. Contributions are negotiated and evaluated by staff in light of the increase in land value expected to result from rezoning approval. Real Estate Services staff have reviewed the applicant's development proforma and concluded that, after factoring in the costs associated with the provision of secured market rental housing units, there will be no increase in the land value generated by the rezoning (i.e. the additional density improves the economic viability of the rental housing but does not result in undue profit).

FINANCIAL IMPLICATIONS

As noted under the section on Public Benefits, there are no CACs associated with this rezoning. The site is subject to the City-wide DCLs and it is anticipated that the project will generate approximately \$470,716 in DCLs. The rental housing, secured by a Housing Agreement for the life of the building or 60 years, whichever is greater, will be privately owned and operated.

CONCLUSION

Staff assessment of this rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and its context and that the application is consistent with the Cambie Corridor Plan with regard to land use, density, height and form. Further, the application will contribute to both City-wide and Cambie Corridor goals for the provision of secured market rental housing.

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.

* * * * *

458-476 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 layout 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 area must assume that the site consists of 1 356.0 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 2.55.
- 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 sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusion must not exceed 8% of permitted floor area;
 - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below 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:
- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) no more than 50% of the excluded balcony floor area may be enclosed;
 - (b) amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.
- 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 20.1 m.

Setbacks

6.1 Setbacks must be, at minimum:

- (a) 2.0 m from the east property line for the principal building,
- (b) 0.2 m from the west property line,
- (c) 3.3 m from the north property line, and
- (d) 1.2 m from the south property line.

6.2 Despite the provisions of section 6.1, the Director of Planning may allow projections into the required setbacks, provided that no additional floor area is created, 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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458-476 West 41st Avenue
DRAFT CONDITIONS OF APPROVAL

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

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architects Inc. and stamped "Received City Planning Department, October 3, 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:

Design Development

1. Provision of on-site access from 41st Avenue to the rear dwelling units.

Note to Applicant: Access should provide a safe and secure pathway for visitors and residents that is not reliant on service lanes or exposed to vehicle movements. Consideration should also be given to fire department, addressing and building code requirements before a development permit application is made.

2. Design development to the upper storeys facing south to reduce their apparent visual scale.

Note to Applicant: Consider the use of materials, detailing, colour and composition to reduce the visual weight of the top levels and to introduce a distinctive change of expression from the middle of this façade.

3. Improvement in access to natural light and openness between the two buildings on the site.

Note to Applicant: This can be accomplished providing an interior courtyard dimension of at least 7.9 m (26 ft.) measured at all levels and consideration of exterior finishes and landscaping.

4. Provision of a more notable setback at the fifth storey;

Note to Applicant: This can be accomplished providing a 2.4 m (8 ft.) set back.

5. Design development to mitigate privacy and overlook issues to other residential properties.

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

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 and an adjacent common amenity room.

Note to Applicant: Amenity areas and open spaces should be designed to work as common areas for families with children as well as other residents. See the *High-Density Housing for Families with Children Guidelines* for more information.

8. Provision of high quality and durable exterior finishes.

Crime Prevention Through Environmental Design (CPTED)

9. Design development to respond to CPTED principles, having particular regards for:
 - a. theft in the underground parking;
 - b. residential break and enter;
 - c. mail theft; and
 - d. mischief in alcoves and vandalism, such as graffiti.

Sustainability

10. 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.

11. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the *Green Buildings Policy for Rezonings*, including a minimum of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one stormwater 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.

12. 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.

13. 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.
14. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Landscape

15. Design development to expand programming and improve sustainability by including opportunities for urban agriculture and expanded common green amenity areas.

Note to Applicant: Shared gardening areas should be designed to adhere to the *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.

16. Design development to insure achievability of design intent and future viability of trees and shrubs by increasing the depth of soil (growing medium) over structure to be at least (preferably more) that of standard industry practice of effective depth. Refer to current edition of the British Columbia Landscape and Nursery Association (BCLNA) Landscape Standard.
17. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8" high curb.

18. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to the *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.

19. Provision of a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention and reuse of rainwater.

Note to Applicant: Strategies could include high efficiency irrigation, permeable paving, drought tolerant plants and mulching.

20. Provision of a Landscape Plan consistent with *Cambie Corridor Draft Public Realm Plan*.

21. At time of development permit application:

- a. A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- b. Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- c. Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: : The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- d. Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- e. New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- f. A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade;
- g. 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.

- h. Trellis and vines to be provided over the underground garage access ramp.

Engineering

- 22. Delete the portion of concrete stairs shown encroaching into the lane corner-cut in the southwest corner of the site.
- 23. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: 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.

- 24. The first risers for all stair access points are to be a minimum of 1 ft. behind the property lines.
- 25. Provision of the following statement on the landscape plan. "A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such 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."
- 26. Provision of 6 Class B bicycle parking spaces. The current layout of Class B bicycle parking as proposed will not accommodate 6 bicycles since the rack is designed to be accessed from both sides and the design proposes access from one side only. Re-configuration of the area to comfortably accommodate 6 bicycles is required.

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 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 19 and 20, Block 857, DL 526, Plan 7737 to create a single parcel.
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 new sidewalk adjacent the site on 41st Avenue.
 - c. Provision of standard concrete lane crossing and adjustment of curb returns on both sides of the lane entry to match proposed sidewalk re-alignment.
 - 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.

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.

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 market rental housing units 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 of 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 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.

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.

* * * * *

458-476 West 41st Avenue
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SUBDIVISION BY-LAW NO. 5208

A consequential amendment is required to delete Lots 19 and 20, Block 857, DL 526, Plan 7737; PIDs 010-337-407 and 010-337-423 respectively, from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

* * * * *

458-476 West 41st Avenue
ADDITIONAL INFORMATION

URBAN DESIGN PANEL

November 20, 2013

EVALUATION: SUPPORT (7-2)

Introduction: Michelle McGuire, Rezoning Planner, introduced the proposal for a rezoning application that is comprised of two parcels on West 41st Avenue directly east of Cambie Street. The proposal is being considered under the Cambie Corridor Plan which contemplates residential buildings in this area along West 41st Avenue up to 6-storeys with consideration for up to 8-storeys for these two parcels closest to Cambie Street. The site is approximately 300 feet from the West 41st Avenue Canada Line Station. Sites along Cambie Street are contemplated under the Cambie Corridor Plan as mixed-use from 6-storeys up to 12-storeys at West 41st Avenue, however higher heights may be considered through planning in Phase 3.

Ms. McGuire described the context for the area noting that across Cambie Street to the west is the Oakridge Shopping Centre currently subject to a rezoning application. To the north and south of West 41st Avenue are sites zoned RS-1 that will be included in planning for Phase 3 of the Cambie Corridor. This rezoning application proposed to rezone the site from RS-1 to CD-1 to allow development of one 6-storey residential building and 2-storey townhouses over one level of shared underground parking.

The proposal is also being considered under the Rental 100 Policy with 100% of the units as secured market rental housing. The proposal includes 50 units and parking for 28 vehicles as well as bicycle parking for 63 Class A and 6 Class B Bicycles.

Sailen Black, Development Planner, further described the proposal noting that new builds in the area above 4-storeys require that the upper floors be stepped back from West 41st Avenue. As well building should provide front doors onto the street and need to activate and enhance the adjacent lane by providing active uses or townhouses on the rear. As well development proposals should include required public realm features (i.e. street trees, landscape setbacks, etc.). The proposal is for a 6-storey building with 2-storey townhouses.

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

1. Does the Panel support the proposed density (2.55 FSR), height (6-storeys) and setbacks (0.5 to 13 feet) shown?
2. Does the proposal form respond well to its specific context, especially the setbacks and transition of scale to nearby neighbours?
3. Noting the rezoning stage of this application, does the Panel have any preliminary comments on the exterior expression and treatment of the different open space?

Ms. McGuire and Mr. Black took questions from the Panel.

Applicant's Introductory Comments: Amela Brudar, Architect, described the proposal and noted the courtyard scheme and the 2-storey townhouses at the rear. The building is conceived as a contemporary building with an expression of its residential uses. Ms. Brudar described the architecture noting that the volume along the front is floating over a slightly

undercut ground floor and terminates at the fourth floor when the building steps back. At the back is the horizontally expressed cubic form that floats over the two levels at giving some extra relief to the courtyard. The back façade is not stepped as the townhouses provide a transition to the single family homes across the lane. The entrance is on the northwest corner and is further undercut and fully glazed. The street level units can be accessed through the building and also through entries from the courtyard. As well the townhouses can be accessed from the courtyard while others are accessed from the lane. There will be enclosed balconies on the West 41st Avenue façade to mitigate traffic noise and open balconies on the back of the building. Ms. Brudar noted that they haven't finalized the material palette but are planning on using brick, cementation panels and extruded aluminum soffits.

Amber Paul, Landscape Architect, described the landscaping plans and mentioned that on the West 41st Avenue frontage there will be new street trees. There is a five foot wide planter separating the public and private realm. Private terraces open to the courtyard and have planters for a buffer between the private space and the courtyard. The amenity space in the courtyard has a trellis and seating area. There are planters along the lane. On top of level two of the townhouses a green roof is proposed.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Design development to simplify the expression;
- Consider modulating the lane massing;
- Consider sustainable measures to reduce solar gain on the south façade;
- Consider altering the material and colour palette;
- Considering increasing the depth of the courtyard.

Related Commentary: The Panel supported the proposal.

The Panel supported the density, height and setbacks for the proposal and thought it responded well to its context. Most of the Panel thought the notion of the U shape elements was a strong organizing concept but felt the design needed to be simpler. It was suggested that the solid parapet needs to be rethought as it reads as an overriding element and fights the general formal concept of the design. As well the Panel thought the lane massing felt like it wanted to be modulated a bit rather than one long façade. One Panel member noted that the building seemed squashed and felt almost like a motel. Most of the Panel did not support the large overhang and felt it should be on the south side to reduce solar gain.

Several Panel members were concerned with the depth of the courtyard and wondered if the space would benefit from stacking the units as this would make for liveable outdoor space. As well the rear building would relate better to the height of the main building. The Panel supported the daylighting of the stair wells.

The Panel thought the materials were familiar and needed to be altered a bit. They wanted to see the applicant use real wood and have the colour and textures be different from its neighbour.

The Panel suggested adding more greenery to the courtyard and as well a larger amenity space.

Regarding sustainability it was suggested that the window to wall ratio needed to be reduced and there was some concern regarding the energy points. As well the south side could benefit from passive features to reduce solar gain.

Applicant's Response: Ms. Brudar said the comments were valuable and will help refine the project.

PUBLIC CONSULTATION SUMMARY

Public Notification: A rezoning information sign was installed on the site on October 29, 2013. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

November 19, 2013 Community Open House

A total of 390 notifications were distributed within the neighbouring area on or about November 5, 2013. A community open house was held from 5:00-8:00 pm on November 19, 2013, at the Oakridge United Church at 305 West 41st Avenue. Staff, the applicant team, and a total of approximately 23 people attended the open house.

Comments in **support** of the application included:

- The location was seen as appropriate for this level of density with its convenient access to shopping and transit.
- Proposal was seen to represent the intent of the Cambie Corridor Plan, in line with policy objectives.

Comments **opposing** the application cited the following concerns:

- Parking: Concern about insufficient on-site parking for the proposal and the potential parking impacts that could result in the surrounding neighbourhood.
- Transit: Concern about bus and Canada Line capacity.
- Building setbacks: Concern about the proposed setbacks being too minimal with the proposed building being sited too close to the east property line.
- Building design: Suggestion that the design was too dull.
- Building height: Concern that six-storeys was too high and that it would negatively change the character of the area. Concern about shadowing on other properties.
- Rental housing: Concern about the proposed rental tenure and potential negative effects leading to increased garbage and noise. Concern that the unit sizes were too small.
- Public services and amenities: Concern about the over-subscription of public services/amenities in the area such as schools and swimming pools.

Comments from those either **unsure** or **unspecified** included:

- Developments like these should be allowed in as-right zoning.
- The proposal will change the character of the neighbourhood.
- Desire for ground-floor commercial/retail in the proposed building.

458-476 West 41st Avenue
FORM OF DEVELOPMENT



Site Plan

Elevations



North (6-storey Building) Elevation (West 41st Avenue)



East Elevation



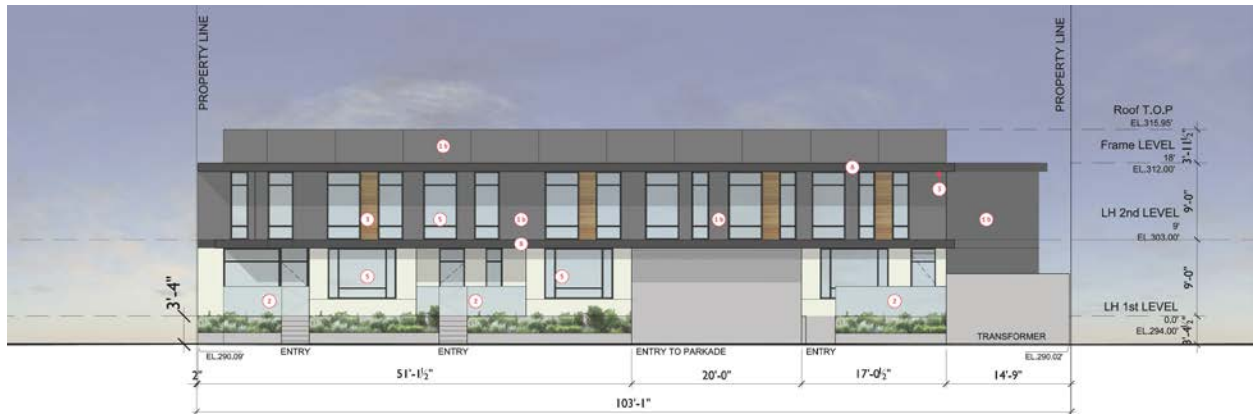
South (6-storey Building) Elevation



West Elevation (Lane)



North (Townhouse) Elevation



South (Townhouse) Elevation (Lane)

458-476 West 41st Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

A six-storey residential apartment building with two-storey townhouses facing the rear lane, containing a total of 50 secured market rental dwelling units.

Public Benefit Summary:

The project would generate a DCL payment and would provide 50 units of secured market rental housing.

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 1,356 m ² / 14,596 sq. ft.)	0.70	2.55
Floor Area (sq. ft.)	10,217	37,152
Land Use	One-Family Dwelling (with secondary suite and/or laneway house)	Multiple Dwelling

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	\$30,140	\$470,716
	DCL (other)		
	Public Art		
	20% Social Housing		
Offered (Community Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$30,140	\$470,716

50 units of market rental housing secured for 60 years or life of the building, whichever is greater.

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

458-476 West 41st Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	458-476 West 41st Avenue
Legal Descriptions	Lots 19 and 20, Block 857, DL 526, Plan 7737; PIDs 010-337-407 and 010-337-423 respectively
Developer	Qualex-Landmark Residences Inc.
Architect	GBL Architects Inc.
Property Owner	Qualex-Landmark Residences Inc.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	RS-1	CD-1
SITE AREA	1,356 m ² (14,596 sq. ft.)	1,356 m ² (14,596 sq. ft.)
USES	Single Detached Dwelling	Multiple Dwelling
FLOOR AREA	949 m ² (10,217 sq. ft.)	3,451 m ² (37,152 sq. ft.)
Floor Space Ratio (FSR)	0.70 FSR	2.55 FSR
HEIGHT	10.6 m (35.0 ft.)	20.1 m (66.0 ft.)
PARKING, LOADING AND BICYCLE SPACES	as per Parking By-law	as per Parking By-law