

SUMMARY AND RECOMMENDATION

2 REZONING: 4139-4187 Cambie Street

Summary: To rezone 4139-4187 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to allow for two six-storey residential buildings with two-storey townhouses along the rear lane, containing a total of 75 dwelling units. A height of 21.8 m (71.5 ft.) and a floor space ratio (FSR) of 2.51 are proposed.

Applicant: Dava Developments Ltd.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of January 21, 2014.

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 F. Adab Architects Inc., on behalf of 0923466 B.C. Ltd. (Dava Developments Ltd.), to rezone 4139-4187 Cambie Street [*Lots 9 to 11, Block 680 DL 526 Plan 6539; PIDs 010-870-920, 010-870-938 and 010-870-946 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.60 to 2.51 FSR and the height from 10.6 m (35 ft.) to 21.8 m (71.5 ft.) to permit the development of two six-storey residential buildings, as well as lane-fronting two-storey townhouses, containing a total of 75 dwelling units, generally as presented in Appendix A of the Policy Report dated January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 Cambie 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 F. Adab Architects Inc. and stamped "Received City Planning Department, October 15, 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. Design development to improve the interface of the proposal to the adjacent site located to the north of the subject site. This could include adjusting the grading on the site and reducing any retaining walls to no greater than 2'-0" in overall height.

2. Design development to of the laneway townhouse entries to provide sufficient landings and visual access to the lane in order to ensure safe entry to and from the lane relative to passing traffic.

Note to Applicant: The intention of the laneway townhouses is to activate the lane and for the related landscape realm to provide a public amenity to the lane. In light of this condition careful coordination with the landscape design will need to be carried out. Privatization of the 4'-0" setback with high and solid fencing towards the lane should be avoided.

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

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

4. Design development of the proposed setbacks of the face of building to property line shall remain as proposed within the rezoning drawing submission.

Note to Applicant: proposed setback may be increased through the design development process.

5. Design the development to create ground-oriented open spaces suitable for children's play with adjacent common amenity room. Refer to the *High-Density Housing for Families with Children Guidelines* for more information.
6. Provision of high quality and durable exterior finishes.

Note to Applicant: As this project continues through the development application process, the overall proposed quality of materials, articulation, and expression is to be maintained.

7. Design development to provide a space within the south building to support the function and viability of the rooftop garden amenity, located on level 3, of a size ranging between 50 and 100 sq. ft.
8. 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.

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 Rezoning*, 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 storm water point.

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

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 the mid-block walkway to achieve a pedestrian friendly high quality landscape treatment. Down lighting, seating and substantial planting will encourage the safe use of this entry mews by building unit owners and their visitors.

Note to Applicant: Larger scale drawings of the walkway will be required to demonstrate a fine grained approach to the entry walkway.

16. Provision of a pedestrian friendly experience at the lane edge through the use of down lighting and planting at grade.

Note to Applicant: The lane edge lawn shrub and tree planting should be protected from vehicles by an eight inch high curb.

17. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term health.

Note to Applicant: Structures such as underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be better than BCSLA standards.

18. Provision of urban agriculture in the form of edible landscaping and including some areas (planters or plots) suitable for urban agriculture activity. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should reference the Urban Agriculture Guidelines for the Private Realm and should maximize sunlight, integrate into the overall design and provide universal access.

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

Note to Applicant: Strategies could include high efficiency irrigation, the use of drought tolerant plants and mulching.

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

21. Provision a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, 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.

22. provision of large scale sections (1/4"=1' or 1:50) illustrating the soil depths of planters that are on slab, as well as the building to public realm interface at the lane edge and the West 26th and Cambie Streets.

23. 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 building's open space and public realm.
24. Provision of a separate Lighting Plan.
25. Provision of a separate Tree Removal and Retention Plan with dimensioned tree barriers for the street trees.
26. Provision of a high efficiency irrigation system for all planters, including the upper terrace area. Hose bibs shall be provided on the third floor Amenity Deck in order to provide water for the urban agriculture plots. Notations to that effect should be added to the drawings.

Note to Applicant: The irrigation system design and installation system shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

Engineering

27. Clearly identify the proposed knockout panel at the appropriate location along the vehicular entry ramp.
28. All manoeuvring aisles and parking stalls are to be designed at a maximum of 5% slope and cross falls, several maneuvering aisles and parking areas exceed 5%.
29. Dimension all parking stalls.
30. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note; pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying. Note: Engineering recommends that the garbage storage area be located closer to the bottom of the parkade ramp.
31. Deletion of the lane surface treatments shown on the landscape and site plan and provision of a separate application to the General Manager of Engineering Services should non-standard surface treatments be desired.
32. Deletion of the trees shown in the back boulevards on Cambie and 26th Av. Where a 2nd row of trees is desired they are to be located on private property with appropriate accommodation in the parkade design to provide for the trees.
33. Clarification if bicycle racks are proposed for public property, if so a separate application to the General Manager of Engineering Services is required. Note: class B bicycle parking (bike racks) supplied on public property cannot be counted towards the on-site by-law requirement that would apply to this project.

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 9, 10 and 11, Block 680, DL 526, Plan 6539 to create a single parcel.
2. Registration of a shared access agreement for vehicular traffic onto adjacent Lot 8, Block 680, DL 526, Plan 6539, as indicated on the applicant's plans. Provision of a knockout panel at the appropriate location along the vehicular entry ramp and appropriate arrangements (legal agreements) to secure access to underground parking within the future development on the adjacent property at 512 West King Edward Avenue (Lot 8).
3. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - a. Provision of new minimum 2.1 m wide concrete sidewalks should the existing sidewalks on Cambie Street and 26th Avenue adjacent the site be significantly damaged during construction activities. Replacement is to be determined at the sole discretion of the General Manager of Engineering Services.
 - b. Provision of a standard concrete lane entry on the north side of 26th Avenue at the lane west of Cambie Street.
 - c. Provision of street trees adjacent the site where space permits.
 - d. 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.
4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on

secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Sustainability

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

6. If applicable:
 - (i) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) 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
 - (iii) 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.

Heritage Density Transfer

7. Secure the purchase and transfer of 1,181 m² (12,713 sq. ft.) of heritage density (which has a value of \$826,345) 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.

Community Amenity Contribution (CAC)

8. Pay to the City the Community Amenity Contribution of \$2,479,045 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, and is allocated as follows:
 - a. \$1,652,695 to the Affordable Housing Reserve; and
 - b. \$826,350 to community facilities serving the Cambie Corridor Plan area.

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 Parking By-law, generally as set out in Appendix C of the Policy Report dated January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 Cambie 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 Subdivision By-law, generally as set

out in Appendix C of the Policy Report dated January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 Cambie 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 - 4139-4187 Cambie Street)