

## SUMMARY AND RECOMMENDATION

**1. REZONING: 3323-3367 East 4th Avenue (Beulah Garden)**

**Summary:** To rezone 3323-3367 East 4th Avenue (Beulah Garden) from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to allow for a four-storey residential building, with 54 life lease units targeted for seniors over the age of 60 years. A height of 14 metres (46 feet) and a floor space ratio (FSR) of 1.45 are proposed.

**Applicant:** Integra Architecture Inc.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of February 18, 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 Integra Architecture Inc. on behalf of Beulah Garden Homes Society, to rezone 3323-3367 East 4th Avenue [*Lots 33, 34 and A, Block 91, Section 29, Town of Hastings Suburban Lands Plan 3672; PIDs: 011-086-745, 004-583-345, and 012-336-858 respectively*] from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio from 0.75 to 1.45 and building height from 9.2 m (30.0 feet) to 14 m (46 feet) to allow development of a residential building, generally as presented in Appendix A of the Policy Report dated February 4, 2014, entitled "CD-1 Rezoning: 3323-3367 East 4th Avenue (Beulah Garden)" 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 Integra Architecture Inc. and stamped "Received City Planning and Development Services, September 11, 2013", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

**Urban Design**

1. Design development to refine the architectural character in response to existing context.

Note to Applicant: At present the apparent length of the proposed development exceeds the adjacent, lower scale residential form. Consideration should be given to the composition of building elevations.

Specifically, the repetition and cadence of architectural elements, massing and materiality of 'formal' elements and the transition in building height should all be utilized to partition and reduce the perceived length of the building.

2. Design development to provide a stronger base for the building.

Note to Applicant: Consideration should be given to a stronger base at grade, most notably at the west end of the site. The sloping condition of the site may be seen as too complex to merit a single architectural expression along the ground plane. Efforts to transition the slope might be assisted with the introduction of a 'datum' line registered by a building base.

3. Design development to improve the transition in building height.

Note to Applicant: Consideration should be given to reinforce the roofline transition in building height. The introduction of an upper storey setback, integrated with the building 'step' and along a transitional elevation element at entry, might provide an assembly by which to accomplish this.

4. Design development to improve the sustainability strategy. Consideration should be given to both passive and active means.

5. Consideration should be given the proposed color palette. The perceived weight of darker colors might be alleviated with an alternative to the 'mansard' roofline.

## Landscape

6. Design development to improve the front entrance area by:
  - Creating direct, unobstructed pedestrian connections from secondary walkways to the front entrance plaza and main walkway. This may require the reconfiguration of hard surface areas, bike racks, canopy columns and other site furnishings. The back boulevard (public property) should be landscaped and paving relocated to private property.
  - Setting back the secondary walkways a minimum distance of 1 foot from the property line.
  - Providing privacy screens and/or landscape screening in between the entrance area and any adjacent ground floor unit patios.
  - Ensuring that paving materials are consistent with principles of universal access (Note: consider saw cut concrete with textured edge treatment).
  - The addition of a row of full canopied, medium to large species trees that can provide summer shade, avoiding columnar shaped species.
  - Minimizing the quantity and presence of necessary retaining walls while avoiding the need for safety railings, wherever possible.

- Increasing ground floor patio coverage to a distance of 5 feet minimum beyond the building façade (Note: ensure the design includes patio edge treatment, railings and possibly a low hedge).
- Reducing the width of secondary walkways, where possible, to reduce the overall amount of contiguous paving.

7. Design development to improve the rear yard by the addition of a variety of trees that mitigate the scale of the building and offer access to nature for residents.

Note to Applicant: Consider a variety of small species deciduous trees, in combination with species that have the capability to grow taller than the building but are narrow in profile (i.e. Serbian spruce). This may require the reconfiguration of the space to provide soil and space for tree growth.

8. Design development to retain the oak tree and the monkey puzzle tree in the front yard.

Note to Applicant: Staff acknowledge the intent to retain the trees. Given the generous setback to the excavation, a construction related arborist report is not requested; however, periodic arborist supervision will be necessary during the project, particularly of the oak tree. The grading and re-landscaping should ensure minimal soil disturbance in the tree protection zone. Further comments may be outstanding.

9. Design development to integrate principles of universal access.

Note to Applicant: Ground-floor and rooftop common garden areas should have raised planting beds and eliminate barriers to movement. As an objective, planting design should stimulate the senses (sight, sound, smell, touch). The urban agriculture areas should discreetly integrate benching, tool storage, compost bin(s), work table(s) and have clear access to hose bibs.

10. Provision of an arborist supervision assurance letter.

Note to Applicant: The letter should outline at least four (4) trigger points where the arborist shall attend the site during the project and be signed by the applicant/owner, the arborist and the contractor.

11. Illustration of important tree retention information on the plans, including dimensioned tree barriers, arborist directives and construction methods.

12. Where applicable, site utilities and vents integrated discreetly into the design, avoiding the disruption of common areas, and screened accordingly.

13. Provision of an efficient irrigation system for all common outdoor planters and individual hose bibs to be provided for all patios of 100 sq.

ft. or greater in size. Specification notes and irrigation symbols to should be added to the drawing.

14. Revisions to the planting plan and landscape sections to more accurately reflect soft and hardscape design intent.

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

15. Design development to respond to CPTED principles, having particular regard for:
  - theft and security in the underground parking; and
  - mischief and vandalism, such as graffiti.

Note to Applicant: As with any development, the applicant must consider and design against uncommon but potential risks such as the perceived safety of underground parking areas, mischief and vandalism.

Provide a strategy that identifies the particular risks that may arise on this site and proposes specific features to mitigate them. Show on the plans where these features should be located, and provide an indicative design for them. Of particular interest are the underground parking ramp and breezeway areas. Any lighting strategy should ensure appropriate lighting levels and CPTED performance, while minimizing glare for nearby residents.

#### **Sustainability - Green Building**

16. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under LEED® Homes Mid-rise, including a minimum of 65 points in the LEED® Homes Mid-rise rating system, and, specifically, a minimum of nine energy and atmosphere points.

Note to Applicant: Provide a LEED® Homes Mid-rise checklist confirming that the project will achieve Gold level and a detailed written description of how the minimum target points will be achieved. Both checklist and description should be incorporated into the drawing set and significant LEED® features detailed on the plans.

17. Applicant is strongly encouraged to provide 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. A deconstruction strategy may be submitted as part of the revised development permit application.

#### **Engineering**

18. 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.

19. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the parking and loading design supplement:

- Provision of a parking ramp slope not to exceed 10% for the first 20 feet from the property line across the entire width of the parking ramp and additional design elevations both sides of all breakpoints on the parkade ramp.
- Provision of drawings consistently labeled with imperial or metric measurements and notations.
- Clearly note on the plans that the passenger drop-off area on 4th Avenue is subject to design approval by the General Manager of Engineering Services.

20. Engineering landscape plan comments:

- Revision to the planting plan for the mid-block bulge to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: All plant material should grow to a maximum mature height of 2.5 to 3 feet. The Pinus Strobus proposed for the bulge will grow to 2 to 4 feet high. This has potential to be a pedestrian visibility issue and should be substituted.

- Provision of an updated landscape plan that reflects the various public property improvements that receive approval in this rezoning.
- 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."

- Delete shrubs shown over the property line in the lane east of Rupert Street (L-009).
- Delete back boulevard trees along 4th Avenue (L-009).

Note to Applicant: any planting between the property line and the back of the City sidewalk must meet the COV Boulevard Planting Guidelines.

## CONDITIONS OF BY-LAW ENACTMENT

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

### Engineering

1. Consolidation of Lots 33, 34 and A, Block 91, Section 29, THSL, Plan 3672 to create a single parcel and subdivision of that site to result in the dedication of a 10'x10' corner-cut truncation in the northwest corner of the site for lane 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 a 1.8 m (6 feet) wide concrete sidewalk with saw-cut control joints on 4th Avenue between Cassiar Street and the lane east of Rupert Street.

Note to Applicant: Consideration to extend the sidewalk from Rupert Street to the lane east of Rupert Street to better serve this facility and connect the sidewalk system to Rupert Street and the bus transit system.
  - (b) Provision of a 3.0 m (10 feet) wide raised mid-block crosswalk, associated paint markings and traffic regulatory signage, as well as curb bulges on both the north and south side of 4th Avenue.
  - (c) Provision of lane paving of the lane east of Rupert Street from 4th Avenue to the lane north of 4th Avenue (adjacent to the site).
  - (d) Provision of a standard concrete lane crossing at the lane east of Rupert Street on the north side of 4th Avenue.
3. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing

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

4. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The applicant is responsible for 100% of any water system upgrading that may be required.

### Housing

5. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure all units for a term of 60 years or the life of the building, whichever is longer:
  - (a) as life lease housing, substantially on the terms and conditions set for the Draft Beulah Housing Society Life Lease Agreement attached as Appendix F to this report, or if at any time any unit is not occupied by a life lessee, then subject to such unit being made available as rental housing for a term not less than one month at a time;
  - (b) for people aged 60 years and over, subject to limited exceptions;
  - (c) subject to a no-separate-sales covenant and a non-stratification covenant;
  - (d) subject to an index provision for the initial offering price at no more than 85% of Fair Market Value of an equivalent residential strata unit in the area;
  - (e) not increasing prices on future lease offerings for at least 7 years until the price is less than or equal to 80% of Fair Market Value of an equivalent residential strata unit in the area, and thereafter maintain the 80% of Fair Market Value of an equivalent residential strata unit in the area and, if possible, enhance ongoing affordability;
  - (f) provision of detailed information to potential lessees including a requirement for independent financial advice; and
  - (g) on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require.
6. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to amend Housing Agreement By-law No. 8885, notice of which is registered in the Land Title Office under number BX462599, against title to the adjacent sites

at 2075 Cassiar Street (the "Beechwood" building) and 3355 East 5th Avenue (the "Cedars" building) to secure an additional seven rental units at 2075 Cassiar Street for low-income seniors, and on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require.

#### Soil

7. If applicable:
  - (a) Submit a site profile to the 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 Protection, 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.

- 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 February 4, 2014, entitled "CD-1 Rezoning: 3323-3367 East 4th Avenue (Beulah Garden)".

- C. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c)5 of Appendix B of the Policy Report dated February 4, 2014, entitled "CD-1 Rezoning: 3323-3367 East 4th Avenue (Beulah Garden)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law to secure all units in this development as life lease housing for 60 years or the life of the building, whichever is longer, subject to a no-separate-sales covenant and a non-stratification covenant and such other terms and conditions that are described in Appendix B of the Policy Report dated February 4, 2014, entitled "CD-1 Rezoning: 3323-3367 East 4th Avenue (Beulah Garden)" and as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development, with the by-law to be brought forward to Council for enactment prior to enactment of the CD-1 By-law contemplated by the same report.
- D. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c)6 of Appendix B of the Policy Report dated February 4, 2014, entitled "CD-1 Rezoning: 3323-3367 East 4th Avenue (Beulah Garden)", the Director of Legal Services be instructed to amend Housing Agreement By-law no. 8885, notice of which is registered in the Land Title Office under number BX462599, against title to the adjacent sites at 2075 Cassiar Street (the "Beechwood" building) and 3355 East 5th Avenue (the "Cedars" building) to secure an additional seven rental units at 2075 Cassiar Street for low-income seniors, as a mitigation measure for the loss of the seven existing rental units on the rezoning site, and on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require, with the by-law to be brought forward to Council for enactment prior to enactment of the CD-1 By-law contemplated by the same report.
- E. THAT Recommendations A through D be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

(RZ - 3323-3367 East 4th Avenue)