

SUMMARY AND RECOMMENDATION

2. REZONING: 2405-2445 Cornwall Avenue (Point Grey Private Hospital)

Summary: To rezone 2405-2445 Cornwall Avenue (Point Grey Private Hospital) from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to expand the existing "Community Care - Class B" facility by redeveloping the properties adjacent to the existing facility with 3-storey additions to the east and west. The proposal includes a total FSR of 2.08, a building height of 12.9 metres (42.4 feet) and 0.187 parking spaces per bed.

Applicant: Stuart Howard Architects 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 Stuart Howard Architects Inc. on behalf of Point Grey Private Hospital Ltd. and a related company, St. Vincent's Apartments Ltd., to rezone:

- 2405 Cornwall Avenue [*PID: 015-099-202; Lot 11, Block 181, DL 526, Plan 848*];
- 2423 Cornwall Avenue [*PID: 009-005-561; Lot B, Block 181, DL 526, Plan 11799*];
and
- 2445 Cornwall Avenue [*PID: 014-785-005; Lot 15, Block 181, DL 526, Plan 848*];

from RM-4 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 1.45 to 2.08 and building height from 10.7 m (35.1 ft.) to 12.9 m (42.4 ft.) to permit expansion of the Community Care Facility known as Point Grey Private Hospital, by replacing two existing apartment buildings at 2405 and 2445 Cornwall Avenue with new three-storey additions on both sides of the existing care facility building, generally as presented in Appendix A of the Policy Report dated February 11, 2014, entitled "CD-1 Rezoning: 2405-2445 Cornwall Avenue (Point Grey Private Hospital)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Stuart Howard Architect Inc., and stamped "Received City Planning Department, October 10, 2013" provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below;
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of

Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to provide and contain the required parking and loading within the building.

Note to applicant: The loading function should be located within one of the lower levels of the west addition.

2. Design development to provide an enhanced landscape treatment, in lieu of the surface parking and loading areas off the lane.
3. Design development to provide and contain the required garbage and recycling areas within the building.
4. Design development to enhance the visual overlook of the roof through the removal the proposed access (elevator and stairs) and accessible open space on the roof, and through the provision of an extensive green roof treatment.
5. Design development to provide outdoor open space amenity for the residents as a component of the building.

Note to applicant: If located on one of the floors of the building, it should be located and designed to minimize privacy and overlook with nearby neighbours.

6. Design development to maintain the existing natural grade along the west side yard.

Note to applicant: The proposed alteration of grades is not acceptable. If steps are provided along this side yard then they should generally follow the slope of the natural grade.

7. Design development to the front yard to:
 - (a) provide a high quality landscape treatment that includes seating opportunities; and
 - (b) minimize the extent of grade changes for the proposed light wells and patios in order to eliminate the requirement for guardrails.
8. Design development to provide a landscape treatment at the rear of the east addition to address privacy and overlook with neighbours across the lane.
9. Design development to maintain the high quality materials indicated (granite siding, masonry panels, aluminum panels and glazed guardrails).

Sustainability

10. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

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

Engineering

11. Provision of design grades at all entries, each side of the crossings on Cornwall Avenue and at all stairs and entries along the property lines.
12. Delete the retaining walls and footings, shown over the ultimate south property line, and any retaining walls and features within the proposed 6'-0" wide Statutory Right of Way.

Note to applicant: The location of the tiered retaining walls on page 4.03 does not match that shown on the plan views.

13. Delete the landscaping features shown on the north 2 feet of the site (to be dedicated) on pages A3.02 and A3.04.
14. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for release of Easement & Indemnity Agreement 394522M (for 2 commercial crossings) prior to building occupancy. Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.
15. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown, the bin storage is located on a raised platform, confirmation of access to and from this elevation is required.

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.

16. 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:

- (a) Provision of parking, loading and garbage facilities designed and located to mitigate and minimize impact to adjacent properties adjacent the lane all to the satisfaction of the General Manager of Planning and Development Services in consultation with the General Manager of Engineering Services.
- (b) Provision of an improved wider parking ramp entry, at the underground parking level.

Note to Applicant: The current design is too narrow and the geometry through the curved portion of the ramp is too tight. It requires a driver to turn precisely or risk vehicle damage.

- (c) Re-label the Class B bicycle parking in the new underground as Class A bicycle parking and show all bicycle spaces, lockers and the maneuvering aisle correctly dimensioned.
- (d) Provide visibility of vehicles on the parking ramp and measures to ensure that a vehicle travelling in the opposite direction does not enter the ramp as another is on the parking ramp.

Social Development

- 17. Submission, with the Development Permit application, of tenant relocation plans as follows:
 - (a) For the existing occupants of the apartment buildings proposed to be demolished, a Tenant Relocation Plan consistent with the Tenant Relocation Plan outlined in the Rate of Change Guidelines and to the satisfaction of the Director of Social Development.
 - (b) For the existing occupants of the Point Grey Private Hospital, provision of a signed Tenant Relocation Plan prior to issuance of the Development Permit, to include, amongst other conditions, the following requirements:
 - i. Construction phasing schedule;
 - ii. Timetable of tenant relocation and management in relation to construction;
 - iii. Compliance with Vancouver Coastal Health Authority regulations for tenant relocation, and for notification of residents and their families; and
 - iv. Approval of the Tenant Relocation Plan by Vancouver Coastal Health Authority.

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, and the Approving Officer, as necessary, and at the sole cost and expense of the owner, make arrangements for the following:

Engineering

1. Consolidation of Lots 11 & 15, Plan 848, and Lot B, Plan 11799; all of Block 181, DL 526 to create a single parcel and subdivision of that site to result in:
 - (a) dedication of the north 2 feet of Lots 11 and 15 for lane purpose; and
 - (b) dedication of the south 7 feet of the site for road purposes.
2. Provision of a surface statutory right of way along the south 6'-0" of the site after the 7 foot dedication has been granted, for public/pedestrian uses. The elevation of the Right of Way area is to meet official City building grades and provide full structural support for the adjacent City street.
3. Provision of a Services Agreement to detail the on-site 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 curb realignment and relocation to accommodate installation of a layby/drop off feature adjacent the development site in lieu of the current on-site driveway/passenger pick-up and drop-off. Work to include relocation and adjustment of all street furniture, utilities, transit stops and shelters concrete bus landing areas and any other street furniture impacted by the curb relocation with all costs to be at 100% the developer's expense.
 - (b) Provision of a standard concrete lane entry on the west side of Balsam Street at the lane north of Cornwall Avenue.
 - (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 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.

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.
5. Update the loading management plan to include a detailed weekly/monthly schedule which minimizes all conflicts and reliance upon the lane for deliveries as well as the name/title and contact phone number for the Loading Area Manager to the satisfaction of the General Manager of Engineering Services.

Community Amenity Contribution (CAC)

6. Pay to the City the Community Amenity Contribution of \$56,112 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 for pedestrian improvements to support universal access in the immediate neighbourhood and nearby parks.

Soils Agreement

7. If applicable:
 - (a) Submit a site profile to the Environmental Protection Branch (EPB).
 - (b) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
 - (c) If required by the Manager of Environmental Protection 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, City Engineer and Director of Legal Services, including a Section

219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites 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-laws.

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 11, 2014, entitled "CD-1 Rezoning: 2405-2445 Cornwall Avenue (Point Grey Private Hospital)".
- C. THAT Recommendations A and B 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 - 2405-2445 Cornwall Avenue)