

## SUMMARY AND RECOMMENDATION

**4. REZONING: 4949-5109 Cambie Street**

**Summary:** To rezone 4949-5109 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of three six-storey residential buildings containing a total of 202 dwelling units. A building height of 24.23 m (79.5 ft.) and a floor space ratio (FSR) of 2.39 are proposed.

**Applicant:** IBI Group

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of May 13, 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 IBI Group, on behalf of Feng Yun Shao for 4949-5069 Cambie Street [*Lot 2, Amended Lot 3 (see 279991L), Amended Lot 4 (see 279439L), and Lots 5 to 9, Block 839, District Lot 526, Plan 8513; PIDs 010-086-587, 010-086-919, 010-086-927, 006-745-199, 010-086-706, 010-086-714, 010-086-722 and 002-830-191 respectively*] and on behalf of Lujian Shao and Bin Wang for 5089-5109 Cambie Street [*Lots 10 and 11, Block 839, District Lot 526, Plan 8513; PIDs 010-086-749 and 010-086-757 respectively*] to rezone 4949-5109 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.60 to 2.39 and the building height from 10.67 m (35 ft.) to 24.23 m (79.5 ft.) to permit the development of three six-storey residential buildings containing a total of 202 dwelling units, generally as presented in Appendix A of the Policy Report dated April 29, 2014, entitled "CD-1 Rezoning: 4949-5109 Cambie Street", 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 IBI Group on behalf of Feng Yun Shao, Lujian Shao, and Bin Wang and stamped "Received City Planning Department, January 22, 2014", 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 create an active, green, and pedestrian-oriented lane edge, minimizing the appearance and extent of service-oriented spaces such as ramps, garbage areas and transformers.

Note to Applicant: In particular, the extensive ramps that zigzag through the courtyard spaces should be replaced by internal paths or elevator access to reconcile the grade changes on the site. More substantial planting and larger species should be chosen to benefit both future residents and create a screen between the new six-storey building and existing neighbours to the west.

2. Design development to vary the parapet or skyline profile of the main building masses along Cambie Street, especially from one block to another.

Note to Applicant: Although the prominent vertical elements help to break up the overall massing, further design work is recommended to help vary the blocks, including their overall height.

3. Design development to the exterior colour and materials palette to reduce the apparent visual mass of the uppermost floors, to bring more visual interest and brightness to the building, and to better reflect the structure of the form.

Note to Applicant: In particular, consider a light coloured, glassy, and simple expression for the top two floors to reinforced their setback from the street and lane.

4. Design development to the vertically oriented block forms facing Cambie Street to work better with the living spaces inside.

Note to Applicant: Consider the comments of the Urban Design Panel.

5. Provision of a substantially sized row of trees on the Cambie Street, McGuigan Avenue, and future road frontages.

Note to Applicant: Adjustment to the parkade slab and other building elements will be required to provide optimal soil volumes to ensure the best long-term prospects of these trees. See also Landscape Conditions.

6. Specification of high quality, durable exterior materials on the elevation drawings.

7. Design development to respond to CPTED principles, having particular regards for:

- (i) theft in the underground parking;
- (ii) residential break and enter;
- (iii) mail theft; and
- (iv) mischief in alcove and vandalism, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

## Landscape Review

8. Design development to expand programming to include opportunities for a broader range of residents to form a complete community. This should include children's play for families with kids, passive community spaces for socializing and gathering, more enhanced urban agriculture with raised beds for the disabled and expanded common green amenity areas. The amount of open space available should allow for more orientation toward common shared spaces, rather than private.

Note to Applicant: Shared gardening areas should be designed to adhere to Council's 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.

9. Design development to improve public realm and encourage connectivity with context. Interface with public realm should provide a hierarchy delineating private, semi-private, semi-public and public spaces, within the guidelines for CPTED. Streetscape improvements should include a double row of street trees, coordinated with a row of smaller, private space trees. There should be visual and wayfinding pedestrian connections to Queen Elizabeth Park, bike trails, playgrounds and other neighbourhood amenities.
10. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
11. At time of development permit application:
  - (i) 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.
  - (ii) 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.

- (iii) 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.

- (iv) 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.
- (v) 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.
- (vi) 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;
- (vii) A Landscape Lighting Plan to be provided for security purposes.
- (viii) Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.
- (ix) Trellis and vines to be provided over the underground garage access ramp.

## Sustainability

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

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. Registration and application for certification of the project is also required under the policy.

- 13. Provision of a deconstruction plan 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 plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference.

14. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future District Energy System to supply all heating and domestic hot water requirements. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

15. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
16. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

## Engineering

17. Provision of a parking ramp slope not to exceed 12.5% after the first 20 ft.
18. Label and dimension all parking stalls.
19. Provision of design elevations on both sides of the parking ramp at all break points and notation of the length of the ramp at the specified slope.
20. Modify or delete the dead end parking spaces located on P2 at the north end of the building underground parking area.
21. Provide details of garbage bins and recycling bins within the storage areas ensuring adequate maneuvering for users to access the storage bins. Provide confirmation that a waste hauler can access and pick up the bins without reliance of the bins being stored on the lane for any period of time.
22. Provision of an updated landscape plan to reflect the street improvements proposed for the site.

Note to Applicant: The landscape plan and construction/civil drawings that may be required as a result of the services agreement should be co-ordinated to reflect all of the off-site improvements intended for the project.

### Housing Policy

23. That the proposed unit mix, including 70 two-bedroom and 18 three-bedroom units, be indicated on the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

### 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. Dedication of the south 50 ft. of the site for road purposes.
2. Consolidation of Lot 2, Amended Lot 3 (see 279991L), Amended Lot 4 (see 279439L), and Lots 5 to 11; Block 839, DL 526, Plan 8513 to form a single site.
3. Release of Easement & Indemnity Agreement 165697M (for a private crossing). This may be secured with a letter of intent prior to enactment with release prior to building occupancy.
4. 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.
  - (i) Construction of a new street connecting Cambie Street to the lane west of Cambie Street which is to include curb and gutter, pavement, sidewalk, drainage, street and pedestrian scaled lighting, street trees and related utilities where necessary. The street design to include provision for pedestrians and cyclists and public space which is to include public amenities with seating, a drinking fountain. Work to include adjustment of all existing street furniture, pavement, curbing and fixtures as well as impacted utilities to achieve construction of the new road.

- (ii) Provision of upgraded storm sewers in Cambie Street. The existing storm sewer does not have the capacity to handle the proposed site storm runoff/discharge and upgrading of the Cambie Street storm sewer from 33rd Avenue to the manhole south of 35th Avenue is required. This is a significant upgrade of the existing storm sewer currently estimated at \$900,000.
- (iii) Statutory Right of Way 140837M over Lot 8, allows for storm water from the lane west of Cambie Street to be drained to the existing storm sewer in Cambie Street. Currently this agreement does not allow any construction above or below the right of way. Should a solution to drainage of the lane be identified then the existing storm sewer within the right of way may be abandoned, relocated or additional storm sewers may be constructed to achieve lane drainage. All costs to achieve drainage of the lane will be 100% the applicants' expense and arrangements for delivery of the agreed upon drainage solution will be required prior to zoning enactment and the existing Statutory Right of Way 140837M may then be discharged. Should a drainage solution not be identified then no construction above or below the right of way is permitted.
- (iv) Provision of new and improved pedestrian crossing across Cambie Street at 35th Avenue, including a marked crosswalk and a concrete sidewalk across the north median of the Heritage Boulevard with curb ramps where necessary connecting the east and west sides of Cambie Street at this location.
- (v) Provision of a new 2.1 m sidewalk on the west side of Cambie Street adjacent to the site between McGuigan Avenue and 35th Avenue should the existing sidewalk be extensively damaged or require replacement due to construction activities. Sidewalk replacement to be determined prior to building occupancy.
- (vi) Provision of a 1.8 m wide sidewalk on the south side of McGuigan Avenue adjacent to the site between Cambie Street and the lane west.
- (vii) Provision of standard concrete lane entry at McGuigan Avenue and the lane west of Cambie Street.
- (viii) Provision of street trees adjacent the site where space permits.
- (ix) 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.

5. 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

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System, which may include but are not limited to agreements which:
  - (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that the system becomes available;
  - (ii) grant the operator of the City-designated Neighbourhood Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the owner; and
  - (iii) provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the development to the City-designed Neighbourhood Energy System.

Note to Applicant: Until a City-designated Neighbourhood Energy System utility provider has been identified, the owner will be prohibited from entering into any energy supply contract for thermal energy services, unless otherwise approved by the General Manager of Engineering Services.

## Soils

7. 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.

## Public Art

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

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

## Heritage Density Transfer

9. Secure the purchase and transfer of 1,540 m<sup>2</sup> (16,576 sq. ft.) of heritage density (which has a value of \$1,077,440) 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

10. Pay to the City the Community Amenity Contribution of \$4,443,010 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 by-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services to be allocated as follows:

- (i) \$2,760,225 to the Affordable Housing Reserve,
- (ii) \$841,395 towards improvements to Queen Elizabeth Park that provide more local access and neighbourhood-serving amenities, and
- (iii) \$841,390 towards non-profit space which would be located in another development in the Cambie Corridor.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated April 29, 2014, entitled "CD-1 Rezoning: 4949-5109 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 Parking By-law, generally as set out in Appendix C of the Policy Report dated April 29, 2014, entitled "CD-1 Rezoning: 4949-5109 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 - 4949-5109 Cambie Street]