

## SUMMARY AND RECOMMENDATION

**4. REZONING: 5129-5169 Cambie Street**

**Summary:** To rezone 5129-5169 Cambie Street 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 56 dwelling units all over one and a half levels of underground parking. The proposed floor space ratio (FSR) is 2.41 and height is 21 m (69 ft.).

**Applicant:** Intracorp Project Ltd.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of June 10, 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 Intracorp Project Ltd. on behalf of Su-Fen Hsieh for 5129 Cambie Street [*PID 010-086-773; Lot 12, Block 839, District Lot 526, Plan 8513*], on behalf of Ann Caroline Warrender for 5149 Cambie Street [*PID 010-086-781; Lot 13, Block 839, District Lot 526, Plan 8513*] and on behalf of Henry Futama, Francis Futama and Angela Foo Lee for 5169 Cambie Street [*PID 010-086-790; Lot 14, Block 839, District Lot 526, Plan 8513*], to rezone 5129-5169 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, generally as presented in Appendix A of the Policy Report dated April 17, 2014, entitled "CD-1 Rezoning: 5129-5169 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 Shift Architecture Inc. and stamped "Received City Planning Department, February 12, 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:

**Design Development**

1. Design development to improve the interface of the proposal to the adjacent proposed right-of-way (ROW) to the north of the subject site. Emphasize the building orientation to the proposed ROW as per the front yard design shown along Cambie Street. Consider secondary, ground oriented unit entries off the ROW or an expression similar to the townhouses at the building base.

2. Design development to emphasize the northern and southern building corners (fronting onto Cambie Street) and their visibility traveling along the street. At the north, consideration should be given to wrap the stone frame around the corner integrating balconies, lobby entry, amenity room and water element into a stronger, more holistic expression.
3. Design development to reduce the perceived length of the duplexed townhouses along the lane.
4. Design development to improve the juxtaposition of materials and colour. A design strategy implementing a simplified complementary colour palette would assist in presenting a more cohesive building form.
5. 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 setbacks may be increased through the design development process.

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 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)**

8. 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 alcoves and vandalism, such as graffiti.

#### **Sustainability**

9. Provision of a Deconstructed Building Material Recycling and Reuse Plan, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding materials banned from disposal).

Note to Applicant: The Deconstructed Building Material Recycling and Reuse Plan should be provided at the time of development permit application.

10. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under LEED® for Homes Midrise with a minimum of nine optimize energy points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Provide a LEED® Canada for Homes 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. Both checklist and description should be incorporated into the drawing set and significant LEED® features detailed on the plans. Registration and application for certification of the project are also required under the policy.

11. The heating and domestic hot water system for buildings within the development shall be designed to be easily connectable and compatible with a future City-designated Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

12. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat, distributed heat generating equipment, including gas fired make-up air heaters or heat producing fireplaces, unless otherwise approved by the General Manager of Engineering Services.
13. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

#### Landscape

14. Design development to locate the site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.
15. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

16. Design development for grades, retaining walls, walkways and structural elements, such as underground parking, designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Public and private trees should be planted at grade and not placed in above grade planters to achieve soil depth. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

17. Design development to resolve any conflict with neighbour trees and vegetation in proximity to proposed excavation:

Note to Applicant: There may be trees and plants that are either owned or co-owned by neighbors that could be affected by proposed excavation near the property line. All neighbor and co-owned trees should be safely retained with the necessary arborist services and/or design development; or, submit a tree permit application to remove/replace the trees accompanied by owner(s) consent in writing.

18. At time of development permit application:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a Tree Plan.

Note to Applicant: Provide a tree plan that is separate from the landscape plan and consistent with the survey and arborist report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including offsite trees and any tree protection barriers. An arborist report addendum may be necessary for offsite trees and vegetation. Tree replacements can be shown on the proposed phased landscape planting plans.

- (iii) Provision of an arborist report for all private property trees illustrated on the legal survey.

- (iv) Provision of large scale landscape sections [typical] through planted areas, including the slab-patio-planter relationship, the lane interface, common areas and upper levels;

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball.

19. Provision of new street trees, where applicable, to be provided adjacent to the development site, to be shown on the development permit plans and confirmed prior to the issuance of the building permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering at 604.871.6131 to confirm tree planting locations and Park Board at 604.257.8587 for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in depth. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion*".

## Engineering

20. Clarification of garbage pickup operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: Pickup operations should not rely on bins being stored on the street or lane for pickup; bins are to be returned to storage areas immediately after emptying.

21. Consideration for the relocation of the existing southbound bus stop at the site's frontage. If applicant so chooses, the applicant may, at 100% developer's cost, relocate the existing southbound bus stop up to 7 m to the south. The works may include but are not limited to the relocation of the bus shelter, concrete passenger landing area, traffic signs and a small tree.

22. Provision of the following notes on the landscape plan:

- (i) "Sidewalks are to be reconstructed from curb to property line fully at the applicant's expense."
- (ii) "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."

23. 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:

- (i) Provision of design elevations on both sides of the parking ramp at all break points and notation of the length of ramp at the specified slope.

- (ii) Provision of measures to improve visibility of oncoming traffic on the main parking ramp.

Note to Applicant: The wall adjacent to parking space 25 and the main parking ramp obstructs visibility of vehicles on the parking ramp. Provision of a convex mirror located in the corner of the parking ramp will help improve this.

- (iii) Confirmation that the vertical bicycle spaces are located against a wall.

Note to Applicant: The existing plan shows the vertical space placed perpendicular to a horizontal space.

### Housing Policy

- 24. That the proposed unit mix including 28 two-bedroom units and four three-bedroom units be included in 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. Consolidation of Lots 12, 13 and 14, Block 839, DL 526, Plan 8513 to create a single parcel.
- 2. 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) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. Upgrading of the existing sanitary and storm sewers on Cambie Street is required as the existing main is not adequate for the project. Work is estimated at \$400,000 in 2014 dollars. Necessary arrangements, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services are required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading.
  - (ii) Provision of minimum 2.1 m wide concrete sidewalk on Cambie Street.

- (iii) Provision of Traffic Regulation Signage in lane west of Cambie Street, subject to resident consultation.
  - (iv) Provision of new street trees adjacent the site where space permits.
  - (v) 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.
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) 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 underground services.

### 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 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 other than conventional electricity and natural gas services, unless otherwise approved by the General Manager of Engineering Services.

## Soils

5. 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

6. Secure the purchase and transfer of 308 m<sup>2</sup> (3,317 sq. ft.) of heritage density (which has a value of \$215,617) 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, 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 of the CD-1 By-law together with receipt(s) for heritage density purchase, including the amount, sale price, and total cost of the heritage density.

## Community Amenity Contribution (CAC)

7. Pay to the City the Community Amenity Contribution of \$1,940,548 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. The CAC is allocated as follows:



- (i) \$1,078,082 to the Affordable Housing Reserve.
- (ii) \$762,466 toward development of a new waterfront park and/or trail near the Fraser River.
- (iii) \$100,000 to cycling and pedestrian improvements on the west side of Willow Street, adjacent to Eric Hamber Secondary School.

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 April 17, 2014, entitled "CD-1 Rezoning: 5129-5169 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 April 17, 2014, entitled "CD-1 Rezoning: 5129-5169 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 - 5129-5169 Cambie Street]