

SUMMARY AND RECOMMENDATION

7. REZONING: 7350 Fraser Street

Summary: To rezone 7350 Fraser Street from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 95 for-profit affordable rental housing units. A height of 14.0 m (46.0 ft.) and a floor space ratio (FSR) of 2.61 are proposed.

Applicant: Cornerstone Architecture on behalf of G6 Ventures (Sunset Gardens) Ltd.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of July 22, 2014.

Recommended Approval: By the General Manager of Planning and Development Services:

- A. THAT the application by Cornerstone Architecture on behalf of G6 Ventures (Sunset Gardens) Ltd. to rezone 7350 Fraser Street [*Lots D to G, Block 9, District Lot 658, Plan 10953; PIDs 009-225-421, 009-225-447, 009-225-455 and 009-225-463 respectively*] from RT-2 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.75 to 2.61 and the building height from 9.2 m (30.2 ft.) to 14.0 m (46.0 ft.) to permit the development of a six-storey residential building with 95 secured for-profit affordable rental housing units, as presented in Appendix A of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 7350 Fraser 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 Cornerstone Architecture and stamped "Received City Planning Department, January 9, 2014", subject to the following conditions, 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 remove and/or relocate units that do not meet with minimum requirement of access to daylight, views and ventilation.

Note to Applicant: Unit type "3A", "2A" on level 1, and the northernmost unit "1A" are located too far below grade or proximate to the garbage area. These spaces need to be re-programmed with non-habitable space. These revisions should reflect the plans submitted for information on June 4, 2014.

2. Design development of the proposed amenity areas to remain at upper levels as proposed.

Note to Applicant: Related to condition 1 above, staff do not anticipate relocating any amenity areas to these below-grade locations.

3. Provision of high quality and durable exterior finishes proposed in this rezoning submission will be carried forward and remain through the to the development permit process.

Landscape Design

4. Provision of a pedestrian-friendly experience at the lane edges by the use of down-lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by a 15 cm (6 in.) high curb.

5. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long-term viability of the landscape.

Note to Applicant: 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 to BCSLA standards or better.

6. Submission of a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention and reuse of rainwater.

Note to Applicant: Strategies could include high efficiency irrigation, permeable paving, drought tolerant plants and mulching.

7. 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.

8. At time of development permit application:

- (i) Provision of 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.

- (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 root balls 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.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- (viii) Trellis and vines to be provided over the underground garage access ramp.

Crime Prevention through Environmental Design (CPTED)

- 9. Design development to consider the principles of CPTED, having particular regard 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

- 10. 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 Rezonings*, 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. Confirm whether the project will be built to LEED® or Passive House® standards. If Passive House is chosen, supply similar information on the drawings as noted above.

Engineering

11. Review the design grade shown at the parkade entry. Design grade 205.34 appears to be an error.
12. Delete lines that appear to be curbing extending from the both sides of the parkade entry onto the lane.
13. Provision of a minimum of three 5 ft. x 8 ft. spaces for bins and additional space for toters are required. Please refer to the "garbage and recycling storage facility supplement" for additional information on space requirements.
14. Place the following note on the landscape plans: "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."
15. 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) Modify the parking ramp entry at the lane to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Align the vehicle entrance perpendicular to the lane to provide improved vehicle separation by means of a "jug handle" design. The design must also ensure that vehicles entering from the north (57th Avenue), where the intersection is signalized, can enter without requiring excessive manoeuvring or backing into the lane. Contact Rob Waite of the Neighbourhood Parking and Transportation Branch at 604-873-7217 for additional information.

- (ii) Modify the parking ramp to provide improved two-way vehicle flow through the inside radius at grid line D5.

Note to Applicant: A corner-cut approximately 9 ft. by 9 ft. is required.

- (iii) Modify the parking design so that parking spaces 1, 2 and 3 do not take access from a ramp or aisle with slope or cross-fall in excess of 5%.
- (iv) Provision of column setback and placement in accordance with the requirements of the Engineering Parking and Loading Design Supplement or additional parking stall width.

Note to Applicant: There are many parking spaces such as stalls 9, 10, 21 and 22 on Level L1/P1 which do not comply.

- (v) Modify the parking layout so that parking space 21 does not obstruct access into the vestibule leading to the south lobby elevator on the P1 parking level.
- (vi) Clarify the provision of visitor parking and clearly identify the spaces on the submitted plans.
- (vii) Provision of Class B bicycle parking on private property located to comfortably accommodate bicycles and users as required.

Social Development

- 16. That the proposed unit mix, 73% one-bedroom and 27% two-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.

- 17. Provision of a list outlining the name of each tenant, the number of the tenant's unit and their rent as per Section 2 of the Rate of Change Guidelines.
- 18. Provision of a Tenant Relocation Plan which includes two months free rent; reimbursement of receipted moving expenses; and the right of first refusal to move back into the development upon completion as per Section 2 of the Rate of Change Guidelines.

Note to Applicant: This Plan should also outline ways in which you can provide assistance to tenants in finding alternate accommodation. A final Tenant Relocation Plan to the satisfaction of the Managing Director of Social Development must be submitted with your development permit application.

- 19. Provision of a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all tenants.
- 20. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes information on posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change Guidelines.

21. Provision of a final Tenant Relocation Report which outlines the names of tenants, indicates the outcome of their search for alternate accommodation, summarizes the total monetary value given to each tenant (moving costs, rent), and includes a summary of all communication provided to the tenants.

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 General Manager of Engineering Services, the Managing Director of Social Development 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 D, E, F and G, Block 9, DL 658, Plan 10953 to create a single parcel.
2. Removal or relocation of any services within public utility Statutory Right of Way 363371M, and for the release of this charge prior to building occupancy.
3. Release of Easement & Indemnity Agreement 363716M (See 470892L) (support agreement) prior to building occupancy.

Note to Applicant: Arrangements for discharge 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 these conditions. At the time of discharge the applicant is to supply a written request to the City to discharge the documents, a recent title search and a copy of the documents along with executable discharge documents to affect the releases.

4. Provision of a 0.3 m Statutory Right of Way along the Fraser Street frontage of the site to accommodate the relocated 1.8 m sidewalk and both the 1.2 m front boulevard and a grass back boulevard.

Note to Applicant: This will involve relocation or removal of the existing trees along the property line on the Fraser Street frontage of the site and adjustment of the landscaping and building entries to accommodate the Statutory Right of Way.

5. 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 is provided.

- (i) Relocation of the speed humps in the lane to avoid conflict with the parkade entry.

- (ii) Provision of new curb and gutter, sidewalk and pavement to the centerline on the south side of 57th Avenue between Fraser Street and the lane east of Fraser Street. Work to include relocation or adjustment to all utilities and street furniture impacted by the proposed road improvements.
 - (iii) Provision of a 1.8 m wide concrete sidewalk and a 1.2 m wide grass front boulevard on the south side of 57th Avenue between Fraser Street and the lane east of Fraser Street.
 - (iv) Provision of a new relocated 1.8 m wide concrete sidewalk on Fraser Street including a 0.3 m wide turf strip next to the sidewalk on the private property.
 - (v) Provision of a minimum 1.2 m wide grass front boulevard on Fraser Street.
 - (vi) Provision of standard concrete lane crossings on 57th and 58th Avenues at the lane entries east of Fraser Street.
 - (vii) Provision of street trees adjacent the site where space permits.
 - (viii) 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.
6. 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.

Housing

7. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:

- (i) No separate-sales covenant.
- (ii) A non-stratification covenant.
- (iii) None of such units will be rented for less than one month at a time.
- (iv) A rent roll indicating the proposed initial monthly rents for each rental unit.
- (v) A covenant from the owner to, prior to issuance of an occupancy permit, submit a finalized rent roll to the satisfaction of the Managing Director of Social Development and the Director of Legal Services that reflects the initial monthly rents as of occupancy in accordance with the Housing Agreement on either a per unit or a per square foot basis in order to address potential changes in unit mix and/or sizes between the rezoning and development permit stage.
- (vi) Compliance with the Tenant Relocation Plan attached to this report in Appendix E.
- (vii) Such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

Soils

8. If applicable:
- (i) Submit a site profile to the 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.
 - (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.

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 approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated June 24, 2014, entitled "CD-1 Rezoning - 7350 Fraser Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by this report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- 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 and any expenditure of funds or incurring of costs is at 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 - 7350 Fraser Street]