

SUMMARY AND RECOMMENDATION

6. REZONING: 5080, 5060, 5040 and 5030 Quebec Street

Summary: To rezone 5080, 5060, 5040 and 5030 Quebec Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey residential building containing a total of 38 dwelling units. A height of 18.9 m (62 ft.) and a floor space ratio (FSR) of 2.3 are proposed.

Applicant: Taylor Kurtz Architecture + Design Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of February 3, 2015.

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 Taylor Kurtz Architecture + Design Inc., on behalf of BOFFO Homes (Main Street) Inc., to rezone 5080, 5060, 5040 and 5030 [*Lots 15 to 18, Block 4, District Lot 637, Plan 7030; PIDs 004-397-991, 010-747-583, 010-747-591, and 010-747-605 respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.7 to 2.3 FSR and the height from 9.5 m (35 ft.) to 18.9 m (62 ft.) to permit the development of a five-storey residential building, containing a total of 38 dwelling units, generally as presented in Appendix A of the Policy Report dated January 20, 2015, entitled "CD-1 Rezoning - 5080, 5060, 5040 and 5030 Quebec 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 Taylor Kurtz Architecture + Design Inc. and stamped "Received Planning Department, May 2, 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 East 35th Avenue façade and relationship to West 35th Avenue.

Note to Applicant: West 35th Avenue will be an important pedestrian connection to Queen Elizabeth Park, and this development has a

prominent location and prime south facing exposure along this frontage. Design development should address the relative flatness of the façade as well as the outlook, connectivity, and relationship of the two storey units at the lower levels.

2. Design development to enhance the clarity and prominence of the main entry.

Note to Applicant: Further consideration should be given to the architectural expression of the entry as well as the landscape treatment in the front entry area.

3. Design development to ensure a high quality and detailing of the extensive soffit areas of the building.

Note to Applicant: Materials and lighting will be critical elements in this very significant aspect of the building.

4. Design development to enlarge and improve the usability of the amenity space and consider moving it to the roof.

Note to Applicant: See also Housing Policy conditions for further requirements regarding the design of the amenity space.

5. Design development to the external exit stairs to ensure a positive contribution to the frontage along West 35th Avenue and to the pedestrian path along the north side of the building.

Note to Applicant: The detailed design and materials of the exit stairs will be an important element with respect to the experience of the streetscape, and with respect to CPTED.

6. Design development to improve the pedestrian experience along the path on the north side of the building.

Note to Applicant: Further consideration should be given to outlook and casual surveillance from adjacent units, as well as landscape. Addressing condition five regarding the design of the exit stairs will also assist with this.

7. Consideration to further enhance the access of light to the exit stairs and through to the interior circulation corridors of the building.

8. Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the provision of a statutory right-of-way for the path on the north side of the property.

Crime Prevention through Environmental Design (CPTED)

9. 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

10. Provision of a Recycling & Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling & Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

11. 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 Rezoning*s, 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 stormwater 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.

12. The proposed approach to site heating and cooling, developed in collaboration with the City and the City's designated Neighbourhood Energy utility provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.

- (i) Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.
- (ii) The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with a 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 at the building scale. 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 precondition to building permit.

- (iii) Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (e.g. gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

Housing Policy

- 13. That the proposed unit mix including 22 two-bedroom units and 6 three-bedrooms be included in the development permit drawings.

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

- 14. Design development of indoor and outdoor common amenity space to demonstrate ability for proposal to meet the common amenity needs of a family-oriented building, as per the *High Density Housing for Families with Children Guidelines*.

Note to Applicant: Applicant has proposed an indoor amenity room of 272 sq. ft. next to the ground floor lobby. As per the *High Density Housing for Families with Children Guidelines*, indoor amenity spaces function best at a minimum of 400 sq. ft., adjacent to an accessible WC with change table and, preferably, with direct access to exterior amenity space/children's play. Inclusion of shared outdoor space suitable for use by children of different ages is encouraged, however staff acknowledges that this proposal includes adequate private outdoor space for each family-suitable unit in this building.

Landscape

- 15. Design development to provide a high-quality public realm interface incorporating safe landscaped open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment along the street and lane edge.
- 16. Design development of landscape surface treatment at property edges to provide substantial greenery for privacy screening to mitigate potential overlook issues for at grade oriented residential units.
- 17. Design development to provide maximized growing medium volumes for tree and shrub planters on structures to ensure long-term viability of the built landscape.

Note to Applicant: Structures such as underground parking slabs may need to be altered (dropped/angled/notched) to provide adequate depth and continuous soil volumes, and not placed in above grade planters to achieve soil depth. Planter depth to exceed current BC Landscape Standard.

18. Arrangements made for an ISA Certified Arborist to assess all healthy private trees located on the subject site for retention and or relocation, and to provide comments in writing at the development permit stage.
19. Design development to integrate utilities into the building, where possible.

Note to Applicant: Avoid the placement of utilities (Pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.
20. Provision of best current practices for managing water conservation in common landscaped areas, including high efficiency (drip) irrigation, drought-tolerant plant selection and mulching.
21. At the time of development permit application:
 - (i) Provision of a legal survey confirming the location of existing on-site and off-site trees;
 - (ii) Provision of an ISA Certified Arborist report for all existing site trees and adjacent trees on neighbouring sites, as noted on the legal survey;
 - (iii) Provision of a fully labelled Landscape Plan, Sections and Details at the Complete Development permit submission stage;
 - (iv) Provide large scale ¼"=1'-0" or 1:50 scale partial plans, elevations and sections illustrating the detailed treatment of the project's public realm interface at the street and lane edges; include planter walls, stairs, landscaping, soil depth (indicated by underground structures), and other landscape features, as applicable;
 - (v) Provision of hose bibs for all patios greater than 100 sq. ft in area.

Engineering

22. 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. An at-grade holding area or permanent at-grade storage is recommended.
23. Provision of City building grades and provision of design grades adjacent all entries (along the property lines) and both sides of all breakpoints on the parkade ramp.
24. Clarify the need for a PMT/LPT or vista switch to provide power to the site (BC Hydro infrastructure) and clearly show its location on the plans.

25. 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 design of the parking entry ramp to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: No portion of the ramp is to encroach into the required maneuvering aisle for the parking stalls; the current design proposes a 10% ramp behind several stalls. A design which lengthens the ramp and turns 90 degrees is likely required and such ramp is to include adequate space to achieve 2-way traffic flow through any right angle turn, a 3.0 m x 3.0 m corner cut at any turn in the ramp may be required.

- (ii) Provision of increased parking stall width or relocation of columns in the two parking spaces located between grid lines 5 and 6.
- (iii) Provision of improved access to all bicycle rooms located at the corners of P1.

Note to Applicant: As proposed, should vehicles park on either side of the bicycle room, parking a larger vehicle in the small car space could mean the door to the room may not be accessible.

- (iv) Confirmation of a minimum 20' wide, parking ramp drive aisle, unobstructed by a separate man-door, card reader, enterphone or security gate equipment is required.

Note to Applicant: As shown on submitted plans, there is only 18 ft. of ramp width at the security gate where two vehicles must pass.

- (v) Provision of larger opening in the wall adjacent both sides of the main parking to improve driver visibility of oncoming pedestrians, cyclists or vehicles in the lane.
- (vi) Co-ordinate the location of the parkade access for this site and with the proposed parkade access for 5037-5087 Main Street to ensure that there is no vehicle interlock between the operations of the 2 entry points.

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 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 15 to 18, Block 4, DL 637, Plan 7030 to create a single parcel.
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.
 - (i) Provision of standard 1.8 m wide concrete sidewalk with saw-cut joints on Quebec Street adjacent the site.
 - (ii) Provision of a 2.1 m wide concrete sidewalk with saw-cut joints on 35th Avenue adjacent the site.
 - (iii) Provision of a double curb bulge at the north east corner of Quebec Street and 35th Avenue work to include relocation of any utility or existing infrastructure impacted the curb bulge design. Where necessary the curb ramp on the opposite side of the street is to be installed should none exist.
 - (iv) 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.
 - (v) Provision of street trees adjacent the site where space permits.
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.

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 a system becomes available;
 - (ii) Grant the operator of the City-designated Neighbourhood Energy System access to the building(s) 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 Applicant; and
 - (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated 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 the Environmental Protection Branch (EPB);
 - (ii) 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; and
 - (iii) 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Community Amenity Contribution (CAC)

6. Pay to the City the cash component of the Community Amenity Contribution of \$629,280 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 as follows:

(i) \$629,280 to the Affordable Housing Reserve.

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 January 20, 2015, entitled "CD-1 Rezoning - 5080, 5060, 5040 and 5030 Quebec Street".

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 expenditure of funds or incurred 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 - 5080, 5060, 5040 and 5030 Quebec Street]