

## SUMMARY AND RECOMMENDATION

**7. REZONING: 1600, 1600A and 1620 West 6th Avenue**

**Summary:** To rezone 1600, 1600A and 1620 West 6th Avenue from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 12-storey residential building containing a total of 99 secured market rental housing units. A height of 31.44 m (103.2 ft.) and floor space ratio (FSR) of 4.37 are proposed.

**Applicant:** Austerville Properties Limited

**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 Austerville Properties Limited to rezone 1600, 1600A and 1620 West 6th Avenue [*Lots 8, 9, and 10, Block 289, District Lot 526, New Westminster District, Plan 590; PIDs: 012-521-299, 012-521-302 and 012-521- 311 respectively*] from C-3A (Commercial/Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 3.30 to 4.37 and the height from 30.5 m (100 ft.) to 31.44 m (103.2 ft.) to permit the development of a 12-storey residential building containing 99 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated January 23, 2015, entitled "CD-1 Rezoning - 1600, 1600A and 1620 West 6th Avenue), 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 W.T. Leung Architects Inc. and stamped 'Received on September 29, 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 provide indoor and outdoor amenity spaces, relocated at a higher elevation in order to access natural daylight and a strong visual relationship with the ground plane.

Note to Applicant: The proposed indoor amenity space is located in a subterranean location, as does the outdoor space, which is terraced up due to the location of the parking ramp underneath. Relocating all or a large percentage of these spaces to a higher elevation will greatly increase the livability and usability of these areas.

### **Crime Prevention through Environmental Design (CPTED)**

2. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:

- (i) theft in the underground,
- (ii) break and enter,
- (iii) mischief and vandalism such as graffiti, and
- (iv) mitigate possible CPTED concerns in the parking area.

### **Landscape Design**

3. Design development to provide a more pedestrian friendly experience along the Fir Street edge.

Note to Applicant: This can be achieved by additional planter stepping, reducing the abrupt vertical change in grade. Also, planting with overflowing branching habit could soften the edges.

4. Design development to improve community interaction and use of the outdoor Amenity Area.

Note to Applicant: This can be achieved by altering the grade changes and terracing to achieve seamless indoor-outdoor access.

5. Provision of all necessary infrastructure for urban agriculture plots, such as raised beds, water for irrigation, potting bench, tool storage and composting. Shared gardening areas should be designed to adhere to the City's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure and universal accessibility.

6. 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.

7. 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.
8. 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.

9. 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.

10. 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.
11. 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.
12. 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.
13. 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. Integration of the Public Bike Share into the public realm landscape design and the interface to the landscaping up to the buildings face.

### **Sustainability**

14. Identification on the plans and elevations of the built elements contributing to the building sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings policy for Rezoning, 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.
15. Provide for Neighbourhood Energy System compatibility and future connection within the proposed building.

### **Housing**

16. That the proposed unit mix of 1% Studio, 63%1-bedroom and 36% 2-bedroom 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. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
18. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

### Engineering

19. Provision of all Class A bicycle spaces on the P1 level with 'stair-free' access to grade.

Note to Applicant: Class A spaces are shown on level P1 and P2.

20. Modify small car stall 34 on P1 to provide additional stall width for access into the bike room.

Note to Applicant: As there is no guarantee that a small car will be assigned this space, a full sized vehicle would block the access corridor to the Class A bicycle spaces.

21. Relocate columns adjacent to stalls 22 and 36 on P1 to be set back 2 ft. from the end of the stall to improve maneuvering. This condition applies to all levels.
22. Modify the jug handle ramp design to provide 2-way flow on the ramp and provide an improved plan showing the vehicle maneuvering through the jug handle.

Note to Applicant: The current design does not provide 2-way flow through the jug handle and causes inbound vehicles to cross over the centre of the ramp into the oncoming direction. This is a concern for both drivers and cyclists using the ramp.

23. Provision of an improved plan showing additional design elevations on both sides of the ramp at all breakpoints and within the parking and loading areas to be able to calculate slopes and cross falls.

Note to Applicant: Design elevations should start from the PL at the top of the ramp.

24. Provision of a 4 ft. x 4 ft. corner cut at gridline J9 on drawing A-2.02 and measures to improve visibility of oncoming traffic on the ramp.

Note to applicant: A parabolic mirror is recommended.

25. Modify the loading bay to provide a perpendicular Class B loading space from the lane with a double throat.

Note to Applicant: Engineering does not support the parallel loading space as shown backing out of this lane is not acceptable.

26. Provision of a section drawing showing elevations, vertical clearances, and security gates for the main ramp along gridline 11 and through the loading bay.

Note to Applicant: The minimum vertical clearance required for the Class B loading space is 3.5 m (11.5 ft.) but Engineering recommends provision of 3.8 m (12.5 ft.) of vertical clearance to improve the usability of the loading space.

27. Provision of a landscape plan that reflects the off-site improvements required of this rezoning application.
28. The applicant is advised to seek discharge of Annexed Easement GB137767 over the adjacent East 1/2 of Lot 7, once the encroaching structure is removed.

#### 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 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 8, 9, and 10, Block 289, DL 526, Plan 590 to create a single parcel and subdivision of that site to result in the dedication of the south 3.048 m for lane purposes and the dedication of the east 1.4 m of the site for road purposes. An application to the Subdivision and Strata Group is required.
2. Provision of adequate maneuvering to access the parkade entry. The current parkade entry location does not provide adequate lane width for access to the parkade.

Note to Applicant: It is noted that the applicant is also the owner of Lot 13 to the south which could be utilized to provide adequate maneuvering by way of a statutory right of way and option to purchase over the north 3.048 m of Lot 13, thereby providing the necessary maneuvering and access. If the applicant agrees then appropriate legal arrangements will be required.

3. Release of Easement & Indemnity Agreements R33407, 104833M and 123871M (all for commercial crossings) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

4. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

- (i) Size: Space 16 m x 4 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.
- (ii) Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing easy access to the street. Note, PBS can be achieved within the full 1.4 m dedication sought above, no PBS requirements would be necessary following dedication.
- (iii) Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
- (iv) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
- (v) Sun exposure: No vertical obstructions to maximize sun exposure, as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
- (vi) Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

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 are provided.
- (i) 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 percent of any water system upgrading that may be required.
  - (ii) Provision of stormwater drainage for the lane south of 6th Avenue adjacent the site. There is currently no storm drain available to drain the lane; provision of a storm spur or alternate

arrangements to the satisfaction of the General Manger of Engineering Services is required.

- (iii) Provision of lane paving to accommodate the proposed lane opening and extension.
  - (iv) Provision of new 1.8 m concrete sidewalks with 1.8 m wide front grass boulevards adjacent to the 6th Avenue frontage of the site.
  - (v) Provision of 2.1 m concrete sidewalk and a 1.5 m front boulevard adjacent to the Fir Street frontage of the site.
  - (vi) Provision of a corner bulge at the corner of 6th Avenue and Fir Street adjacent to the site.
  - (vii) Provision of street trees adjacent to the site where space permits.
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 secured market rental housing units for the longer of 60 years and life of the building, subject to the following additional conditions:
- (i) A no separate-sales covenant.
  - (ii) A non-stratification covenant.
  - (iii) That none of such units will be rented for less than one month at a time.
  - (iv) Such other terms and conditions as the Chief Housing Officer 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; 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.

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 January 23, 2015, entitled "CD-1 Rezoning - 1600, 1600A and 1620 West 6th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s), 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, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to Schedule B of the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated January 23, 2015, entitled "CD-1 Rezoning - 1600, 1600A and 1620 West 6th Avenue".
- 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 costs;
  - (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 - 1600, 1600A and 1620 West 6th Avenue]