



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: February 17, 2015  
Contact: Susan Haid  
Contact No.: 604.871.6431  
RTS No.: 10854  
VanRIMS No.: 08-2000-20  
Meeting Date: March 3, 2015

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services

SUBJECT: CD-1 Rezoning - 126, 136, 146, 156, 166 and 168 East 35th Avenue

**RECOMMENDATION**

A. THAT the application by Ramsay Worden Architects Ltd., on behalf of Mosaic East 35th Holdings Ltd. to rezone 126, 136, 146 and 156 East 35th Avenue [*Lots 48 to 51, Block 4, District Lot 637, Plan 3774; PIDs 012-214-086, 012-214-094, 012-214-108, 012-214-116 respectively*], 166 and 168 East 35th Avenue [*Lots D and E, Block 4, District Lot 637, Group 1, New Westminster District, Plan BCP11511; PIDS 025-959-018, 025-959-026 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 20.7 m (68 ft.) to permit the development of a six-storey residential building, containing a total of 48 dwelling units, be referred to a Public Hearing together with:

- (i) plans prepared by Ramsay Worden Architects Ltd., received July 8, 2014;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to the conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

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 the expenditure of funds or incurring of costs is at the sole 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 sole 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.

### **REPORT SUMMARY**

This report evaluates an application to rezone six lots located at 126, 136, 146, 156, 166 and 168 East 35th Avenue from RS-1 (One Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing a total of 48 dwelling units all over one level of underground parking. The site is located within the Riley Park South Cambie neighbourhood. The *Little Mountain Adjacent Area Rezoning Policy*, approved by Council on January 15, 2013, applies to this property. Staff have assessed the application and conclude that it meets the intent of the *Little Mountain Adjacent Area Rezoning Policy* (LMAARP).

Staff support the application, subject to design development and other conditions outlined in Appendix B and recommend that it be referred to Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing, along with conditions of approval in Appendix B.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council policies for this site include:

- Little Mountain Adjacent Area Rezoning Policy (2013)
- Riley Park South Cambie Community Vision, November (2005)
- High-Density Housing for Families with Children Guidelines (1992).
- Community Amenity Contributions Through Rezoning (1999, last amended 2014)
- Green Buildings Policy for Rezoning (2010, last amended 2014)
- Vancouver Neighbourhood Energy Strategy (2012)
- Urban Agriculture for the Private Realm (2009)

## REPORT

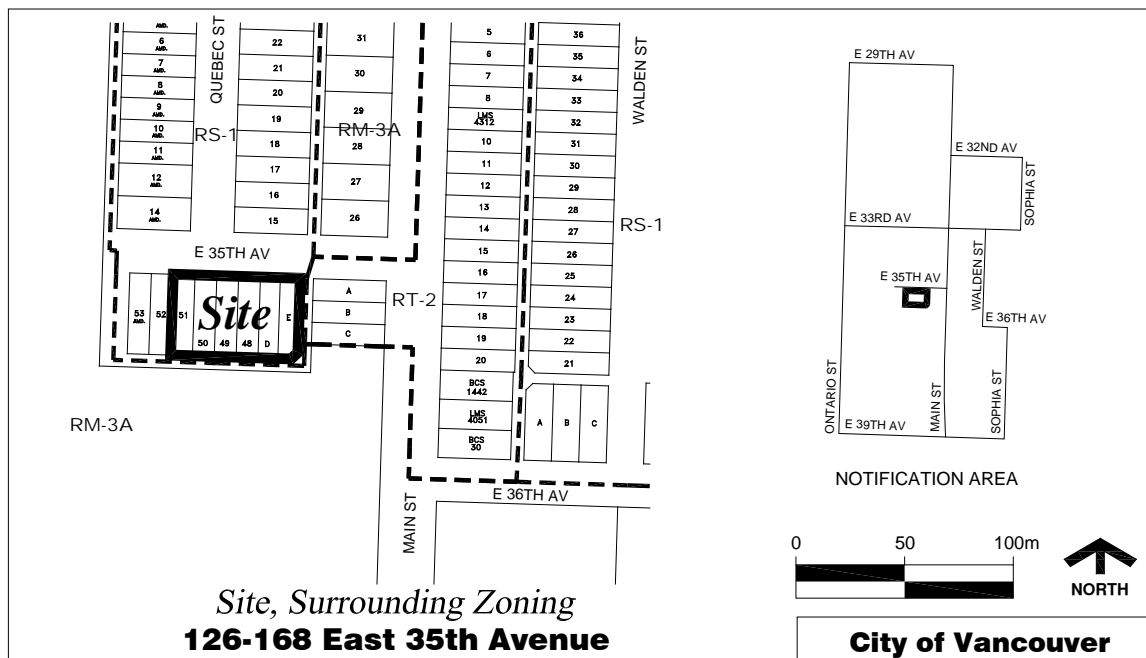
### 1. Site Context

This 2,169 m<sup>2</sup> (23,348 sq. ft) site is located on East 35th Avenue in the Riley Park South Cambie Neighbourhood (see Figure 1). The site is comprised of six legal parcels with an overall frontage of 58 m (192 ft.) along East 35th Avenue. Currently the site is developed with six detached houses as are the properties to the north across East 35th Avenue. All properties surrounding the proposed site are subject to consideration for rezoning under the *Little Mountain Adjacent Area Rezoning Policy*. The site at the northeast corner of Quebec Street and East 35th Avenue is currently subject to a rezoning proposal for a five-storey building.

The subject site is also adjacent to the future Little Mountain redevelopment site which is guided by policies in the Little Mountain Policy Statement, approved by Council in June 2012. The Policy Statement recommends heights of six to eight storeys immediately to the south and west of the proposed rezoning. A rezoning application for the Little Mountain site, currently on hold, proposes building up to eight storeys immediately south and west of the rezoning proposal.

If the Little Mountain rezoning is approved, future public amenities on the site will include a new neighbourhood house, daycare, social housing and a community plaza. Existing public amenities in the area include Hillcrest Community Centre, and Queen Elizabeth Park. Two local bus routes (#3 along Main Street and #33 along 33rd Avenue to the north) serve the site which is also within a ten minute walk to both the Oakridge-41st Avenue and King Edward Canada Line stations.

Figure 1: Site and surrounding zoning (including notification area)



## 2. Policy Context

**Little Mountain Adjacent Area Rezoning Policy (2013)** - On February 13, 2013, Council adopted the Little Mountain Adjacent Area Rezoning Policy which provides direction on a range of issues including: building forms, heights and densities, housing mix, public benefits, transportation and sustainability. The Policy emphasizes innovative housing types suitable for families and options to improve housing affordability through ground oriented units and a requirement of 35% family units (25% two-bedrooms, 10% three-bedrooms).

### High-Density Housing for Families with Children Guidelines (1992)

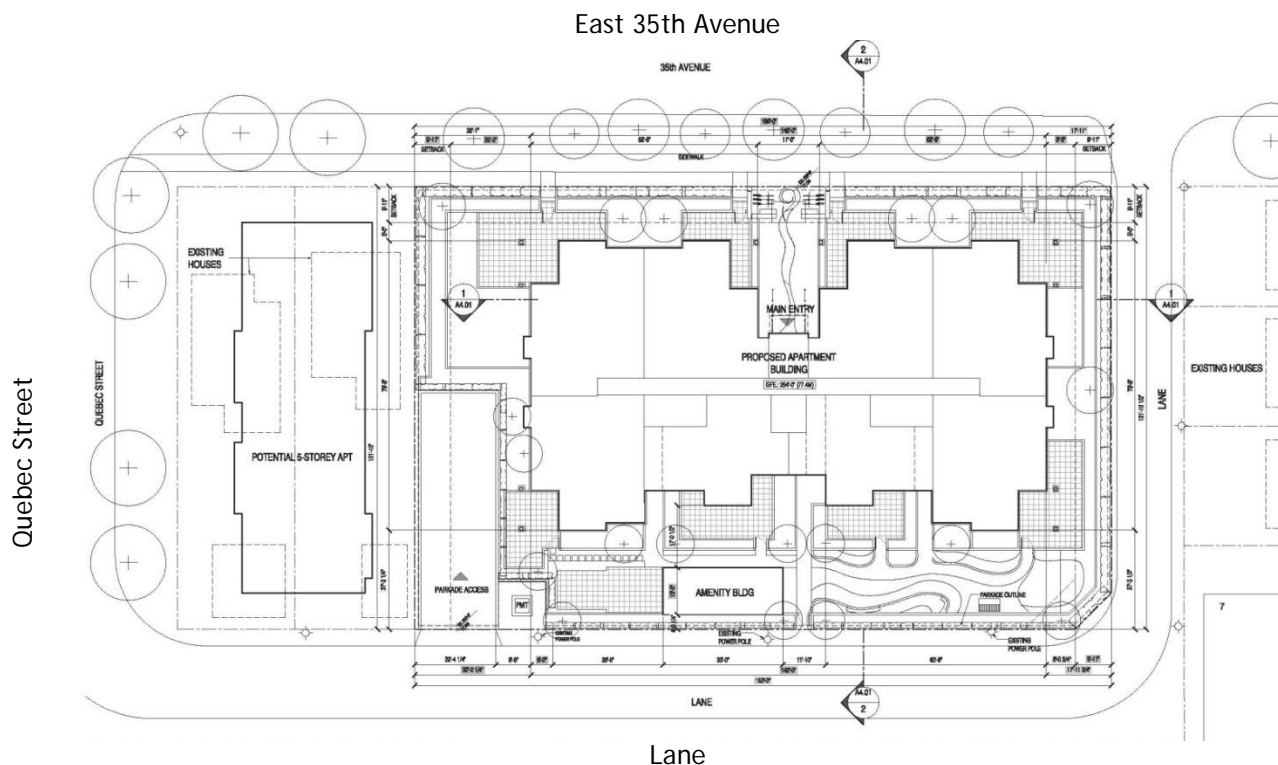
The intent of the guidelines is to address the key issues of site, building and unit design to achieve liveability objectives for families with children. The guidelines provide direction on project planning, project design and unit design.

## Strategic Analysis

### 1. Proposal

The application proposes to rezone four properties 126, 136, 146, 156, 166 and 168 East 35th Avenue from RS-1 (One Family Dwelling) District to CD-1 (Comprehensive Development) District. In total the application proposes 48 dwelling units with a total FSR of 2.3 and a building height of 20.7 m (68 ft). One level of underground parking will be accessed from the lane with a total of 60 vehicle spaces and 67 bicycle spaces.

Figure 2: Site Plan



## 2. Housing

To meet the 35% family housing requirement of the Little Mountain Adjacent Area Rezoning Policy the applicant has submitted a proposal for 86% two-bedrooms and 13% three bedroom units. A condition of approval is included in Appendix B to ensure that this unit mix is maintained through the development stage. The application also provides a cash CAC of \$859,188 to be allocated to the Affordable Housing Reserve Fund to advance housing objectives either on the Little Mountain site or within the Riley Park South Cambie area.

**Figure 3: Proposed Unit Types**

Type	1 bedroom	2 bedroom (family units)	3 bedroom (family units)	
Market	2 (4%)	40 (83%)	6 (13%)	48

## 3. Form of Development (refer to drawings in Appendix E)

The application is for a six storey building with a proposed floor area of 2.3 FSR and is within the density and height recommendations of the Little Mountain Adjacent Area Rezoning Policy.

The proposal is designed as two linked pavilion forms with an entry courtyard which maximizes the number of corner units with exposure to daylight and cross ventilation. To minimize potential shadow impacts the building is sited with increased setbacks along the street and on both side yards. The apparent mass of the building is addressed through a differentiation in material and colour treatment at the upper levels with large roof overhangs and open balconies that contrast the framed and defined balconies on lower levels. Materials include brick, textured brick panels and textured metal panels and metal railings. Ground level units have private outdoor patios and entry gates to the street. In the rear of the building a single storey amenity building and outdoor space provides opportunities for outdoor living and urban agriculture.

The Urban Design Panel reviewed and supported this application on September 24, 2014 (see Appendix D). Staff believes that the proposed design responds to the built form guidelines of the Little Mountain Adjacent Area Rezoning Policy. Staff support the application, subject to the design development conditions noted in Appendix B, which will further improve the building design through the development permit process.

## 4. Transportation and Parking

Vehicle and bicycle parking are provided within a single level of underground parking, accessed from the rear lane through a parking ramp. The location of the parking ramp provides an opportunity for a future development on the adjacent property to the west to share this ramp. Sharing the ramp can provide efficiencies in garage design for the later development and improve the lane environment by reducing the number of vehicular access points. This shared access will be secured through the appropriate legal agreements.

The applicant proposes 60 vehicle parking spaces and 67 bicycle storage spaces which would be provided in accordance with the Parking By-Law. Engineering Services has no objections to the proposed rezoning provided the conditions outlined in Appendix B can be addressed prior to by-law enactment.

## **5. Environmental Sustainability**

The Green Building Rezoning Policy (amended by Council on June 25, 2014) requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain the required LEED® points and energy efficiency and, therefore, would be eligible for a LEED® Gold rating

Under the Little Mountain Adjacent Area Rezoning Policy, all new buildings must be readily connectable to a neighbourhood energy utility ("NEU") when available and legal agreements will be required to ensure this.

A condition of rezoning in Appendix B requires the 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).

## **6. Public Input**

**Public Notification** — The City of Vancouver Rezoning Centre webpage included notification and application information as well as an online comment form. A rezoning information sign was also posted on the site. A total of 633 notifications were distributed within the neighbouring area on or about August 26, 2014. A community open house was held on September 9, 2014 with staff and the applicant team present, a total of ten people attended.

**Public Response and Comments** — The City received a total of two responses to the application, by email or comment. Concerns with respect to the application focused on a desire to see sustainable building practices and high quality construction with a positive visual impact on the neighbourhood as well as adequate parking on site.

### ***Public Benefits***

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

**Development Cost Levies (DCLs)** — Development Cost Levies collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure. The site is subject to the Citywide DCL rate of \$138.53/m<sup>2</sup> (\$12.87/sq. ft.). On this basis, a DCL of approximately \$691,119 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment on September 30th of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12-months from the date of DCL by-law rate amendment provided that it has been submitted prior to the adoption of such DCL By-law rate adjustment. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply.

**Public Art** — The Public Art Policy for Rezoned Development requires that rezonings involving a floor area of 9,290.0 m<sup>2</sup> (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. The proposed floor area is below this threshold and therefore there is no public art requirement.

#### **Offered Public Benefits:**

**Community Amenity Contribution (CAC)** - Within the context of the City's Financing Growth Policy, and the Little Mountain Adjacent Area Rezoning Policy, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include either the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

In order to provide more certainty and clarity as sites within the Little Mountain Adjacent Area redevelop, and to improve processing efficiency for rezoning applications, an approach to CACs based on a target rate is used. This rate is the basis for all four- to six-storey residential rezoning proposals within the Little Mountain Adjacent Areas Sub-Area One. A target CAC rate of \$23 per square foot, based on the net additional increase in floor area (37,356 sq. ft.), has been determined to be appropriate for this application. Accordingly, this applicant has offered a cash CAC of \$859,188.

In accordance with the Little Mountain Adjacent Area Rezoning Policy, CACs will be allocated towards the Affordable Housing Reserve to help achieve Council's social housing objectives either on the Little Mountain site or in the Riley Park South Cambie area.

#### **FINANCIAL IMPLICATIONS**

As noted in the section on Public Benefits, the applicant has offered a cash CAC of \$859,188, which will be allocated to the Affordable Housing Reserve to advance Council's social housing objectives either on the Little Mountain site or in the Riley Park South Cambie area.

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget processes.

The Citywide DCL District rate applies to this site and it is anticipated that the project will generate approximately \$691,119 in DCLs.

## *CONCLUSION*

Staff assessment of this rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and its context, and that the application is consistent with the Little Mountain Adjacent Area Rezoning Policy with regard to land use, density, height and form.

The General Manager of Planning and Development Services recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A. Further it is recommended that, subject to the public hearing, the application including the form of development, as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

\* \* \* \* \*



126, 136, 146, 156, 166 and 168 East 35th Avenue  
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z- ( ) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

*[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]*

**Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ( ).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ), and the only uses for which the Directory of Planning or Development Permit Board will issue development permits are:
  - (a) Multiple Dwelling; and
  - (b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

**Conditions of use**

3. The design and layout of at least 35% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms; and
  - (c) comply with Council's "High Density Housing for Families with Children Guidelines".

**Floor area and density**

- 4.1 Computation of floor space ratio must assume that the site consists of 2169 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

- 4.2 The floor space ratio for all uses must not exceed 2.3
- 4.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.4 Computation of the floor area must exclude:
- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12% of permitted floor area, and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the minimum exclusion for a parking space must not exceed 7.3 m in length;
  - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;
  - (e) amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area; and
  - (f) a staircase in a top floor unit that leads to a roof deck.
- 4.5 The use of floor area excluded under sections 4.4 must not include any purpose other than that which justified the exclusion.

### **Building height**

5. Building height, measured from base surface, must not exceed 20.7 m.

### **Horizontal angle of daylight**

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.

- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m,
- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any site adjoining CD-1 ( ).
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) A bathroom; or
  - (b) A kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit, or
    - (ii) 9.3 m<sup>2</sup>.

#### Acoustics

7. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

\* \* \* \* \*

126, 136, 146, 156, 166 and 168 East 35th Avenue  
DRAFT CONDITIONS OF APPROVALS

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for Public Hearing.

**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 Ramsey Worden Architecture Inc. and stamped "Received Planning Department, July 8, 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 provide a clear delineation between private and public space at the ground level.  
  
Note to Applicant: The ground plane of the building should rise a minimum of 12" to provide separation between ground level units and public space.
- 2. Design development to improve the legibility of the amenity building at the rear of the property to ensure both a direct connection with the main building and a positive relation to the lane.  
  
Note to Applicant: the amenity building should be carefully designed to create a positive space which is visually aligned with the main building while contributing the active edge along the lane.
- 3. Design Development to ensure building heights are within the approximate height limits of the guidelines and the maximum prescribed in this by-law.  
  
Note to Applicant: Floor to floor heights should be carefully considered to achieve enhanced livability of the units while respecting the intent of the policies and guidelines regarding building scale and height transitions in the Little Mountain area.
- 4. Design development to ensure a high level of quality and detailing in the materiality of the building

Note to Applicant: A high degree of attention given to the exterior materials will be critical to the success of the building and the expression of the six storey form.

5. Consideration to reflect the varied orientations of the building and passive design elements as the building design evolves in development permit stage.

## Landscape

6. 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;

Note to Applicant: landscape surfaces, planting and other elements should provide a transition from the residential site to the future community hub to the south. Treatment at the lane should be substantial enough to enhance the pedestrian lane experience. The lane edge planting should be protected from vehicles by an 8" high curb.

7. 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.
8. 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;

9. Provision of a complete tree information by a tree survey, Arborist Report and Tree Management Plan, to assess all healthy private trees located on the subject site for retention and or relocation, and to provide comments in writing;

10. 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;

11. Provision of best current practices for managing water conservation in common landscaped areas, including high efficiency ( drip) irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching;

### Crime Prevention through Environmental Design (CPTED)

12. 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

13. 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.

14. 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.

15. 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 pre-condition 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

- 16. That the proposed unit mix including 40 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.

- 17. 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 Guidelines for Families with Children*.
- 18. 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;

Note to Applicant: landscape surfaces, planting and other elements should provide a transition from the residential site to the future community hub to the south. Treatment at the lane should be substantial enough to enhance the pedestrian lane experience. The lane edge planting should be protected from vehicles by an 8" high curb.

- 19. 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.

20. 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;

21. Provision of a complete tree information by a tree survey, Arborist Report and Tree Management Plan, to assess all healthy private trees located on the subject site for retention and or relocation, and to provide comments in writing;

22. 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;

23. Provision of best current practices for managing water conservation in common landscaped areas, including high efficiency ( drip) irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching;

## Engineering

24. 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 on-site at-grade storage pad is recommended.

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:

26. Provision of details of the column placement within the underground parking in compliance with the requirements of the Engineering Parking and Loading Design Supplement.
27. Provision of parking spaces sized and labelled in imperial measurement to agree with the drawing scale.
28. Provision of bicycle rooms not to contain more than 40 bicycle spaces unless the spaces in excess of 40 are bicycle lockers.



29. Provision of confirmation that the vertical bicycle spaces are situated adjacent a wall.

Note to Applicant: bicycles placed vertically are not to be hung from the ceiling, but rather leaned up against a wall, and this does not appear possible.

30. Relocate the two "dead end" small car parking spaces so that they are accessible via a standard manoeuvring aisle or delete these spaces.

Note to Applicant: it is too far to back up and as shown requires too many turns to place the car in a forward direction.

31. At the 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 screened 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.

#### 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 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 48, 49, 50, & 51, Plan 3774, and Lots D & E, Plan BCP11511; all of Block 4, DL 637 to create a single parcel.
2. Provision of appropriate access agreements to allow vehicular access from this site to a future redevelopment site on the adjacent property to the west (Lot 52 and 53, Block 4, DL 637, Plan 3774).
3. 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 financial security for the services is 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% of any water system upgrading that may be required.
  - (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to

determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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 sewer system upgrading that may be required.

- (iii) Provision of a 2.1 metre wide concrete sidewalk with saw cut joints on East 35th Avenue adjacent the site.
  - (iv) Provision of improved street lighting adjacent the site to meet current lighting standards.
  - (v) Provision of asphalt lane paving on the lane south of East 35th Avenue and the lane west of Main St. adjacent the site to current city standards.
  - (vi) Provision of additional cycling amenities on site, to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services, reflecting Section 6.5 of the Little Mountain Adjacent Area Rezoning Policy which seeks the building design to accommodate and encourage bicycle use through measures which may include enhanced bike storage and facilities, wheel ramps, a wash station, automatic door openers, repair facilities or identified storage space for trailers or unusually sized bikes.
  - (vii) Provision of street trees adjacent the site where space permits.
  - (viii) Provision of a concrete lane crossing at the lane west of Main St. on the south side of East 35th Avenue.
4. 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

5. 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 Utility, which may include but are not limited to agreements which:

- (i) require buildings within the development to connect to the City-designated Neighbourhood Energy Utility 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 Utility 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 Utility.

Note to Applicant: Until a City-designated Neighbourhood Energy 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

6. 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)

7. Pay to the City the cash component of the Community Amenity Contribution of \$859,188 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) \$859,188 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.

\* \* \* \*

126, 136, 146, 156, 166 and 168 East 35th Avenue  
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SUBDIVISION BY-LAW NO. 5208

A consequential amendment is required to delete 126, 136, 146 and 156 East 35th Avenue. [*Lots 48 to 51, Block 4, District Lot 637, Plan 3774; PIDs 012-214-086, 012-214-094, 012-214-108, 012-214-116 respectively*], 166 and 168 East 35th Avenue [*Lots D and E, Block 4, District Lot 637, Group 1 New Westminster District Plan, Plan BCP1151; PIDs 025-959-018, 025-959-026 respectively*] from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

\* \* \* \*

126, 136, 146, 156, 166 and 168 East 35th Avenue  
ADDITIONAL INFORMATION

URBAN DESIGN PANEL MINUTES

The Urban Design Panel reviewed this rezoning application on September 24, 2014. The application was supported 5-2.

EVALUATION: SUPPORT (5-2)

- **Introduction:** Graham Winterbottom, Rezoning Planner, introduced the proposal for a 6-storey building by Mosaic Properties located on East 35<sup>th</sup> Avenue at Quebec Street. He noted the surrounding context of single family homes and that the site is adjacent to the 15 acre Little Mountain site, Queen Elizabeth Park and is one kilometer from either the King Edward or the 49<sup>th</sup> Avenue Canada Line Stations. Mr. Winterbottom mentioned that the application is being considered under the context of the Little Mountain Adjacent Area Rezoning Policy that was approved by Council in February 2013. The planning work for the Policy was initiated by the Riley Park South Cambie Vision, approved by Council in 2005. The Vision stated that if policy was developed for the larger Little Mountain site then the Adjacent Area should also be considered for zoning changes. The Policy for larger sites was approved by Council in June 2012 and generally recommends heights across the site of 6-8 storeys with opportunities at the centre of the site for a 10 and a 12 storey building. Heights immediately next to the adjacent area go from 4-6 storeys along the Quebec Street lane and 4-8 storeys south of the East 35<sup>th</sup> Avenue lane. The Adjacent Area Rezoning Policy contains several principles to guide the redevelopment of the area including: a transition in scale and height; diverse and innovative housing types and connections and permeability.

Pat St. Michel, Development Planner, further described the proposal and mentioned that to the south is the main Little Mountain site where a community hub is envisioned. It will focus on local shopping and as well there is a neighbourhood house planned on Main Street with childcare across the lane. The proposal is for a 6-storey, wood framed building with 48 units of which 42 are two bedrooms and six are three bedroom units. This is in keeping with the policies to encourage units that are suitable for families. As well there are 60 underground parking spaces, accessed from the lane, with a driveway that will be shared in the future with the adjacent site. The proposal is organized as two smaller linked pavilion forms with an entry courtyard that maximizes the number of corner units with a lot of daylight and ventilation. The proposal is for a 6-storey building with repetition of floor plates and massing throughout the levels. To address the Guidelines re stepping back and reducing massing and shadowing, the building is sited with increased setbacks along the street and on both side yards. Also the upper level is differentiated in material and colour treatment with large roof overhangs and open balconies that contrast the framed and defined balconies on lower levels. At the ground level, units have private patios and entry gates to the street and are located essentially at grade. A single storey common amenity building and outdoor amenity area are located along the lane. Materials include brick, textured brick panels and textured metal panels and metal railings. In accordance with the Rezoning Policy, the applicant is pursuing LEED™ Gold compliance.

Advice from the Panel on this application is sought on the following:

- Is there support for the proposed massing, density and height?
  - the approach to the massing, and the use of increased setbacks to address Policy that generally upper levels of buildings step back to minimize the apparent massing and increase sunlight access to the street.
  - the overall building height of approximately 68 feet to 69 feet, noting that the Policy supports approximately 65 feet.
- the design and relationship to grade of the ground floor units, noting that the policy asks for a functional entry expression and semi-private outdoor space designed for comfortable use (change of level, landscaping to entrance, privacy, etc.).

Mr. Winterbottom and Ms. St. Michel took questions from the Panel.

- **Applicant's Introductory Comments:** Bob Worden, Architect, further described the proposal using a Power Point presentation. He noted that the proposal consists of a 6-storey wood frame apartment building with a 1-storey amenity building located on the lane. The building mass has been divided into two forms to maximize the corner units and to modulate the scale into smaller building forms. Increased setbacks optimize the views through the site. The top floor is expressed with the use of materials and colours while the corners are stepped back.

Peter Kreuk, Landscape Architect, described the landscaping plans and mentioned that the private patios have landscaping within the setback. The main lobby includes landscape walls, planting and lighting. The entry court includes a trellis and water feature. Fruit trees are proposed along the south laneway. The detached amenity building is adjacent to a common outdoor patio area and children's play.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
  - Design development raise the ground floor up a bit and improve the relationship to grade;
  - Consider absorbing the amenity space into the mass of the building and providing better visibility and connection from the common areas;
  - Design development to improve the pedestrian experience and porosity at the lane;
  - Consider adding shading devices to the south façade.
- **Related Commentary:** The Panel supported the proposal.

The Panel supported the proposed massing, density and height of the development. Most of the Panel supported the approach of the enhanced setbacks and thought it created additional ground plane space that would be useful to the lower units.

The Panel noted that the ground floor of the building was a bit too low and should come out of the ground another foot or two above grade. As well they suggested the building could go higher than the 65 feet that is currently prescribed in the Guidelines. The panel appreciated the proposed 10 foot ceilings. They thought the ground units were too close to grade and wouldn't have an appropriate step up to the patio.



The Panel thought the amenity building was occupying prime real estate at grade and would be better incorporated into the ground floor mass at the rear of the building to permit use directly from the building while creating an opportunity to add some additional common outdoor space. The amenity space is somewhat isolated and needs more clear and direct access for residents.

The Panel thought the lane could be improved with landscaping that would still leave a space for a pedestrian path, allowing them to move safely along the lane.

The Panel was mixed around the expression of the building. Some Panel members thought the Guidelines were not being reflected in the proposed expression. It has a strong vertical expression reminiscent of the some of the heritage buildings in the city. However this expression steps away from what is going to become a more common horizontal language of the neighbouring building context. Some Panel members thought it should be simplified, while others suggested some mediation between the strong vertical expression. The horizontality of a more contemporary expression should be sought. Responding to the different orientations of the building may help with this.

Some Panel members thought there could be better shading to the windows on south façade. The Panel felt for the most part that the materiality of the building, the strategy of the entry and light into the public spaces was successful.

- **Applicant's Response:** Ms. Kovacs said they tried to follow the Guidelines noting that there isn't any reference to the style of building that can be designed. As well there isn't any information on building for the Little Mountain site.

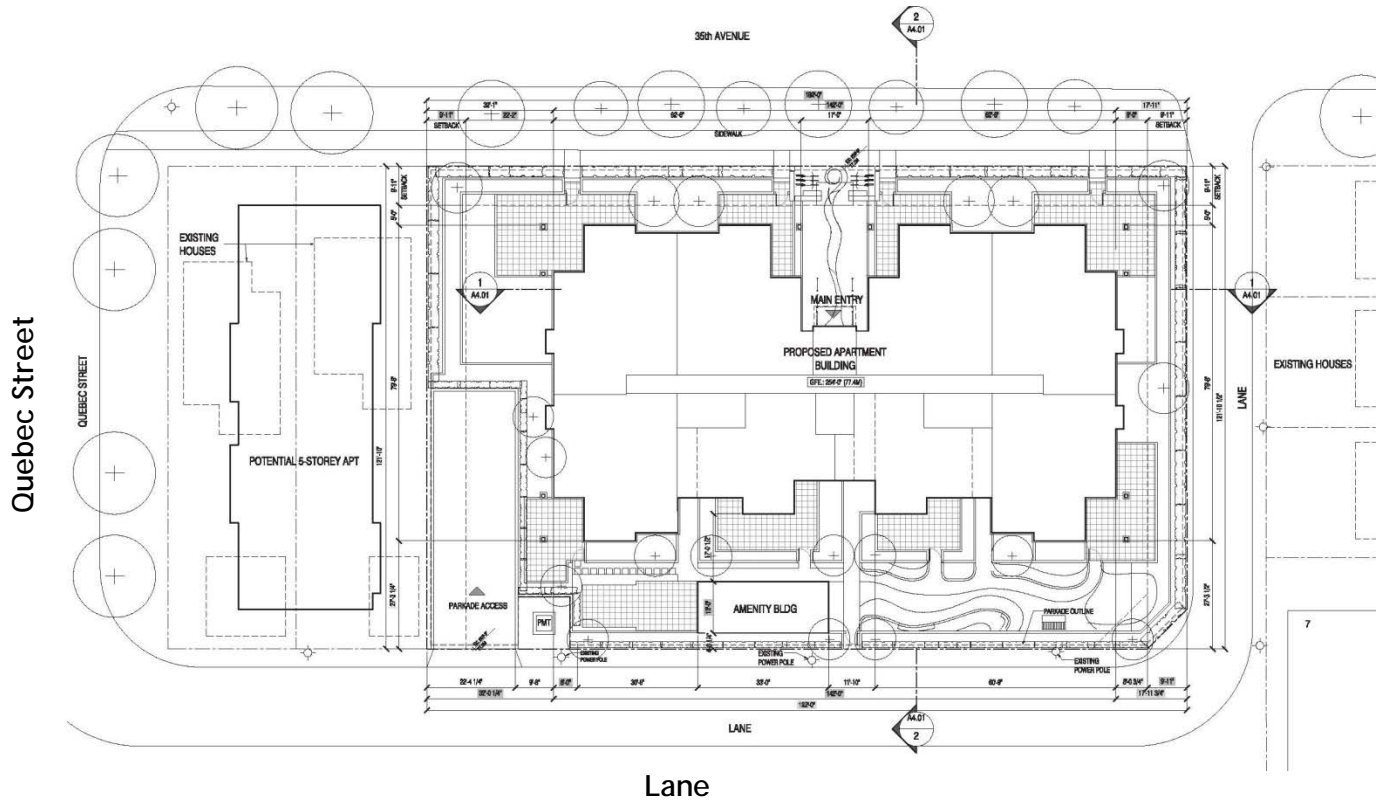
Mr. Worden thanked the Panel for their comments.

\* \* \* \*

126, 136, 146, 156, 166 and 168 East 35th Avenue  
FORM OF DEVELOPMENT

Site Plan

East 35th Avenue



## Elevations



North Elevation (East 35<sup>th</sup> Avenue)



South Elevation (lane)



West Elevation (Lane)



East Elevation (Lane)

126, 136, 146, 156, 166 and 168 East 35th Avenue  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

A six-storey building fronting on East 35th Avenue and containing a total of 48 dwelling units.

**Public Benefit Summary:**

The project would generate DCLs and a CAC offering to be allocated toward the affordable housing fund, as per the Little Mountain Adjacent Area Rezoning Policy

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 2,169 m <sup>2</sup> (23,348 sq. ft.))	0.7	2.3
Buildable Floor Space (sq. ft.)	1,578 m <sup>2</sup> (16,344 sq. ft.)	4,988 m <sup>2</sup> (53,700 sq. ft.)
Land Use	One Family Dwelling	Multiple Dwelling

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	48,869	691,119
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		859,188
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS			1,550,307

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.  
For the City-Wide DCL, revenues are allocated into the following public benefit categories: Engineering (7%); Replacement Housing (30%); and Parks (63%).

126, 136, 146, 156, 166 and 168 East 35th Avenue  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	126, 136, 146, 156, 166 and 168 East 35th Avenue
Legal Descriptions	Lots 48 to 51, Block 4, District Lot 637, Plan 3774; PIDs 012-214-086, 012-214-094, 012-214-108, 012-214-116 respectively  Lots D and E, Block 4, District Lot 637, Group 1 New Westminster District Plan, Plan BCP1151; PIDS 025-959-018, 025-959-026 respectively
Developer	Mosaic Homes
Architect	Ramsey Worden Architects Inc.
Property Owners	Mosaic East 35th Holdings Ltd.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	RS-1	CD-1
SITE AREA	2,169 m <sup>2</sup> (23,348 sq. ft.)	2,169 m <sup>2</sup> (23,348 sq. ft.)
USES	One Family Dwelling	Multiple Dwelling
FLOOR AREA	1,578 m <sup>2</sup> (16,344 sq. ft.)	4,988 m <sup>2</sup> (53,700 sq. ft.)
FLOOR SPACE RATIO (FSR)	0.7	2.3
HEIGHT	9.5 m (31 ft.)	20.7 m (68 ft.)
PARKING, LOADING AND BICYCLE SPACES	As per Parking By-law	As per Parking By-law