

## SUMMARY AND RECOMMENDATION

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

**Summary:** To rezone 126, 136, 146, 156, 166 and 168 East 35th Avenue from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 48 dwelling units. A height of 20.7 m (68 ft.) and floor space ratio (FSR) of 2.3 are proposed.

**Applicant:** Ramsay Worden Architects Ltd., on behalf of Mosaic East 35th Holdings Ltd.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of March 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 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, generally as presented in Appendix A of the Policy Report dated February 17, 2015, entitled: "CD-1 Rezoning - 126, 136, 146, 156, 166 and 168 East 35th 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 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 Rezonings*, including a minimum of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one 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.

- 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 February 17, 2015, entitled "CD-1 Rezoning - 126, 136, 146, 156, 166 and 168 East 35th Avenue".

- 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 bylaw 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.

[RZ - 126, 136, 146, 156, 166 and 168 East 35th Avenue]