

SUMMARY AND RECOMMENDATION

6. REZONING: 468 West 33rd Avenue, 4956 and 4958 Cambie Street

Summary: To rezone 468 West 33rd Avenue, 4956 and 4958 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of one six-storey mixed-use building and one six-storey residential building, containing a total of 65 dwelling units and one commercial unit. A height of 22.7 m (74 ft.) and a floor space ratio (FSR) of 2.57 are proposed.

Applicant: GBL Architects Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of April 28, 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 GBL Architects Inc., on behalf of Kenstone Cambie Holdings Inc., to rezone 468 West 33rd Avenue, 4956 and 4958 Cambie Street [*Lots 1 to 4, all of Block 840, District Lot 526, Plan 8324; PIDs: 010-152-059, 010-152-156, 010-152-164, and 005-089-263, respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.57 FSR and the height from 10.6 m (35 ft.) to 22.7 m (74 ft.) to permit the development of one six-storey mixed-use building and one six-story residential building, containing a total of 65 dwelling units and one commercial unit, generally as presented in Appendix A of the Policy Report dated April 14, 2015, entitled "CD-1 Rezoning: 468 West 33rd Avenue, 4956 and 4958 Cambie Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architects and stamped "Received Planning and Development Services, February 10, 2015", 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 mitigate privacy and overlook toward existing residents.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features proposed to balance the amenity of future and existing residents.

2. Design development to provide greater privacy for the residents' amenity room in relation to the commercial courtyard.
3. Design development to meet the relevant sections of the *High-Density Housing for Families with Children Guidelines*.
4. Design development to meet the *Draft Cambie Corridor Public Realm Plan* when available including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

5. Provision of high quality and durable exterior finishes.

Note to Applicant: Intent is to maintain the proposed architectural quality including the use and extent of brick. Material choices should reflect a residential character and avoid an institutional character.

Crime Prevention through Environmental Design (CPTED)

6. 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

7. 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.

8. 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, 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.

9. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
10. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy 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. As a precondition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

11. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
12. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the *Neighbourhood Energy Connectivity Standards Design Guidelines*.
13. 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.

Landscape

14. Provision of a Landscape Plan with a variety of open spaces consistent with the Cambie Corridor Design Principles.

Note to Applicant: Consider tree retention, the use of basalt to reference local rock quarry, green property edges, replication of natural systems, urban agriculture, rainwater management possibilities, and transition to public realm.

15. Design development to explore the feasibility for retention of significant onsite trees to be incorporated on the Landscape Plan.

Note to Applicant: With particular emphasis on the protection of property edge trees #669, # 674, and #678, and noted to be in good condition in the arborist report. Tree locations noted on the survey and in the arborist report. The application should provide schematic drawings indicating potential solutions to retain trees. Retention will likely require setting the proposed slab back from West 33rd Avenue and or the lane than was contemplated at the rezoning stage, and relocation of some floor area within the site. Feasibility for relocation or retention of trees will require further arborist consultation and comments provided in writing.

16. Design development to enhancements of the public realm interface to provide safe landscaped outdoor open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment at the street and lane edges.

17. Provision of in-ground planting opportunities for new trees within private landscape setbacks along street frontages, and access to the natural grade, where possible.

Note to Applicant: At the south property boundary, in addition to the pedestrian path, consider providing a substantial green and leafy edge between properties.

18. Design development to the placement of substantial green setbacks adjacent to semi-private residential near to grade patios located adjacent to the public sidewalk for privacy screening and to soften the view of retaining walls at property edges.

Note to Applicant: This can be achieved by the placement of landscaped planter walls in-board of property line by a minimum of 2 ft., to accommodate a row of shrubs and trees, where possible, on private property.

19. Provision of new street trees, where applicable, to be provided adjacent to the development site.

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (dial 311) for tree species selection and planting requirements.

20. Provision of a flexible Child's Play Space incorporating forms for children to engage in active and passive social play within a main common open space gathering area.

Note to Applicant: Recommend the proposed amenity areas and open spaces be rearranged to improve the functionality of these common areas for families with children. The use of water may not be practical during off-season and colder months of the year. Suggest substituting water for more solid natural elements arranged to climb, step up and socialize around. Refer to the *High-Density Housing for Families with Children Guidelines* for further features that are recommended.

21. Maximization of plant growing medium volumes for trees and shrubs within landscaped planters on structures on private property, to ensure long term health of plant species.

Note to Applicant: Soil volumes for planters should exceed BC Landscape Standard (latest edition). Trees planted on structures should be consolidated within a trench to improve planting condition. Alter slab to allow private trees and shrubs to be planted at the level of courtyards and patios and not placed in above grade planters to achieve soil depth.

22. Provision of best current practices for irrigation and managing water conservation including high-efficiency irrigation and aspects of xeriscaping making use of drought tolerant plant selection and mulching.

23. Provision of an external lighting plan consistent with the *Draft Cambie Corridor Public Realm Plan*.

Housing Policy

24. The proposed unit mix including 21 two-bedroom and 39 three-bedroom units are to 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.

Engineering

25. Clarification is required that no portion of the underground parking walls are to encroach onto Cambie Street, as appears to be indicated on pages A-2.01 and A-2.02.
26. Delete special paving and stone outcrops that extend over the property lines.
27. Delete trees shown in the back boulevards and planting in the back boulevards should meet the boulevard planting guidelines including the provision of a 0.3 m (1'-0") grass lawn buffer between the sidewalk and planting. Adjacent plantings should be chosen to ensure that they do not encroach onto the sidewalk when they reach maturity.
28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- (i) Provision of improved corner cuts through the inside radius around the building core to ensure unobstructed movement for 2 vehicles travelling in opposite directions to and from the main parking ramp and between the P1 and P2 parking levels.
- (ii) Provision of a parking ramp slope not to exceed 12.5% to ensure a reasonable slope for cyclists using the main parking ramp for bicycle ingress and egress.
- (iii) Clearly mark on plans and describe in writing the path(s) intended to be used by a resident to enter and exit the building with his/her bicycle.

Note to Applicant: the route must not require the use of stairs as per the Parking By-law.

- (iv) Provision of the commercial parking space and the Class A loading space separated from the residential parking by means of a security gate.
- (v) Consider provision of on-site visitor parking at a rate between 0.05 and 0.1 space per dwelling unit.

Note to Applicant: It would appear that with security gates appropriately placed, there would be several parking spaces that could be designated as visitor parking.

Note to Applicant: An interconnected water service will be required for this development and there are 150 mm water main available on West 33rd Avenue and the lane east of Cambie Street for servicing.

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 Cultural Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 1 to 4, Block 840, DL 526, Plan 8324 to create a single parcel.
2. The release of Easement & Indemnity Agreement 176426M (private crossing) 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.

3. Registration of a shared access agreement for vehicular traffic onto adjacent Lot 5, Block 840, DL 526, Plan VAP8324, as indicated on the applicant's plans. Provision of a knockout panel at the appropriate location along the vehicular entry ramp and appropriate arrangements (legal agreements) to secure access to underground parking within the future development on the adjacent property at 4976 Cambie Street (Lot 5).
4. 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 a drinking fountain located near the plaza on Cambie Street on public property which will be maintained by the City.
 - (ii) Provision of a Class B bicycle rack(s) for up to six bikes and to be located in the corner of the plaza near Cambie Street.
 - (iii) Provision of a continuous 2.1 m broom finish concrete sidewalk on Cambie Street adjacent the site complete with saw cut joints.
 - (iv) Provision of a continuous 1.8 m broom finish concrete sidewalk on 33rd Avenue between Cambie Street and the lane east of Cambie Street complete with saw cut joints.
 - (v) Provision of a standard concrete lane crossing on the south side of 33rd Avenue at the lane east of Cambie Street. Crossing to include provision of new curb returns and curb ramps where applicable on both sides of the lane entry.
 - (vi) 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.
5. 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.

6. Provision of regulatory signage as required in the lane.

Sustainability

7. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System, which may include but are not limited to agreements which:
 - (i) Require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that the system becomes available;

Note to Applicant: The development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available or appropriate, a deferred services agreement or similar agreement will be required.

If the development is required by the General Manager of Engineering Services to connect to an NES, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas supply, unless otherwise approved by the General Manager of Engineering Services.

- (ii) Grant the operator of the City-designated Neighbourhood Energy System access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation, on such terms and conditions as may be reasonably required by the Owner; and
- (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designed Neighbourhood Energy System.

Note to Owner: Until a City-designated Neighbourhood Energy System utility provider has been identified, the Owner will be prohibited from entering into any energy supply contract for thermal energy services other than conventional electricity and natural gas services, unless otherwise approved by the General Manager of Engineering Services.

Soils

8. If applicable:

- (i) Submit a site profile to 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.

Heritage Density Transfer

- 9. Secure the purchase and transfer 480.3 m² (5,170 sq. ft.) of heritage density (which has a value of \$336,074) from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless a bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Community Amenity Contribution (CAC)

- 10. Pay to the City the cash component of the Community Amenity Contribution of \$3,024,662 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) \$1,680,368 to the Affordable Housing Reserve.
 - (ii) \$1,344,294 towards childcare, cultural and community facilities in and around the Cambie Corridor Plan area.

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 April 14, 2015, entitled "CD-1 Rezoning: 468 West 33rd Avenue, 4956 and 4958 Cambie Street".
- C. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigning Schedule B (C-1)], generally as set out in Appendix C of the Policy Report dated April 14, 2015, entitled "CD-1 Rezoning: 468 West 33rd Avenue, 4956 and 4958 Cambie Street", be approved.
- D. THAT, subject to the enactment of the 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 April 14, 2015, entitled "CD-1 Rezoning: 468 West 33rd Avenue, 4956 and 4958 Cambie Street".
- E. THAT Recommendations A to D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and expenditure of funds or incurred costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ - 468 West 33rd Avenue, 4956 and 4958 Cambie Street]