

SUMMARY AND RECOMMENDATION

7. REZONING: 5648-5678 Victoria Drive

Summary: To rezone 5648-5678 Victoria Drive from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with commercial-retail units at grade and 48 secured for-profit affordable rental housing units. A height of 19.1 m (63.0 ft.) and a floor space ratio (FSR) of 3.58 are proposed.

Applicant: Matthew Cheng Architect 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 Matthew Cheng Architect Inc., on behalf of Bhandal Homes Ltd., to rezone 5648-5678 Victoria Drive [*Lots 45, 46 and 47, except the west 7 feet, now road, Block 16, District Lot 394, Plan 2501; PIDs: 008-796-203, 010-852-441 and 013-712-446 respectively*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.58 and the building height from 13.8 m (45.3 ft.) to 19.1 m (63.0 ft.) to permit the development of a six-storey mixed-use building with 48 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated April 20, 2015, entitled "CD-1 Rezoning: 5648-5678 Victoria Drive", 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 Matthew Cheng Architect Inc. and stamped "Received City Planning Department, September 5, 2014", subject to the following conditions, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. The maximum building height, measured above the base surface to top of parapet, shall not exceed 19.1 m (63 ft.).

Note to Applicant: Over-height elements such as stair and elevator overruns required for universal access to the rooftop common amenity

space will be subject to the requirements of the City of Vancouver's *Roof-Mounted Energy Technologies and Green Roofs - Discretionary Height Increases* bulletin and will require the provision of a minimum 25% planting of the rooftop area. See also condition 6 below.

2. Architectural expression, with particular regard to street facing elevations, will employ a palette of high quality durable materials and a refined detail finish.

Note to Applicant: Subject to advice in condition 5 below, the materials as proposed in the current submission satisfy this condition.

3. Design development to the internal layouts to improve the multi-purpose functionality and access to daylight of the Fitness Amenity Room at ground floor level.

Note to Applicant: The internal at-grade layout should be reconfigured to not only improve the ability of the common room to function as a meeting place for residents but also to improve the quality of the space by providing glazing to the lane elevation and potentially developing a contiguous outdoor patio.

4. Design development to the residential storage room at P1 level to relocate door to residential lobby.

Note to Applicant: Residential storage should be accessed via residential lobby and circulation spaces to avoid conflict with commercial uses.

5. Design development of the architectural expression to refine detail and material palette of the following elements:

- (i) Side elevations;

Note to Applicant: The use of Hardie Reveal Panel as the material expression of the side elevations is not supported, given the exposure of these elevations and their likely mid to long term visibility especially at the fourth to sixth floor levels.

- (ii) Enclosed balcony expression;

Note to Applicant: Consideration should be given to minimizing the enclosed balcony framing to the Victoria Drive elevation from the second floor to fifth floor levels through the use of a curtain wall system allowing glazing of the sides of the projecting bay.

- (iii) Cornice;

Note to Applicant: The expression of the top floor cornice line to Victoria Drive should be improved by either developing a continuous cornice line or continuing the projecting enclosed balcony bays to cornice level.

- (iv) Faux wood panels on front and rear elevations;

Note to Applicant: A higher quality material than the proposed Longboard Light Fir panel is required.

- (v) At-grade podium elevation to the lane;

Note to Applicant: A higher quality material, such as masonry, is required for the at-grade elevation to the lane.

- (vi) Soffit at the sixth-floor level;

Note to Applicant: Material quality should be improved with consideration to the use of a wood soffit.

- (vii) Elevator overrun and stair to rooftop amenity space.

Note to Applicant: The material expression of these over height elements should be improved and consideration given to the substantial introduction of glazing.

- 6. Design development to improve the landscape and activity programming of the common rooftop amenity space.

Note to Applicant: Consideration should be given to increasing the opportunities for children's play in the detailed programming of the rooftop amenity space.

Crime Prevention through Environmental Design (CPTED)

- 7. Design development to consider the principles of CPTED, having particular regard for:

- (i) the creation of unsafe spaces and of spaces for anti-social behavior along the lane edge to the rear of the building;
- (ii) theft in the underground parking;
- (iii) residential break and enter;
- (iv) mail theft; and
- (v) mischief in alcoves and vandalism, such as graffiti.

Sustainability

- 8. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving 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.

Note to Applicant: Provide a checklist and a detailed written description of how the rating system points have been achieved with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set, with significant elements keyed to the building plans and elevations. A letter from the Mechanical consultant shall be submitted outlining how the specified energy performance will be achieved in this building design.

Landscape Design

9. Provision of a continuous landscape planter along the east edge of the middle patio as a green buffer adjacent to the single-family residential properties to the east.

10. Provision of a substantial landscape buffer in the planters located between the second floor private patios for privacy screening purposes.

Note to Applicant: This can be achieved by using taller shrubs, such as yew hedging.

11. Provision of hardy broad-leaf evergreen shrubs at the lane edge planter.

Note to Applicant: Consider locating a hardy vine to climb the concrete wall and low-growing plants such as *Arctostaphylos uva-ursi* and/or long grasses to cover the growing medium.

12. Provision of new street trees on Victoria Drive to the satisfaction of the General Manager of Engineering Services, and to be confirmed prior to issuance of the Building permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan: "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 ft. long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."

Engineering

13. Provision of a shared vehicle parking space with 2.9 m (9 ft.-6 in.) width and 5.5 m (18 ft.) length.

Note to Applicant: Shared vehicle parking spaces are required to be a minimum width of 2.9 m and are a requirement of the Car Share Agreement.

14. Provision of a wider canopy along the Victoria Drive frontage to improve weather protection for pedestrians and bus stop users.

Note to Applicant: A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. A canopy is defined as a rigid roof-like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness (VBBL section 1A.9.8).

15. Provision of a landscape plan that details the sidewalk improvements, bus shelter location and any street trees that can be accommodated.

Note to Applicant: A separate application to the General Manager of Engineering Services is required.

16. Additional design grades are required adjacent to all entries along Victoria Drive and the lane clearly indicating that the entries will meet City building grades.

17. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

(i) Provision of Class A bicycle spaces on the P1 parking level.

Note to Applicant: If this cannot be achieved, the Parking By-Law requires provision of an elevator with direct access to the outside.

18. Modification of the parking ramp design to address the following:

(i) The slope must not exceed 10% for the first 20 ft. from the property line.

(ii) 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.

(iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the parking area, both sides of the loading bay, and at all entrances.

(iv) Note to Applicant: Confirm provision of a 12.5% parking ramp slope between the P1 and P2 parking level and correct the notation of a 51'-10" long ramp with 15% slope as shown on drawing A04.

(v) Provision of a 20 ft. wide O/H gate at gridline E on drawing A04 and clearly note it on plans.

19. Modification of the Class B loading bay design to address the following:

(i) Provide a standard loading throat (1.6 m in width/68 degrees) and note on plans.

(ii) Provide a double throat for the Class B loading spaces.

(iii) Additional loading bay width for the second and subsequent loading spaces (each additional space must be 3.8 m wide).

(iv) Provide a raised loading dock, loading lift, elevator, or a ramping corridor to facilitate a 'stairs free' loading access from the loading spaces to the CRUs.

(v) Modify the Class B loading spaces to provide independent and convenient access from both spaces into the service corridor. This must be possible when either or both of the loading spaces are occupied.

- (vi) Existing wood pole and guy wire in lane conflicts with loading access. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation are required.

Note to Applicant: The size of truck intended to be accommodated within the loading space is a 24 ft. long truck. If larger trucks are intended to be accommodated, the loading space size must be increased.

- (vii) Provision of minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces and 3.8 m of vertical clearance is required for Class B loading spaces and related maneuvering.

- (viii) Provision of a 9 ft. x 9 ft. corner cut through the inside radius at the bottom of the main parking ramp to provide two-way vehicle flow to and from the ramp.

Note to PC: Stalls, column setbacks and aisle widths should be dimensioned.

Social Development

- 20. Design development to the covered portion of the rooftop common area to improve its functionality as a communal social space by adding dining area/barbeque/counter space.
- 21. Design development to a portion of the rooftop common area to provide opportunities for creative and motor-skills developing play activity for children with a range of ages.

Note to Applicant: Play equipment is neither necessary nor encouraged; however, landscape features which foster creative play and motor-skills development such as boulders, logs, pathways, water-play elements, sand-play etc. are encouraged.

- 22. Design development to the rooftop communal garden to include a hose bib, a potting bench and a composter for yard waste.

Housing

- 23. That the proposed unit mix, 71% 1-bedroom and studio, and 29% 2-bedroom units, be included in the development permit drawings.

Note to Applicant: Any changes in unit mix from that set out in the rezoning application must be to the satisfaction of the Chief Housing Officer.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Social Development and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. The consolidation of Lots 45, 46 and 47, All Except the West 7 Feet, Now Road, Block 16, DL 394, Plan 2501 to create a single parcel.
2. Provision of building setback and a surface Statutory Right of Way (SRW) to achieve a 4.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.
3. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of one Shared Vehicle and the provision and maintenance of one Shared Vehicle Parking Space for use exclusively by such Shared Vehicle, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
 - (i) Provide one Shared Vehicle to the development for a minimum period of three years;
 - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle;
 - (iii) Provide and maintain the Shared Vehicle Parking Space for use exclusively by such shared vehicles;
 - (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space;
 - (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
 - (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and

- (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply a car share vehicle on the site at building occupancy.
4. Provision of the costs for installation of a standard City bus shelter adjacent to the site.
 5. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of improved sidewalks adjacent to the site in keeping with the current commercial sidewalk standards.
 - (ii) Provision of street trees adjacent to the site where space permits.
 - (iii) 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 applicant's 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.
 - (iv) 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.
 6. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations

to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Housing

7. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement securing all 48 residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of the life of the building or 60 years, subject to the following additional conditions:
 - (i) No separate-sales covenant;
 - (ii) A non-stratification covenant;
 - (iii) None of such units will be rented for less than one month at a time;
 - (iv) At least 25% of the units must have two or more bedrooms and be designed to meet the City's *High-Density Housing for Families with Children Guidelines*;
 - (v) A rent roll indicating the proposed initial monthly rents for each rental unit;
 - (vi) A covenant from the owner to submit, prior to issuance of an occupancy permit, a finalized rent roll to the satisfaction of the Managing Director of Social Development and the Director of Legal Services that reflects the initial monthly rents as of occupancy in accordance with the Housing Agreement on either a per unit or a per square foot basis in order to address potential changes in unit mix and/or sizes between the rezoning and development permit stage; and
 - (vii) Such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

Soils

8. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);

- (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: 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 are 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated April 20, 2015, entitled "CD-1 Rezoning: 5648-5678 Victoria Drive", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by the same report.
- 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 of the Sign-By-law [assigning Schedule B (C-2)], generally as set out in Appendix C of the Policy Report dated April 20, 2015, entitled "CD-1 Rezoning: 5648-5678 Victoria Drive", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to Schedule B of the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated April 20, 2015, entitled "CD-1 Rezoning: 5648-5678 Victoria Drive".
- E. THAT Recommendations A through 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 any expenditure of funds or incurring of costs is at 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 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 - 5648-5678 Victoria Drive]