



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: April 20, 2015
Contact: Kent Munro
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RTS No.: 10927
VanRIMS No.: 08-2000-2
Meeting Date: April 28, 2015

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning: 5648-5678 Victoria Drive

RECOMMENDATION

- 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, be referred to a public hearing, together with:
- (i) plans prepared by Matthew Cheng Architect Inc., received September 5, 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 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 the public hearing.

- B. THAT, if after public hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B, 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 this report.

- C. THAT, if the application is referred to a public hearing, 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, be referred to the same public hearing;
- FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C, for consideration at the public hearing.
- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C;
- FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of the enactment of the CD-1 By-law.
- 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.

REPORT SUMMARY

This report evaluates an application to rezone a site located at 5648-5678 Victoria Drive from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit development of a six-storey mixed-use building with commercial retail units at grade and 48 secured for-profit affordable rental housing units. The application has been made under the *Rental 100: Secured Market Rental Housing Policy*, and in accordance with that policy, the application seeks increased height and density in return for all proposed housing units being secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer. The application also seeks incentives available for for-profit affordable rental housing, including a waiver of the Development Cost Levy (DCL) and a parking reduction.

Staff have assessed the application and conclude that it is consistent with the Rental 100 policy with regard to the proposed uses and form of development. The application is also consistent with the DCL By-law definition of "For-Profit Affordable Rental Housing" for which DCLs may be waived, as well as with the Parking By-law definition of "Secured Market Rental Housing" for which a reduced parking requirement may be applied.

If approved, the application would contribute 48 secured market rental units to the City's affordable housing goals as identified in the *Housing and Homelessness Strategy* and the *Final Report from the Mayor's Task Force on Housing Affordability*. Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the public hearing, along with the conditions of approval outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

A rezoning application was previously submitted for 5648-5658 Victoria Drive in 2011 and was approved in principle in September 2013, but not enacted. That application, under the *Short Term Incentives for Rental* (STIR) program, comprised two parcels (Lots 45 and 46) and proposed a six-storey mixed-use building with commercial retail units at grade and 28 secured market rental units. Since then, the applicant has acquired an additional parcel to the south (Lot 47) and has redesigned the proposal. The earlier application has been withdrawn.

Relevant Council policies for this site include:

- Rental 100: Secured Market Rental Housing Policy and Rental Incentive Guidelines (2012)
- Final Report from the Mayor's Task Force on Housing Affordability (2012)
- Housing and Homelessness Strategy (2011)
- Vancouver Development Cost Levy By-law No. 9755 (2008, amended 2014)
- Kensington-Cedar Cottage Community Vision (1998)
- Green Buildings Policy for Rezoning (2010, amended 2014)
- High-Density Housing for Families with Children Guidelines (1992)
- C-2 District Schedule (revised 2009) and associated guidelines (2003)

REPORT

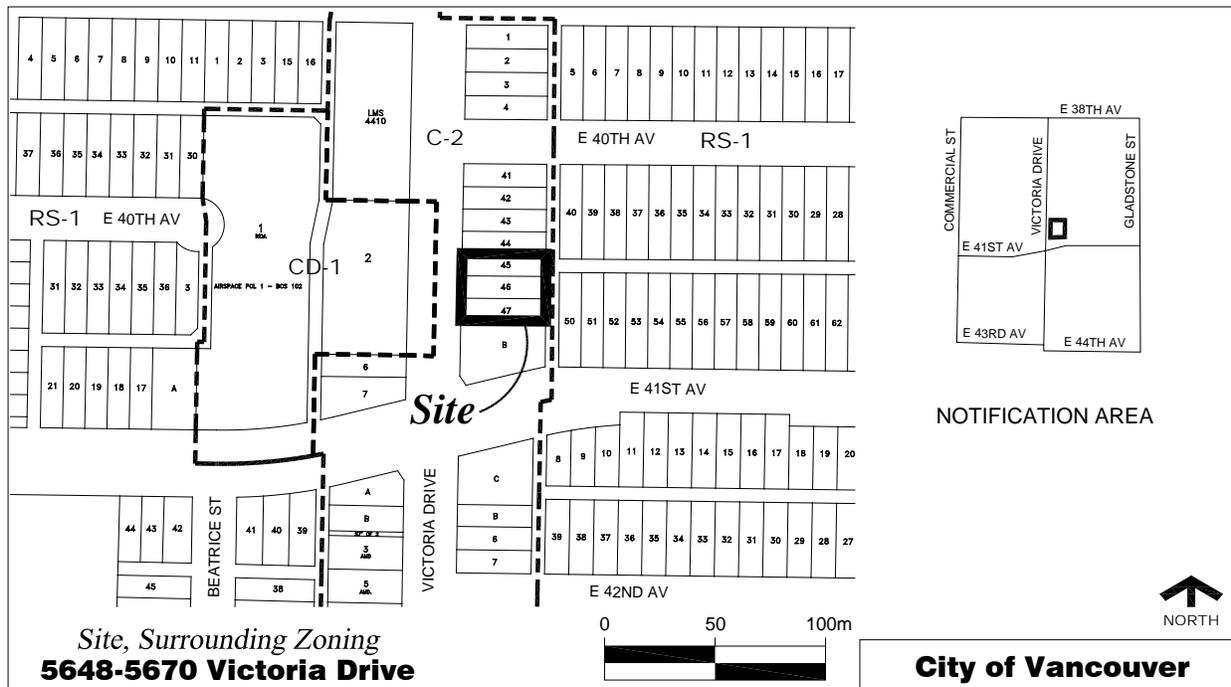
Background/Context

1. Site and Context

This 1,156 m² (12,441 sq. ft.) mid-block site is located on the east side of Victoria Drive between 40th and 41st Avenues (see Figure 1). The site comprises three parcels (Lots 45, 46 and 47) with a total frontage of 30.2 m (99 ft.). It is centrally located in a major shopping area identified in the *Kensington-Cedar Cottage Community Vision*.

Currently on the site are one- and two-storey buildings with commercial uses at grade. The two-storey mixed-use building contains one rental unit which is vacant as of October 2014. To the north and south of the site are properties zoned C-2 with a variety of commercial uses at grade. Across the street to the west is a CD-1 site developed with two buildings at four storeys, containing a total of 97 stratified market rental units. The development includes a residential building west of the lane and a mixed-use building fronting Victoria Drive, in which three storeys of residential was constructed above an existing London Drugs. The properties to the east of the site are zoned RS-1 and are developed with detached houses. The site is well served by transit, with a northbound Victoria Drive bus stop directly in front and both east and westbound stops on 41st Avenue less than 100 metres away.

Figure 1 – Site and Surrounding Zoning (Including Notification Area)



2. Policy Context

Rental 100: Secured Market Rental Housing Policy – In May 2012, Council approved the *Secured Market Rental Housing Policy*, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified, for-profit, affordable rental housing. The *Final Report from the Mayor’s Task Force on Housing Affordability*, adopted by Council in October 2012, further endorsed the importance of incentivizing market rental housing through a focus on strategies to repair, renew and expand market rental stock across all neighbourhoods.

Housing and Homelessness Strategy – In July 2011, Council endorsed the *Housing and Homelessness Strategy 2012-2021*, which includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods that enhances quality of life. The *Three-Year Action Plan 2012-2014* identifies priority actions to achieve some of the strategy’s goals. The priority actions that are relevant to this application include refine and develop new zoning approaches, development tools and rental incentives to continue the achievement of securing purpose-built rental housing and use financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households. This application proposes 48 secured for-profit affordable rental units through a housing agreement for the life of the building or 60 years, whichever is longer.

Existing C-2 Zoning – In accordance with the site’s existing C-2 zoning, land use along this portion of Victoria Drive is intended to provide for a wide range of commercial and residential uses serving both local and citywide needs. Building design that furthers compatibility among uses, ensures livability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity is emphasized by the zone’s District Schedule and its associated urban design guidelines. Although this application proposes an increase in building

height beyond that allowed by the existing C-2 regulations, the mixed-use form and the proposal for secured rental housing is considered to be in keeping with the land use intent for the area.

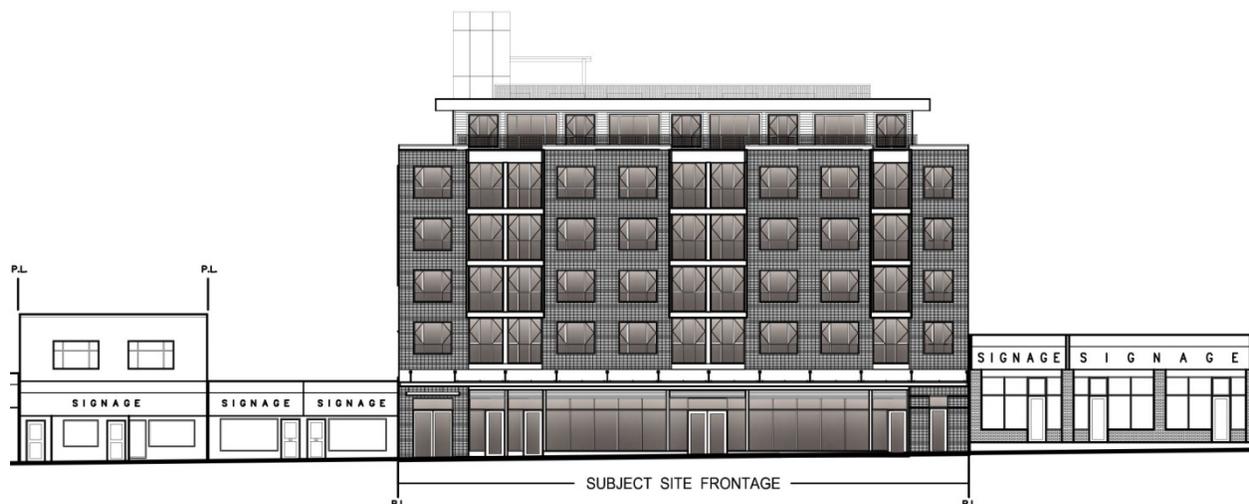
Kensington-Cedar Cottage Community Vision – In July 1998, Council approved the *Kensington-Cedar Cottage Community Vision*. This site is located within the Victoria and 41st Shopping Area, which is identified as the major shopping area in the southeast part of Kensington-Cedar Cottage and beyond. The community vision recognizes the potential for mixed-use development to provide additional housing, strengthen local shopping areas and improve safety by adding “eyes on the street”. The vision encourages the provision of affordable housing, including rental housing (*Table 2.1 under the Rezoning Policy*).

Strategic Analysis

1. Proposal

This application proposes to rezone the site located at 5648-5678 Victoria Drive from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit a six-storey mixed-use building at 3.58 FSR with commercial retail units at grade and residential units above (see Figure 2).

Figure 2 - Victoria Drive Streetscape



In total, the application proposes 48 for-profit affordable rental housing units and 615.7 m² (6,627 sq. ft.) of commercial floor area over two levels of underground parking accessed from the rear lane. Of the 48 units proposed, 14 or 29 per cent of the total are two bedroom units, meeting the minimum 25 per cent family housing target set by the Rental 100 policy. A condition of approval is included in Appendix B to ensure that this unit mix is maintained through the development permit stage. A fitness amenity room and communal rooftop garden are also proposed. Staff have recommended further design changes to the rooftop common area to be consistent with the *High-Density Housing for Families with Children Guidelines* which seek outdoor play areas suited to developmental and play needs for children of all ages.

2. Housing

This application meets the requirements of the Rental 100 policy by proposing 100 per cent of the residential floor area as for-profit affordable rental housing and including a minimum of 25 per cent family units (i.e. two or more bedrooms). All 48 units would be secured through a Housing Agreement for the life of the building or 60 years, whichever is longer.

The Rental 100 policy provides various incentives to be taken at the owner's discretion to assist with a project's viability. Incentives include increased height and density, a parking reduction, a DCL waiver for the residential rental floor area, reduced studio unit size and concurrent application processing. To qualify for the DCL waiver, the rental units must comply with the criteria for "for-profit affordable rental housing" set out in Section 3.1A of the Vancouver Development Cost Levy By-Law. This rezoning proposal is requesting additional height and density, a parking reduction and a DCL waiver for the residential rental floor area.

The *Housing and Homelessness Strategy* strives to enhance access to affordable housing and sets a number of near- and long-term rental housing targets. The Rental 100 program plays a critical role in the achievement of those targets by helping to realize secured market rental housing. Rental housing provides a more affordable housing option for nearly half of Vancouver's population and contributes to a number of City initiatives intended to create diverse and sustainable communities. Rental 100 units are targeted to moderate income households and the program extends throughout all parts of the city, thereby providing options that are more affordable than home ownership. Adding 48 net new units to the City's inventory of market rental housing contributes toward the near-term and long-term targets of the *Housing and Homelessness Strategy* (see Figure 3).

Figure 3 – Progress Toward the Secured Market Rental Housing Targets as set in the City's Housing and Homelessness Strategy (2011)¹

| | TARGET | CURRENT PROJECTS | | | | GAP |
|--|--------|------------------|--------------------|----------|-------|----------------------------|
| | 2021 | Completed | Under Construction | Approved | Total | Above or Below 2021 Target |
| Secured Market Rental Housing Units | 5,000 | 830 | 1,346 | 2,026 | 4,202 | 798 Below Target |

¹ Unit numbers exclude the units proposed at 5648-5678 Victoria Drive, pending Council approval of this rezoning application.

The Rental 100 program is one part of the *Housing and Homelessness Strategy* which also addresses the needs of low-income households; the strategy sets aggressive targets for the achievement of new social housing (5,000 units by 2021) and supportive housing (2,900 units by 2021) with the overall goal of ending homelessness in the City of Vancouver. The Rate of Change regulations contained in the Rental Housing Stock Official Development Plan protect the stock of existing affordable market rental housing.

Vancouver has one of the lowest vacancy rates in Canada. In October 2014, the vacancy rate in the city was 0.5 per cent. That means only five out of every 1,000 market rental units were empty and available for rent. The vacancy rate in Southeast Vancouver was also very low at 1.2 per cent. A vacancy rate of 3.0 per cent is considered to be a balanced rental market.

3. Density, Height and Form of Development (see application drawings in Appendix F)

Urban design guidance for the area seeks to ensure appropriate street scale, continuous enclosure and pedestrian interest. Encouraged are building features such as continuous weather protection and the creation of mid-block residential entries that are separate and distinct from retail and commercial entries. A single commercial retail unit fronting Victoria Drive, as well as a common entry to the residential floors above, are proposed at ground level. A setback of approximately 1.2 m (4 ft.) is provided to widen the commercial sidewalk to 4.6 m (15 ft.), keeping with the current commercial sidewalk standards and allowing for the provision of street trees. The application responds to the local character by providing a distinct change in material expression between the retail uses at street level and the residential uses above, proposing continuous weather protection along the Victoria Drive frontage and visually differentiating the common residential entry canopy from that of the commercial frontage.

The *Rental Incentive Guidelines* provide general direction for consideration of additional height up to six storeys along with a commensurate amount of additional density. The application proposes to increase the height by two storeys beyond what is permitted under the existing C-2 zoning regulations. To ensure appropriate street scale and to transition to future adjacent developments under C-2 regulations, the application proposes to set back the sixth-floor penthouse level by 6.0 ft. from Victoria Drive and 9.5 ft. from the north and south side.

The *C-2 Guidelines* seek to guide building massing and design for sites that are adjacent to low density residential zones. The application proposes a setback to the rear of the building of approximately 35 ft. from the lane for the second to fifth floor levels, which exceeds the standard 20 ft. setback required under the *Guidelines* and locates the bulk of the building farther away from the RS-1 developments across the lane. A further setback of 6.0 ft. is proposed at the sixth-floor penthouse level to mitigate both overlook and reduce the appearance of the upper floor from the lane. A continuous planted buffer on the second-floor rear patios provides further privacy from existing single-family dwellings across the lane.

The Urban Design Panel reviewed the application on January 14, 2015 and supported the rezoning application (see Appendix E). Staff support the proposed density and height and have recommended further design changes to improve the layout of the internal amenity space, material quality, and building expression (see Appendix B).

4. Transportation and Parking

The application proposes two levels of underground parking accessed from the lane. A total of 39 parking spaces and two loading spaces are provided. This provision would meet the reduced Parking By-law standards for a for-profit affordable rental housing development. Also proposed are 62 Class A and six Class B bicycle parking spaces, meeting the Parking By-law requirements. Engineering Services has reviewed the rezoning application and have no objections to the proposal provided the applicant satisfies the rezoning conditions included in Appendix B.

5. Environmental Sustainability

The *Green Buildings Policy for Rezoning*s (amended by Council on June 25, 2014) requires that rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for

water efficiency, stormwater management and a 22 per cent 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.

PUBLIC INPUT

Public Notification – A rezoning information sign was installed on the site on January 9, 2015. A total of 498 notifications were distributed within the neighbouring area on or about January 2, 2015. In addition, notification and application information, and an online comment form, were provided on the City's Rezoning Applications webpage (vancouver.ca/rezapps). An open house was held on January 13, 2015. Staff, the applicant team and a total of approximately 27 people attended the open house.

Public Response and Comments – A total of 24 comment sheets were submitted from individuals at the open house. No additional letters, emails or online comment forms were received for this application. General support was expressed for the project at this location and scale, with specific support for the following:

- Increased provision of rental housing in the area and citywide;
- Potential revitalizing effects of more residents and new commercial spaces along this portion of Victoria Drive; and
- Building design and inclusion of green features.

There were some concerns about the building's height and increased traffic in the lane. Some felt the proposal was out of scale with the neighbouring properties and were concerned about shadow impacts. But, given the orientation and position of the building on the lot, additional shadow impacts derived from the increased height fall toward the street and other commercial lots, rather than on residences or private yards to the east. Some additional shadowing will be generated by the increased height and lack of setback at the fifth floor level, but staff are satisfied that the generous setbacks to the lane outlined above (see Density, Height and Form of Development) serve to mitigate and minimize the effect on neighbouring residences.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows.

Public Benefits - Required by By-law or Policy

Development Cost Levies (DCLs) – Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure. This site is subject to the City-wide DCL rate, which is currently \$138.53 per m² (\$12.87 per sq. ft.) for new residential or commercial floor space. On this basis, a DCL of approximately \$85,289 is anticipated, which is attributed to the commercial floor area of the project.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment on September 30 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.

The applicant has requested a waiver of the DCL attributed to the for-profit affordable rental housing, in accordance with Section 3.1A of the Vancouver Development Cost Levy By-law. The total residential floor area eligible for the waiver is 3,516.9 m² (37,856 sq. ft.). The total DCL that would be waived is estimated to be approximately \$487,207. A review of how the application meets the waiver criteria is provided in Appendix G.

Public Art Program – The *Public Art Policy for Rezoned Developments* requires that rezonings involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

Public Benefits - Offered by the Applicant

Rental Housing – The applicant has proposed that all of the 48 residential units be secured as for-profit affordable rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City's rental housing stock for the life of the building or 60 years, whichever is longer.

This application includes studio, one-bedroom, and two-bedroom units. The applicant estimates that the studio units would rent for \$809, one-bedroom units would rent for \$1,191, and two-bedroom units would rent for \$1,603 per month. The proposed rents are below the maximum average rents under the Vancouver DCL By-law.

Staff have compared the anticipated initial monthly rents in this proposal to the average monthly costs for newer rental units in East Vancouver, as well as to the estimated monthly costs to own similar units in East Vancouver, using 2013 BC Assessment data. When compared to average rents in newer buildings in East Vancouver, the proposed rents are lower. When compared to home ownership costs, the proposed rents in this application will provide an affordable alternative to home ownership, particularly for the larger units.

Figure 4 compares the initial rents proposed for the units in this application to average and estimated costs for similar units. It illustrates that the average rents for the proposed development are below both the citywide and Vancouver Eastside averages.

Figure 4 – Comparable Average Market Rents and Monthly Ownership

| | 5648-5678 Victoria Drive Proposed Rents | Average Market Rent in Newer Buildings – Eastside (CMHC) ¹ | DCL By-law Maximum Averages (CMHC 2014) ² | Monthly Costs of Ownership for Median- Priced Unit – Eastside (BC Assessment 2013) ³ |
|--------------------|---|--|--|--|
| Studio | \$809 | \$1,159 | \$1,242 | \$1,639 |
| One Bedroom | \$1,191 | \$1,375 | \$1,561 | \$1,955 |
| Two Bedroom | \$1,603 | \$1,763 | \$1,972 | \$2,449 |

¹ Data is from the Fall 2014 CMHC Rental Market Survey of buildings in the Vancouver Eastside constructed in the year 2005 or later.

² Under the DCL By-law, "rents shall be adjusted annually on January 1 to reflect the change in average rent for all residential units built *since the year 2000* in the City as set out by the Canada Mortgage and Housing Corporation in the Rental Market Report published in the previous calendar year." As of 2014, CMHC no longer reports average rents for year 2000 onwards, but is instead reporting on average rents for 2005 onwards. The table above presents average 2014 citywide rents for residential units built since year 2005. A report is anticipated to come before Council in 2015 recommending an amendment to the by-law to capture this change in CMHC reporting.

³ Based on the following assumptions: Median of all BC Assessment recent sales prices in the Vancouver Eastside in 2013 by unit type, 10% down payment, 5% mortgage rate, 25-year amortization, \$150-250 monthly strata fees and monthly property taxes at \$3.68 per \$1,000 of assessed value. 2014 data is being requested and will be updated by May 1, 2015.

The dwelling units in this application would be secured as for-profit affordable rental units through a Housing Agreement with the City for the life of the building or 60 years, whichever is longer. Covenants will be registered on title to preclude the stratification and/or separate sale of individual units. As well, through the development permit application process, the City will ensure that average unit sizes do not exceed the applicable maximum thresholds established in the Vancouver DCL By-law.

Community Amenity Contributions (CACs) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution (CAC) 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.

As the public benefit achieved for this application is for-profit affordable rental housing, no additional cash CAC is offered in this instance. Real Estate Services staff have reviewed the applicant's development pro forma and have concluded that, after factoring in the costs associated with the provision of for-profit affordable rental housing units for the longer of the life of the building or 60 years, no further contribution towards public benefits is necessary in this instance.

See Appendix H for a summary of all of the public benefits for this application.

FINANCIAL IMPLICATIONS

As noted in the Public Benefits section, there are no CACs or public art contributions associated with this rezoning.

The site is subject to the City-wide DCL and it is anticipated that the commercial component of the project will generate approximately \$85,289 in DCLs. The residential component of the project qualifies for a DCL waiver under Section 3.1A of the Vancouver DCL By-law and the value of the waiver is estimated to be approximately \$487,207.

The for-profit affordable rental housing, secured by a Housing Agreement for the longer of the life of the building or 60 years, will be privately owned and operated.

CONCLUSION

Staff have reviewed the application to rezone the site at 5648-5678 Victoria Drive from C-2 to CD-1 to increase the allowable density and height, to permit development of a building with for-profit affordable rental housing, and conclude that the application is consistent with the *Rental 100: Secured Market Rental Housing Policy*. Staff further conclude that the application qualifies for incentives provided for for-profit affordable rental housing, including additional height and density, a parking reduction and a DCL waiver. If approved, this application would make a contribution to the achievement of key affordable housing goals of the City. The proposed form of development represents an appropriate urban design response to the site and context and is supportable. 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, and that, subject to the public hearing, the application including the form of development as shown in the plans in Appendix F, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

5648-5678 Victoria Drive
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 Director of Planning or Development Permit Board will issue development permits are:
 - (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Museum or Archives;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
 - (c) Institutional Uses, limited to Social Service Centre;
 - (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
 - (e) Office Uses;
 - (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, and Secondhand Store;
 - (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry

Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class A, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;

- (h) Utility and Communication Uses, limited to Public Utility and Radiocommunication Station; and
- (i) Accessory Uses customarily ancillary to the uses listed in this Section 2.2.

Conditions of use

- 3.1 No portion of the first storey of a building, to a depth of 10.7 m from the west wall of the building and extending across its full width, shall be used for residential purposes except for entrances to the residential portion.
- 3.2 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for:
 - (a) Farmers' Market;
 - (b) Neighbourhood Public House;
 - (c) Public Bike Share;
 - (d) Restaurant; and
 - (e) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 3.3 The design and layout of at least 25% 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 1,155.8 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses must not exceed 3.58.
- 4.3 Computation of floor area must include all floors of all buildings, 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 floor area must exclude:

- (a) open residential balconies or sundecks and any other appurtenances, which in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8% of the permitted floor area;
- (b) patios and roof gardens, if 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 that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5 Computation of floor area may exclude:

- (a) enclosed residential balconies, if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided; and
 - (ii) no more than 50% of the excluded balcony floor area may be enclosed.

4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any use other than that which justified the exclusion.

Building height

5. Building height, measured from base surface, must not exceed 19.1 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 m².

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 |

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5648-5678 Victoria Drive
PROPOSED CONDITIONS OF APPROVAL

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 the 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 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.

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.

- (iv) 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 60 years and life of the building, 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.

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5648-5678 Victoria Drive
DRAFT CONSEQUENTIAL AMENDMENTS

SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"5648-5678 Victoria Drive [CD-1 (#)] [By-law #] B (C-2)"

NOISE BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 (#)] [By-law #] 5648-5678 Victoria Drive"

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5648-5678 Victoria Drive
URBAN DESIGN ANALYSIS

This part of Victoria Drive is characterised by lower scale, older commercial developments with some recent developments of three to four storeys across Victoria Drive to the west. Urban design guidance for the area seeks to ensure appropriate street scale, continuous enclosure and pedestrian interest. While there is no maximum or minimum frontage for development under the current zoning, urban design guidelines strive to avoid monotonous facades through the incorporation of variety, articulation, vertical elements, colours and material changes. Building features such as continuous weather protection and the creation of mid-block residential entries that are separate and distinct from retail and commercial entries are encouraged.

The *Rental Incentive Guidelines* accompany the Rental 100 policy and inform how the rental incentives are to be applied. For projects in the C-2 District proposing an increase in density and height, the policy supports the consideration of up to six storeys subject to an urban design analysis.

A single commercial retail unit of 615.7 m² (6,627 sq. ft.) fronting Victoria Drive, as well as a common entry to the residential floors above are proposed at ground level. A setback of approximately 1.2 m (4 ft.) is provided to widen the commercial sidewalk to 4.6 m (15 ft.). The application responds to the local character by providing a distinct change in material expression between the retail uses at street level and the residential uses above, proposing continuous weather protection along the Victoria Drive frontage and visually differentiating the common residential entry canopy from that of the commercial frontage.

The application proposes to increase the density and permitted height by two storeys beyond what is otherwise allowed under the existing C-2 zoning. Under C-2, the expected form of development would demonstrate a stepping back of the top floor to maintain a lower three-storey scale from the street, and an incremental stepping back in height from the lane to enable a more compatible interface with smaller scale, low-density development. To provide relief from the overall height of the building, the application proposes a 6.0 ft. setback from the street at the sixth-floor penthouse level, with visual interest on the base of the mid-rise portion derived from material expression and the vertical articulation of three bays of enclosed balconies. Staff support the height and massing in terms of contextual fit with future development and are recommending that the detail and material expression of these features be further augmented at development permit stage through the conditions of approval in response to the proposed form of development in Appendix B. The top floor is further set back 9.5 ft. on both sides to facilitate transition to future four storey developments on each of the adjacent lots. Staff are recommending design changes to improve the material quality and expression of the side elevations, particularly above the fourth floor level, in recognition of their exposure in the medium to long term prior to adjacent lots redeveloping.

To the rear, the application proposes a setback of approximately 35 ft. from the second to fifth floor levels. Typically, C-2 developments would be set back 20 ft. at second and third floor levels, and 35 ft. at the fourth floor level. As such, the current proposal locates the bulk of the building farther away from residential development across the lane. A further setback

of 41 ft. from existing residences across the lane at the sixth-floor penthouse level exceeds the upper-level C-2 setback and is provided to mitigate both overlooking impacts and apparent massing of the proposed additional height to the detached dwellings to the east of the site. A continuous planted buffer along the lane edge of the second floor patios provides privacy screening where the new development is closest to existing single-family dwellings. Staff are recommending design changes to improve the material quality and expression of the at-grade elevation to the lane. The reconfiguration of internal amenity layouts also recommended by staff will further serve to relieve the monotony of the podium elevation at this level.

Through the application review process, staff generally heard positive feedback from local residents regarding the design and proposed height. There were a few concerns expressed regarding potential shadowing associated with the six-storey height. But, given the orientation and position of the building on the lot, additional shadow impacts derived from the increased height fall toward the street and other commercial lots, rather than on residences or private yards to the east. Some additional shadowing will be generated by the increased height and lack of setback at the fifth floor level, but staff are satisfied that the more generous setbacks to the lane outlined above serve to mitigate and minimize the effect on neighbouring residences.

The application was reviewed by the Urban Design Panel on January 14, 2015 and received support (see Appendix E). The Panel offered advice and direction on a number of development issues to be fully addressed at the development permit stage, including those relating to detailed expression outlined above and to which staff have responded in this report. The proposal includes a common outdoor rooftop amenity space with universal access (the detailed programming of which will occur at development permit stage), as well as a common fitness amenity room at grade. In assessing the increased height and density proposed, staff share concerns expressed by the Urban Design Panel around the quality of the proposed internal amenity space at grade, and in line with City objectives for higher density living for families, are seeking design development to improve the multi-functionality and access to daylight of this space.

Subject to the conditions contained in this report, staff support the proposal for a six-storey mixed-use development, and are satisfied that the form of development proposed demonstrates contextual fit with adjacent development, that the additional massing does not decrease compatibility with residential development across the lane, and that an acceptable interface to single-family residential is maintained.

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5648-5678 Victoria Drive
ADDITIONAL INFORMATION

Urban Design Panel (January 14, 2015)

EVALUATION: SUPPORT (6-1)

- **Introduction:** Michelle Yip, Rezoning Planner, introduced the proposal for a rezoning application located mid-block on the east side of Victoria Drive, north of East 41st Avenue. She mentioned that there was a previous application for this site. The initial application was processed concurrently for rezoning and development permit and was reviewed by the Panel in August 2012 and January 2013. That application was comprised of two parcels and proposed a six-storey mixed-use building with commercial at grade and 28 secured market rental units, applied for under the Short Term Incentives for Rental (STIR) program. Since then, the applicant has acquired an additional parcel to the south and has withdrawn the previous application. The new application is only for a rezoning.

The rezoning application is to rezone the site from C-2 to CD-1 to allow development of a six-storey mixed-use building with commercial at grade and 48 secured market rental units. The proposal is being considered under the Rental 100 policy which supports the consideration for additional height and density when 100 per cent of the residential units will be secured as market rental for the life of the building. More specifically, the Rental 100 Guidelines supports consideration of increases up to six-storeys with a commensurate achievable density for C-2 zones.

Colin King, Development Planner, further described the proposal. He described the context for the area noting that there is mixed-use retail along Victoria Drive with predominately 1 and 2-storey buildings while across the road are developed to 3 and 4-storeys. Across the lane is the RS-1 single family dwelling district. He mentioned that the retail on the ground floor is proposed to be a single large unit that could be broken into smaller units but there is no direct requirement for this in the base zoning. The residential units are comprised of 4 studios, 30 one-bedroom and 14 two bedrooms and are accessed from the residential lobby on Victoria Drive. There are two floors of underground parking with 36 spaces including 10 commercial spaces and 4 for visitors. Bike storage is on both parking levels.

Mr. King noted that the top floor is stepped back six feet to lessen the apparent height to the street. As well there are setbacks on the second through fifth floors so the building exceeds the mid-rise setbacks of the C-2 form. Further setbacks to the sides are provided to transition to a future 4-storey development on the adjacent lots. At the lane there is a two foot setback at grade with some plantings and private patios. The roof will have an extensive green roof with a common patio area accessed by elevator and weather protection. Mr. King also mentioned that the external common space on the roof is a good amenity but not ideal for children's play. There is also an internal amenity room at grade proposed as a fitness room.

Mr. King described the material palette which is comprised of dark brick veneer, light fir boards breaking up the glazing and coloured hardie panel for the enclosed balcony bays.

The top floor will be a lighter colour and the side elevations have less articulation than the previous proposal.

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

1. Does the Panel support the form of development of the proposed rezoning as it relates to height, use, and density?
2. Can the Panel provide commentary on the provision of common amenity areas specifically as it relates to outdoor play space for families with children?
3. Does the Panel have any advice regarding the quality and expression of external materials that may help guide any future DE application?

Ms. Yip and Mr. King took questions from the Panel.

- **Applicant's Introductory Comments:** Matthew Cheng, Architect, further described the proposal and mentioned that because it will be a rental building they are allowed to reduce the amount of parking spaces. There will be only 22 residential parking spaces and 14 for commercial and visitors. There is also a car share program proposed for the site. He mentioned that the unit sizes are listed in the guidelines Rental 100 program and they are below the maximum size. He added that they will be pursuing LEED™ Gold.

Caelan Griffiths, Landscape Architect, described the landscaping plans and noted the container plantings on the street. The roof top gardens are in response to earlier comments to provide urban agriculture opportunities. On the lane, plantings will spill over and they will be providing for vines to grow up the side of the building.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - Design development to reduce the bulkiness of the podium level on the lane;
 - Design development to improve the side elevations from fourth to sixth floor level
 - Consider a continuous cornice line or resolve the bays at the proposed cornice;
 - Design development to improve daylighting into the fitness room;
 - Reconsider a colour selection;
 - Consider adding children's play on the roof along with other amenity space programming.
- **Related Commentary:** The Panel supported the height, use and density and thought it was an improvement over the C-2 form of development.

The Panel had no concerns regarding the height and use and thought but some members thought the shoulder at the fourth and sixth floor should also step back. They thought this would help reduce shadowing on the sidewalk across Victoria Drive.

Several panel members noted that the exposure of the side elevations in medium to long term required improved architectural expression, especially from the fourth to the sixth floor level.

Several Panel members thought that off the lane the podium level was bulky and relentless. They also noted that the landscaping was minimal and suggested more plantings and a less bulky expression. A couple of Panel members thought the cornice line needed to be continuous or that the bays needed to go up to the cornice.

Most of the Panel supported the colour and material palette and thought they worked well, however a couple of Panel members thought the green was too vivid. One Panel member suggested similar colours be used to clarify parts of the building such as the entry and wayfinding.

There was some concern regarding the layout of some of the units as it was felt they might be too narrow and have trouble with light access.

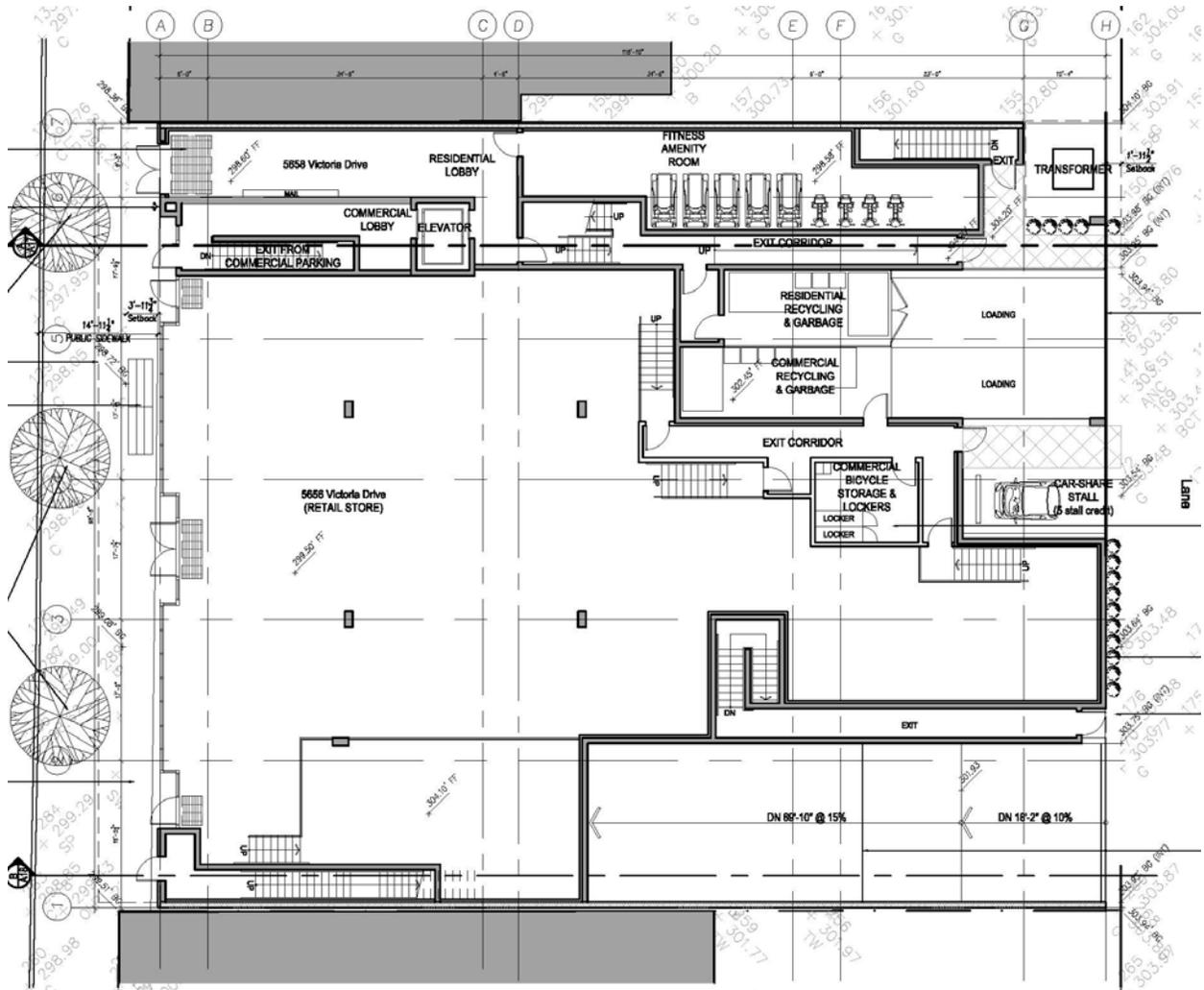
The Panel was disappointed that there wasn't any defined place for children's play. As well they thought the amenity space on the ground floor didn't work and that perhaps there was an opportunity for some rearrangement of the ground floor. They noted that the room was lacking in daylighting and there was no access to the outdoors. Several Panel members thought that adding glazing into the fitness space and that there was an opportunity to add children's play on the roof.

- **Applicant's Response:** Mr. Cheng said he appreciated all the Panel's comments.

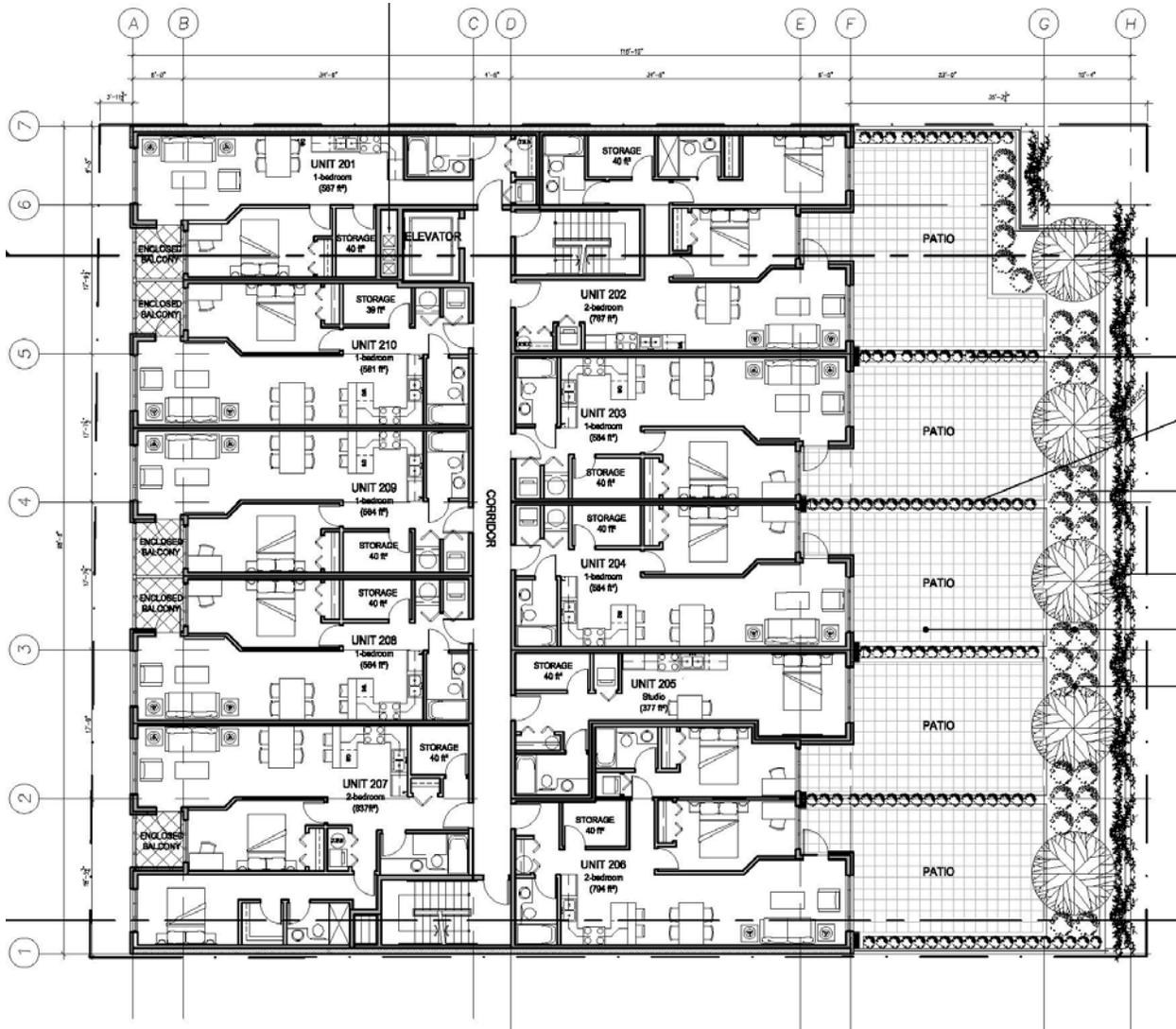
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5648-5678 Victoria Drive
FORM OF DEVELOPMENT

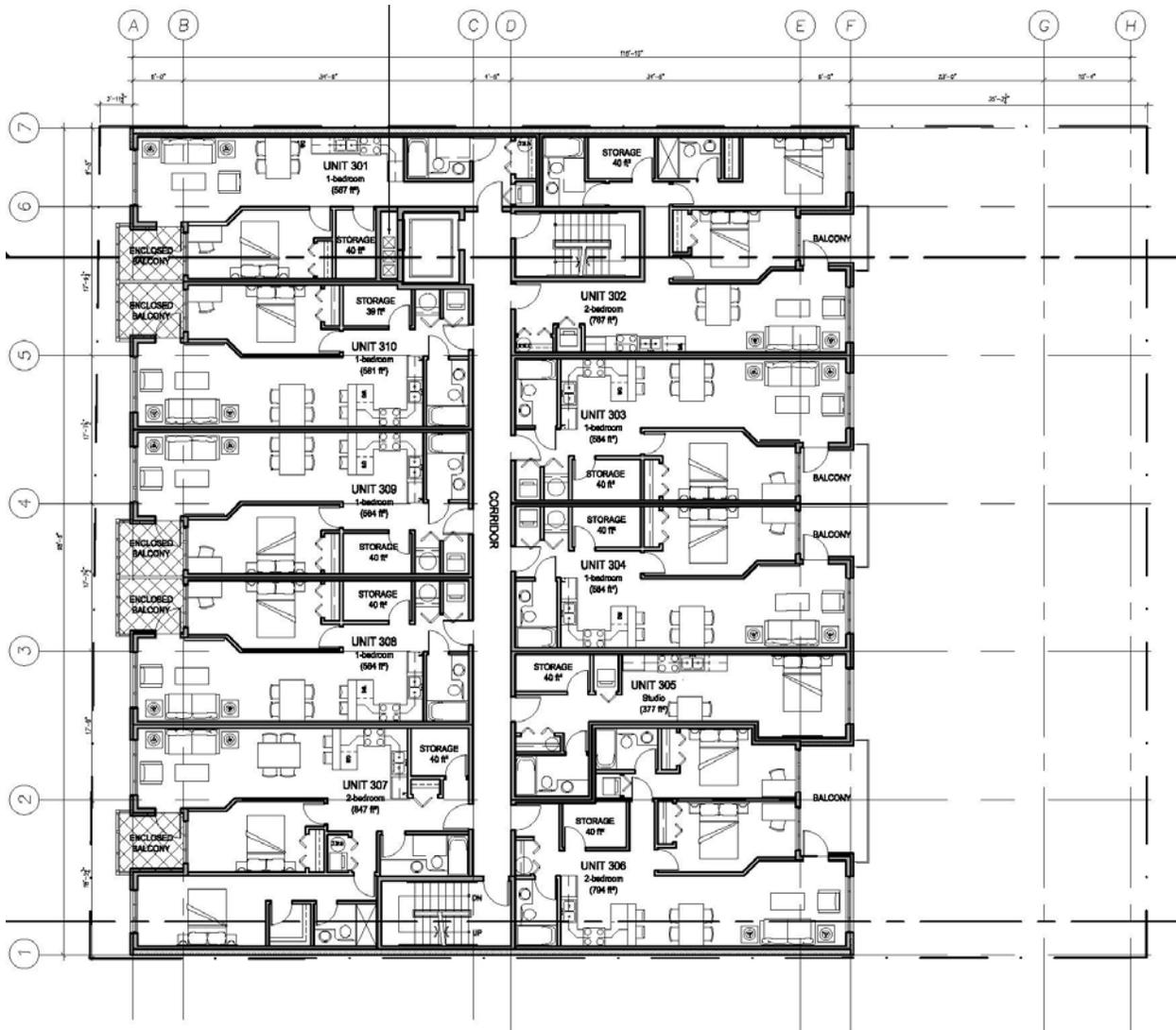
Ground Floor Plan



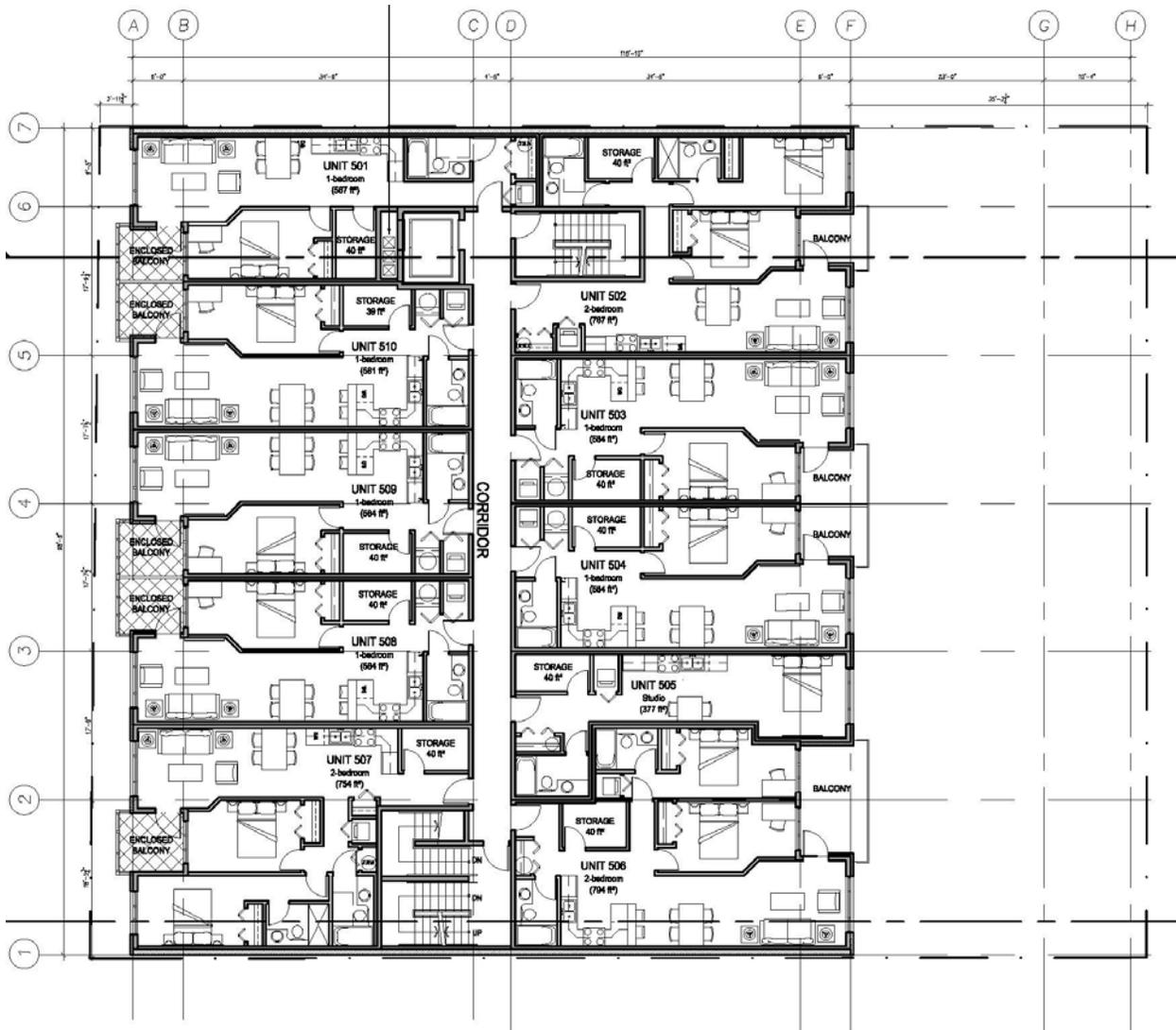
Second Floor Plan



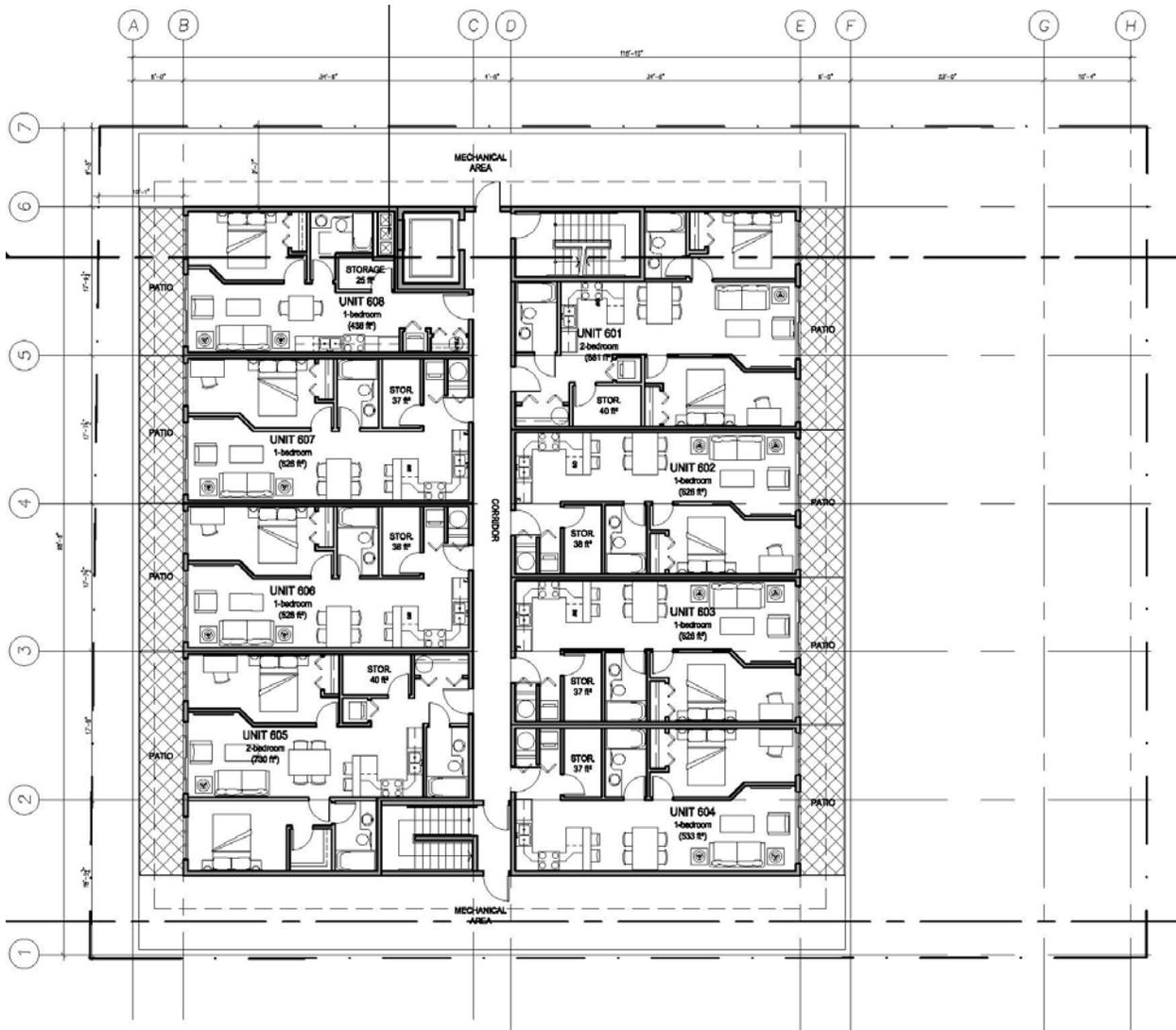
Third and Fourth Floor Plan



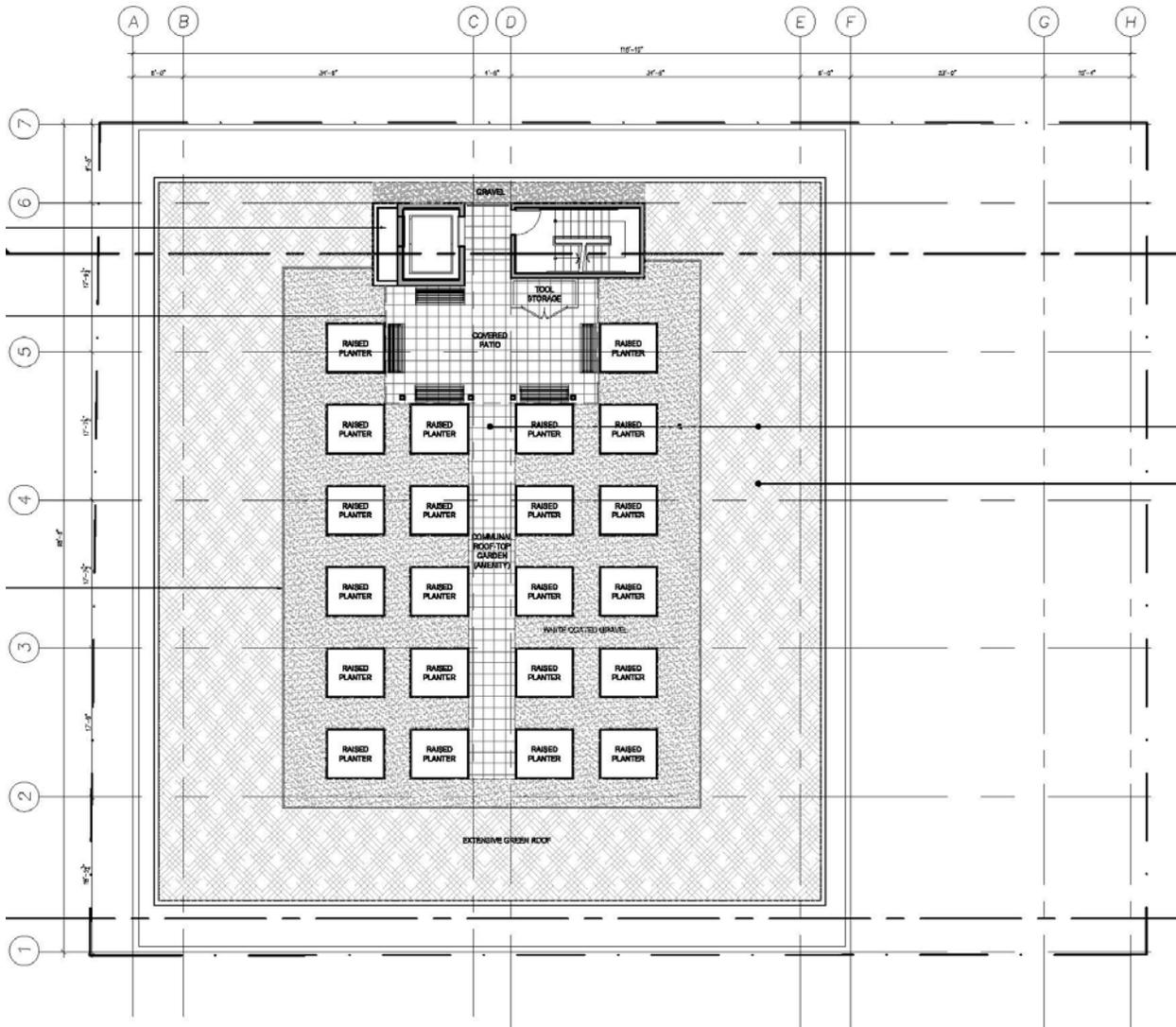
Fifth Floor Plan



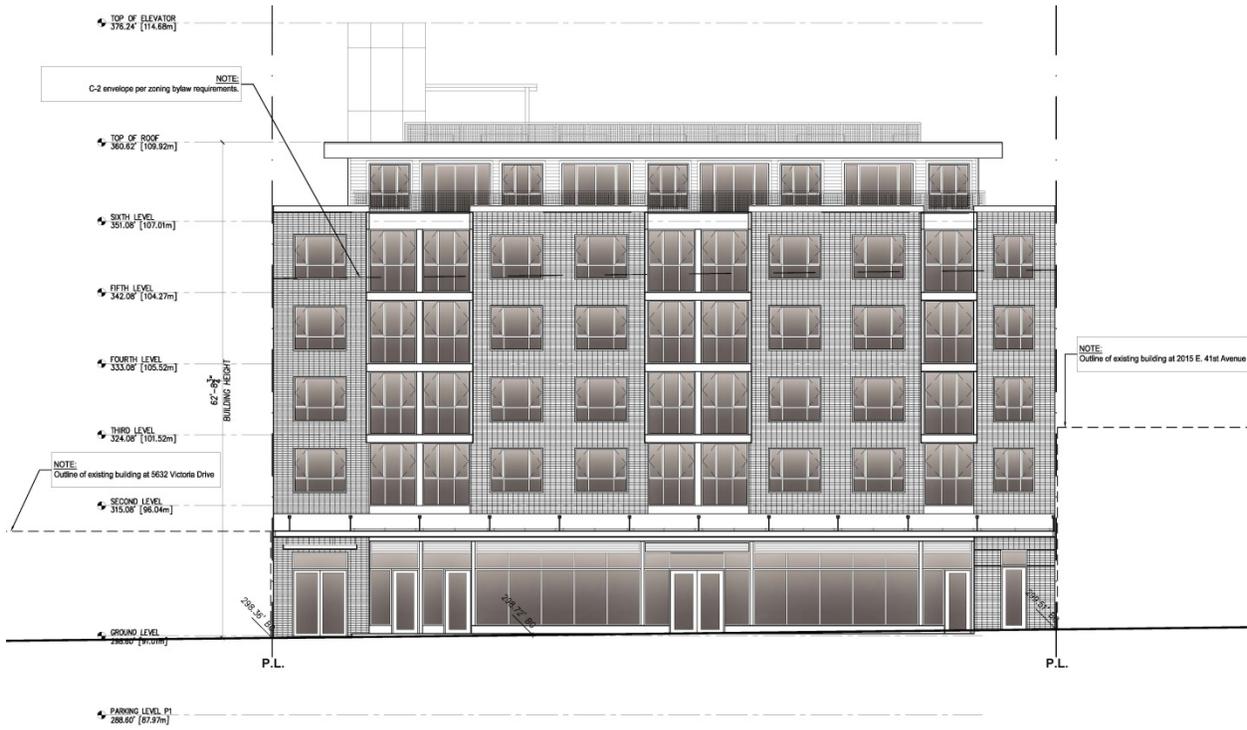
Sixth Floor Plan



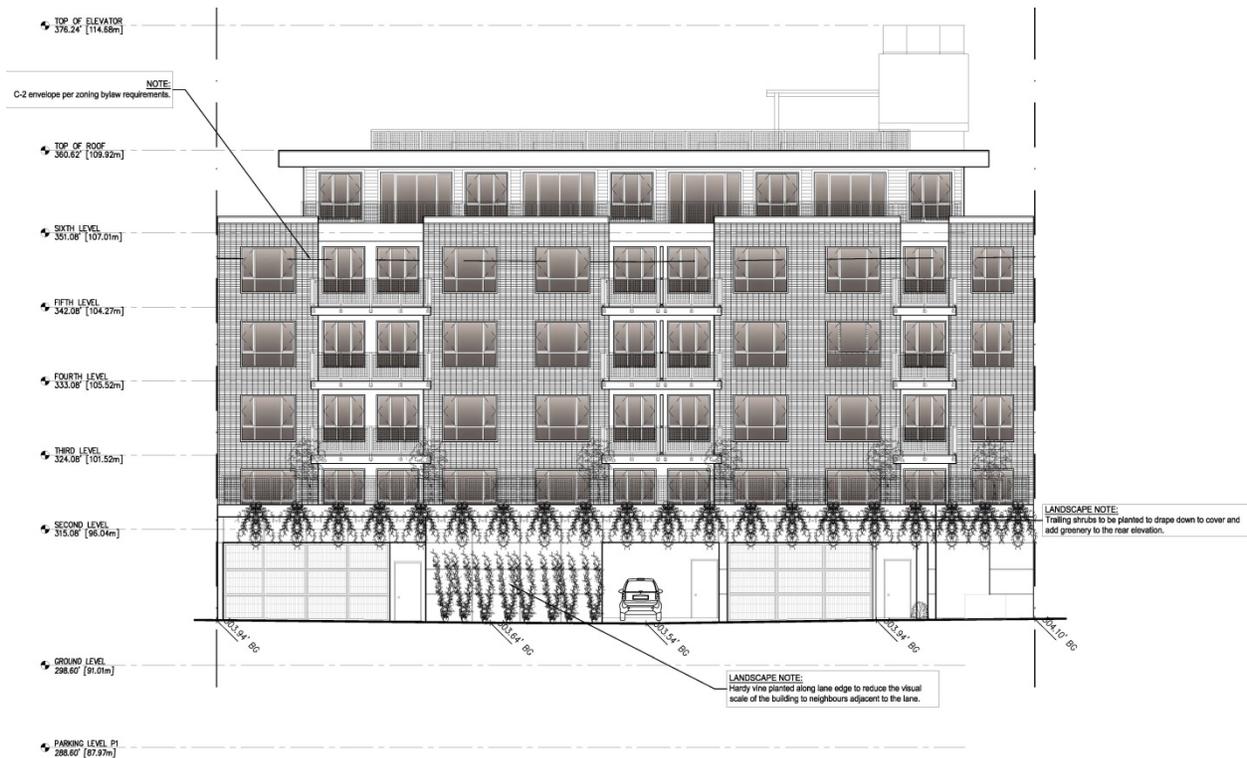
Roof Garden Plan



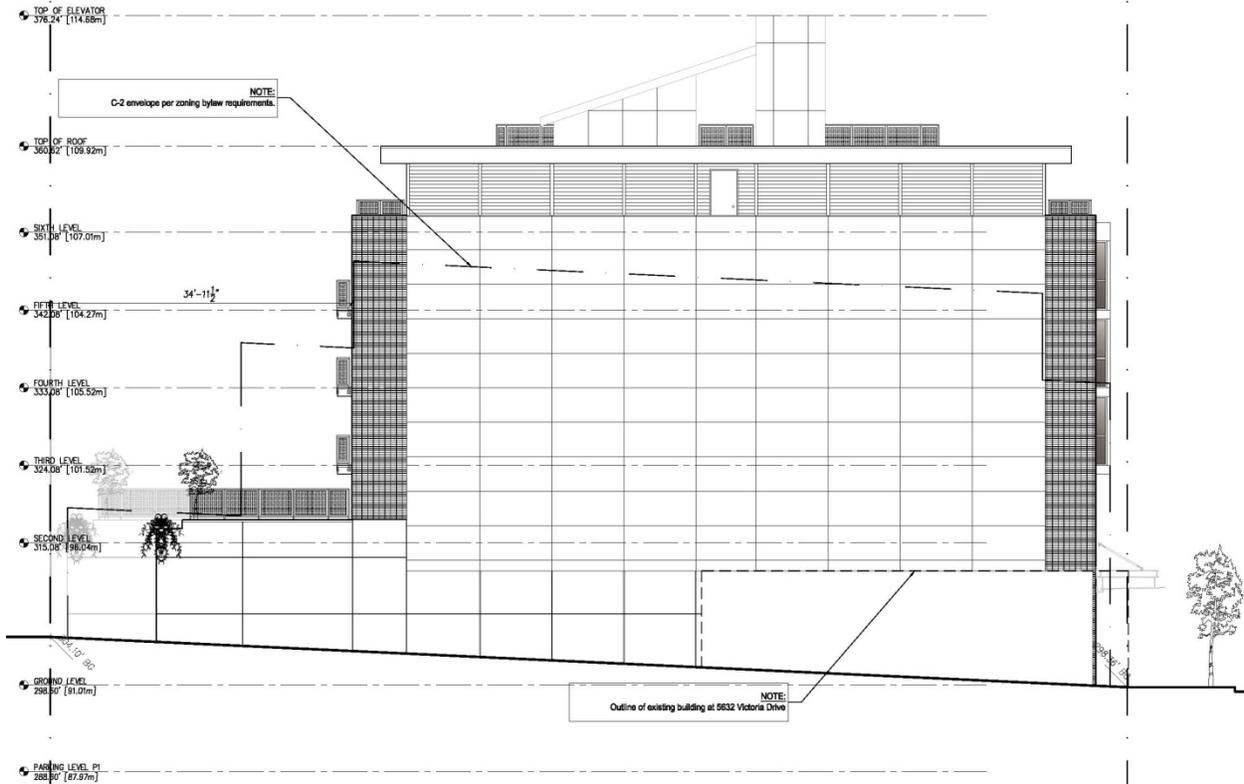
West Elevation (Victoria Drive)



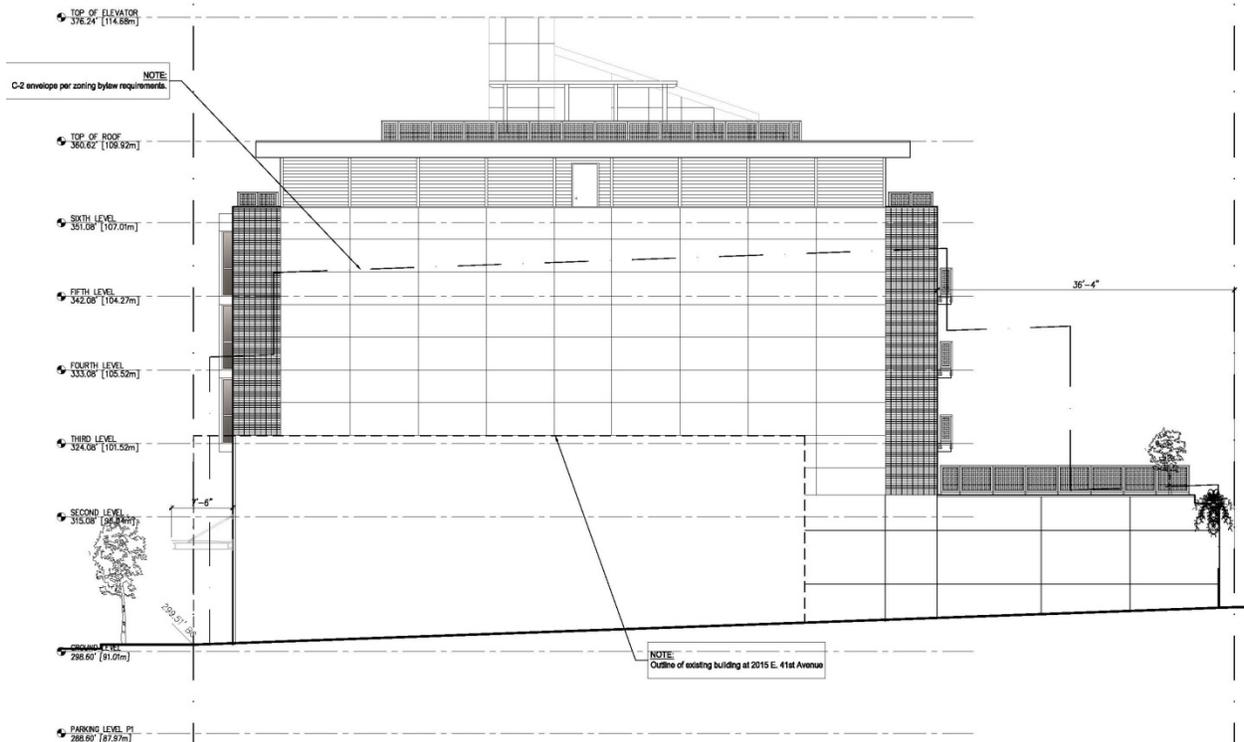
East Elevation (Lane)



North Elevation



South Elevation



5648-5678 Victoria Drive
DEVELOPMENT COST LEVY WAIVER ANALYSIS

To qualify for a waiver of the Development Cost Levy (DCL) for the residential floor space, the application must meet the criteria set out in the relevant DCL By-law under Section 3.1A. This application qualifies as outlined below.

- (a) All dwelling units proposed in the building will be secured as rental through the Housing Agreement called for under rezoning condition (c) 7 in Appendix B.
- (b) None of the proposed dwelling units will be strata units, as required through the Housing Agreement.
- (c) The average size of the proposed dwelling units will not be greater than specified in the DCL By-law.

| Unit Type | Number of Units Proposed | DCL By-law Maximum Average Unit Size | Proposed Average Unit Size |
|-------------|--------------------------|--------------------------------------|---------------------------------|
| Studio | 4 | 42 m ² (452 sq. ft.) | 31 m ² (337 sq. ft.) |
| One-Bedroom | 30 | 56 m ² (603 sq. ft.) | 53 m ² (567 sq. ft.) |
| Two-Bedroom | 14 | 77 m ² (829 sq. ft.) | 73 m ² (782 sq. ft.) |

- (d) The average initial rents for the proposed dwelling units do not exceed rents specified in the DCL By-law.

| Unit Type | Number of Units Proposed | DCL By-law Maximum Average Unit Rent* | Proposed Average Unit Rent |
|-------------|--------------------------|---------------------------------------|----------------------------|
| Studio | 4 | \$1,242 | \$809 |
| One-Bedroom | 30 | \$1,561 | \$1,191 |
| Two-Bedroom | 14 | \$1,972 | \$1,603 |

*Both the maximum and proposed rents are subject to annual adjustment as per the DCL By-law.

- (e) The proposed construction cost for the residential floor area does not exceed the maximum specified in the DCL By-law.

| DCL By-law Maximum Construction Cost | Proposed Construction Cost |
|---|---|
| \$2,475 per m ² (\$230 per sq. ft.) | \$1,915 per m ² (\$178 per sq. ft.) |

- (f) By way of the Housing Agreement, the tenure of the housing will be secured as rental for the longer of the life of the building and 60 years, and the initial rents at occupancy will be secured to meet the averages set out under (d) above.

5648-5678 Victoria Drive
PUBLIC BENEFITS SUMMARY

Project Summary:

Six-storey mixed-use building with commercial retail units at grade and 48 for-profit affordable rental units.

Public Benefit Summary:

The proposal would provide 48 dwelling units secured as for-profit affordable rental housing for the life of the building or 60 years, whichever is longer.

| | Current Zoning | Proposed Zoning |
|---|------------------------|------------------------|
| Zoning District | C-2 | CD-1 |
| FSR (site area = 1,155.8 m ² / 12,441 sq. ft.) | 2.50 | 3.58 |
| Floor Area (sq. ft.) | 31,103 | 44,483 |
| Land Use | Commercial/Residential | Commercial/Residential |

| Public Benefit Statistics | | Value if built under Current Zoning (\$) | Value if built under Proposed Zoning (\$) |
|--|--|--|---|
| Required* | DCL (City-wide) | 400,296 | 85,289 |
| | 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 | | |
| | Parks and Public Spaces | | |
| | Social/Community Facilities | | |
| | Unallocated | | |
| | Other | | |
| TOTAL VALUE OF PUBLIC BENEFITS | | 400,296 | 85,289 |

Other Benefits (non-quantified components):

48 units of rental housing secured for the longer of the life of the building or 60 years.

* 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%).

5648-5678 Victoria Drive
APPLICANT AND PROPERTY INFORMATION

Property Information

| Address | Property Identifier (PID) | Legal Description |
|---|---------------------------|---|
| 5648 Victoria Drive 5652 Victoria Drive 5656 Victoria Drive | 008-796-203 | Lot 45, except the west 7 feet, now road, Block 16, District Lot 394, Plan 2501 |
| 5658 Victoria Drive 5660 Victoria Drive | 010-852-441 | Lot 46, except the west 7 feet, now road, Block 16, District Lot 394, Plan 2501 |
| 5670 Victoria Drive 5678 Victoria Drive | 013-712-446 | Lot 47, except the west 7 feet, now road, Block 16, District Lot 394, Plan 2501 |

Applicant Information

| | |
|--------------------------|------------------------------|
| Applicant/Architect | Matthew Cheng Architect Inc. |
| Developer/Property Owner | Bhandal Homes Ltd. |

Development Statistics

| | Permitted Under Existing Zoning | Proposed |
|-------------------------------------|---|---|
| Zoning | C-2 | CD-1 |
| Site Area | 1,155.8 m ² (12,441 sq. ft.) | 1,155.8 m ² (12,441 sq. ft.) |
| Land Use | Commercial & Residential | Commercial & Residential |
| Maximum FSR | 2.50 | 3.58 |
| Maximum Height | 13.8 m (45.3 ft.) | 19.1 m (63.0 ft.) |
| Floor Area | 2,889.6 m ² (31,103 sq. ft.) | Total: 4,132.6 m ² (44,483 sq. ft.) Residential: 3,516.9 m ² (37,856 sq. ft.) Commercial: 615.7 m ² (6,627 sq. ft.) |
| Parking, Loading and Bicycle Spaces | As per Parking By-law | As per Parking By-law |