

6. REZONING: 467-495 West King Edward Avenue

Summary: To rezone 467-495 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with lane-fronting two-storey townhouses, containing a total of 61 dwelling units. A height of 22 m (72 ft.) and a floor space ratio (FSR) of 2.31 are proposed.

Applicant: GBL Architects Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of June 23, 2015.

Recommended Approval: By the General Manager of Planning and Development Services:

- A. THAT the application by GBL Architects Inc., on behalf of The Mission Group Properties G. P. Limited and Evan Shamet, the registered owners, to rezone 467-495 West King Edward Avenue [*Lots 12 to 10, Block 661, District Lot 526, Plan 2913; PIDs 013-343-696, 007-044-712 and 013-343-670 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.70 to 2.31 and the height from 10.7 m (35 ft.) to 22.0 m (72 ft.) to permit the development of a six-storey residential building and two-storey townhouses fronting the rear lane, containing a total of 61 dwelling units, generally as presented in Appendix A of the Policy Report dated June 15, 2015, entitled "CD-1 Rezoning: 467-495 West King Edward Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That, the proposed form of development be approved by Council in principle, generally as prepared by GBL Architects Inc., on behalf of Mission Group, and stamped "Received, Planning and Development Services, October 20, 2014", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to the approval of 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. Design development to enhance the public realm amenity of the 'Connector Lane', as outlined in the Cambie Corridor Plan.
 - (i) Reduce the potential issue of overlook against future development west, across the lane.

Note to Applicant: Maintain a minimum 2.4 m (8 ft.) between cantilevered building face and west property line. A commensurate reduction in density as building shifts to the east is anticipated.

- (ii) Relocate PMT away from the public amenity of the 'Connector Lane'.

Note to Applicant: Consider reconfiguring the townhouse pattern to allow space for the PMT adjacent to the parking entry ramp.

- 2. Design development to provide increased building setbacks and yards to recommended minimums:

Rear Yard	1.2 m (4 ft.)
West Side Yard	4.3 m (14 ft.)
East Side Yard	2.4 m (8 ft.)
Front Yard Setback	3.0 m (10 ft.)

- 3. Design development to enhance livability and reduce overlook in the mews/courtyard.

Note to Applicant: Maintain a minimum 7.3 m (24 ft.) clear between townhouses and primary building.

- 4. Design development to enhance livability for persons with disabilities.

Note to Applicant: Provide accessible entry sequence from elevator lobby to the Amenity Room located at courtyard level.

- 5. Design development to provide the Amenity Room with contiguous common access outdoor space.

Note to Applicant: Consider integrating the Amenity Room with common access outdoor space provided on Level 5.

- 6. Delete enclosed balcony areas at grade.

Note to Applicant: These areas do not constitute 'balconies' nor comply with Balcony Enclosure Guidelines.

- 7. Design development to improve wayfinding from the project entry to courtyard townhouses.

Note to Applicant: As a consequence of the level change required, a visual connection from the project entry on King Edward Avenue to the courtyard beyond is recommended.

- 8. Design development to animate laneway as recommended by the Cambie Corridor Guidelines.

Note to Applicant: Provide townhouse unit entries along the lane.

9. Design development to enhance the privacy of neighbours and reduce the potential for overlook.

Note to Applicant: As a consequence of the downward slope to the north of the site, delete rooftop access to townhouse roof decks. Consider providing an extensive roofing treatment.

Crime Prevention through Environmental Design (CPTED)

10. Design development to respond to CPTED principles, having particular regard for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti

Sustainability

11. Provision of a Recycling and Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

12. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist and a written strategy outlining how the proposed points will be achieved, a letter of confirmation from an accredited consultant confirming that the building has been designed to meet these goals, and a letter of confirmation including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

Landscape

13. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by a 20 cm (8 in.) high curb.

14. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

15. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

16. Provision of a Landscape Plan consistent with Cambie Corridor Public Realm Plan.

17. Design development to ensure location of the hydro kiosk in areas screened by soft landscape, or in an internal mechanical room. Any other emergency generators, transformers or gas meters are to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

18. At the time of Development Permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum of 1:000 or 1/8" scale.
- (ii) Section details at a minimum scale of 1/4"=1" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- (iii) Sections (1/4"=1" or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) New proposed street trees should be noted "Final species, quantity and space to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering

Streets Division regarding street tree spacing and quantity.
Contact the Park Board at 311 regarding tree species.

(v) A high-efficiency automatic irrigation system to be provided for all planters on the parkade slab and hose bibs are to be provided for landscape on grade.

(vi) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

(vii) Trellis and vines to be provided over the underground garage access ramp.

Housing Policy

19. That the proposed unit mix, 2% studio, 34% 1-bedroom, 44% 2-bedroom units and 20% 3-bedroom units are to be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

Engineering Services

20. Provision of City of Vancouver building grades and design elevations at all entries along the property lines, clearly indicating that building grades are being met.

21. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick-up, bins are to be returned to storage areas immediately after emptying.

22. Provision of an updated landscape plan that reflects the improvements sought from this rezoning.

Note to Applicant: A geometric will be supplied by the City for the changes along King Edward Avenue.

23. Clarification of the east property line dimension shown (154'-7") as it does not agree with the 154.11 (154'-1 1/3") indicated by the included survey plan.

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

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

(i) Provision of correct dimensions of disability parking spaces.

- (ii) Provision of wheel stops for perpendicular parking spaces 31 and 32.
 - (iii) Provision of design elevations on both sides of the parking ramp at all breakpoints, clearly indicating length and percentage of grade for the parkade ramps.
25. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
26. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards - Design Guidelines for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

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

CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

1. Dedication, through subdivision of the south 0.75 m of the site and dedication of a 3 m x 3 m (10 ft. x 10 ft.) corner cut at the northwest corner of the site for road purposes. Delete all structures above and below grade from within the purposed dedication areas.
2. Consolidation of Lots 10, 11 and 12, Block 661, DL 526, Plan 2913 to create a single parcel.
3. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a shared access agreement between the development site and the adjacent property at 455 West King Edward Avenue (Lot 13, Block 661, DL 526, Plan 2913) to secure access to underground parking within the future development on Lot 13.

Note to Applicant: Provision of knockout panels, grading details and aisle widths that comply with the Parking and Loading Design Supplement are required.

4. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the 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.
 - (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment of the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.

- (iii) Improvements along King Edward Avenue adjacent the site as follows:

Note to Applicant:

- Provision of a new curb, gutter, raised cycle track, sidewalk and treed boulevard with the following cross section: 0.15 m curb/ 2.15 m raised asphalt cycle track/ 0.15 m curb/ 1.2 m sod grass boulevard with trees/ 1.8 m concrete sidewalk with saw cut joints and a 0.3 m sod building strip.
 - Provision of LED street lighting and LED pedestrian scale lighting adjacent the site.
 - Provision of a standard concrete lane entry at the lane east of Cambie Street on the north side of King Edward Avenue including upgrading of the curb returns and curb ramps.
 - Provision of street trees adjacent the site where space permits.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy System (NES), which may include but are not limited to agreements which:
- (i) Require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes available;

Note to Applicant:

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

deferred services agreement or similar agreement will be required.

- If the development is required by the General Manager of Engineering Services to connect to an NES, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas supply, unless otherwise approved by the General Manager of Engineering Services.
- (ii) Grant the operator of the City-designated NES access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation, on such terms and conditions as may be reasonably required by the Applicant.
- (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy Utility.

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

Soils

7. 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.

Heritage Density Transfer

8. Secure the purchase and transfer of 306 m² (3,297 sq. ft.) of heritage density (which has a value of \$214,335) from a suitable donor site.

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

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

Community Amenity Contribution (CAC)

9. Pay to the City the Community Amenity Contribution of \$1,929,015 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$1,929,015 is to be allocated as follows:

- (i) \$1,071,675 to the Affordable Housing Reserve to increase the City's affordable housing supply;
- (ii) \$782,340 towards facility space, to be used by non-profit organisations, to be located in or near the Cambie Corridor; and
- (iii) \$75,000 for traffic improvements along Yukon Street, between 16th and 29th Avenues.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law generally as set out in Appendix C of the Policy Report dated June 15, 2015, entitled "CD-1 Rezoning: 467-495 West King Edward Avenue".
- C. THAT, subject to the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law generally as set out in Appendix C of the Policy Report dated June 15, 2015, entitled "CD-1 Rezoning: 467-495 West King Edward Avenue".
- D. THAT Recommendations A to C be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and the expenditures of funds of incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ - 467-495 West King Edward Avenue]