

**2. REZONING: 7510-7554 Cambie Street**

**Summary:** To rezone 7510-7554 Cambie Street from C-1 (Commercial), RS-1 (One Family Dwelling and RT-1 (Two-Family Dwelling) Districts to CD-1 (Comprehensive Development) District, to permit the development of one six-storey mixed-use building and one six-story residential building, containing a total of 72 dwelling units and one commercial unit. Proposed is an increase in floor space ratio from 1.20 in C-1, 0.70 in RS-1 and 0.60 in RT-1 to an overall floor space ratio of 2.93 FSR, along with an increase in height to 24.0 m (79 ft.) from 10.7 m (35 ft.) in C-1 and RS-1, and 6.1 m (20 ft.) in RT-1

**Applicant:** W.T. Leung Architects

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of July 21, 2015.

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

A. THAT the application by W.T. Leung Architects Inc., on behalf of 8822999 (Marpole) Inc., to rezone:

- 7510-7516 Cambie Street [*PID 014-526-093; Lot 264, Centre Portion of District Lot 323, Plan 1640*] from C-1 (Commercial) District,
- 7518 Cambie Street [*PID 014-525-585; Lot 50 Except the West 7 Feet, now road, Centre Portion of District Lot 323, Plan 1640*] from RS-1 (One-Family Dwelling) District, and
- 7550-7554 Cambie Street [*PID 009-689-915; Lot 1, Block O, District Lot 323, Plan 9322*] from RT-1 (Two-Family Dwelling) District,

all to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.20 in C-1, from 0.70 in RS-1 and from 0.60 in RT-1 to an overall floor space ratio of 2.93 FSR and to increase the height from 10.7 m (35 ft.) in C-1 and RS-1 and from 6.1 m (20 ft.) in RT-1 to 24.0 m (79 ft.) to permit the development of one six-storey mixed-use building and one six-story residential building, containing a total of 72 dwelling units and one commercial unit, generally as presented in Appendix A of the Policy Report dated July 13, 2015, entitled "CD-1 Rezoning: 7510-7554 Cambie Street", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by W.T. Leung Architects Inc. and stamped "Received Planning and Development Services, December 19, 2014", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

**Urban Design and Landscape**

- 1. Design development to improve the quality of the courtyard amenity as follows:

- (i) Provide improved pedestrian and visual connectivity through the courtyard.

Note to Applicant: The courtyard amenity space should read as continuous from Cambie Street to the rear lane. To this end, the locations of the parkade entry ramp and children’s play area may be flipped. More generous stairs/terraces may be provided to connect down to the lane, and additional landscape features to better identify the courtyard entry from the lane. The vista room and loading space may be setback to provide more open space at the base of the stairs. While the courtyard is not required to be a public thoroughfare, the proposed full height security gates are not supported. Low, discrete, highly transparent, and visually attractive gates may be provided, more in keeping with a pedestrian scale.

- (ii) Expand programming of the courtyard to provide usable outdoor amenity space.

Note to Applicant: As currently proposed, the courtyard serves largely as circulation space and as a visual amenity, and should incorporate more active and engaging amenity spaces. The proposed planters at the perimeter should be deleted to allow for direct access to the courtyard from amenity rooms and the commercial unit. Pockets of residential seating and trees/planting should be provided instead, as well as commercial patio space. Planting should be at grade (not raised), which will require a deeper parkade excavation. The proposed water feature should be deleted and a more active use provided at the rear, such as the children’s play space, which should be relocated to be better integrated within the courtyard. Suggest flipping locations of parkade entry ramp and children’s play area as per Condition 1. (i) above.

- (iii) Consider modifications to the massing of the residential building to reduce shadow impact on the courtyard.

Note to Applicant: This may be achieved by reducing the height and/or providing a larger setback to the vertical element at the northwest corner of the residential building to reduce afternoon shadow impact. Shadow studies should be provided so that staff may assess the effectiveness of the revised massing.

- 2. Design development to provide an improved interface with the lane at the base of the residential building.

Note to Applicant: This may be achieved by providing a distinct entry gate and path to each ground floor unit through the common urban agriculture space. A tree should be located flanking each patio as a privacy buffer and to provide unit identity.

3. Design development to provide an improved interface with the public realm at the base of the mixed-use building, including adjacent the courtyard.

Note to Applicant: Full height storefront windows with clear glazing should be provided at the base of mixed use building at both street frontages, and adjacent the courtyard. This will also assist in distinguishing the mixed use building from the residential building. The commercial parking exit and elevator may be relocated to provide a more visually open corner for the commercial space adjacent the courtyard entry.

4. Design development to meet the *Cambie Corridor Draft Public Realm Plan* including lane, side yard and front yard treatments.

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

5. Design development to enable retention and protection of Tree #1 and relocation of Tree #14.

Note to Applicant: Retention of Tree #1 will require alterations to the parkade to allow for clearance from the rootball. A revised Arborist report should address clearance dimensions and methods of protection for Tree #1 and potential success for relocation of Tree #14. If possible, integrate Tree #14 on site, as part of the landscape plan.

6. Provision of Letter of Consent from south adjacent property owner for the removal of five trees and approval from the Park Board for removal of City-owned trees.

Note to Applicant: If either or both (neighbor and Park Board) are unwilling to remove trees, then design development will be required to ensure safe retention.

7. Provision of maximized tree growing medium and planting depths for trees 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 achieve adequate depth and continuous soil volumes. Growing mediums and planting depths should be minimum 36" for medium trees, 30" for small trees, and 18"-24" for small shrubs. Other plant depths to BCSLA standard or better.

## Crime Prevention through Environmental Design (CPTED)

8. Design development to respond to CPTED principles, having particular regards for:
  - (i) design and siting of the children's play space;
  - (ii) theft in the underground parking;
  - (iii) residential break and enter;
  - (iv) mail theft; and
  - (v) mischief in alcoves and vandalism, such as graffiti.

Note to Applicant: The children's play space should be more visually open to the courtyard and amenity room to allow for casual surveillance.

## Sustainability

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

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

10. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, 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: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

## Housing Policy and Tenant Relocation Plan

11. That the proposed family-oriented unit mix of 49% 2-bedroom units and 29% 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.

12. Provision of a list outlining the name of each tenant, the number of the tenant's unit and their rent as per Section 2 of the Rate of Change Guidelines.
13. Provision of a Tenant Relocation Plan which includes three months free rent and reimbursement of receipted moving expenses as per Section 2 of the Rate of Change Guidelines.

Note to Applicant: This Plan should also outline ways in which you can provide assistance to tenants in finding alternate accommodation. A final Tenant

Relocation Plan to the satisfaction of the Chief Housing Officer must be submitted with your development permit application.

14. Provision of a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all tenants.
15. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes information on posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change Guidelines.
16. Provision of a final Tenant Relocation Report which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent); and includes a summary of all communication provided to the tenants.

### Engineering

17. Delete proposed special sidewalk and connector sidewalks shown beyond the property line on Cambie Street and indicate standard broomed finished sidewalks.
18. Delete proposed back boulevard trees.
19. Provision of a landscape plan that reflects the street improvements proposed for this development.
20. Clarification if canopies or awnings are proposed over the property line and submission of the appropriate application to the General Manager of Engineering Services.
21. Modify the Public Bike Share station concrete pad to meet the PBS requirements:
  - (i) Provision of the full 16 m dimension.
  - (ii) Provision of design grades on all 4 corners indicating that the maximum slope and cross fall of 5% and 3%. Please contact Engineering, Street Activities staff to ensure grades result in an acceptable operation of the PBS station at this location.
22. 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 design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.
- (ii) Improve two-way traffic flow to/from the main ramp (Section I.B) - the current ramp design does not allow for opposing vehicles to pass.

Note to Applicant: Corner cuts are required on both sides at the bottom of the main parking ramp.

- (iii) Modify or relocate the Class B commercial loading space as required to address any conflict with the Public Bike Share station Statutory Right-of-way (SRW) and the wooden utility pole which obstructs the path of a truck backing into the loading space.
  - (iv) Identify the largest size of truck expected to service the restaurant and provide truck turning movement swaths on the submitted plans that show truck ingress/egress at the loading space and at the lane.
  - (v) Consider provision of a ramp for a more direct connection from the bicycle room to the commercial parking area and the main parking ramp.
23. 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.
24. 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.

25. 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.
26. 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.
27. 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.

Note to Applicant: The proposed development's sanitary service should be connected to the existing combined sewer located in the lane east of Cambie Street.

## CONDITIONS OF BY-LAW ENACTMENT

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

### Engineering

1. Consolidation of Lot 264 and Lot 50 Except the West 7 Feet, Now Road, both of Centre Portion of District Lot 323, Plan 1640, and Lot 1, Block O, District Lot 323, Plan 9322 to create a single parcel.
2. Provision of a Statutory Right of Way to accommodate a Public Bike Share (PBS) Station with the following requirements:
  - (i) **Size:** At minimum, the smallest sized station at 16 m x 4 m should be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m.
  - (ii) **Location:** The station should be located on private property while still clearly visible to the public with 24/7 public access allowing easy access to the street.
  - (iii) **Surface treatment:** A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
  - (iv) **Grades:** The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
  - (v) **Sun exposure:** No vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
  - (vi) **Power:** Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.
3. 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) Extension of the existing 200 mm storm sewer on Cambie Street northerly by approximately 15 m is required to serve the site. The cost is currently estimated at approximately \$24,000.00.

Note to Applicant: The proposed development's storm service is to be connected to the existing 200 mm storm sewer located on Cambie Street (the sewer upgrade will service this connection).

- (ii) Provision of \$100,000 contribution toward modifications to the Cambie Street and 59th Avenue intersection for walking and cycling improvements identified in the Marpole Community Plan.
- (iii) Relocation of existing speed humps in the lane impacted by the proposed parking access to the site and provision of additional speed humps as may be required adjacent to or in close proximity to the site to ensure effectiveness of the speed humps.
- (iv) Provision of the following street improvements on 59th Avenue:
  - a. Provision of a standard concrete lane crossing at the lane entry east of Cambie Street on the south side of 59th Avenue including replacement of the curb returns and ramps to standard.
  - b. Provision of pedestrian lighting to the Greenway standard to match acorn LED luminaires and poles located on the median on Cambie at 59th Avenue.
  - c. Provision of improved street lighting to LED City standard adjacent the site.
  - d. Provision of a minimum 1.83 m (6 ft.) broom finish concrete sidewalk with saw cut joints while maintaining existing front boulevard width of 1.52 m (5 ft.).
- (v) Provision of the following street improvements on Cambie Street:
  - a. Provision of a 2.14 m (7 ft.) broom finish concrete sidewalk with saw cut joints while maintaining existing front boulevard width of 3.4 m (11.25 ft.).
  - b. Provision of pedestrian lighting to Greenway standard adjacent the site to match acorn LED luminaires and poles located on the median on Cambie Street at 59th Avenue.
  - c. Provision of street reconstruction adjacent to the site including the following: new curb and gutter, catch basins, raised protected bike lane, new or upgraded street and pedestrian lighting, transition to the existing on-street painted bike lane to the south and the protected bike lane north of 59th Avenue including any utility relocations to accommodate the improvements (Note: Design concept to be provided by Engineering).
- (vi) Provision of street trees adjacent the site where space permits.



4. 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.

**Soils**

5. If applicable:

- (vii) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
- (viii) 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
- (ix) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and

off-site contamination, issued by the Ministry of Environment, has been provided to the City.

### Heritage Density Transfer

6. Secure the purchase and transfer 250 m<sup>2</sup> (2,692 sq. ft.) of heritage density (which has a value of \$175,000) from a suitable donor site.

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

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

### Community Amenity Contribution (CAC)

7. Pay to the City the cash component of the Community Amenity Contribution of \$3,325,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services, and is allocated as follows:
  - (x) \$1,750,000 to the Affordable Housing Reserve to increase affordable housing in and around the Marpole area.
  - (xi) \$1,575,000 toward community facilities and/or childcare serving the community in and around the Marpole area.

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

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

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

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 Bylaw.

- C. THAT, subject to the enactment of the 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 enactment of the CD-1 By-law.

- 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 expenditure of funds or incurred costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ. - 7510-7554 Cambie Street]