



**POLICY REPORT
DEVELOPMENT AND BUILDING**

Report Date: November 3, 2015
Contact: Susan Haid
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RTS No.: 11156
VanRIMS No.: 08-2000-20
Meeting Date: November 17, 2015

TO: Vancouver City Council

FROM: Acting General Manager of Planning and Development Services

SUBJECT: CD-1 Rezoning: 375 West 59th Avenue

RECOMMENDATION

- A. THAT the application by Intracorp Projects Ltd., on behalf of Cedarhurst Private Hospital Ltd. to rezone 375 West 59th Avenue [PID 009-658-386; *Lot A, Block 1006, District Lot 526, Plan 9413*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.66 FSR and the height from 10.6 m (35 ft.) to 22.8 m (75 ft.) to permit development of three six-storey residential buildings, containing a total of 155 dwelling units, be referred to a Public Hearing, together with:
- (i) plans prepared by Ramsay Worden Architects Ltd., received February 19, 2015;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the Acting General Manager of Planning and Development Services to approve, 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 Public Hearing.

- 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 By-law.

- C. THAT, if the *application* is referred to Public Hearing, prior to the Public Hearing, applicant shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner(s) of the proposed

donor site(s) for the purchase of heritage bonus density as set out in Appendix B.

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; any expenditure of funds or incurring of 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 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 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 one parcel located at 375 West 59th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of three six-storey residential buildings, containing a total of 155 dwelling units all over one and half levels of underground parking. The site is located within the Cambie Sub-area of the Marpole Community Plan.

Staff have assessed the application and conclude that it meets the intent of the Marpole Community Plan (MCP). Staff support this application, subject to design development and other conditions outlined in Appendix B, including a reduction in the proposed density from a floor space ratio (FSR) of 2.83 to 2.66. These design conditions would result in a reduction in building massing, provision for enabling retention of mature trees on site and removal of the proposed bridge element on Alberta Street in response to concerns from adjacent residential neighbours, the City's Urban Forest Strategy and the MCP *Built Form Guidelines*. The recommended reduction in scale at the eastern edge will create an appropriate transition to the existing townhouses located east of the subject site.

Staff recommend that the application be referred to Public Hearing, with the recommendation of the Acting General Manager of Planning and Development Services to approve it, subject to Public Hearing, and subject to the conditions in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Marpole Community Plan (2014)
- Community Amenity Contributions Through Rezoning (1999, last amended 2014)
- Green Buildings Policy for Rezoning (2009, last amended in 2014)
- Urban Forest Strategy (2014)
- Vancouver Neighbourhood Energy Utility (2012)
- High-Density Housing for Families with Children Guidelines (1992)
- Heritage Amenity Bank and Transfer of Density Update (2013).

REPORT

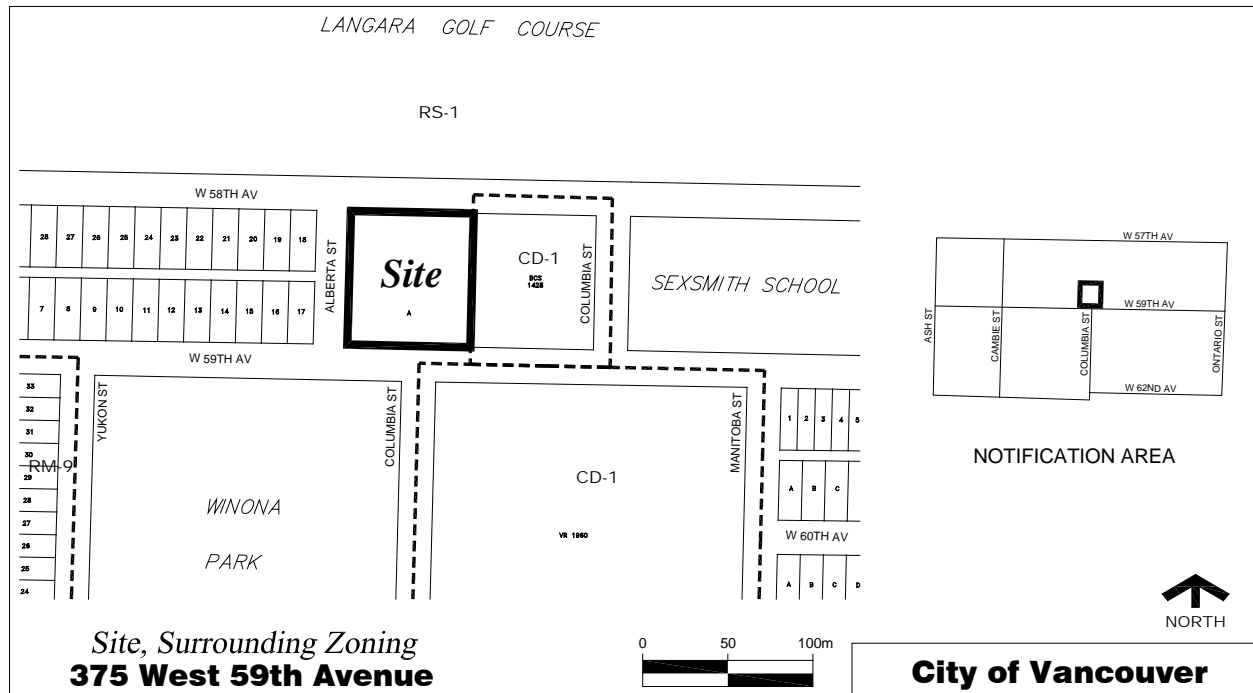
Background and Context

1. Site and Context

The subject site is located on the north side of West 59th Avenue, east of Alberta Street (see Figure 1). The site is a single legal parcel and has 72.3 m (237 ft.) of frontage on West 59th Avenue and 78.4 m (257 ft.) of frontage on Alberta Street. The site is currently occupied by the Amherst Hospital, a private 62 bed community care facility. Directly north is the Langara Golf Course and its perimeter trail which runs within this undeveloped section of the 58th Avenue right-of-way. Directly east is an existing three-storey townhouse development that includes 43 strata residential units. Across West 59th Avenue to the southwest is Winona Park (west of Columbia Street) and to the southeast are three- and four-storey residential developments (east of Columbia Street). Sites across Alberta Street to the west are developed with detached houses. Redevelopment in accordance with the approved Marpole Community Plan is anticipated for this site and the sites to the west on both 59th and 58th Avenues.

The subject site is located on the North Arm Trail (59th Avenue), a city greenway and bike route and is one block from Cambie Street providing bus service to the Marine Drive Canada Line Station (1,000 m or about a 15-minute walk to the south, and Langara-49th Avenue Canada Line Station, 1,250 m to the north). The Canada Line is configured to accommodate a future station at 57th Avenue at such time it is funded.

Figure 1: Site and surrounding zoning (including notification area)



2. Policy Context

In 2014, Council adopted the Marpole Community Plan (the “Plan”). Section 6 of the Plan (the “Places” section) provides direction for development including neighbourhood character, density, land use and form of development. The subject site is within the “Cambie” Sub-area.

For this site, sub-section 6.4.6 specifically supports residential buildings up to six storeys in height. A density of up to 2.5 FSR is recommended, however, for anomalous sites, such as this large site adjacent to the Langara Golf Course, additional density can be considered based on site-specific urban design and public realm performance. Section 7 of the Plan (the “Built Form Guidelines” section) includes various relevant directions that provide form of development guidance. Analysis regarding the application’s response to these directions is discussed below in section 3.

Section 8 of the Plan (the “Housing” section) calls for 25% of the units to be suitable for families (two and three bedrooms or more). This application proposes that 117 of the 155 units are to be two-, three- and four-bedroom units, achieving 75% of the total units as suitable for families with children. A condition of approval has been added in Appendix B to ensure that this unit mix is maintained.

Strategic Analysis

1. Proposal

The application proposes to rezone one large parcel located at 375 West 59th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit construction of three six-storey residential buildings (see Figure 2). In total, the application proposes 155 dwelling units (38 one-bedroom units, 81 two-bedroom units, 31 three-bedroom units and five four-bedroom units), over one and a half levels of underground parking accessed from Alberta Street. To provide for greater diversity of unit type and improve affordability, five of the larger units have been designed to include lock-off units.

Figure 2: Landscape / Site Plan

2. Land Use and Density

The proposed residential land use and density are generally consistent with the Marpole Community Plan. The plan anticipates density of up to 2.5 floor space ratio (FSR) for sites in this area, however, for anomalous sites, higher density can be considered based on urban design and public realm performance. Due to the relatively large site size and unique context (no lane access and adjacency with the Langara Golf Course and Perimeter Trail), staff consider this site anomalous. Based on the proposed built form, increased setbacks and reduced building massing (detailed below), staff have concluded that a density of 2.66 FSR is appropriate for this site, subject to design conditions noted in Appendix B.

3. Form of Development (refer to drawings in Appendix E)

The proposed residential development includes a six-storey building oriented along the Langara Golf Course trail, a six-storey building along Alberta Street and a five-storey building oriented along the eastern edge of the site. The main entry and underground parking ramp is located on Alberta Street. There is an internal courtyard running north-south that opens onto 59th Avenue which provides outdoor amenity, open space and access to daylight for the development. The five-storey building provides a transition in scale to the adjacent three-storey townhouse development to the east. All buildings are located over one and a half levels of underground parking.

The neighbouring site to the east is an existing townhouse development with a three-storey building along the property line it shares with the subject site. Residents of this development expressed concerns about the proposed building location and height along the east property line with respect to reduced access to light, potential for overlook, and the visual impact of building massing. To address these concerns, staff are recommending the following conditions:

- Move the east building to the west 3.0 ft. to minimize shadowing impacts.
- Increase setbacks to reduce building scale and reduce shadowing.
- Revise the layout and design of balconies and patios to mitigate potential overlook.

The Plan recommends a maximum building width of 100 ft. to provide a more compatible building scale. The proposal includes two buildings which exceed this length, the west and north buildings. To reduce the west building length along Alberta Street, staff recommend that the west building be separated from the north building by deleting the “bridge” to create a more compatible residential scale. Increased articulation is recommended to mitigate the length of the north building.

The Plan encourages the retention of healthy mature trees whenever viable. This is a large site, containing many trees, some of which may be suitable for retention. Staff are recommending exploration and analysis to retain two significant trees along 59th Avenue. Retention of these trees would require changes to building setbacks and form.

The Urban Design Panel reviewed and supported this application on May 6, 2015 (see Appendix D). Staff conclude that the design generally responds well to the expectations set forth in the Marpole Community Plan and are supportive of the proposed form of development subject to conditions outlined in Appendix B (already defined above).

4. Existing Community Care Facility Use

The privately owned facility has provided residential care since 1964. Based on current operating standards, the existing facility is outdated and is intended to be decommissioned by Vancouver Coastal Health (VCH). Final closure of the existing facility would be a joint process between VCH and the current owners, following the principles and guidelines of the provincial Home and Community Care Policy Manual. The existing owners and VCH have committed to work together to ensure that current residents at Amherst Hospital are provided with alternate living arrangements and to minimize disruption to residents and families. As well, VCH has initiated a process to procure community care facility beds which will account for the decommissioning of Amherst Hospital.

The Healthy City Strategy, Marpole Community Plan (MCP) and the Community Care Facility Guidelines generally support the integration of community care facilities throughout the city. While health facilities are the mandate of provincial and federal governments, the City of Vancouver leverages municipal tools and key partnerships with Vancouver Coastal Health (VCH), other levels of government, and non-profit organizations to provide a range of facilities services and programs. Based on these objectives, staff requested at the rezoning enquiry stage that the applicant consider replacement of community care beds care in an integrated proposal for the site. Due to the above-noted conditions regarding the intended decommissioning of the existing private care facility and VCH's intent to procure community care beds in other locations in the city, the applicant decided to proceed with an application for multi-family housing under the MCP. A six-storey residential development is consistent with the land-use policy for this site in the MCP.

5. Transportation and Parking

Vehicle and bicycle parking are provided within an underground parking garage accessed by Alberta Street. The application proposes 229 parking spaces and 302 bicycle storage spaces to be provided in accordance with the Parking By-law. Engineering Services have reviewed the rezoning application and have no objections to the proposed rezoning, provided that the applicant satisfies the rezoning conditions included in Appendix B.

6. Environmental Sustainability

The Green Building Policy for Rezoning requires that rezoning applications achieve 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, along with registration and application for certification of the project. The applicant has submitted a preliminary LEED® for Homes - Mid-rise scorecard, which generally conforms to the Green Building Policy for Rezoning, indicating that the project could attain the required LEED® points and, therefore, would be eligible for a LEED® Gold rating.

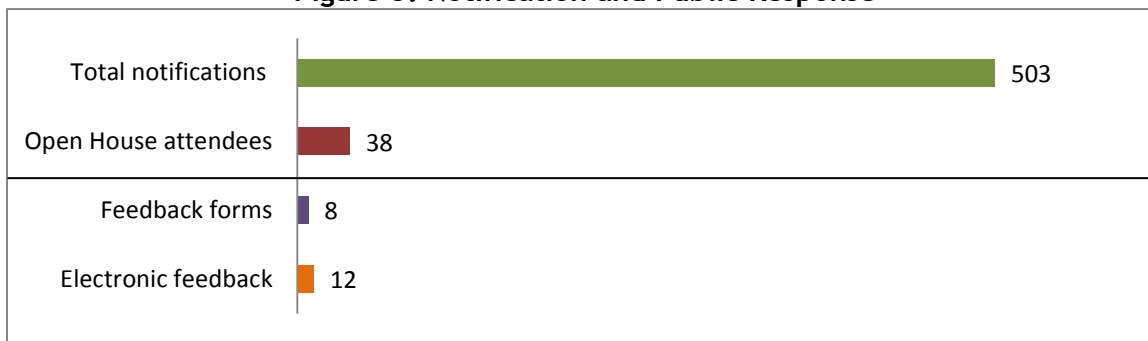
The Greenest City Action Plan seeks to reduce city-wide greenhouse gas emissions by 33% or 1,110,000 tonnes of CO₂ per year by 2020. Neighbourhood Energy Systems (NES) are targeted to deliver 11% of this reduction by more efficiently delivering thermal energy to connected buildings while also incorporating low carbon energy sources into the NES network. Under the Cambie Corridor Plan, all new buildings must be readily connectable to a neighbourhood energy system (NES) when available and agreements are required to ensure this. In October 2012, Council adopted the Vancouver Neighbourhood Energy Strategy which identified the Cambie Corridor (including the Cambie Sub-area of Marpole) as one of three target areas for NES development. Conditions of rezoning having been incorporated in Appendix B that provide for NES compatibility, immediate connection to the City's designated NES utility provider, if available, and future connection, if not immediately available.

The Marpole Community Plan also recommends a deconstruction plan for diverting demolition waste. A condition of rezoning in Appendix B requires 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).

Public Input

Public Notification -The City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps) included notification and application information as well as an online comment form. A rezoning information sign was also posted on the site. A community open house was held from 5-8 pm on April 28, 2015, at St. Matthias and St. Luke Anglican Church, 680 West 49th Avenue. A total of 503 notifications were distributed within the neighbouring area on or about April 14, 2015 (Figure 3). A total of approximately 38 people attended the Open House along with staff and the applicant team.

Public Response and Comments - The City received a total of 20 written responses to the application, by email or comment form.

Figure 3: Notification and Public Response

Comments with respect to the application focused on:

- **Height and Density** - The building was felt by many to be too tall for the area, with a height of four or less storeys suggested as more appropriate. Further, some suggested pushing height to the site's western edge to reduce the impact on the eastern neighbours. Commentary also suggested that the density was too high for the neighbourhood.
- **Traffic** - Many concerns were expressed about existing traffic conditions, specifically along 59th Avenue.
- **Shadowing and Privacy** - Concern about reduced solar access and daylight to units and private outdoor spaces for existing adjacent neighbours. Concern about loss of privacy for adjacent neighbours due to building height and siting.
- **Building setbacks** - The proposed buildings were felt by some to be too close to the street and adjacent buildings. Suggestions included an increased setback for the buildings from 10 feet to 15-18 feet to be more in line with the neighbourhood character and setbacks of existing buildings.
- **Neighbourhood Character** - There were concerns that the neighbourhood character would be negatively affected by the proposal. Specifically, that the quiet nature and sense of openness would be diminished.
- **Design** - The design was criticized for being unattractive and too similar to other buildings proposed along the Cambie Corridor.
- **Neighbourhood infrastructure** - Concern was expressed about cumulative increases in density negatively affecting community facility capacity including schools and community centres.

Langara Green Consultation - Prior to the city-hosted open house staff and the applicant team met with representatives of the adjacent Strata Council (Langara Green, 7401 Columbia Street) on March 26, 2015 and July 28, 2015 to review the application and receive feedback.

Staff received a letter from Langara Green on August 26, 2015 outlining concerns regarding the project as follows:

- Height of the proposed development, particularly the east and north buildings, and a suggestion to limit these buildings to three storeys.
- Reduced access to sunlight for Langara Green patios and gardens.
- Privacy impacts for Langara Green, particularly related to the proposed pedestrian pathway at the eastern edge of the site and balconies on the east and north buildings.
- Rat population on the existing Amherst Hospital site and concern about infestation with future demolition of the existing building.

The proposed development is generally consistent with the Marpole Community Plan in terms of height and density. In response to public feedback and to better adhere to the built form guidelines in the Marpole Community Plan, staff are recommending changes included in the design development conditions in Appendix B. Specific recommended changes include:

- deletion of the proposed bridge along Alberta Street to break the building into two building elements and reduce building overall length along Alberta Street,
- reductions in building massing at the eastern edge of the site and relocation of the east building to provide an improved interface with the adjacent residential development, and
- revisions and reductions in massing to enable retention of mature trees located along 59th Avenue.

Reductions in building massing to the north and east buildings are intended to reduce shadow and privacy impacts to the residential units and patios that face the subject site. As well, in response to concerns about possible rat infestation on the subject site, staff have included a condition requiring a pest control management plan to ensure appropriate measures are taken for on-site pest control at the time of demolition.

Public Benefits

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

Required Public Benefits:

Development Cost Levies (DCLs) – Development Cost Levies collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is subject to the City-wide DCL rate which is currently \$143.27/m² (\$13.31 sq. ft.). On this basis, a DCL of approximately \$2,161,943 is anticipated. Examples of projects referenced in the Marpole Public Benefit Strategy that are eligible for DCL funding include a new traffic signal at 61st Avenue and Cambie Street to increase pedestrian and cyclist safety and comfort, the acquisition and development of a new waterfront park and/or trail near the Fraser River, Winona Park improvements and the Hudson Bikeway.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30th 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 bylaw rate amendment provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments. 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.

Public Art – The Public Art Policy requires rezonings having a floor area of 9,290.0 m² (100,000 sq. ft.) or greater to allocate a portion of their construction budgets to public art as a condition of rezoning. This application qualifies the project for a public art contribution. Public art budgets are based on a formula (2015) of \$19.48 per square metre for areas contributing to the total FSR calculation of 15,089.8 m² (162,430 sq. ft.). On this basis, a public art contribution of approximately \$293,998 is anticipated. The Public Art rate is finalized at the

development permit stage and is subject to Council approval of periodic adjustments to address inflation.

Offered Public Benefits:

Community Amenity Contribution (CAC) – Within the context of the City’s Financing Growth Policy and the Marpole Community Plan, an offer of a Community Amenity Contribution 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.

In order to provide more certainty and clarity as sites in the Marpole Community Plan area redevelop, and to improve processing efficiency for rezoning applications, an approach to CACs based on a target CAC rate has been implemented. This rate is the basis for all six-storey residential rezoning proposals within the Marpole Community Plan. The applicant has offered a total CAC package of \$6,582,675 using the target CAC rate of \$55 per square foot based on the net additional increase in floor area (119,685 sq. ft.).

Heritage Density -On September 25, 2013, Council approved amendments to the Transfer of Density Policy and Procedure to allow for the transfer of heritage amenity to be considered in rezonings on a City-wide basis. The applicant has offered to purchase heritage amenity density with a value of \$329,134 (5% of total CAC package) - equivalent to approximately 470 m² (5,064 sq. ft.) of floor area. The purchase would support citywide heritage conservation efforts by contributing to the reduction of the Heritage Amenity Bank. Staff support a heritage density transfer being part of the public benefits delivered by this application and recommend that a letter of intent (Letter A) be submitted prior to the Public Hearing.

In addition to the transfer of heritage density valued at \$329,134 (5% of total CAC package), the applicant has offered a cash CAC of \$6,253,541. Staff recommend that the cash CAC be allocated to the following identified community needs based on the Marpole Community Plan public benefits strategy:

- \$3,291,337 (50% of total CAC package) to the City’s Affordable Housing Reserve to increase the affordable housing supply in and around the Marpole area.
- \$2,962,204 (45% of total CAC package) toward community facilities and/or childcare serving residents and/or workers in or near Marpole including a minimum of \$500,000 toward renewal of Marpole Place. Examples of other community facilities referenced in the Marpole Public Benefit Strategy that can be funded by CACs include the renewal and upgrading/expansion of Marpole-Oakridge Community Centre and the Marpole Library.

The allocations recommended by staff are consistent with the Public Benefit Strategy included in the Marpole Community Plan. See Appendix G for a summary of the public benefits that would be achieved should this application be approved.

Implications/Related Issues/Risk (if applicable)***Financial***

As noted in the section on Public Benefits, the applicant has offered a total CAC package of \$6,582,675 comprised of:

In-kind CAC:

- Purchase and transfer of approximately 470 m² (5,064 sq. ft.) of heritage density valued at \$329,134.

Cash CAC to be allocated as follows:

- \$3,291,337 (50% of total CAC package) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole area; and
- \$2,962,204 (45% of total CAC package) toward community facilities and/or childcare serving residents and/or workers in or near Marpole including a minimum of \$500,000 toward renewal of Marpole Place.

Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

This site is within the Citywide DCL District. It is anticipated that the project will generate approximately \$2,161,943 in DCLs.

If the rezoning application is approved, the applicant will be required to provide new public art on site, or make a cash contribution to the City for off-site public art, at estimated value of \$293,998.

CONCLUSION

Staff assessment of this rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and its context and that the application, along with the recommended conditions of approval, is consistent with the Marpole Community Plan with regard to land use, density, height and form.

The Acting 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. Further it is recommended that, subject to the Public Hearing, the application including the form of development as shown in the plans in Appendix E, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

**375 West 59th Avenue
DRAFT CD-1 BY-LAW PROVISIONS**

Note: A By-law will be provided 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 number 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 the 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) Multiple dwelling;
 - (b) Lock-off unit; and
 - (c) Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of Use

- 3.1 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".
- 3.2 The number of lock-off units must not exceed 5.

Floor Area and Density

- 4.1 Computation of floor area must assume that the site consists of 5,673 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2 The floor space ratio for all uses must not exceed 2.66.
- 4.3 Computation of floor area must include all floors, 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 sun decks and any other appurtenances that in the opinion of the Director of Planning, are similar to the foregoing, except that;
 - (ii) the total area of all such exclusions must not exceed 12% of the permitted floor area; and
 - (iii) the balconies must not be enclosed for the life of the building;
 - (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 that 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 maximum exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area for that unit.
- 4.5 Computation of floor area may exclude:
 - (a) amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area; and
 - (b) where floors are used for bicycle storage, or uses that in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are located up to 1.0 m above base surface, except that the maximum exclusion must not exceed 120 m².
- 4.6 The use of floor area excluded under sections 4.4 and 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 22.8 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 or 40 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 of 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.

* * * * *

375 West 59th Avenue
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended 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 Ramsay Worden Architects, Ltd., on behalf of Intracorp Projects Ltd., and stamped “Received, Planning and Development Services, February 19, 2015”, provided that the Acting 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 reduce building massing to achieve a form of development that is more compatible with neighbouring buildings.

Note to Applicant: This can be achieved by setting back the two upper levels of the north building at the east edge and setting back the top level of the north portion of the east building at the east edge to create a better transition and reduce shadow impacts to the adjacent townhouse building.

- 2. Design development to reduce the apparent width of the proposed buildings to be more compatible with the area context and the Marpole Community Plan Built Form Guidelines.

Note to Applicant: The Marpole Community Plan Built Form Guidelines recommend a maximum building width of 100 ft. The apparent building length can be minimized by removing the “bridge” element between the west and north buildings, creating 3 separate buildings. Further, the north building should have a visual separation to mitigate its length. This can be achieved with a deep inset or separating the upper storeys into two distinct blocks.

- 3. Design development to minimize privacy impacts and overlook to adjacent properties.

Note to Applicant: This can be achieved by increasing the east setback of the east and north buildings to a minimum of 15 ft. and 19.5 ft. respectively. For the east building, this setback should increase further north along the east property line where shadow and overlook potential are more impactful.

Overlook can be further reduced by reducing and/or redirecting the outlook for balconies on the east elevations. Roof decks should be set back from building edges to prevent overlook. Delete the private pathway at the east edge of the site connecting the courtyard to the West 58th Avenue right of way.

4. Design development to reduce the apparent height.

Note to Applicant: The Marpole Community Plan supports consideration for buildings up to six storeys and recommends floor-to-floor heights of approximately 9 ft. At the southwest corner of the site, the dropping grade creates the appearance of a taller building. Reducing the apparent height of the development can be achieved by setting back the upper floor from approximately gridlines B to C. This condition can be reviewed in conjunction with condition 5. Floor to floor heights should be generally consistent with the Plan. The intent is to provide standard 8 foot ceiling heights through most buildings.

5. Design development to street-fronting entries to improve the public realm interface.

Note to Applicant: The Marpole Community Plan generally supports ground level entries to be raised approximately 3 ft. above grade to create a sense of privacy while maintaining close contact with the public realm. Reduce the height of the proposed patios, so they are closer to 3 ft. above grade and set back the front edge of the private patio away from the property line to create space for planting on private property.

6. Design development to building form to retain mature trees on site.

Note to Applicant: This is a large site with many mature trees. Coordinate with Landscape conditions to retain recommended mature trees. This will result in increased building setbacks and a reduction in parkade structure.

7. Design development to the vehicle entry.

Note to Applicant: As there is no lane, the vehicle entry must be located on a street. Alberta Street provides pedestrian access between Winona Park and the Langara Golf Course Perimeter Trail. The vehicle access should be minimized and the loading bay located within the underground parkade space to improve the safety and comfort of the pedestrian realm.

8. Design development to improve access to natural light in the amenity room.

9. Provision of notation on the drawings to indicate the location of significant building services.

Note to Applicant: Servicing such as a pad mounted transformer (PMT) or mechanical venting, etc. should be located so that it does not have a negative impact on the public realm, or private outdoor space. It should be screened

from view. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

10. Provision of information on the drawings that indicate the full measures required to achieve fire fighter access.

Note to Applicant: Indicate on the site plan the location of the annunciator panel, firefighter connections, and any other significant site planning requirements.

11. Submission of a bird friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

12. Design development to improve security and visibility in the underground in accordance with section 4.13 of the Parking By-law and by painting the walls and ceiling of the parking garage white.

Sustainability

13. 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.

14. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management 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.

Landscape

15. Design development to maximize the retention of trees, especially near the south perimeter edge.

Note to Applicant: Pursuant to urban forest objectives, alterations to form of development will be required. Preliminary exploration of options has identified large trees at the south edge that merit retention (trees #801, 802 and 836). Further technical analysis is required by the arborist and design team in coordination with City staff. Where the analysis concludes that tree retention is not feasible, open space with access to the water table will need to be integrated into the design for the provision of long lived, tall branched replacement trees. This is a significant condition.

16. Design development to grades, retaining walls, walkways and structural design, such as underground parking, to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and plants.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. To avoid raised planters above grade, angle the corner of the underground slab downward (1.0 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

17. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (PMTs, “Vista” junctions, underground venting) visible to the public realm.

18. At time of development permit application, provision of:

- (i) A detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at a minimum 1/8”: 1 ft. scale. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. The Plant list should include the common and botanical name, size and quantity of all existing and proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The Landscape Plan should include the public realm treatment (to the curb) and all existing and proposed street trees, adjoining walkways, surface materials, PMTs, “Vista” junctions, underground venting and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) A “Tree Removal/Protection/Replacement Plan” in coordination with arboricultural services, including the assessment of existing trees,

retention value rating, retention feasibility, remediation recommendations, site supervision and letters of undertaking.

Note to Applicant: Given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives drawn out of the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

- (iii) A “Construction Management Plan” outlining methods for the retention of existing trees during construction.

Note to Applicant: The Plan should include, but not limited to, the location of construction materials, temporary structures, utilities, site access, development phasing, to the satisfaction of planning staff. Special construction methods such as applying “shotcrete” to excavation walls near retained trees and a tree watering program may be necessary.

- (iv) Provision of detailed cross section through tree protection zones to indicate limits of excavation, special construction methods, footing design, grading and re-landscaping.
- (v) Provision of detailed cross sections (minimum 1/4" inch scale) through all proposed common open spaces and semi-private patio areas (typical).

Note to Applicant: The sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the residential unit.

- (vi) Provision of revised technical tree protection reports (by arborist or other).

- 19. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

Note to Applicant: special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along streets and shared walkways.

- 20. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.
- 21. Provision of high efficiency irrigation for all planted areas, including urban agriculture areas, and hose bibs for all private patios of 100 sq. ft. (9.29 sq. m).

Pest Control

22. At time of development permit application, provide a pest control management plan that details strategies for ensuring that existing pests are not released due to demolition of the existing building and landscaping.

Housing Policy

23. That the proposed unit mix include at least 52% two-bedroom units, 20% three-bedroom units and 3% four-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

24. Arrangements to the satisfaction of the General Manager of Engineering Services in consultation with the General Manager of the Park Board and the Director of Planning for removal, replacement and revegetation of the 58th Avenue right-of-way adjacent to the site.
25. Clarification of the proposed exiting to the 58th Avenue right-of-way and deletion of all but emergency exiting to the 58th Avenue right-of-way.
26. Provision of a note on the landscape drawing legend L1.00 'CIP concrete sidewalk with broom finish with saw cut joints' for the 6 ft. wide concrete sidewalks proposed on both 59th Avenue and Alberta Street. Note that section 5 on L3.02 should be revised to a 6 ft. sidewalk. It currently indicates a 5.69 ft. wide sidewalk and the plan view on the same page indicates 6 ft.
27. Provision of a minimum 300 mm grass buffer strip between the sidewalk and any landscape proposed in the back boulevard.
28. Confirmation of any retained private property trees along the 59th Avenue frontage and provision of a sidewalk design to accommodate their retention.
29. 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) Align proposed underground driveway access to minimize conflicts with headlights of exiting vehicles and residential properties across Alberta Street.
- (ii) Provision of a standard driveway crossing at the entrance to the proposed underground parking on Alberta Street.

- (iii) Provision of a Class B loading space with the required on-site maneuvering.

Note to Applicant: The loading space shown requires trucks to back in off the street. Consider providing a perpendicular loading space from the parking ramp or relocate the loading space to the underground parking level. Class B loading requires 3.5 m of vertical clearance.

- (iv) An existing street light pole on Alberta Street conflicts with parking access. Arrangements to the satisfaction of the General Manager of Engineering Services for the pole relocation is required.

- (v) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances along the property lines.

Note to Applicant: Where there is a curved ramp, provide grades two feet from the wall on the inside radius (Section I.A). The slope and length of the ramp sections must be shown on the submitted drawings.

- (vi) Provision of 2-way flow on the parking ramp and at the curved portion of the maneuvering aisle at the bottom of the ramp.

Note to Applicant: Provide an improved plan with turning swaths showing that two-way flow can be achieved through this section of the maneuvering aisle on the design shown.

- (vii) Provision of 2.3 m of vertical clearance for access and maneuvering to all disability spaces.

Note to Applicant: Section H on drawing DP4.03 shows 7 ft. (2.1 m) of vertical clearance.

- (viii) Modification of the parking ramp design to provide a 9 ft. X 9 ft. corner cut through the inside radius at the bottom of the main parking ramp to enable two vehicles to pass each other unobstructed.

Note to Applicant: Corner cuts are required at gridline J/4 and J/2 to provide two-way flow.

- (ix) Number all stalls and show all columns within the parking levels to comply with the Parking and Loading Design Supplement.

Note to Applicant: No columns are shown on level P2.

- (x) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

- (xi) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (xii) Confirmation that the proposed garbage storage and recycling areas meet Engineering Services garbage storage guidelines. Please confirm that the spaces provided are in agreement with the guidelines including confirmation that a waste hauler can pick up from the location shown on the plans.

- 30. 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.

- 31. 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.

- 32. 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.
- 33. 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.
- 34. 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 Services

1. Provision of a statutory right of way to allow the public to access and use of the proposed seating area on private property at the south west corner of the site (corner of 59th Avenue and Alberta Street).

Note to Applicant: See condition 3 (vi).

2. Release of Easement & Indemnity Agreement 370312M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition for zoning enactment. Prior to building occupancy the applicant is to supply a written request to the City, a fresh title search and a copy of the documents along with executable discharge documents to affect the releases.

3. 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 are 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. Note, an interconnected water service will be required for this development.

(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 for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.

- (iii) Provision of new concrete curb and gutter, pavement (to centerline) concrete sidewalk and improved street lighting and additional pedestrian scale lighting to current standards on the east side of Alberta Street from 59th to 58th Avenue including all utility relocations, asphalt and concrete connections to existing street alignments necessary for the construction of a new road.
- (iv) Provision of a curb bulges on the north-east corner of 59th Avenue and Alberta Street on both street frontages, complete with improved curb ramps.
- (v) Provision of curb bulges on the north and south sides of 59th Avenue at the west leg of Columbia Street, improved curb ramps on both sides of 59th Avenue within the bulges to meet current standards and a Greenway pedestrian light to be located on the north side of 59th Avenue at the west leg of Columbia to facilitate crossing 59th Avenue (Similar to the bulge treatment at 59th Avenue and Manitoba Street).
- (vi) Provision of a seating area to be located on private property adjacent the proposed bulge area on the north side of 59th Avenue at the west leg of Columbia Street with two Greenway benches on concrete pavers within the seating area.
- (vii) Provision of a water drinking fountain and landscaping within the proposed curb bulge on the north side of 59th Avenue at the west leg of Columbia Street.

Note to Applicant: The drinking fountain shall be serviced by a separate water service connection. Once installed the fountain will be maintained by the City of Vancouver.

- (viii) Provision of standard city greenway treatments on 59th Avenue adjacent the site including 1.8 m wide saw cut concrete sidewalk, provision of improved street lighting and Greenway pedestrian pole mounted acorn lighting on 59th Avenue adjacent the site. All lighting to be LED luminaires with louvers.
 - (ix) Provision of speed humps on 58th Avenue between Alberta and Cambie Street subject to neighbourhood notification to local residents.
4. 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.

5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a Neighbourhood Energy System, if and when the opportunity is available and in accordance with the City's policy for Neighbourhood Energy Connectivity Standards and the Cambie Corridor Plan, which may include but are not limited to agreements which:
 - (i) require buildings on site to connect to a Neighbourhood Energy System, once available;
 - (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation; and
 - (iii) grant access to and use of suitable space required for the purposes of an energy transfer station, to the satisfaction of the General Manager of Engineering Services.

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

Note to Applicant: The development will be required to connect to a Neighbourhood Energy System 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 Neighbourhood Energy System is not available at that time, the agreement will provide for future connection.

Soils

6. 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.

Public Art

7. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide a preliminary public art plan to the satisfaction of the Public Art Program Manager.

Note to Applicant: To discuss your application please call Bryan Newson, program manager, 604 871 6002.

Heritage Density Transfer

8. Secure the purchase and transfer of 470 m² (5,064 sq. ft.) of heritage density (which has a value of \$329,134) 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 \$6,253,541 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 \$6,253,541 is to be allocated as follows:
- (i) \$3,291,337 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole area; and
 - (ii) \$2,962,204 toward community facilities and/or childcare serving the community serving residents and/or workers in or near Marpole including a minimum of \$500,000 toward renewal of Marpole Place.

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.

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**375 West 59th Avenue
DRAFT CONSEQUENTIAL AMENDMENT**

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO. 5208

A consequential amendment is required to delete PID 009-658-386; Lot A, Block 1006, District Lot 526, Plan 9413 from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

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**375 West 59th Avenue
ADDITIONAL INFORMATION**

Urban Design Panel (May 6, 2015)

EVALUATION: SUPPORT (7-0)

Introduction: Michelle McGuire, Rezoning Planner, introduced the proposal for the first rezoning application under the new Marpole Community Plan which was adopted in 2014. The Plan provides specific guidance for sites where land use changes are contemplated. For this area six-storey residential buildings are anticipated. The site is one large parcel at 59th Avenue and Alberta Street and is directly south of the Langara Golf Course and north of Winona Park. Ms. McGuire described the context for the area noting that directly east is a three-storey townhouse development that is not anticipated to change under the Marpole Plan. To the west across Alberta Street are single family properties that are anticipated to be rezoned to six-storey residential under the same policies as the subject site. Further to the west are properties along Cambie Street covered under Phase 2 of the Cambie Corridor Plan and the Pearson Dogwood lands at West 59th Avenue and Cambie Street. The rezoning application proposes to rezone the site from RS-1 to CD-1 to allow a residential development with one five-storey building and two six-storey buildings all over one and half levels of underground parking. The proposal includes 154 units and parking for 229 vehicles and 302 Class A bicycle parking and 6 Class B.

Ann McLean, Development Planner, further described the proposal for five-storey and six-storey residential buildings with two levels of underground parking accessed from Alberta Street. Ms. McLean described the Marpole Community Plan noting that the form that was envisioned was for six-storey buildings at the street and two-storey townhouses at the lane. She added that for this site, that form was not considered optimal. She also described the Plan Guidelines noting the expected setbacks, building widths and landscaping elements. Ms. McLean mentioned that the site is part of a Habitat Connection Corridor which intends to provide trees and landscaping to allow wildlife and birds movement between parks and the Fraser River. There are many mature trees on the site and an arborist report has been provided. City staff have reviewed the trees and note that several are possible to retain, in particular the two pine trees located at the southwest corner of the site.

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

Comments on the proposed form, height, density and use with particular regard to:

1. The proposed siting of the buildings as they relate to the context and future context;
2. The setbacks and building form relationship with the different edge conditions, particularly at the east adjacent to the neighbours;
3. The response to Urban Forestry and Habitat Corridor requirements of the Marpole Community Plan;
4. The proposed building width at the north property line;
5. The relationship to grade at public edges.

Ms. McGuire and Ms. McLean took questions from the Panel.

Applicant's Introductory Comments: Bob Worden, Architect, further described the proposal and mentioned that from a massing point of view and taking into account the Marpole Plan, the proposal responds to the surrounding neighbourhood context and site conditions. The building has a 102 foot frontage and is stepped-back at the top floor. He noted that they created a series of discreet rectangular forms fitting within the frontage with a family of materials in a palette of greys and black. He described the architecture and mentioned and described the material palette noting that the stone material on the corner carries into the landscape. He explained that the proposal has a significant slope across the site and that the courtyard opens out to both West 59th Avenue and Alberta Street to create a connection through to the Langara pathway. The roof is designed as green and functional with outdoor living spaces. He added that they have a public art budget for the project. Mr. Worden noted that they are using wood frame construction with concrete slabs.

Chris Phillips, Landscape Architect, described the landscaping and noted that the organization of the courtyard is important for livability. The courtyard is south facing and has been opened up for the townhouses to enjoy some yard space. He noted that they have been talking to the City to enhance the pedestrian path with new trees and other plantings that runs east/west from the Golf Course.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Design development to ensure an neighbourly interface and good livability at the northeast corner alongside the neighbouring development;
- Design refinement to the north elevation to ensure it is a good backdrop to the public golf course
- Consider adding windows in the lower level amenity space.

Related Commentary: The Panel supported the proposal and thought they had successfully addressed a lot of challenges.

The Panel supported the siting of the buildings as they related to the future context. Although the Panel supported the setbacks and building form in relationship with the different edge conditions, they had some concern with the northeast corner alongside the neighbouring development. They noted that the building is about five feet below grade and encouraged the applicant to consider raising these units higher as that could affect livability.

Some Panel members thought the proposal needed some work at grade especially the courtyard and suggested it could be more pedestrian friendly. As well some Panel members thought the applicant should reconsider planting trees over the parking garage.

Although the Panel supported the material and colour palette, it was suggested that at DE stage the applicant reconsider the black edge at the top of building as it would get lost at night.

Some Panel members thought the amenity space on the upper level worked well but the lower level one could use some windows.

The Panel had few comments regarding the Urban Forestry and Habitat Corridor noting that the City policy didn't present a clear rationale but agreed that the approach to create a habitat was supportable.

The applicant was encouraged to refine the streetscape to support the habitat corridor. The Panel felt that the City should consider the entire street in the evolution of a habitat corridor.

Applicant's Response: Mr. Worden thanked the Panel and said he appreciated all the comments.

* * * * *

375 West 59th Avenue
FORM OF DEVELOPMENT

Site Plan



West Elevation



East Elevation



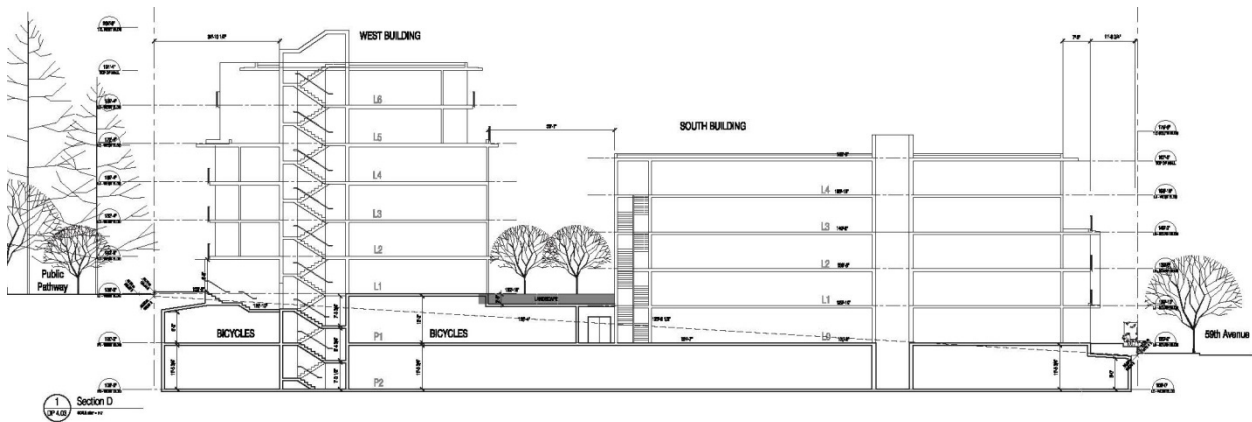
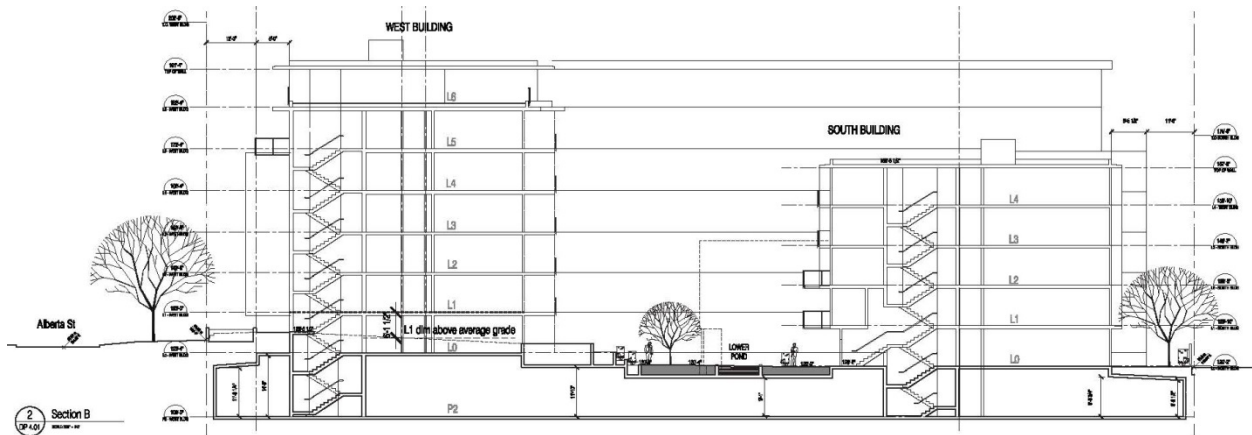
North Elevation



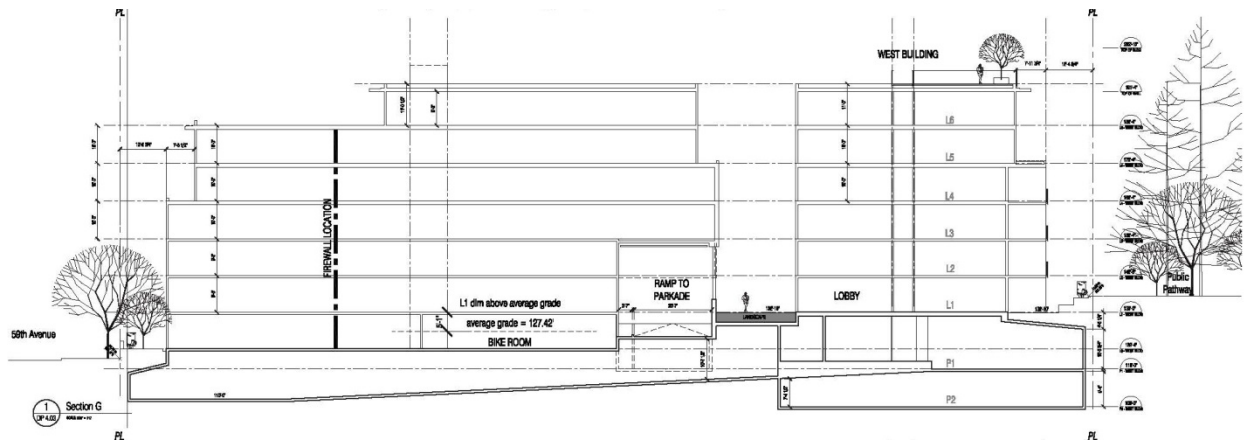
South Elevation



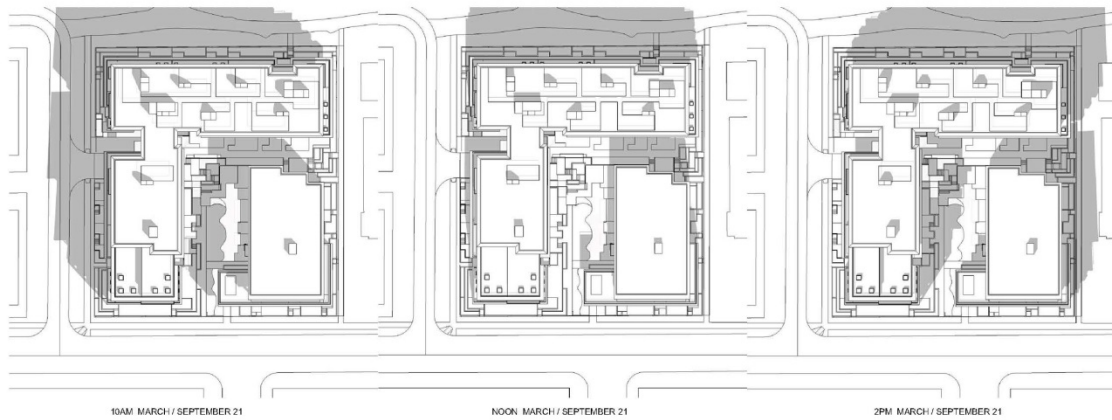
Section (West-East)



Section (North-South)



Shadow Studies



Perspectives



**375 West 59th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary:

Six-storey residential development containing a total of 155 dwelling units

Public Benefit Summary:

The project would generate a DCL payment, a contribution toward public art and a CAC offering to be allocated toward heritage amenity and affordable housing and childcare and community facilities serving the Marpole area.

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 5,673 m ² / 61,064 sq. ft.)	0.70	2.66
Floor Area (sq. ft.)	42,745	162,430
Land Use	Single-family residential	Multi-family residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)	132,082	2,161,943
	Public Art		293,998
	20% Social Housing		
Offered (Community Amenity Contribution)	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		329,134
	Affordable Housing		3,291,337
	Parks and Public Spaces		
	Childcare Facilities		2,962,204
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		132,082	9,038,616

* 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%).

375 West 59th Avenue
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	375 West 59th Avenue
Legal Descriptions	PID 009-658-386; Lot A, Block 1006, District Lot 526, Plan 9413
Developer	Intracorp Projects Ltd.
Architect	Ramsay Worden Architects Ltd.
Property Owner	Cedarhurst Private Hospital Ltd.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development	Recommended (if different than proposed)
ZONING	RS-1	CD-1	
SITE AREA	5,673 m ² (61,064 sq. ft.)	5,673 m ² (61,064 sq. ft.)	
USES	One-Family Dwelling	Multiple Dwelling	
FLOOR AREA	3,971.0 m ² (42,745 sq. ft.)	16,040.1 m ² (172,666 sq. ft.)	15,089.8 m ² (162,430 sq. ft.)
Floor Space Ratio (FSR)	0.70 FSR	2.83 FSR	2.66 FSR
HEIGHT	10.7 m (35 ft.)	22.8 m (75 ft.)	
PARKING, LOADING AND BICYCLE SPACES	as per Parking By-law	as per Parking By-law	