



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: November 3, 2015
Contact: Susan Haid
Contact No.: 604.871.6431
RTS No.: 11161
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: 5470-5490 Oak Street

RECOMMENDATION

A. THAT the application by Lистраor (West 38th) Homes Ltd., to rezone 5470-5490 Oak Street [*Lots 4 and 5, Block 865, District Lot 526, Plan 8170; PIDs 010-258-523 and 010-258-540 respectively*] from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.20 and the building height from 10.7 m (35.1 ft.) to 12.2 m (40 ft.) to permit the development of two four-storey residential buildings, containing a total of 12 dwelling units, be referred to a Public Hearing together with:

- (i) plans prepared by Raymond Letkeman Architecture Inc., received March 31, 2015;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, 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 Recommendations A and B 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.

REPORT SUMMARY

This report evaluates an application to rezone two lots located at 5470-5490 Oak Street from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit development of two four-storey townhouse buildings containing a total of 12 dwelling units all over one level of underground parking. The site is located within the area of the Oakridge Langara Policy Statement, approved by Council July 25, 1995.

Staff have assessed the application and conclude that it meets the intent of the Oakridge Langara Policy Statement. Staff support the application, subject to design development and other conditions outlined in Appendix B. Staff recommend that the application be referred to Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing, along with conditions of approval in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- Oakridge Langara Policy Statement (1995, last amended 1998)
- Green Buildings Policy for Rezoning (2009, last amended 2014)
- High-Density Housing for Families with Children Guidelines (1992)

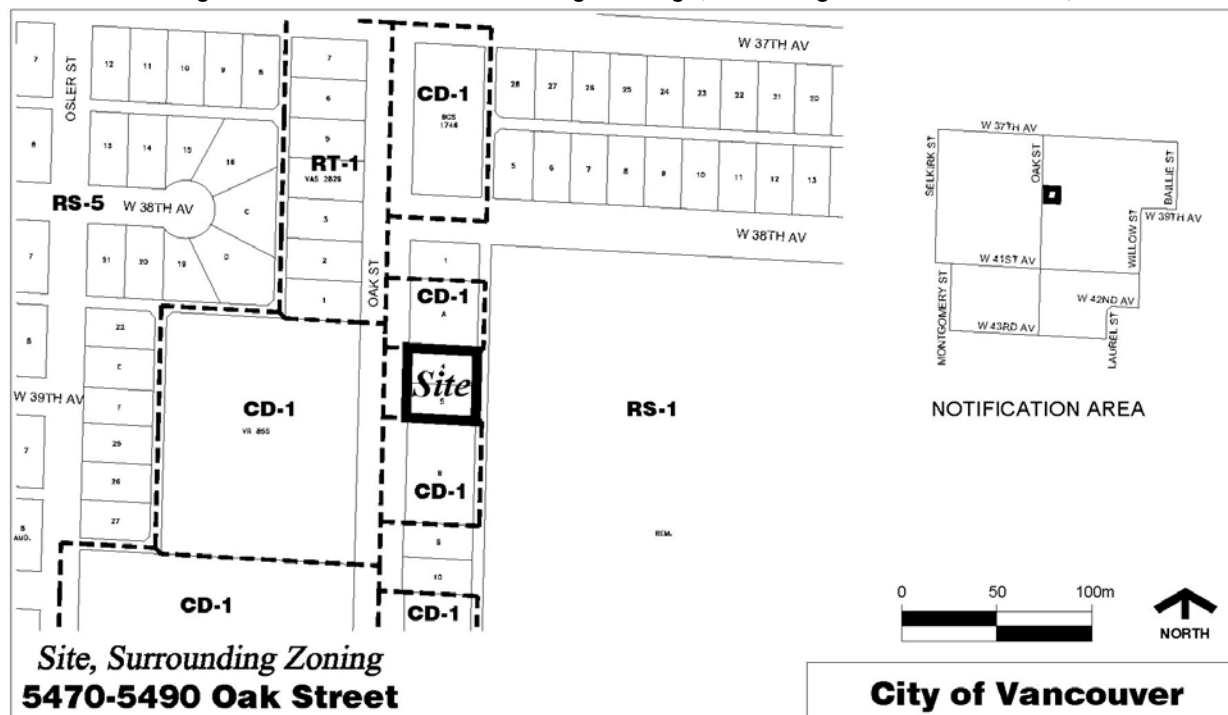
REPORT

Background/Context

1. Site and Context

The subject site is located mid-block on Oak Street between 38th Avenue and 41st Avenue (see Figure 1). Comprised of two legal parcels, the site has 36.5 m (120 ft.) of frontage along Oak Street and is currently developed with two detached houses. The properties to the north and south have been rezoned to permit four storey townhouse developments. Across the lane to the east is the Oakridge Transit Centre site for which a policy planning program is currently underway to determine its future use. The subject site is located on a major arterial with north-south bus service and is 230 m or about a three-minute walk to east-west bus service on 41st Avenue which connects to the Canada Line Station at Oakridge Centre.

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



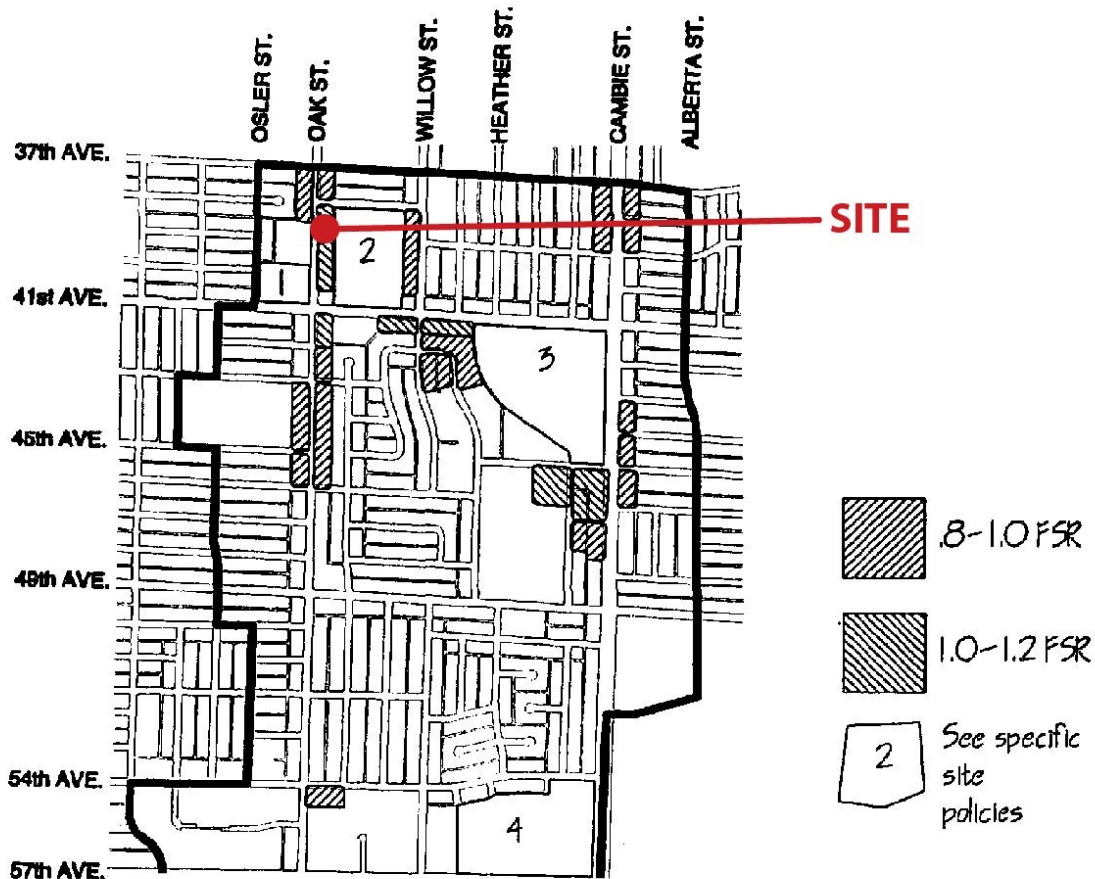
2. Policy Context

On July 25, 1995, Council adopted the Oakridge Langara Policy Statement (the "OLPS"). The OLPS sets directions for residential location and density; for residential mix and affordability; and for built form, height, and character.

For this site, the OLPS supports stacked townhouses and ground-oriented low-rise developments. A potential density range of 1.0 to 1.2 floor space ratio (FSR), illustrated on Figure 4 of the OLPS, is suggested with potential for an increase of up to a 20% for the provision of City-desired public benefits (see Figure 2). Sub-section 4.2 ensures that children

are allowed in all market developments and that the City's family housing guidelines are followed. The maximum building height in the OLPS for the subject site is 12.2 m (40 ft.), as illustrated on Figure 14 of the OLPS.

Figure 2: OLPS Figure 4 - Proposed residential use and density



Strategic Analysis

1. Proposal

The applicant proposes to rezone two lots located at 5470-5490 Oak Street from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District to allow two four-storey buildings comprised of a total of 12 three-bedroom dwelling units over one level of underground parking accessed from the rear lane (see Figure 3). All of the units contain three-bedrooms and are suitable for families with children. The application proposes a density of 1.20 FSR and a building height of 12.2 m (40 ft.).

Figure 3: Site / Landscape Plan



2. Land Use and Density

The proposed residential land use and density are generally consistent with the Oakridge Langara Policy Statement. Staff have concluded that, based on the proposed built form, setbacks and massing, the proposed density of 1.20 FSR is appropriate on this site, subject to the design conditions noted in Appendix B.

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

The application proposes two four-storey townhouse buildings, one fronting on Oak Street and one located at the lane, separated by a central common courtyard. Parking is underground, and accessed from the lane via a shared driveway located at adjacent townhouse site to the north.

The location of the courtyard, and the front and rear building setbacks, align with the adjacent townhouse developments on either side. Design conditions seek to further enhance

the visual and physical connection between the adjacent courtyards, and to provide opportunities for shared play space and social interaction.

At the site to the south, half of a future east-west public pathway was secured through rezoning of that site, and conditions seek that the other half be provided with this application. The path is intended to break the long block and provide pedestrian access to the Oakridge Transit Center site, aligning with West 39th Avenue further east.

In general, the proposal is consistent with the built form, height and character policies contained within the Oakridge Langara Policy Statement. Sites along Oak Street have generally developed with courtyard townhouse proposals as they provide a suitable response to the design guidelines which seek a compact, fine-grained form of development with individual front entries and a small-scale residential character.

The Urban Design Panel reviewed and supported this application on July 29, 2015. Staff conclude that the design responds well to the expected character of the area as set forth in the Oakridge Langara Policy Statement and support the proposed form of development, subject to conditions outlined in Appendix B.

4. Transportation and Parking

Vehicle and bicycle parking are proposed within an underground parking garage accessed via a knock-out panel from the project to the north. The application proposes 24 parking spaces and 24 bicycle storage spaces which would be provided in accordance with the Parking By-law. Engineering Services has reviewed the rezoning application and have no objections to the proposed rezoning, provided that the applicant satisfies the rezoning conditions included in Appendix B.

5. Environmental Sustainability

The applicant proposes a wide range of features to achieve the required Gold rating in the Built Green™ home program (100 points required/138 points proposed) and a minimum score of Energuide 84, which meets the requirement set out in the City's Green Buildings Policy for Rezoning.

PUBLIC INPUT

Public Notification — The City of Vancouver Rezoning webpage included notification and application information as well as an online comment form. A rezoning information sign was also posted on the site and a total of 467 notifications were distributed within the neighbouring area on or about July 21, 2015. Staff have received a total of three comment form responses, letters and phone calls. Questions pertained to redevelopment opportunities on adjacent sites, and confusion regarding the application which is located between two projects currently under construction by the same developer.

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 (DCLs) 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. The site is subject to the Citywide DCL rate of \$33.26/m² (\$3.09/sq. ft.). On this basis, a DCL of approximately \$53,378 is anticipated.

DCLs are payable at building permit issuance and are subject to an inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12-months from the date of DCL By-law rate amendment provided that it has been submitted prior to the adoption of the 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 Program — The Public Art Program requires all new rezoned developments having a floor area of 9,290 m² (100,000 sq. ft.) or greater to commission public art or provide cash in lieu. As the proposed floor area is below the minimum threshold set out in the policy, no public art contribution will arise from this application.

Offered Public Benefits:

Community Amenity Contribution (CAC) — For this site, the OLPS identifies a potential FSR range of 1.0-1.2. Staff have concluded that, if approved, this project will not result in a CAC. A public benefits summary is provided in Appendix F.

FINANCIAL IMPLICATIONS

As noted in the section on Public Benefits, there is no community amenity contribution (CAC) associated with this rezoning. The Citywide DCL District rate applies to this site and it is anticipated that this project will generate approximately \$53,378 in DCLs.

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 is consistent with the Oakridge Langara Policy Statement with regard to land use, density, height and form.

The General Manager of Planning and Development Services recommends that the rezoning application be referred to a Public Hearing, together with a draft CD-1 By-law generally as set out in Appendix A. 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.

* * * * *

5470-5490 Oak Street
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-() attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ().
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Multiple Dwelling; and
 - (b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of Use

3. The design and layout of at least 25% of the dwelling units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines".

Floor Area and Density

- 4.1 Computation of floor space ratio must assume that the site consists of 1,337 m², being the site size at the time of the application for the rezoning evidenced by this Bylaw, prior to any deductions.
- 4.2 The floor space ratio for all uses must not exceed 1.20.

- 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 sundecks and any other appurtenances, which in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusion must not exceed 8% of permitted floor area;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the minimum 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 above base surface for that unit.
- 4.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of the permitted floor area.
- 4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any purpose other than that which justified the exclusion.

Building Height

5. Building height, measured from base surface, must not exceed 12.2 m.

Horizontal Angle of Daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

- 6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 ().
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

7. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

* * * * *

5470-5490 Oak Street
DRAFT CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for 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 Raymond Letkeman Architects Inc. and stamped "Received Planning Department, March 31, 2015", 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:

Design Development

- 1. Design development to the semi-private courtyard space, including the pathway at the north side, to enhance the visual and physical connection between the adjacent courtyards, as follows:
 - (i) the steps at the pathway at the north side should align with those at the adjacent site, so that they may be shared;
 - (ii) a shared outdoor amenity area should be provided between the courtyards.

Note to Applicant: A shared amenity area should be located at the top of the steps at the interface between the courtyards, and provide opportunities for children's play space and informal social interaction. The shared courtyard amenity, pathway and steps should provide a more cohesive expression between the sites and as viewed from the public realm (refer to Landscape Conditions).

- 2. Design development to the pathway at the south side to better identify it as a public pathway, as distinct from the semi-private courtyard entry pathway at the north side.

Note to Applicant: This may be achieved through the careful use of signage, as well as surface materials and landscape treatment, including width of paved paths and landscape borders. The spacing between buildings is acceptable as proposed.

3. Design development to maintain the high quality of materials indicated for the building and landscape design.

Crime Prevention through Environmental Design (CPTED)

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

Sustainability

2. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving BuiltGreen BC Gold™ with a source of Energuide 84.

Note to Applicant: Provide a BuiltGreen BC checklist confirming Gold level achievement and a detailed written description of how the score of Energuide 84 will be achieved. Both checklist and description should be incorporated into the drawing set and significant Built Green features keyed to the plans.

Housing Policy

3. That the proposed unit-mix including twelve three-bedroom units be included in the Development Permit drawings.

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

Landscape

4. Design development to improve a sense of community by connecting and integrating the common central courtyard and sideyard areas. Outdoor space should be consolidated to create more diverse areas. Courtyard programming should be expanded to include more opportunities for a broader range of residents to form a complete community. This should include children's play for families with kids, passive community spaces for socializing and gathering, common green amenity areas. The amount of open space available should allow for more orientation toward common shared spaces, rather than private;
5. Design development to provide a high-quality public realm interface incorporating:
 - (i) safe landscaped open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment along the street and lane edge;

Note to Applicant: landscape surfaces, planting and other elements should provide a transition from the residential site to the street. Treatment at the lane should be substantial enough to enhance the pedestrian lane experience. The lane edge planting should be protected from vehicles by an 8" high curb.

6. Design development to better delineate public vs. private walkways by a change in width and paving.
7. Design development of landscape surface treatment at property edges to provide substantial greenery for privacy screening to mitigate potential overlook issues for at -grade oriented residential units.
8. Design development to improve the common courtyard experience by provision of planting beds with adequate depth of soil at grade, rather than raised planters.

Note to Applicant: This will require deeper parkade excavation.

9. Design development to ensure locations of hydro kiosk in areas screened by soft landscape, or in internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
10. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

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

11. At time of the Development Permit application include:
 - (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
 - (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
 - (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

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

- (iv) New proposed street trees should be coordinated with Engineering and the Park Board, appear on the Plant List as confirmed, and noted:

“Final location, quantity, tree species to the satisfaction of the General Manager of Engineering. Contact Eileen Curran at 604-871-6131 to confirm planting location. New tree must be of good standard, minimum 6 cm calliper and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. New street trees to be confirmed prior to issuance of the building permit. Call Cabot Lyford at Park Board at 311 for tree species selection and planting requirements. Park Board to inspect and approve after tree planting completion.”

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

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

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

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

Engineering

- 12. Clarification that the garbage and recycling space is adequate for the project. Please review the garbage and recycling storage facilities design supplement.
- 13. Clarify garbage pick-up operations. Confirmation that waste haulers can access and pick up from the location shown is required.
- 14. 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 additional design elevations within the parking area to calculate the slope and cross fall.

Note to Applicant: The slope and cross fall must not exceed 5%.

- (ii) Provision of design grades at all entries along the property lines.

Note to Applicant: Class A bicycle spaces should be labeled on drawing SK01.2.

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 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 Lots 4 and 5, Block 865, DL 526, Plan 8170 to create a single parcel and subdivision of that site to result in the dedication of the west 0.762 metres for road purposes.
2. Provision of appropriate access arrangements (legal agreements) to secure vehicular and pedestrian access via underground parking from 5450 Oak Street (Lot A, Block 865, DL 526, Plan EPP45132) to this site.
3. Provision of a 6'-0" wide pedestrian right of way along the south edge of the site to match the current pedestrian right of way registered as CA4360965 over the north 6 feet of neighbouring Lot B.
4. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided:
 - (i) Provision of new concrete saw cut sidewalks, street trees and sod boulevard adjacent the site consistent with the rezoning sites north and south of the project. (1.5m front boulevard and 2m concrete sidewalk).
 - (ii) 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 applicants' 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.

- (iii) 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.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Soils

6. If applicable:
- (i) Submit a site profile to 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 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, including all dedicated lands, issued by the Ministry of Environment, has been provided to the City.

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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5470-5490 Oak Street
DRAFT CONSEQUENTIAL AMENDMENT

DRAFT AMENDMENT TO THE SUBDIVISION BY-LAW NO.5208

A consequential amendment is required to delete Lots 4 to 5, Block 865, District Lot 526, Plan 8170; PIDs 010-258-523 and 010-258-540 respectively, from the RS-1 maps forming part of Schedule A of the Subdivision By-law.

* * * * *

5470-5490 Oak Street
ADDITIONAL INFORMATION

URBAN DESIGN PANEL

The Urban Design Panel reviewed this rezoning application on July 29, 2015. The application was supported 7-0.

EVALUATION: SUPPORT (7-0)

Introduction:

Kirsten Robinson, Planner, introduced the project as a rezoning application for 5470-5490 Oak Street which is made up of two parcels. The consolidation is on the east side of Oak Street, between 38th and 41st Avenue. It sits between two previously approved developments by the same architect and developer. The sites were reviewed by the Urban Design Panel (UDP) in July 2014, the rezoning was approved by Council at Public Hearing in February 2015, and construction commenced in June 2015.

This proposal is being considered under the Oakridge Langara Policy Statement (OLPS) which contemplates stacked-townhouses and ground-oriented low-rise apartments with densities ranging from 1.0-1.2 FSR, and building heights up to 40 ft. (12.19 m).

The site is located near VanDusen Gardens and Oak Park, several schools, the Jewish Community and Oakridge Centre. The schools include Hamber Secondary, two French schools, and King David High School.

Directly east of the rezoning application is the 13.8 acre Oakridge Transit Centre site. The City is undertaking a one-year planning program to establish a policy statement for the site. This will set the uses, parks and open space, street network, building height and density, and public amenity package.

Marie Linehan, Development Planner, continued by stating that the proposal is for a courtyard and row houses with a row of six townhouses fronting on Oak Street and six townhouses at the rear with a common courtyard in between and accessed via a path along the north side.

The setbacks are consistent with adjacent recently approved developments with a 12ft. front yard, 27.5 ft. courtyard and 15ft. rear yard. The spacing between the buildings on the north side is 23 ft., and 21 ft. on the south side. On the south side half of a public path was secured as part of the previous rezoning, and the remainder will be secured via this rezoning. The path is intended to break the long block along Oak and provide pedestrian access to the Oakridge Transit Site to align with West 39th Avenue further east.

The OLPS design guidelines note that a small-scale residential character should be provided for new multiple dwellings, which should include ground oriented units with entry doors facing the street. Pitched roofs and other small scale residential characteristics common to the area are recommended. For other sites we have supported more contemporary roof forms with setbacks at the upper storey to achieve a similar result in terms of scale, such as the adjacent mansard and flat roofs.

The OLPS also notes that open spaces should be positively defined as usable functional spaces, and that public edges should be animated and add to a sense of neighbourhood. In general the sites along Oak have developed with courtyard row house schemes in response to the OLPS.

Advice from the panel was sought for the following:

1. Overall form of development relative to the Oakridge-Langara Policy Statement and emerging context.
2. The treatment of the side yards with regards to: a. Continuity of grades and landscaping between the sites. b. Spacing between buildings. c. Courtyard entry path location.
3. Architectural expression - should there be further differentiation of the architectural expression from adjacent recently approved developments?
4. Design of common outdoor space, including children's play space.

Applicant's Introductory Comments:

The applicant team introduced the project as tying into the other developments on Oak Street. The character and typology has been retained, although with a different brick. Particular attention has been paid to keep the vertical elements and rhythm of the row housing.

There is a 7ft. grade change from the lane to Oak Street. This creates a four-storey building in the front and a three-storey building over one level of underground parking in the back.

The previous design panel wanted some definition between the sidewalk and the yard entry. This was done with additional landscape, screening, and fencing.

Moving this north building would require a look at the technical aspects and implications as it drops down into a garage. Modifying the walkways would also require a look at the implications of changing the entry location, especially as fire access is required on both sides.

The applicant team took questions from the board and panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Design development to connect and integrate the courtyards to add a sense of community
- There needs to be greater differentiation between the private and public pathways
- Outdoor space should be consolidated to create more play area

Related Commentary:

The panel thought that the overall form of development was a welcome form of expression, and seemed quite handsome.

Most felt that more integration of outdoor spaces is needed. Connecting side yards in a meaningful way would both help to foster a sense of community and add outdoor space. There was also consensus around the fact that there is no clear indication between the private and public walkways through to Oak Street. Public pathways should be wider and clearly indicate themselves as being in the public realm. Accessibility for the public pathways from the lane is an issue.

The overall architectural form, colours and materials were well-liked. There is good differentiation, and the introduction of red bricks works well. However, the overall design has a sameness of scale, character, and materiality as other projects along Cambie Street. Some felt that there is a real need to change designs in a more meaningful way and address concerns about homogenizing the neighbourhood.

Some felt that the outdoor space seems to be quite tight, although the play elements themselves seem fine. More outdoor space should be considered to allow for more play area, and to create a stronger sense of a courtyard. Shifting the buildings or creating a common throughway could help with this.

Turning the building layouts to have the master bedroom face the lane would create a better sense of privacy. Heat Recovery Ventilation should also be considered to encourage sustainability.

Applicant's Response:

The applicants thanked the panel and looked forward to working with the commentary.

PUBLIC CONSULTATION SUMMARY

Public Notification

A rezoning information sign was installed on the site on June 11, 2015. A total of 467 notifications were distributed within the neighbouring area on or about June 12, 2015. Application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Public Response

Public responses to this proposal have been submitted to the City as follows:

- In response to the notification, a total of 0 comment sheets were submitted from individuals.
- A total of 3 letters, online comment forms, and phone calls were received.

Comments received about the proposal including questions related redevelopment opportunities on adjacent sites, and some confusion related to the application which is located between two projects currently under construction by the same developer

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5470-5490 Oak Street
FORM OF DEVELOPMENT







WEST COURTYARD ELEVATION



EAST COURTYARD ELEVATION



5470-5490 Oak Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Project Summary:

Two four-storey townhouse buildings at a floor space ratio (FSR) of 1.20 containing 12 dwelling units.

Public Benefit Summary:

The project would generate approximately \$53,378 in DCLs.

	Current Zoning	Proposed Zoning
Zoning District	RS-1	CD-1
FSR (site area = 1,337.4 m ² or 14,392 sq. ft.)	0.70	1.20
Buildable Floor Space (sq. ft.)	936.2 m ² (10,074 sq. ft.)	1,604.9 m ² (17,270 sq. ft.)
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)	31,138	53,378
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		31,138	53,378

* 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%).

5470-5490 Oak Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	5470-5490 Oak Street
Legal Descriptions	Lots 4 and 5, Block 865, District Lot 526, Plan 8170; PIDs 010-528-523 and 010-258-540 respectively
Developer	Listraor Development Corp.
Architect	Raymond Letkeman Architects Inc.
Property Owners	Listraor (West 38th) Homes Ltd.

Development Statistics

	Development Permitted Under Existing Zoning	Proposed Development
ZONING	RS-1	CD-1
SITE AREA	1,337.4 m ² (14,392 sq. ft.)	1,337.4 m ² (14,392 sq. ft.)
USES	One-Family Dwelling	Multiple Dwelling
FLOOR AREA	936.2 m ² (10,074 sq. ft.)	1,604.9 m ² (17,270 sq. ft.)
FLOOR SPACE RATIO (FSR)	0.70 FSR	1.20 FSR
HEIGHT	10.7 m (35.1 ft.)	12.2 m (40.0 ft.)
PARKING, LOADING AND BICYCLE SPACES	As per Parking By-law	As per Parking By-law

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