

## SUMMARY AND RECOMMENDATION

**7. REZONING: 698 East 64th Avenue and 8027, 8029, and 8031 Fraser Street**

**Summary:** To rezone 698 East 64th Avenue and 8027, 8029, and 8031 Fraser Street from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a five-storey mixed-use building, containing a total of 37 secured for-profit affordable rental housing units. A height of 16.0 metres (52.5 feet) and a floor space ratio (FSR) of 2.67 are proposed.

**Applicant:** Cornerstone Architecture

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of October 20, 2015.

**Recommended Approval:** By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Cornerstone Architecture on behalf of 0922264 B.C. Ltd. as registered owner of Lots 7 to 9 and 0785472 B.C. Ltd. as registered owner of Lot A of Lot K to rezone 698 East 64th Avenue and 8027, 8029 and 8031 Fraser Street [*Lots 9 to 7 all of Subdivision K and Lot A of Lot K, Block 30, District Lot 313, Plan 3968; PIDs 002-512-548, 002-512-530, 002-512-521 and 011-985-216 respectively*] from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.20 to 2.67 and the building height from 10.7 m (35 ft.) to 16.0 m (52.5 ft.) to permit the development of a five-storey mixed-use building with 37 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated September 3, 2015, entitled "CD-1 Rezoning: 698 East 64th Avenue and 8027, 8029 and 8031 Fraser Street", be approved subject to the following conditions:

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

- (a) That, the proposed form of development be approved by Council in principle, generally as prepared by Cornerstone Architecture, on behalf of Altima Construction Ltd., and stamped "Received, Planning and Development Services, February 18, 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 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 the impact of the development on the neighboring single family site to the west, as follows:

- (i) reduce the extent of the building return along 64th Avenue to provide a larger setback to the single-family site;
- (ii) relocate the garbage storage room.

Note to Applicant: Garbage storage should be located within the parkade with any exterior doors located at the south end of the lane, which is more service oriented. The proposed location would have noise and visual impacts on the adjacent site, as well as the public realm.

2. Design development to provide improved outdoor amenity space.

Note to Applicant: A larger, more functional amenity deck should be provided at the fifth floor with a minimum dimension of 15 ft. from the southern edge of the roof. A transparent guardrail detail may be provided at the south elevation for improved sense of openness and views to the river. Provide wider doors/openings at the amenity room to the deck to better integrate indoor and outdoor space, and allow for greater flexibility of use.

3. Design development to screen mechanical units at the roof top.

Note to Applicant: Mechanical units and screening should be illustrated on the roof plan and elevation drawings. Units should be consolidated in a central location where possible to avoid visual clutter.

4. Design development to provide improved access to daylight and ventilation at the dwelling units.

Note to Applicant: Compliance with Horizontal Angle of Daylight regulations should be demonstrated, particularly at bedrooms located behind inset enclosed balconies. Maximize the glazing at the exterior wall of bedrooms at enclosed balconies. Doors to the enclosed balconies should be glazed and a window may be provided adjacent; closets at the exterior wall may be relocated.

5. Design development to meet the intent of the *Balcony Enclosure for New Buildings* Administrative Bulletin.

Note to Applicant: Enclosed balconies should be articulated as distinct elements, and not be flush with the principle façade. Maximize the glass area at the enclosed balconies to admit natural light to the interior space beyond and provide windows openable from the inside to facilitate natural ventilation.

6. Provision of high quality and durable exterior finishes proposed in this rezoning submission will be carried forward and remain through the development permit process.

## **Landscape Design**

7. Design development to provide additional and higher quality common outdoor space.

Note to Applicant: A larger space is required to accommodate a variety of uses. There is a heavy band of planting which encroaches upon the area. These planters should be moved to create a rooftop garden, which would take advantage of views and create more efficient amenity space.

## **Crime Prevention through Environmental Design (CPTED)**

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

## **Sustainability**

9. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including at a minimum 63 points in the LEED® rating system, a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one storm water point. If Passive House standard is proposed as an alternative, provide documentation to demonstrate compliance.

Note to Applicant: Provide a letter from a Passive House Accredited Building Certifier, stating that the building's design and specifications have been reviewed and the building can be certified as a Passive House. Refer to the Green Building Policy for Rezoning - Process and Requirements Administration Bulletin for further details.

## **Housing Policy and Projects**

10. That the proposed unit mix, 57% 1-bedroom, 35% 2-bedroom units, and 8% 3-bedroom units 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**

11. Update the landscape plan and site plan to reflect the off-site obligations set out in this rezoning.
12. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The existing wood pole in lane conflicts with the proposed parking access. Confirmation from all affected public utility companies that the pole can be relocated is required.

## CONDITIONS OF BY-LAW ENACTMENT

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

### Engineering

1. Consolidation of Lots 7, 8 and 9 of Subdivision K, and Lot A of Lot K; all of Block 30, DL 313, Plan 3968 to create a single parcel.
2. Provision of building setback and a surface SRW to achieve a 5.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback/SRW dimension.
3. Provision of a knock-out panel and a shared access agreement (legal agreement) for shared vehicular access onto 8061 Fraser Street (Lot 4 of Lot K, Block 30, DL 313, Plan 3968).
4. Release of Right of Way Agreement 315954M (support agreement) and Easement & Indemnity Agreement H46910 (landscape encroachment) 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.

5. 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 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 a minimum 1.83 m (6 ft.) wide cast-in-place concrete sidewalk with broom finish and saw-cut joints on 64th Avenue adjacent the site
  - (ii) Provision of a double curb bulge on the corner of Fraser Street and 64th Avenue including upgraded curb ramps to meet current City standards. Work to include relocation or adjustment of all existing infrastructure impacted by the corner bulge installation.

- (iii) Provision of a standard concrete lane crossing on the south side of 64th Avenue at the lane entry west of Fraser Street including updated curb returns and ramps on both sides of the lane entry.
  - (iv) Provision of street trees adjacent the site where space permits.
  - (v) 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.
  - (vi) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
6. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

### **Housing Policy and Projects**

7. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years and life of the building, subject to the following additional conditions:
- (i) A no separate-sales covenant.

- (ii) A non-stratification covenant.
- (iii) That none of such units will be rented for less than one month at a time.
- (iv) That a rent roll be provided indicating the proposed initial monthly rents for each rental unit.
- (v) That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents:

Unit Type	Proposed Rent
1-bedroom	\$1,319
2-bedroom	\$1,605
3-bedroom	\$2,061

- (vi) That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of Chief Housing Officer and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in accordance with the Housing Agreement in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the *Vancouver Development Cost Levy By-law*.
- (vii) Such other terms and conditions as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

## Soils

- 8. If applicable:
  - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services and

Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

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

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

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

- B. THAT, subject to approval in principle of this rezoning and of the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 3, 2015, entitled "CD-1 Rezoning: 698 East 64th Avenue and 8027, 8029 and 8031 Fraser Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law contemplated by the same report.
- C. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B of the Sign By-law [assigning Schedule B (C-1)], generally as set out in Appendix C of the Policy Report dated September 3, 2015, entitled "CD-1 Rezoning: 698 East 64th Avenue and 8027, 8029 and 8031 Fraser Street", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B generally as presented in Appendix C of the Policy Report dated September 3, 2015, entitled "CD-1 Rezoning: 698 East 64th Avenue and 8027, 8029 and 8031 Fraser Street", be approved.
- E. THAT Recommendations A through D be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at 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;

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ - 698 East 64th Avenue and 8027, 8029, and 8031 Fraser Street]