

### 3. REZONING: 5021-5079 Quebec Street

**Summary:** To rezone 5021-5079 Quebec Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building, containing a total of 42 dwelling units. A height of 19.8 m (65 ft.) and a floor space ratio (FSR) of 2.30 are proposed.

**Applicant:** Aragon (35th/Quebec) Properties Ltd.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of March 8, 2016.

**Recommended Approval:** By the Acting 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 Aragon (35th/Quebec) Properties Ltd. to rezone 5021-5079 Quebec Street [*Amended Lots 10 and 11 (See 26278L), Amended Lot 12 (See 89662L) and Amended Lot 14 (See 588439L), Block 4, District Lot 637, Plan 3774; PIDs 012-214-043, 004-382-935, 012-214-051 and 012-214-060 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.30 FSR and the building height from 9.5 m (35 ft.) to 19.8 m (65 ft.) to permit the development of a six-storey residential building, containing a total of 42 dwelling units, as generally presented in Appendix A of the Policy Report dated February 23, 2016, entitled "CD-1 Rezoning: 5021-5079 Quebec 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 The Office of Macfarlane Biggar Architects + Designers and stamped "Received Planning Department, July 17, 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:

Urban Design

1. The maximum building height, measured above the base surface to top of parapet, shall not exceed 19.8 m.
2. Architectural expression will employ a palette of high quality durable materials and a refined detail finish.

Note to Applicant: The materials as indicated in the current submission satisfy this condition.

3. Architectural variation should be expressed through a varied patterning of the location of the projected balconies.

Note to Applicant: The balcony design as indicated in the current submission satisfies this condition and should be maintained through further stages of design; consideration should be given to the use of a varied palette of colour and materials to further express the balconies as an architectural element.

4. External balcony expression will be achieved by means of deep cantilevers rather than by means of external structural support.

Note to Applicant: The balcony design as indicated in the current submission satisfies this condition.

5. Design development to improve daylight access to common stair cores.

Note to Applicant: Detailed design development of common stairs with side yard orientation should provide with window openings to allow the entry of natural light.

6. Design development to mitigate direct overlook to the north.

Note to Applicant: Detailed design development should minimize the negative impact on privacy amenity to the existing adjacent dwelling through mitigation of direct overlook. Consideration could be given to differentiating this façade through the use of recessed balconies rather than projecting if practicable without loss of unit livability.

7. The proposed unit mix including 19 two-bedroom and 14 three-bedroom units are to be included in the Development Permit drawings, which may be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units.

## Landscape

8. Design development to ensure the safe retention of trees #1 and #2.  
Note to Applicant: Trees are identified in the arborist report by Michael Mills, dated April 9, 2015. While the proposal indicates that existing trees will be retained and integrated, there may be further design requirements at the development permit stage, including arborist reporting. To optimize the root protection zone, a minimum setback distance beyond the drip line may be necessary, subject to further review.

9. 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 landscaping.

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 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.

10. Design development to the property line landscape treatment to setback, terrace and screen retaining walls.

Note to Applicant: Where space will allow, retaining walls associated with perimeter landscape grading should be terraced in 0.6 m increments and setback from the property line to allow for adequate softening and transition to grade.

11. Design development to the location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. 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.

12. At time of development permit, provision of:

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

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. 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/ 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 or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

(ii) A Tree Removal/Protection Plan.

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), such as clearly illustrating the limit of excavation and footing design (shotcrete and vertical shoring). Tree replacements are likely best located on the proposed phased landscape plans.

(iii) Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through tree protection zones, all proposed common open spaces and semi-private patio areas.

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

(iv) Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

(v) Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.

(vi) Provision of a partial irrigation plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including urban agriculture areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 m<sup>2</sup>). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

## Crime Prevention through Environmental Design (CPTED)

13. Design development to respond 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

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

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

15. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezonings including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management; or LEED Gold if using LEED for Homes midrise or another LEED Rating System and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the Green Buildings Policy for Rezonings. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

## Housing Policy

16. Design development to ensure that a minimum of 35% of the proposed market strata units are designed to be suitable for families with children, including some three bedroom units.

17. Design development of indoor and outdoor common amenity space to demonstrate ability for proposal to meet the common amenity needs of a family-oriented building, as per the *High-Density Housing Guidelines for Families with Children*.

### Engineering

18. Delete the portion of handrail shown projecting over the Quebec Street property line on page A202.
19. Provision of a bicycle wheel ramp or runnel on the stairs on Quebec Street leading to the main lobby and Class B bicycle racks.
20. Provision of class B bike racks 48" apart and located 36" from any adjacent wall etc.
21. 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) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.
- (ii) A column 2' in length must be set back 2' from either the opening to or the end of the parking space. A column 3' long may be set back 1'.
- (iii) Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4' from the end of the stall. Provide a minimum 1' setback from the drive aisle for all columns.
- (iv) Dimension all columns encroaching into parking stalls.
- (v) Identify and label the overhead security gate on submitted plans.
- (vi) Provision of a landscape plan to 1:100 scale is required.
- (vii) Provision of design elevations on both sides of the parking ramp at all break points including notation of the length of ramp at the specified slope.
- (viii) Provision of automatic door openers on all bicycle room doors and doors leading to the street or lane from the bike rooms.

22. Any plantings on the back boulevards must meet the following requirements:
- (i) The adjacent property owner is to be responsible for all plantings adjacent the site and on public property proposed by this development.
  - (ii) All plant material located within the same continuous planting area and on street right-of-way within 10 m, as measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m, as measured from the sidewalk.
  - (iii) All plant material within the street right-of-way which is located outside of the areas described above shall not exceed 1 m in height, measured from the sidewalk.
  - (iv) All plant material shall be planted in such a way that it does not encroach on the adjacent roadway, sidewalk, bike lane or lane at maturity. A minimum 1'-0" setback of turf is to be provided from all public sidewalks where plantings are proposed.
23. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
24. The buildings heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.
- Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.
25. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

26. Provide for 21 m<sup>2</sup> of 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, at development permit.
27. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

#### 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 Amended Lots 10 and 11 (See 26278L), Amended lot 12 (See 89662L) and Amended Lot 14 (See 588439L), Block 4, DL 637, Plan 3774 to create a single parcel.
2. Provision of a 1.8 m wide surface statutory right of way for public access along the northern edge of the site connecting Quebec Street to the lane west of Quebec Street.

Note to applicant: The surface right of way will also allow for the proposed underground parking structure.

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

- (ii) Provision of upgraded storm and sanitary sewers from the north property line of the site to the manhole in the intersection of Quebec Street and 35th Avenue. Storm and Sanitary pipe sizes are to be determined and provided to the satisfaction of the General Manager of Engineering Services. The work is currently estimated at \$280,000.00 in 2015 dollars.
  - (iii) Provision of a standard double corner bulge on the northwest corner of Quebec Street and 35th Avenue adjacent the site. Work to include modifications to all related sidewalks, curb ramps and utilities to accommodate the installation of the corner bulge.
  - (iv) Provision of a 2.14 m wide saw cut, cast in place, concrete sidewalk on 35th Avenue adjacent the site.
  - (v) Provision of a 1.8 m wide saw cut, cast in place, concrete sidewalk on Quebec St. adjacent the site.
  - (vi) Provision of upgraded street lighting to LED lighting adjacent the site to meet current standards for its use.
  - (vii) Relocation of the existing fire hydrant on 35th Avenue at the lane to be clear of the proposed new sidewalk on 35th Avenue.
  - (viii) Provision of street trees adjacent the site where space permits.
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 City-designated Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and the Cambie Corridor Plan that may include but are not limited to agreements which:
- (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes available;

- (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation; and
- (iii) grant use of and access to suitable space required for the purposes of an energy transfer station as established in the Neighbourhood Energy Connectivity Standards Design Guidelines, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant:

- a. Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.
- b. The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
- c. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

**Soils**

- 6. If applicable:
  - (i) Submit a site profile to the Environmental Protection Branch (EPB);
  - (ii) As required by the Manager of Environmental Protection 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 Protection 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, City Engineer 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.

### Community Amenity Contribution (CAC)

7. Pay to the City the cash component of the Community Amenity Contribution of \$673,955 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services, and is allocated to the Affordable Housing Reserve.

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 the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, as generally set out in Appendix C of the Policy Report dated February 23, 2016, entitled "CD-1 Rezoning: 5021-5079 Quebec Street".
- 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; 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, 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 - 5021-5079 Quebec Street]