

**5. REZONING: 6505, 6507 and 6541 Main Street**

**Summary:** To rezone 6506, 6507 and 6541 Main Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building containing 75 for-profit affordable rental housing units and commercial uses at grade. A height of 21.3 m (70 ft.) and a floor space ratio (FSR) of 3.60 are proposed.

**Applicant:** Orr Development (1980) Corp.

**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 Orr Development (1980) Corp. to rezone 6505, 6507 and 6541 Main Street [*Lot A, Block 2, District Lot 651, Group 1 New Westminster District, Plan BCP48414 and Lot 5, except part in Plan 4463, Block 2, District Lot 651, Plan 2102; PIDs 028-607-384 and 015-128-237 respectively*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.50 to 3.60 FSR and the building height from 13.8 m (45 ft.) to 21.3 m (70 ft.) to permit the development of a six-storey mixed-use building with 75 secured for-profit affordable rental housing units, as generally presented in Appendix A of the Policy Report dated February 11, 2016, entitled "CD-1 Rezoning: 6505, 6507 and 6541 Main 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 Yamamoto Architecture Inc., on behalf of Orr Development Corp., and stamped "Received, Planning and Development Services, August 13, 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 enhance the interface with the public realm.

- (i) Provision of weather protection along both 49th Avenue and Main Street.
  - (ii) Design development to activate the expansive, largely blank west facing wall at 49th Avenue and the lane. Consider additional fenestration, materiality or 'super graphics' and elements to reflect local heritage and history.
2. Design development to enhance livability.
- (i) Provision of an expanded area for urban agriculture and that it be relocated to terraced planter along the lane. Consider a balanced reduction in adjacent private patios to accommodate this (see Landscape Condition 6).
  - (ii) Supplement the number of proposed feature trees on the Level 2 roof deck, with additional trees to enhance visual interest. Consider locating these in a narrow planter along the northwest building corner.
3. Design development of the proposed setbacks from the property line shall remain consistent with the rezoning application submission.
- Note to Applicant: The proposed building setbacks submitted can be considered as a minimum setback but could be increased if warranted by the design development process.
4. Provision of high quality and durable exterior finishes proposed in this rezoning submission will be carried forward and remain through the development permit process.
- (i) Recommend consideration be given to the appropriateness of metal cladding in close proximity to grade, at the lane. It may be subject to undue damage and over time result in a worn appearance. Consider other high quality, more robust materials.
5. The proposed unit mix including 24 two-bedroom and 5 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 25% of the dwelling units.
6. Design development to ensure the protection, enhancement and creation of bird habitat, as well, to reduce potential threats to birds by incorporating the Bird-Friendly Design Guidelines.

### Landscape Design

7. In coordination with Design Condition 2(i), the expansion of the second floor amenity space should include an integrated planter at the west edge containing regularly spaces trees.

Note to Applicant: The edge planter should have a minimum 1 m wide, inside dimension with optimized soil volume. Ensure that urban agriculture uses are complimented with hose bib access, irrigation, tool storage, bench seating, work station and compost.

8. Design development to locate site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: Utility placement at the lane, such as the PMT, can create alcoves that may invite opportunities for mischief. To avoid unnecessary alcoves, the applicant should explore design solutions such as integrating the utilities into the building or enclosure with a sliding gate or equivalent solution. Coordination with BC Hydro will be needed.

9. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 9.3 m<sup>2</sup> (100 sq. ft.).

Note to Applicant: The hose bib condition is intended to encourage patio gardening. Should there be maintenance concerns related to the nature of tenancy, further coordination with staff will be needed the development permit stage.

10. Design development to grades, retaining walls, walkways and structural elements, such as underground parking, designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Public and private trees should be planted at grade and not placed in above grade planters to achieve soil depth. Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible.

11. At time of development permit application:

- (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of large scale, dimensioned, architectural and landscape sections [typical] through planted areas, including the slab-patio-planter relationship, the lane interface, common amenity areas and upper levels.

Note to Applicant: The sections should include the slab, planters, planter materials, tree stem, canopy and root ball.

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

12. 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**

13. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning 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 rezoning policy. 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 and Projects**

14. That the proposed average unit sizes be revised to be consistent with the average maximum allowable unit size under the Vancouver Development Cost Levy By-law.

Note to Applicant: Studio units are presently marginally over the average allowable maximum unit sizes under the Vancouver Development Cost Levy By-law.

15. Design development to ensure that a minimum of 25 percent of the proposed rental housing units are designed to be suitable for families with children, including some three bedroom units.

16. The building is to comply with the High Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette and an accessible washroom.
17. A common outdoor amenity area, ideally co-located with the common amenity room, is to be provided which includes an area suitable for a range of children's play activity.

### Engineering Services

18. Where encroaching over property lines, a canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness. (see Vancouver Building By-law section 1A.9.8).
19. Clarification if doors are intended along the 49th Avenue frontage. Although the City does not seek on-site space for the public bike share system, it is the City's intention to place a system along this frontage on public property, so please ensure there is an unobstructed space of 16 m across this frontage.
20. 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.
21. 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.

22. 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.

23. Provision of 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.
24. 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.
25. Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Vancouver Parking By-law except:  
  
At minimum one Class B loading space must be of sufficient length and have a sufficient loading throat to accommodate an MSU truck with 10 m overall length. Any other required Class B loading space(s) must provide space to accommodate a 9 m SU-9 truck.
26. Provision of automatic door openers on the doors providing access to the bicycle room(s) noted on plans and identify the route intended to be used by residents to travel to and from the bicycle rooms to the building exterior.
27. 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 Guidelines:

- (i) Provision of a 2.74 m x 2.74 m (9 ft. x 9 ft.) corner cut through the inside radius at the bottom of the main parking ramp is required.  
  
Note to Applicant: This is to ensure two-way vehicle movement through the turn at the bottom of the main parking ramp for customer's vehicles. This may result in the loss of one commercial parking space.
- (ii) Clarification that a scissor lift or a raised loading platform is provided at the rear of the loading spaces.
- (iii) Confirmation that the overhead security gate will operate with a key fob, otherwise a card mounted reader will require an increase of the parking ramp to 6.7 m (22 ft.) in width.
- (iv) Modification of the parking ramp design to include:
  - a. The slope must not exceed 10% for the first 6.1 m (20 ft.) from the property line.
  - b. Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, and at all entrances.

Note to Applicant: The parking ramp slope does not calculate as noted on the plans.

- c. Label design elevations in imperial scale.
- (v) Clarification if bicycle racks are proposed for public property, if so a separate application to the General Manager of Engineering Services is required.

Note to Applicant: Class B bicycle parking (bike racks) supplied on public property cannot be counted towards the on-site by-law requirement that would apply to this project.

- 28. Update the landscape plan to reflect the off-site improvements sought as part of the rezoning.

#### 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. Consolidation of Lot A, Block 2, District Lot 651, Group 1 New Westminster District, Plan BCP48414 and Lot 5, except part in Plan 4463, Block 2, District Lot 651, Plan 2102 to create a single parcel and subdivision of that site to result in the dedication of the north 2.63 m (8.66 ft.) for road purposes.
2. Release of SRW BB3021411-14 currently registered on the title of Lot 5.
3. Provision of building setback and a surface Statutory Right of Way (SRW) to achieve a 5.5.m distance from the back of the City curb to the building face adjacent the east property line of the site. 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. The SRW agreement must accommodate underground parking and cantilevered upper portions of the building from the second floor to the roof within the SRW area.
4. Upon demolition of the existing building on lot A, cancellation of the off-site parking covenant (BM240784-87) registered on Lot A.
5. 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 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 a standard concrete pedestrian lane crossing and new curb returns on both sides of the lane entry at the lane west of Main Street on the south side of 49th Avenue.
- (iv) Provision of new concrete sidewalks adjacent the site in keeping with the treatment patterns for the area (Main Street Showcase). All new sidewalks are to be sawcut to meet the approved pattern.
- (v) Provision of a new bus shelter on Main Street adjacent the site subject to a more detailed review by City staff. The applicant is to pay all costs associated with installation of a bus shelter, foundations, drainage, electrical if required and the shelter itself will be supplied and installed by the City's street furniture contractor. Should adequate space not be available to accommodate a bus shelter then the applicant is to make provision for benches to be located on private property for use by the public and extended or improved weather protection is to be provided for bench users.
- (vi) Provision of street trees adjacent the site where space permits.
- (vii) Relocation or removal of the existing wood pole (BC Hydro/Telus) in the lane that obstructs access to the proposed loading bays. Written confirmation from all affected utilities is 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, and subject to the following additional conditions:
  - (i) A no separate-sales covenant.
  - (ii) A no 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 agreed 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 subject to adjustment as contemplated by the Vancouver Development Cost Levy By-law.

Unit Type	6505, 6507 and 6541 Main Street Proposed Average Starting Rents
Studio	\$1,260
1-bedroom	\$1,675
2-bedroom	\$2,084
3-bedroom	\$2,606

- (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 DCL 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 Council approval in principle of this rezoning and the Housing Agreement, as generally set out in section (c) of Appendix B of the Policy Report dated February 11, 2016, entitled "CD-1 Rezoning: 6505, 6507 and 6541 Main 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) prior to enactment of the CD-1 By-law, generally as set out in Appendix C of the Policy Report dated February 11, 2016, entitled "CD-1 Rezoning: 6505, 6507 and 6541 Main Street".
- 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 [assigned Schedule B (C-2)], generally as set out in Appendix C of the Policy Report dated February 11, 2016, entitled "CD-1 Rezoning: 6505, 6507 and 6541 Main Street", be approved.
- D. 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 Noise Control By-law, as generally set out in Appendix C of the Policy Report dated February 11, 2016, entitled "CD-1 Rezoning: 6505, 6507 and 6541 Main Street".
- E. THAT Recommendations A to 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; 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 - 6505, 6507 and 6541 Main Street]