

## SUMMARY AND RECOMMENDATION

**2. REZONING: 305 West 41st Avenue (Oakridge United Church)**

**Summary:** To rezone 305 West 41st Avenue (Oakridge United Church) from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with church use at grade, containing 49 dwelling units. A height of 20.7 m (68 ft.) and a floor space ratio (FSR) of 2.91 are proposed.

**Applicant:** ZGF Cotter Architects Inc.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of September 20, 2016.

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

- A. THAT the application by ZGF Cotter Architects Inc., on behalf of the British Columbia Conference Property Development Council of the United Church of Canada, the registered owner, to rezone 305 West 41st Avenue [*Lots 12 to 14, Block 849, District Lot 526, Plan 7240; PIDs: 010-685-553, 010-685-588 and 010-685-600 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 2.91 and the height from 10.7 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey mixed-use building with church use at grade and a total of 49 dwelling units, generally as presented in Appendix A of the Policy Report dated September 6, 2016 entitled "CD-1 Rezoning: 305 West 41st Avenue (Oakridge United Church)", 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 ZGF Cotter Architects Inc., on behalf of the BC Conference Property Development Council of the United Church of Canada Inc. and Townline Homes Inc., and stamped "Received Planning Department, March 17, 2016", provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development of the church design to include or incorporate the following:
  - (i) design details of salvaged and reclaimed materials from the existing church and indicate on the plans for the proposed church space; and
  - (ii) design details of re-purposed items, such as leaded windows and hanging lanterns, and indicate on the plans for the proposed church, or outside space.

Note to Applicant: In view of the significance of the existing church, confirmation of the extent of reclaimed and re-purposed items is required to ensure they are incorporated into the proposed drawings.

2. Design development of the church, and its architecture to be substantially improved to enhance and make notable the presence of the church.

Note to Applicant: The current design of the south elevation expresses the church only at the sanctuary and fellowship hall. The entire area of the church, including the administrative areas, should be expressed in the elevation. The idea for the bell tower, a significant element of the existing church, has been lost. Reconsidering the design idea is strongly encouraged in order to strengthen the identity of the church and how it is expressed through the architecture.

3. Design development of the building massing and depth of the building to substantially reduce the bulky appearance of the building, particularly in the north-south dimension.

Note to Applicant: This is to improve the urban design performance of the project, the transition of scale to adjacent neighbouring sites, and shadow performance, to be compatible with adjacent sites. The revisions of the design may include optimizing the floor plans, reducing roof projections or balconies, or similar considerations to reduce the perceived bulk of the building.

4. Design development of the overall project to maintain the use of high-quality materials through all subsequent phases of approval.

5. The proposed unit mix, including 19 one-bedroom units (39%), 21 two-bedroom units (43%) and 9 three-bedroom units (18%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only 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 designed to be suitable for families with children.

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

6. 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.

### Landscape Design

7. Design development to provide a more conservative tree removal strategy, by enabling the safe retention and protection of a minimum of one healthy existing tree, i.e. Tree #102 referenced on the Arborist Report as a European Ash is in good condition.

Note to Applicant: The current scheme proposes the removal of all twelve site trees. This is in conflict with Council mandate for retention and protection of as many healthy trees as possible, while still allowing for a viable development. The retention of Tree #102, as a minimum requirement, will require revisions to the underground parking and building footprint, to allow sufficient clearance for the Critical Root Zone of this tree.

8. Design development to the common outdoor spaces, to achieve the following:
  - (i) better connection between the formal passive seating area and the children's play area;
  - (ii) increase in children's play area, in order to provide a more active and viable space;
  - (iii) access to sunny areas for all outdoor spaces;
  - (iv) ensure a visual connection exists between indoor amenity area and children's play area; and
  - (v) location of outdoor spaces to be away from conflicting loading zone.
9. Design development to expand programming to include urban agriculture plots in common spaces for resident use.

Note to Applicant: This should be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as raised beds, water for irrigation, potting bench, tool storage and composting.

10. 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.

11. Design development to 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. 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, open space and public realm.

13. Provision of further arboricultural information, as follows:

- (i) A Letter of Assurance for arborist supervision during any excavation into the Critical Root Zones of retained trees, or any work in proximity to retained trees which may cause root damage to retained trees. The letter should be signed and dated by arborist, owner and contractor.
- (ii) An updated arborist report, to discuss in detail methods of safe protection, for retained trees, in context of proposed footprint, grades and other site constraints. Report to include a scaled and dimensioned tree protection plan and Critical Root Zones. Confirmation of safe tree protection is required.

14. Consideration to explore design options that respect the *Bird Friendly Design Guidelines*.

Note to Applicant: Please refer to the following documents:

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>  
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

15. Provision of a pedestrian friendly experience at the lane edges by the use of down lighting and more substantial planting at grade.

Note to Applicant: The lane edge planting should be protected from vehicles by an 8 in. high curb.

16. 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.

17. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's Urban Agriculture Guidelines for the Private Realm and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

18. At time of development permit application:

- (i) Provision of 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) Provision of 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) Provision of 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) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity.

Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.

- (vi) 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.
- (vii) Provision of Landscape Lighting Plan to be provided for security purposes.

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

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

### **Sustainability**

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

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

- 20. 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**

- 21. Design development to ensure that a minimum of 25% of the proposed market strata units are designed to be suitable for families with children, including some three bedroom units.

## Engineering Services

22. Provision of an updated Transportation Study (Bunt & Associates, April 8, 2015) to reflect changes made to the location of the parking ramp and loading space. Revise the maneuvering shown for the Class B loading space. Ensure that all parking numbers and Class A bicycle spaces are updated as this report does not reflect the numbers in the tech table included in the architectural drawings. The description of the intersection of Elizabeth Street and 41st Avenue on Page 10 should read 'UNSIGNALIZED'.
23. Provision of garbage and recycling facilities for the church, daycare and residential units. Please refer to the garbage and recycling guidelines for space and bin allocation recommendations.
24. 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 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: This is to calculate the slope and crossfall.

- (ii) Provision of consistent drawings showing the Class B loading space.

Note to Applicant: The location of the Class B loading space and configuration of the stairs within the building are different on drawing A2.03 and L1.

- (iii) Provision minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

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

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

- (v) Provision of automatic door openers on the doors providing access to the bicycle room(s) and note on plans.

- (vi) Relocate the Class B bicycle parking on drawing L2 for the bikes using the rack to be clear of the residential entrance.

Note to Applicant: Consider shifting the Class B bicycle spaces by the entrance further north. Drawing A2.03 notes 12 bicycle spaces but only 6 are shown on drawing L2.

Note to Applicant: If additional columns are required within the parking levels, ensure that they comply with the requirements of the Engineering Parking and Loading Design Supplement. No columns are shown for the N-S stalls on P1 and P2.

Note to Applicant: As parking or pick-up/drop-off will not be available on 41st Avenue, consider removing the sidewalk off the lane and providing a lay-by on private property for passenger pick-up and drop-off.

- 25. 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.
- 26. 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.

- 27. 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.
- 28. Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.



29. 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.
30. Delete proposed trees/shrubs shown in the back boulevard on the site plan.
31. Update the landscape and site plans to reflect the street improvements proposed for this rezoning application.

## 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 Director of Planning, 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 Lots 12 to 14, Block 849, District Lot 526, Plan 7240 to create a single parcel.
2. Provision of building setback and a surface Statutory Right-of-Way (SRW) to achieve a 4.8 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.

Note: The width of the SRW will vary due to the curb alignment.

3. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a shared access agreement between the development site and the adjacent property at 325 West 41st Avenue (Lot 11, Block 849, DL 526, Plan 7240) to secure access to underground parking within the future development on Lot 11.

Note to Applicant: Provision of knockout panels, grading details and aisle widths that comply with the Parking and Loading Design Supplement are required.

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) Confirmation that the site run-off and post development flows will not increase beyond existing run-off and flows. Should

confirmation not be achievable then upgrading of the City sewer system (storm and sanitary) will be required to the extent that the downstream sewer system can handle the post run-off and flows.

- (ii) Provision of street re-construction adjacent to the site on 41st Avenue including the following:
  - (a) new curb and gutter.
  - (b) adjusted, relocating or installed catch basins where required.
  - (c) 8'3" . raised asphalt protected bike lane.
  - (d) Grass boulevard with street trees.
  - (e) 7'-0" CIP concrete sidewalk with saw cut joints.
  - (f) Re-location or replacement of existing street trees as required to the satisfaction of the General Manager of Parks and Recreation to achieve the improvements noted above.

Note to Applicant: geometric design concept to be provided by the City. Specific Public Realm improvements are subject to completion and adoption of the Cambie Corridor Plan.

- (iii) Provision of LED street lighting and LED pedestrian scale lighting adjacent the site.
- (iv) Provision of a 6 ft. CIP concrete sidewalk on Elizabeth Street adjacent the site.
- (v) Provision of standard curb ramps at the northwest corner of 41st Avenue and Elizabeth Street including reconstruction of the curb return.
- (vi) Provision of a standard concrete lane crossing and new curb returns on both sides of the lane entry at the lane north of 41st Avenue on the west side of Elizabeth Street.
- (vii) Provision of street trees adjacent to the site where space permits.
- (viii) 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.

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.
6. 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, to the satisfaction of the General Manager of Engineering Services.

**Note to Applicant:**

- (i) 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.
- (ii) 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.

- (iii) 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**

### **7. 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.
- (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.

## **Community Amenity Contribution**

- 8. Pay to the City a Community Amenity Contribution of \$2,300,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$2,300,000 is to be allocated as follows:
  - (i) \$1,150,000 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (ii) \$920,000 towards childcare facilities serving the community in and around the Cambie Corridor Plan area; and
  - (iii) \$230,000 towards the Heritage Conservation Reserve to increase heritage conservation in the City of Vancouver.

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 registerable charges pursuant to 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 and at no cost to the City.

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 Subdivision By-law be amended generally as presented in Appendix A of the Policy Report dated September 6, 2016 entitled "CD-1 Rezoning: 305 West 41st Avenue (Oakridge United Church)".
- 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 the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures 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 sole 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 - 305 West 41st Avenue (Oakridge United Church)]