

SUMMARY AND RECOMMENDATION

3. REZONING: 512 West King Edward Avenue

Summary: To rezone 512 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building, containing 50 secured market rental housing units. A height of 20.7 m (68 ft.) and a floor space ratio (FSR) of 3.00 are proposed.

Applicant: Arno Matis Architecture

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 Arno Matis Architecture, on behalf of S Benjamin Holdings Ltd., the registered owner, to rezone 512 West King Edward Avenue [*PID 010-870-903; Lot 8, Block 680, District Lot 526, Plan 6539*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 3.00 and the building height from 10.7 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey residential building with 50 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated September 6, 2016, entitled “CD-1 Rezoning: 512 West King Edward Avenue”, 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 Arno Matis Architecture, on behalf of S Benjamin Holdings Ltd. and stamped “Received Planning Department, December 18, 2015”, 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. Reduction in the vertical height of retaining walls immediately adjacent to the public sidewalks and bicycle paths along both street edges.

Note to Applicant: This can be achieved through a variety of techniques, including, but not limited to, lowering the main floor elevation by 8 to 20 inches. This will allow for more green and planted landscape area by reducing the length of stairs and ramps required to reach the front door. Alternately, or in combination with a floor level reduction, portions of the wall above 1.5 m can be stepped back by a minimum of 1.2 m to provide planting. This may require alterations to the ground floor level to ensure adequate outdoor space for the dwelling units.

2. Provision of a high-quality finish to the building plinth that reflects the area history and provides visual interest and texture at the pedestrian scale along both edges.

Note to Applicant: Given the extent and prominence of this element, additional quality is sought. This can be achieved by providing a robust, quarried granite or basalt masonry wall. Enlarged details should be provided at the time of application. Note that this will require additional set back of the wall to clear the statutory right-of-way (SRW) required in condition (c)1.

3. Design development to the building entry sequence to improve its visibility, convenience, and generosity.

Note to Applicant: This can be accomplished by locating the entry lobby on Cambie Street where it is easily visible to visitors and provides an active use on the street. Pathways including stairways should be at least 7 ft. wide throughout. Consider locating the main floor amenity room adjacent to the lobby to facilitate social connections.

4. Design development to the main floor amenity room to improve its usefulness to all residents, including families and children.

Note to Applicant: This can be accomplished by improving the proportions and size of the room, as well as the amenity of the outdoor space.

5. Design development to the public realm interface along King Edward Avenue to support pedestrian and bicycle routes to the satisfaction of Engineering Services.

Note to Applicant: The proposed interface, including the bermed landscaping structure in the requested SRW is not feasible and an on-site solution will be required.

6. Design development to better reflect the architectural themes in the landscape design.
7. Design development to mitigate privacy and overlook toward nearby residential units.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features proposed to balance the amenity of future and existing residents.

8. Design development to meet the Cambie Corridor Draft Public Realm Plan including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to confer with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

9. Provision of high-quality and durable exterior finishes.

Note to Applicant: Intent is to maintain the proposed architectural quality including the use and extent of brick. Material choices should reflect a residential character and avoid an institutional character.

10. Submission of a bird-friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Refer to the Bird-Friendly Design Guidelines for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

11. The proposed unit mix including 26 one-bedroom units (52%) and 24 two-bedroom units (48%) 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)

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.

Landscape

13. 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.
14. Section details at a minimum scale of 1/4"=1' 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.
15. 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.

16. 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.
17. 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 the Park Board regarding tree species.
18. A high-efficiency automatic irrigation system is to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
19. A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings. All existing lighting poles should be shown.
20. Design development to provide a more conservative tree removal strategy, enabling the retention and protection of as many healthy existing mature trees as possible.

Note to Applicant: It is expected that all developments will adhere to Council's Urban Forest Canopy Strategy by retaining a maximum of viable trees at the site edges, thereby still allowing development. It is understood that this may require revisions to the building footprint or parkade. A revised Arborist Report should also document and make recommendations for the choices of trees to be retained.

21. Design development to add significant landscape buffering at ground level (see also conditions (b) 1, (b) 5, (b) 6, and (b) 7, as follows:
 - (i) Fronting Cambie Street - to improve the relationship to architecture and orientation to the street;
 - (ii) Fronting West King Edward Avenue - to improve the relationship to architecture; and
 - (iii) Adjacent to neighbouring properties - to increase privacy buffering.

22. 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" high curb.

23. Provision of maximized tree-growing medium and planting depths for tree and shrub planters to ensure the 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.

24. Provision of improved sustainability by the provision of confirmed urban agriculture plots and the addition of edible plants to the Plant Palette.

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.

25. Design development to ensure locations of hydro kiosk areas screened by soft landscape or in an internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

Sustainability

26. Provision of a Recycling and 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 and Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

27. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management 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.

Engineering

28. Provision of City of Vancouver building grades and corresponding design grades are required at all entries along the property lines.
29. Provision of an improved Landscape Concept drawing L.1.
30. 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) Provide measures to address conflicts between vehicles on the ramps.
- (ii) Provision of parabolic mirrors are recommended at the bottom of the main ramp at the southeast corner on drawing A.202 and at the bottom of the ramp from P1 to P2 at the southeast corner on drawing A.201.

- (iii) Provide improved sightlines at the north edge of the parkade entry ramp at the lane. See Section A1 and 2 on drawing A.203.

Note to Applicant: The wall with landscape should not exceed 2 ft. in height from grade. Consider a corner cut to improve sightlines.

- (iv) Show all overhead security gates on plans.
- (v) Provide a section drawing through the disability parking spaces shown on P1 parking level confirming that the 7' 6½" vertical clearance is maintained for the length of the stall.
- (vi) Confirm vertical clearance of all overhead obstructions in parkade levels P1 and P2.

Note: The minimum vertical clearance line steps down to the outside walls of the parkade on the section drawings. All projections into a stall must comply with Section B of the Parking and Loading Design Guidelines.

- (vii) Clearly show and label all stall projections on drawings A.201 and A.202.
- (viii) Provide Class A bicycle parking spaces as per the Parking By-law.

Note to Applicant: The By-law does not recognize a stacking bicycle rack to count as two bicycle spaces towards meeting the minimum bicycle parking requirements. As per Section 6.3.13, bicycle parking spaces shall provide for the bicycle parking to be placed horizontally on the floor or ground.

- (ix) 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 or elevator, if required.

- (x) Provide automatic door openers on the two doors providing access to the bicycle room(s).

Neighbourhood Energy Utility

- 31. 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.

32. 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.

33. 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.
34. 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.
35. 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.

Housing

36. Design development to ensure that a minimum of 25% of the proposed secured market rental units are designed to be suitable for families with children.
37. The building is to comply with the High-Density Housing for Families with Children Guidelines, and include a common amenity room with kitchenette and accessible washroom.

Note to Applicant: Indoor and outdoor common amenity areas should be adjacent to one another and have direct visual and physical connection between them.

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, 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

1. Provision of building setback and a surface SRW along the King Edward Avenue frontage of the site to achieve a 4.5 m distance from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the existing City curb to the existing property line is required to determine the final setback and SRW dimension.

Note to Applicant: Removal of all landscaping and structure from grade and above within the proposed SRW along King Edward is required.

2. Should the existing sidewalks on Cambie Street adjacent to the site be damaged during construction activities then the sidewalk is to be replaced to current City standards and consistent with the Cambie Corridor Public Realm Plan consisting of a minimum 2.1 m wide concrete sidewalks with light broom finish and saw cut joints. Replacement is to be determined at the sole discretion of the General Manager of Engineering Services.
3. Provision of a Services Agreement to detail 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 all utility services 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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 for road re-construction on King Edward Avenue adjacent to the site to generally include:
 - (a) New concrete curb and gutter;
 - (b) 2.35 m (7.75 ft.) raised cycle track;
 - (c) 1.22 m (4 ft.) concrete boulevard with new street trees where space permits;
 - (d) 2.14 m (7 ft.) concrete sidewalk with saw cut joints; and
 - (e) 0.3 m (1 ft.) concrete building strip.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.

- (iv) Provision for reconstruction of a portion of the center median on King Edward Avenue to accommodate the new road geometry including the removal or reduction of existing street trees. The City will provide a geometric for the design and confirm all dimensions.
 - (v) Provision of improved street lighting and additional pedestrian LED lighting adjacent the site.
 - (vi) Provision of a standard concrete lane crossing including adjustment of the two curb returns if required at the lane west of Cambie Street on the south side of King Edward Avenue.
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 mount 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, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: 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.

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.

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.

Housing

6. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement securing all residential units as rental housing units

for the longer of 60 years or the life of the building, and subject to the following additional conditions:

- (i) A no separate-sales covenant.
- (ii) A non-stratification covenant.
- (iii) None of such units will be rented for less than one month at a time.
- (iv) Such other terms and conditions as the General Manager of Community Services 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

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; 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 sites 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, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 6, 2016, entitled “CD-1 Rezoning: 512 West King Edward Avenue”, 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 contemplated by this report.
- C. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as presented in Appendix C of the Policy Report dated September 6, 2016, entitled “CD-1 Rezoning: 512 West King Edward Avenue”.
- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as presented in Appendix C of the Policy Report dated September 6, 2016, entitled “CD-1 Rezoning: 512 West King Edward Avenue”.
- 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 and the 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 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 - 512 West King Edward Avenue]