

SUMMARY AND RECOMMENDATION

3. REZONING: 2720 East 48th Avenue (6465 Vivian Street)

Summary: To rezone 2720 East 48th Avenue (6465 Vivian Street) from CD-1 (Comprehensive Development) District (7A) to a new CD-1 (Comprehensive Development) District, to increase the floor area from 1.03 to 1.55 FSR and to increase the height from 10.0 m (33 ft.) to 14.5 m (48 ft.) to permit a social housing development. A consequential amendment to CD-1 (Comprehensive Development) District (7A) to remove the rezoning site 2720 East 48th Avenue is also proposed.

Applicant: Colliers International

Referral: This item was referred to Public Hearing at the Regular Council Meeting of December 13, 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 Colliers International on behalf of The Fair Haven United Church Homes, the registered owners, to rezone 2720 East 48th Avenue [*PID: 009-361-332; Lot 3, Block 11, North East ¼ of District Lot 336, Plan 10606*], from CD-1 (Comprehensive Development) District (7A) By-law No. 3869 to a new CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.03 to 1.55 FSR and the building height from 10.0 m (33 ft.) to 14.5 m (48 ft.) to permit a social housing development including 137 dwelling units, generally as presented in Appendix A of the Policy Report dated November 13, 2016 entitled "CD-1 Rezoning: 2720 East 48th Avenue", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed preliminary form of development be approved by Council in principle, generally as prepared by NSDA Architects and stamped "Received May 19, 2016", subject to the following conditions, 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 to provide improved common indoor and outdoor amenity space, and opportunities for social interaction, within the building.

Note to Applicant: Noting that private balconies are not feasible, additional common outdoor amenity space should be provided within the building for the use of all residents. This may be achieved via the provision of a common lounge and balcony area at each upper level, located in conjunction with the main circulation core.

2. Design development to provide natural daylight to common spaces within the building.

Note to Applicant: This may be achieved by providing substantial additional glazing at the middle of the building to bring light into the main circulation core and common lounge amenity, as per condition #1. Additional daylighting of corridors may also be provided with windows at either end of the corridors, and at the exit stairs.

3. Design development to relocate the pedestrian parkade exit on Vivian Street to be within the building interior.

Note to Applicant: The pedestrian parkade exit should be contained within the building to improve the overall appearance of the main entry area, as well as to address potential CPTED (Crime Prevention Through Environmental Design) issues with regards to the exterior exit stairwell.

4. Submission of a bird friendly strategy for the design of the building and landscape is encouraged in the application for a development permit.

Note to Applicant: Strategy should identify any particular risks with regard to the Bird Friendly Design Guidelines and propose design features or to reduce these risks. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

5. Design development to explore provision of a larger setback to the retained Beech Tree in the front (east) yard.

Note to Applicant: A larger setback would provide more space for the existing tree canopy, as well as future growth. Consider provision of a larger setback by stepping the north portion of the building to the west such that the north corridor aligns with the south corridor, and does not jog as shown (See Landscape Condition 6).

Landscape

6. Design development to explore options to increase the setback from the building to the outer canopy of tree #942 (refer to design condition 5).

Note to Applicant: Tree #942 is a specimen purple beech tree located on the edge of the site. Ideally, the setback allowances would anticipate future growth of the tree and to allocate space for workers during construction. At time of development permit, staff will coordinate with the applicant team to review the tree protection

strategy. Modifications to the proposed streetscape may be needed, in coordination with General Manager of Engineering Services.

7. 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 downward) 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.

8. 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.

9. At time of development permit.

- (i) Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8": 1 ft. minimum scale. 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) Provision of a "Tree Management Plan".

Note to Applicant: 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 dimensioned 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 strategy (i.e. vertical shoring, shotcrete).

- (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 infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common amenity locations.
- (vi) Provision of a partial irrigation plan.

Note to Applicant: Provide high efficiency irrigation for all planted areas, including hose bibs for urban agriculture areas. Consider providing individual hose bibs for all private patios of 100 sq. ft. (9.29 m²). On the plan, illustrate hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

- (vii) Provision of an outdoor Lighting Plan.

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

- (viii) Provision of an updated, detailed arborist report.

Note to Applicant: The expanded report should inform design and discuss all development limitations. Include any construction limitations such as the location of construction storage materials, temporary structures, utility conflicts, site access, development phasing and temporary irrigation requirements.

- (ix) Provision of a letter of assurance for arborist supervision.

Note to Applicant: Arborist supervision is typically necessary when any work is required within a minimum root protection zone of a retained tree. The arborist should discuss the details of any supervision requirements within the arborist report, particularly if the plans depict any work that encroaches into a minimum root protection zone. Typically, an assurance letter will outline up to four key construction points where the arborist shall be contacted to attend the site. The letter must be signed by the owner, the contractor and the arborist.

Housing Policy and Projects

10. Provision of the completed Tenant Relocation Application Form which includes a list outlining the name of each tenant, the number of the tenant's unit, the size of unit, the type of unit, and their rent, as per Section 6.1(a) of the Tenant Relocation and Protection Guidelines.

Note to Applicant: An updated list of tenants must be submitted at the time of development permit application.
11. Provision of a Tenant Relocation Plan as per Section 2.1 of the Tenant Relocation and Protection Policy.
12. Provision of a letter stating the property address and legal description of the site, and providing the names and mailing addresses of all tenants.
13. Provision of a notarized declaration to be submitted prior to issuance of a development permit which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; includes information on posting of notice regarding the intent to redevelop as per Section 6.1(c); and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
14. Provision of a final Tenant Relocation Report to be submitted prior to issuance of the occupancy permit which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent, any other compensation); and includes a summary of all communication provided to the tenants.

Sustainability

15. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezoning, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Engineering

16. Provision of 0.3 m sod lawn between proposed planting and any sidewalk or connector walk.

17. Deletion of *vaccinium ovatum* and *mahonia aquifolium* from the plant list and provision of plant material on street right-of-way adjacent to the sidewalk that will not grow taller than 3'-0", will not spread more than 2'-0" and will not encroach into the sidewalk.
18. Show the existing transit stop on 49th Avenue on the submitted drawings.
19. Remove reference to the proposed drop-off zone located on Vivian Street from the submitted drawings. All passenger drop-off and pick-up to be provided on site.
20. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. If a garbage and recycling storage area for pick-up is required at grade, show the storage area and the waste hauler manoeuvring on the drawings.

Note to Applicant: Pick-up operations should not rely on bins being stored on the street or lane for pick-up; bins are to be returned to storage areas immediately after emptying.

21. Confirmation from BC Hydro that the wood pole proposed to be moved to accommodate the mid-block disability access on Vivian Street can indeed be relocated as desired.
22. 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 comprehensive parking plans for the existing care facility and the proposed rental housing, clearly showing the existing and proposed parking, loading and bicycle parking spaces and what use it is provided for.
- (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, at all entrances, throughout the loading bay, the passenger spaces, the parkade and surface parking levels.

Note to Applicant: Slopes and lengths of slopes to be dimensioned on submitted drawings.

- (iii) Provision of section drawings through the existing main parkade ramp and the new parking ramp showing elevations, vertical clearances and the security gates.

Note to Applicant: This is to demonstrate that 2.3 m vertical clearance is provided for access and maneuvering to the disability parking stalls.

- (iv) Dimension the vertical clearances in the parkade level on all section drawings on sheet A-402.
- (v) Show the ramps for access to and from the surface Class A and B passenger spaces, the Class B loading and the Disability Stalls on the submitted drawings.
- (vi) Provision of delineation between the Class A and B passenger spaces and the concrete walkways.
- (vii) Modify the Class A and Class B Passenger spaces to comply with the requirements of the Parking By-Law and Design Supplement.
- (viii) Provisions of a minimum 4.0 m stall width for the Class A passenger space if it is not flush with the adjacent walkway.
- (ix) Dimension the 4.0 m x 3.0 m landing area at the end of the stall for the Class B passenger space.
- (x) Provision of the minimum required throat width for the Class B passenger space to be shown on the drawings
- (xi) Modify the Class B loading space shown on drawing A-102 to reduce conflicts between the Class B maneuvering and the parking ramp access.

Note to Applicant: Engineering recommends providing a parallel Class B loading space instead measuring 40 ft. in length off of the existing drive aisle.

- (xii) Provision of the minimum required load throat for the Class B loading to be shown on the drawings.
- (xiii) Provision of an improved plan showing the operation route from the Class B loading space to the Rental Housing elevators.

Note to Applicant: The route should be direct, and the doors and corridors used for the loading operation should be designed for ease of use.

- (xiv) Show the existing Class A bicycle spaces for the Care Facility on the submitted drawings.
- (xv) 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 elevator or parking ramp, if required. Engineering recommends allowing the use of the elevators for the bicycles and scooters to reach grade for those unable to navigate up the existing ramp with a 15% slope.

- (xvi) Dimension all doors providing access to the bicycle/scooter storage rooms and confirm that they are wide enough to accommodate the scooters.
- (xvii) Provide automatic door openers on the doors providing access to the bicycle room(s).

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, Urban Design and Sustainability, the General Manager of Engineering Services, the General Manager of Community 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. Subdivision of Lot 3, Block 11, North East ¼ of District Lot 336, Plan 10606 to create the proposed parcel. Note: a subdivision application is required.
2. Provision of: a) a shared access agreement between the owners of the parcels to secure access to the easterly parcel's underground parking via the existing parking ramp on the westerly parcel; b) a separate agreement to address the other cross-boundary items such as the surface-level vehicle turn-around area and pedestrian access between the two parcels.
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 street re-construction adjacent to the site to generally include the following:
 - (a) a single corner bulge on Vivian Street at 49th Avenue;
 - (b) a double corner bulge at Vivian Street and 48th Avenue;
 - (c) upgraded street and pedestrian lighting adjacent all frontages of the site;
 - (d) new concrete 1.8 m wide saw-cut sidewalks adjacent the site on both 48th Avenue and 49th Avenue;
 - (e) provision of street trees adjacent the site where space permits; and

- (f) provision of countdown timers for the traffic signal/crosswalks at the intersection of Vivian Street and 49th Avenue.

Note to Applicant: All street work is to be fully at the owner's expense and include adjustment of existing street furniture, utility, or drainage systems necessary to accommodate the proposed street improvements.

- (ii) 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, 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.

Note to Applicant: The sewers must connect to both the existing 200 mm storm water and 200 mm sanitary sewer south of the property along 49th Avenue or to the 375 mm storm water and 200 mm sanitary sewer in the easement bisecting 2691 49th Avenue and 2720 49th Avenue. A main extension for the second option is required with all costs for the extension at the owner's expense.

- 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.

Housing Policy and Projects

- 5. 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 social housing, for the longer of 60 years and the life of the building, 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 minimum of 50 units (36%) are occupied by households with incomes below the housing income limits as set out in the current "Housing Income Limits (HILS)" table published by the British Columbia Housing Management Commission or equivalent publication, at a rent which is no more than 30% of household income, and meets all other applicable preconditions in order to comply with the development cost levy exemption provisions for social housing under the *Vancouver Charter*;
- (v) that priority for the units will be given to seniors, meaning at least one member of the household is aged 55 or older;
- (vi) compliance with the City approved Tenant Relocation Plan, including provision of a final Tenant Relocation Report prior to issuance of the occupancy permit; and 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*.

Environmental Contamination

6. If applicable:
- (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have 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 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 enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C, of the Policy Report dated November 13, 2016 entitled "CD-1 Rezoning: 2720 East 48th Avenue"; and

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- C. THAT, subject to approval of the CD-1 By-law for 2720 East 48th Avenue (6465 Vivian Street), consequential amendments to CD-1(7A) By-law No. 3869 to remove the rezoning site and to update the by-law provisions to support the existing development elsewhere in the CD-1, generally as presented in Appendix C of the Policy Report dated November 13, 2016 entitled "CD-1 Rezoning: 2720 East 48th Avenue", be approved.
- D. THAT, if after Public Hearing Council approves in principle the CD-1 rezoning and the Housing Agreement condition described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.
- E. THAT 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 any expenditures 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 - 2720 East 48th Avenue (6465 Vivian Street)]