

3. REZONING: 469-485 West 59th Avenue

Summary: To rezone 469-485 West 59th Avenue from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 43 dwelling units. A height of 21 metres (69 feet) and a floor space ratio of 2.50 are proposed.

Applicant: Francl Architects

Referral: This item was referred to Public Hearing at the Regular Council Meeting of May 16, 2017.

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 Francl Architects on behalf of Vantac (W58th & W59th Ave) Properties Ltd., the registered owner, to rezone 469-485 West 59th Avenue [*Lots 8, 7, and 6, Block 1005, District Lot 526, Plan 9489; PIDs: 008-172-480, 009-671-901, and 007-473-630, respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.50 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing 43 units, generally as presented in Appendix A of the Policy Report dated May 2, 2017 entitled "CD-1 Rezoning: 469-485 West 59th 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 Francl Architects on behalf of Vantac (W58th & W59th Ave) Properties Ltd, and stamped "Received, Planning and Development Services, October 31, 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 the approval of 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 clearly identifiable pedestrian access to the building's main entry from 59th Avenue.
2. Design development to reduce apparent building bulk and reduce potential overlook by reducing the length of balconies on level six.

3. Design development to reduce overlook impacts from level five balconies.
4. Design development to each building façade to address and respond to the specific orientation and urban condition that it faces.
5. Design development to provide smooth transitions in site grading from building grades at site edges to building face.

Note to Applicant: Ensure that the parking level structure does not protrude above grade. Refer also to landscape condition 17.

6. Design development to provide visual interest and variation to the building's exterior by introducing individual entrances to ground level units facing the street.
7. Design development to improve the configuration of the outdoor amenity area.

Note to Applicant: To accommodate a variety of functions, the outdoor space should be scaled such that no side is less than 20 ft. Children's play space should be provided consistent with the expectations of the *High-Density Housing for Families with Children Guidelines*.

Crime Prevention through Environmental Design (CPTED)

8. Design development to consider the principles of CPTED, 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

9. Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to a standard 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, and adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

10. Provision of a Tree Plan.

Note to Applicant: Provide a Tree Plan that is separate from the Landscape Plan and consistent with the survey and arborist report. The scaled plan should be accurate and clearly illustrate all trees to be

removed and retained, including offsite trees and any necessary tree protection barriers. Tree replacements can be shown on the proposed landscape planting plans.

11. Illustration of any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should be provided to describe the approach to rainwater management.

12. Provision of large scale, dimensioned, landscape sections [typical] through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

13. Provision of high efficiency irrigation for all planted areas and individual hose bibs for all private patios of 100 sq. ft. (9.29 sq. m) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

14. Provision of written neighbor consent for the removal of tree # 101.

Note to Applicant: Legal ownership will need to be verified by legal survey. The arborist report tree plan indicates the tree is located on a neighboring property. In the event that a letter of consent cannot be obtained from the adjacent owner, design development and further arborist consultation will need to demonstrate retention of the tree.

15. Design development to avoid tall retaining walls along the front residential interface of 59th Avenue.

Note to Applicant: Grades and patio layout should be resolved to ensure that retaining wall heights are presented at a pedestrian scale of approximately 0.6 m. Higher walls may be needed where severe site constraints exist.

16. Design development to the integration of the architecture, grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward).

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

Note to Applicant: This includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

18. Consideration to incorporate the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City. 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>.

Sustainability

19. 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.
20. 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: 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.

Neighbourhood Energy Utility

21. 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.
22. 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.

23. 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.
24. 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.
25. 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

Engineering

26. Clarify garbage pick-up operations and provide written confirmation that a waste hauler can access and pick up from the location shown.

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.

27. Delete curbing shown in the lane.
28. Provision of a landscape plan that reflects the off-site improvements sought by this rezoning.
29. Existing wood power pole in lane conflicts with access to the main parkade ramp. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation are required. Written confirmation that the pole can be relocated is required.
30. First risers of all stairways must be at least 1 ft. from the property line.
31. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Increase the width of the knock out panel to align it with the east-west manoeuver aisle and the corner cut.
- (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, throughout the parking levels, and at all entrances. The slope and length of the ramp sections to be shown on the submitted drawings.
- (iii) Reduce conflicts for the opposing parking ramps proposed in the lane.

Note to Applicant: Explore providing a reduced slope at the lane for improved sightlines.

- (iv) Provision of section drawings showing elevations and vertical clearances for the main ramp and for all security gates in the parking levels.

Note to Applicant: Minimum 2.3 m clearance is required for disability spaces.

- (v) Show all columns in the parking levels and dimension all column encroachments.
- (vi) Dimension the manoeuver aisle on the P2 parking level.
- (vii) Provision of 8.5 ft. stall width for small car stall 62 next to a wall.
- (viii) Clarify if there is an overhead projection at small car stall 51.

Note to Applicant: Stall 51 should be set back to provide access to the residential storage. All overhead projections to be shown on parking level plans.

- (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, if required.

- (x) 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 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 6-8, Block 1005, District Lot 526, Plan 9489 to create a single parcel.
2. Provision of a shared access agreement (legal agreements) to secure access to underground parking within future development on the adjacent property at 463 West 59th Avenue (Lot 9, Block 1005, District Lot 526, Plan 9489) are required. Note: provision of a knockout panel (as alluded to on the applicant's drawing A-202) at the appropriate location along the vehicular entry ramp is required.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, 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 either:

- a. A stormwater management plan that controls site flows such that pre- and post-development flows are equal for the 1 in 5 year storm. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems; or
- b. Twinning of the existing combined sewer main in 59th Avenue from the lane east of Cambie Street to Alberta Street fully at the applicant's expense.

Note to Applicant: It may be possible to reuse the existing combined main as the sanitary sewer. The developer's Engineer to confirm.

(iii) Provision of street re-construction on 59th Avenue adjacent to the site to generally include the following:

- a. Provision of a "T intersection" curb bulge on the north side of 59th Avenue at the extension of Yukon Street, including adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: Engineering will provide the road geometry.

- b. Upgrading of the traffic signal at Cambie Street and 59th Avenue to provide a south bound to eastbound left turn arrow. Work to include adjustment of all existing infrastructure necessary to accommodate the signal upgrade.

Note to applicant: Traffic signal upgrading costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

- c. Provision of new 1.8 m CIP concrete sidewalk with saw cut joints adjacent the site.
- d. Provision of standard concrete lane crossing on the north side of 59th Avenue at the lane east of Cambie Street.
- e. Provision of street trees adjacent the site where space permits.
- f. Provision of street lighting upgrading to LED standard and pedestrian scale lighting adjacent the site.

- g. Provision of speed humps in the lane east of Cambie Street between 58th Avenue and 59th Avenue.

Note to applicant: Speed hump costs borne by this project may be reduced should benefiting nearby development proceed concurrently with this project with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.

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.

Neighbourhood Energy Utility

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 Marpole Community 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:

- a. Until a City-designated NES utility provider has been identified, the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.

- b. The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
- c. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

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.

Community Amenity Contribution (CAC)

- 7. Pay to the City the Community Amenity Contribution of \$1,920,780 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 \$1,920,780 is to be allocated as follows:
 - (i) \$960,390 (50%) to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Marpole Community Plan area;

- (ii) \$864,351 (45%) toward childcare and community facilities in and around the Marpole Community Plan area; and
- (iii) \$96,039 (5%) to the Heritage Conservation Reserve to enable 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 registered 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-laws.

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 Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as presented in Appendix C of the Policy Report dated May 2, 2017 entitled "CD-1 Rezoning: 469-485 West 59th Avenue".
- C. THAT A and B be adopted on the following conditions:
 - (a) 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 expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the cost;
 - (b) 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
 - (c) 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 - 469-485 West 59th Avenue]