

## SUMMARY AND RECOMMENDATION

**6. REZONING: 5030-5070 Cambie Street**

**Summary:** To rezone 5030-5070 Cambie Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey residential building with 51 dwelling units. A height of 20.3 metres (67 feet) and a floor space ratio (FSR) of 2.40 are proposed.

**Applicant:** Pennyfarthing Hillcrest Developments Ltd.

**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 Pennyfarthing Hillcrest Developments Ltd., the registered owner, to rezone 5030-5070 Cambie Street [*Lots 8, 9, and Amended Lot 10 (Explanatory Plan 8233), all of Block 840, District Lot 526, Plan 8324; PIDs: 010-152-245, 005-762-723 and 010-153-764, 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 2.40 FSR and the height from 10.7 m (35 ft.) to 20.3 m (67 ft.) to permit the development of a multi-family residential building containing a total of 51 market residential units, generally as presented in Appendix A of the Policy Report dated May 2, 2017 entitled "CD-1 Rezoning: 5030-5070 Cambie Street", be approved subject to the following conditions:

**CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Shift Architecture Inc., on behalf of Pennyfarthing Development, and stamped "Received Planning Department, August 5, 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 to provide an improved relationship to the landscape design at the adjacent Milton Wong site.

Note to Applicant: Noting the significance of the landscape design by Cornelia Oberlander, it is recommended to provide a more consistent landscape treatment at adjacent open spaces. A more organic, natural landscape, including the use of basalt, should be provided consistent with the Milton Wong site. The landscape treatment should read as continuous across the site boundaries, particularly at the residential entry and inner courtyard. See Landscape Condition 7.

2. Design development to the courtyard to provide additional common outdoor amenity space.

Note to Applicant: The courtyard should incorporate seating nodes, which also incorporate soft landscaping, along the central circulation path to provide opportunities for social contact. A minimum of three user-friendly, passive seating nodes, with minimum of two benches each should be provided. Children's play space should be provided consistent with the expectations of the *High-Density Housing for Families with Children Guidelines*.

3. 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>.

4. Design development to the north end of the building to provide a more residential scale.

Note to Applicant: Reconsider the proposed monolithic end walls. It is suggested to provide a finer grain in terms of material treatment and fenestration, which may reference the horizontal proportions of the retained Milton Wong house at the adjacent site.

## Housing

5. The proposed unit mix, including 8 three-bedrooms (16%), 30 two-bedrooms (59%), 12 one-bedrooms (23%), 1 studio (2%) and 3 two-bedroom townhouses (7%) are 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 softer transition from the Milton Wong site to acknowledge the heritage value of that site and achieve a more organic, naturalized character at the north site plan, by the following:
- (i) Replace hard edges of path, planters, benches and play area with more organic, informal forms, continuing the lines of the heritage rock formation;
  - (ii) Replace the water feature at the front entry with another, smaller rock outcrop feature, of similar geologic composition as the heritage rock, to be made of naturally occurring rock; and
  - (iii) Integrate hard and soft materials of similar type as the Milton Wong site.

8. Design development to provide a more conservative tree removal strategy, enabling the relocation of Trees #13 and 16, to be re-integrated into the final landscape design.

Note to Applicant: It is expected that all developments will adhere to Council's approved Urban Forest Canopy strategy, by retaining a maximum of viable trees while still allowing development. A revised Arborist Report should document and make recommendations for methods of protection for trees to be retained.

9. 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.

10. 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 exceed BCSLA standards.

11. Provision of improved sustainability by the provision of confirmed urban agriculture plots and the addition of edible plants to the proposed 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.

12. A Letter of Assurance for arborist supervision, detailing construction activities and landscaping that need to be supervised. The letter should include timing required by the arborist to schedule site attendance and to be signed and dated by arborist, owner and contractor.
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'-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.
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 Park Board regarding tree species.
18. 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.
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 light poles should be shown.

## Sustainability

20. 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.

21. 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 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 of 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 Services

22. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
23. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
24. Deletion of the specialty sidewalk treatments or other extensions that extend over the property line onto Cambie Street and the lane.
25. Subject to City Council approval, Provision of sidewalk treatments in keeping with the Cambie corridor public realm plan. An updated

landscape and site plan that reflects both the Cambie corridor sidewalk treatments and proposed off-site improvements sought by this rezoning is required. Please supply an update plan directly to Engineering for review.

Note to Applicant: All first step risers are to be 1'-0" behind the property lines.

26. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
- (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, within the parking area, and at all entrances.  
  
Note to Applicant: This is required to calculate the slope and crossfall.
  - (ii) Relocate the Class A loading space, closer to the elevator core.
  - (iii) Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.  
  
Note to Applicant: Locating the Class A loading space to stall 9 would achieve this.
  - (iv) Provision minimum vertical clearance for the main ramp and security gates.  
  
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. Show all overhead gates on the parking plans.
  - (v) Consider providing additional stall width for stalls 14 and 56 as these stalls are adjacent to perpendicular stalls.
  - (vi) Dimension all stalls and all column encroachments.  
  
Note to Applicant: Stalls 14-20, 28-30, and 50-56 are missing stall lengths.
  - (vii) 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.
  - (viii) Confirm the bike rack shown on drawing L01 can accommodate 6 Class B spaces as the rack is only being used on one side.

## Neighbourhood Energy Utility

27. 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.
28. 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.

29. 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.
30. 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.
31. 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.

## 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, make arrangements for the following:

### Engineering Services

1. Consolidation of Lots 8, 9 and Amended Lot 10 (Explanatory Plan 8233), all of Block 840, District Lot 526, Plan 8324 to create a single parcel.

2. Provision of a shared access agreement for vehicular access onto the adjacent property at 485 West 35th Avenue [Amended Lot 11 (Explanatory Plan 8233), Block 840, District Lot 526, Plan 8324] 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 a new bus stop including bus ID (signage), bus shelter and concrete landing space for bus users on the east side of Cambie Street, north of 35th Avenue. Specific location to be determined pending detailed review by CMBC and Transportation Design Branch.
  - (ii) Provision street re-construction or cash payment for street improvements on Cambie Street adjacent to the site to generally include the following; new curb and gutter, a 2.5 m wide raised protected bike lane, a 2.13 m (7 ft.) wide broom finish concrete sidewalk with saw cut joints, improved street and pedestrian LED lighting including a lighting analysis and design, and adjustment to all existing infrastructure to accommodate the proposed street improvements.

Note to Applicant: Specific public realm improvements are subject to completion and adoption of the Cambie Corridor Public Realm Plan.
  - (iii) Provision of street trees adjacent the site where space permits.
  - (iv) 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.
  - (v) Upgrading of approximately 110 m of the existing 250 mm combined sewer is required. The existing combined sewer is to be upgraded through provision of a minimum 200 mm sanitary sewer and a minimum 375 mm storm sewer to be constructed from the manhole upstream of the existing northerly combined connections that currently serve the site to the manhole at the intersection of the lane east of Cambie Street and 35th Avenue.



The cost is fully at the applicant's expense and is currently estimated at approximately \$275,000.

Note to Applicant: A detailed design of the civil works for this sewer upgrade are to be substantially completed prior to issuance of the related development permit

- (vi) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain storm water storage systems.
- (vii) 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.

4. 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 a 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.

### **Environmental Contamination**

5. 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**

6. Pay to the City a Community Amenity Contribution of \$2,124,870 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 \$2,124,870 is to be allocated as follows:
  - (i) \$1,062,435 to the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Plan area;
  - (ii) \$849,948 towards childcare and community facilities serving the community in and around the Cambie Corridor Plan area; and

- (iii) \$212,487 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 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: 5030-5070 Cambie Street".
- 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 the 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 - 5030-5070 Cambie Street]