

## SUMMARY AND RECOMMENDATION

**7. REZONING: 210-262 West King Edward Avenue**

**Summary:** To rezone 210-262 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a four-storey residential building with 52 secured market rental units. A height of 13 metres (44 feet) and a floor space ratio (FSR) of 1.77 are proposed.

**Applicant:** STRAND Development

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of April 11, 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 STRAND Development, on behalf of DBBD PROJECTS (262 West King Edward) Ltd., the registered owner, to rezone 210-262 West King Edward Avenue [Lots 6 to 8, Block 682, District Lot 526, Plan 6539; PIDs: 010-879-196, 010-879-226 and 004-284-909 respectively] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space (FSR) from 0.70 to 1.77 FSR and the height from 10.7 m (35 ft.) to 13.0 m (44 ft.) to permit the development of a four-storey residential development containing a total of 52 secured market rental units, generally as presented in Appendix A of the Policy Report dated March 28, 2017 entitled "CD-1 Rezoning: 210-262 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 Yamamoto Architecture, on behalf of Strand Development, and stamped "Received Planning Department, June 15, 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 relocate the outside amenity space adjacent to the inside amenity space and integrate into the overall courtyard design.

Note to Applicant: The current location, at and near the transformer is not supportable and is not co-located with the internal amenity space.

2. Design development to improve the screening of the transformer.

Note to Applicant: This can be achieved with either build elements or landscape material.

3. Design development to ensure and maintain the use of high quality, durable materials.

Note to Applicant: Hardie board is not considered to be a high quality material. The use of brick is supported.

4. 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>.

### Housing

5. The proposed unit mix, including 5 three-bedrooms (10%), 15 two-bedrooms (29%), 29 one-bedrooms (56%) and 3 studios (6%) 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 more conservative tree removal strategy, as follows:
  - (i) Tree #766 - to be retained and protected; and
  - (ii) Tree #769 - to be relocated.

Note to Applicant: It is expected that retained or relocated trees to be integrated into the landscape design. This will require revisions to the

parkade to accommodate safe tree protection. A revised arborist report or addendum should be submitted, to confirm methods of protection. If arborist supervision is required, then a Letter of Assurance should also be provided, signed and dated by arborist, owner and contractor.

8. Design development to improve the livability of the common courtyard by the following:
  - (i) Widen the common areas as much as possible, to achieve a more usable space.
  - (ii) Provide more opportunities for informal seating and gathering by including some lawn areas, seat walls and additional benches.
  - (iii) Ensure that planters over parkade in common areas are flush with grade, rather than raised, for a smooth, unobstructed visual experience. This will require alterations to the parkade height, in order to allow adequate depth of soil.
  - (iv) Relocate the children's play area, including benches for parent supervision, further from the PMT location. The play area should be located in proximity of an indoor amenity room, where visual access for adult supervision of children can take place.

9. Design development to expand programming to include urban agriculture plots in common outside areas, with notations on plan to confirm.

Note to Applicant: This should follow the City's Urban Agriculture Guidelines for the Private Realm and include infrastructure required, such as potting benches, hose bibs, etc. Garden plots should be wheelchair accessible.

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

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

11. 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.
12. 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.

13. 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.

14. 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.
15. 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.

16. 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.

17. 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**

18. 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.

19. 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

20. Clarify garbage pick-up operations. Please 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.

21. Provision of on-site garbage holding area at the lane edge.
22. Removal of special paving, benches and other features proposed on public property near the intersection of King Edward Avenue and Columbia Street.
23. Clarification that the accessible ramp adjacent to King Edward Avenue is fully on private property.
24. Provision of groundcover or other low landscape on private property near the intersection of the lane and the sidewalk on Columbia Street to ensure good lines of sight between pedestrians and vehicles exiting the lane.
25. Provision of an updated Landscape Plan that reflects the off-site improvements sought for this rezoning.
26. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
  - (i) Label and number all types of parking. Electric vehicle spaces should be labelled on the drawings.
  - (ii) Provision of additional design elevations on both sides of the parking ramps at all breakpoints, both sides of the manoeuvre aisle, throughout the parking level, and at all entrances.
  - (iii) Note to applicant: slopes and lengths of slopes to be calculated and shown at the center and both sides of the ramps.

- (iv) Modification of the parking ramp design to improve sightlines and operations for the parking ramp (located less than 15 m from the adjacent property's ramp). Modifications include:
  - a. Design development to reduce grades at the ramp for the first 20 ft.
  - b. Provision of a convex mirror to be installed on the east side of the parking ramp wall. To be shown and noted on drawings.
  - c. Provision of a corner cut at the SW corner of the parking ramp.
  - d. Provision of landscaping and structure not to exceed 0.6 m in height from road grade to top of structure at the SW corner of the parking ramp.
- (v) Provision of a 6.6 m (22 ft.) manoeuvring aisle width or 2.74 m (9 ft.) stall width.
- (vi) Provision of additional parking stall width, minimum 2.7 m (8.10 ft.), for stalls adjacent to a wall.
- (vii) Provision of hatching adjacent the access aisle in front of the mechanical/ plumbing/sprinkler/water entry room and the NW staircase.
- (viii) Provision of Class B bicycle parking in accordance with the Parking By-law.

Note to Applicant: Required class B bicycle parking is to be provided on-site. Engineering recommends the following placement practices; Use of single ring or inverted u bike racks that are a minimum of 36 in. from any wall, building or other vertical element and from each other and 48 in. separation is recommended.

- (ix) Provision of an improved plan showing the access route for 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) Provision of automatic door openers on the doors providing access to all 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, make arrangements for the following:

### Engineering Services

1. Consolidation of Lots 6 to 8, Block 682, District Lot 526, Plan 6539 to create a single parcel.

Note to Applicant: It is recommended that efforts be made to discharge Restrictive Covenants GB47590 & GB47591 from title. However, as these covenants (which require approval from the CPR Company for and set a minimum dollar value of any proposed house) are not in favour of the City, their release is not a condition of redevelopment of these properties.

2. Provision of a statutory right-of-way (SRW) for public pedestrian use of an expanded sidewalk over an area in the northwest corner of the site measured 0.55 m deep at the west property line and tapering in an easterly direction to provide a distance of approximately 4.6 m from the back of the curb to the south edge of the right of way.

Note to Applicant: Door swings are not to extend over the statutory right of way line, the underground parking exit stairwell door-swing and at least one residence entry gate (A0.7a) would appear to extend over the proposed SRW line.

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 cash payment of up to \$175,000.00 towards the installation of a pedestrian activated traffic signal at the intersection of Columbia Street and King Edward Avenue. Such signal to be installed at a date and time that is at the discretion of the General Manager of Engineering Services.
  - (ii) Provision of speed humps in the lane south of King Edward Avenue between Columbia Street and Yukon Street, subject to neighbourhood review.
  - (iii) Provision of street re-construction on King Edward Avenue adjacent to the site to generally include the following: new curb and gutter, curb ramps and curb return, a 2.5 m raised protected bike lane, a 1.22 m grass front boulevard with street trees, a 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints, including adjustment to all existing street infrastructure to accommodate the proposed King Edward Avenue improvements.

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

- (v) Provision of upgraded street lighting on King Edward Avenue and Columbia Street and new pedestrian scale lighting on King Edward Avenue adjacent the site to meet current lighting standards.
  - (vi) Provision of new 1.83 m CIP broom-finish concrete sidewalk with saw-cut joints and new curb ramps, and street trees on the Columbia Street frontage adjacent to the site.
  - (vii) Provision of a standard concrete lane crossing on the west side of Columbia Street at the lane south of West King Edward Avenue including replacement of curb returns and curb ramps on both sides of the lane entry should it be necessary to meet standards.
  - (viii) Provision of adjusted or new traffic regulatory signage on West King Edward Avenue adjacent the site.
4. 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.
  5. Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flow rate will be less than or equal to current site run-off.
  6. Provision of all utility services to be underground. All electrical services to the site must be primary with all electrical plant including but not limited to system vista, vista switch gear, pad mounted transformer and street vaults or any additional required hydro equipment is to be located on private property.
  7. The applicant is to provide confirmation that all required electrical plant is provided for on-site. There is to 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.

## Housing

8. 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.

## Environmental Contamination

9. 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, if Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated March 28, 2017 entitled "CD-1 Rezoning: 210-262 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) and 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 Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated March 28, 2017 entitled "CD-1 Rezoning: 210-262 West King Edward Avenue".
- D. THAT A through C 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 - 210-262 West King Edward Avenue]