

SUMMARY AND RECOMMENDATION

6. REZONING: 6679-6695 Main Street (191 East 51st Avenue)

Summary: To rezone 6679-6695 Main Street (191 East 51st Avenue) from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building with 28 secured market rental housing units. A floor space ratio (FSR) of 3.55 and height of 22.3 m (73 ft.) are proposed.

Applicant: SKA Properties Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of December 12, 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 SKA Properties Inc., on behalf of HWP 6679 Main Street Ltd., the registered owner, to rezone 6679-6695 Main Street (191 East 51st Avenue) [PID 008-957-452; Lot A, Block 3, District Lot 651, Plan 21490] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 2.50 to 3.55 and the building height from 13.8 m (45 ft.) to 22.3 m (73 ft.) to permit the development of a six-storey mixed-use building with 28 secured market rental housing units, generally as presented in Appendix A of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st Avenue)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by F. Adab Architects Inc. on behalf of SKA Properties Inc., and labeled "Received April 26, 2017 Rezoning - PDS", 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 for the following:

Urban Design

1. Design development to provide an indoor amenity room for the use by building residents.

Note to Applicant: Indoor amenity should be approximately 45 sq. m and located adjacent to outdoor amenity with visual and physical connections. This may be located at the ground level in the southwest

corner in place of the townhouse unit and include children's play equipment. See also conditions 14 and 37.

2. Design of below grade parking structures to be provided at adequate depths below grade to ensure the planting of trees and mature landscape may be successfully executed.

Note to Applicant: See also Landscape condition 17.

3. Design development of roof top outdoor amenity area to provide a minimum of 25% of the roof area as intensive green roof.

Note to Applicant: If rooftop access is to be excluded from the calculation of height, rooftop urban agriculture space must be provided in accordance with the *Urban Agriculture Design Guidelines for the Private Realm and Roof-mounted Energy Technologies and Green Roofs - Discretionary Height Increases Bulletin*. Children's play equipment may be considered at the upper roof level.

4. Design development to improve the layout and function of private outdoor space, including the removal of enclosed balconies.

Note to Applicant: Minimum balcony dimensions should be 1.8 m (6 ft.) deep with a minimum area of 15.25 sq. m (50 sq. ft.). Extending the balconies on the east façade into the 0.6 m setback may be considered based on the layout and function of the balconies and architectural expression.

5. Design development to improve the livability, function and horizontal access to daylight for dwelling units with balcony enclosures.

Note to Applicant: Balcony enclosures, if provided, are not eligible for exclusion from floor area calculations (i.e. they will be counted toward the net FSR) and must meet the performance objectives of *Balcony Enclosure Guidelines* and the Administrative Bulletin for *Balcony Enclosure for New Buildings* including for layout, location, and appearance.

6. Provision of a vertical vent space to accommodate future exhaust from the commercial level.

Note to Applicant: The intent is to allow for a wider range of uses, including restaurants, without requiring the retrofitting of exhaust ducting on the outside of the building.

7. Provision of adequate storage for each unit.

Note to Applicant: Storage is required for each unit, whether in the unit or below grade, as anticipated in the *Bulk Storage and In-Suite Storage - Multiple Family Residential Development Bulletin*.

8. At time of development permit, provision of:

- (i) Detailed section drawings with notes and dimensions including planter and soil depths, balcony railing design, weather protection, roof top overhead structures and other indicative exterior details.
- (ii) High quality durable materials that maintain the level of exterior detailing and finish necessary to accomplish the intended expression of the building in this application.

Note to Applicant: Synthetic or acrylic stuccos are not considered high-quality materials.

- (iii) Design to ensure that mechanical units and service equipment including any anticipated cell antennas, mechanical screening structures and parkade exhaust ventilation do not compromise the integrity of the architectural expression.

9. The proposed unit mix, including 2 studio units (7%), 13 one-bedroom units (46%), 9 two-bedroom units (32%), and 4 three-bedroom units (14%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

10. Submission of a bird-friendly strategy for the design of the building 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://guidelines.vancouver.ca/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

11. Identify on the drawings strategies that consider the principles of CPTED including the following conditions:
- (i) Limiting opportunities for nuisance activities, mischief in alcoves, and blind corners;
 - (ii) Limiting unobserved access or activity and encouraging natural visual surveillance;
 - (iii) Mail theft;
 - (iv) Site lighting developed with considerations for safety and security; and
 - (v) Reduced opportunities for graffiti;

Note to Applicant: Alcoves and other similar visually hidden areas should be designed so as to not be covered or have limited cover and be well lit. Opportunities for graffiti can be mitigated by reducing areas of exposed wall and by covering with vines, hedges or a rough finish material.

12. Design development to improve visibility and security in the underground parking in accordance with the Parking By-law including:
 - (i) Overhead lighting and step lights at exit stairs and doors;
 - (ii) 24-hour lights and walls painted white; and
 - (iii) Visibility at doors, lobbies, stairs and other access routes.

Landscape Design

13. Design developments to provide higher quality landscape plans at all levels. Landscaping should be visible from the street, use larger, more significant planting to soften the edges, and use woody evergreen plants for a year-round presence.
14. Design development to expand programming to include a children's play area, complete with adequate seating opportunities for adult supervision.

Note to Applicant: A children's play area should be located in two areas: one smaller space should be located on the ground level adjacent to the indoor amenity space referenced in condition 1, with visual access, and another, larger space on the rooftop, for better solar access.

15. Design development to grades, retaining walls, walkways and structural design, to ensure that neighbouring grades are met and that outside private spaces are respected. This should be confirmed in at least three east-west sections, from the building face to the west neighbouring property. The section should be of sufficient scale to detail fences, walls, walkways, stairs and other landscape elements.
16. Design development to the 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 screen with landscaping. No trenching for utility hook-ups shall take place inside tree protection zones.

17. Provision of maximized tree growing medium and planting depths for tree and shrub planters on all levels to ensure long-term viability of the landscape, to be confirmed by dimensioned details.

Note to Applicant: Growing mediums and planting depths should exceed BCSLA standards.

18. 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.

19. A full landscape plan for the proposed landscape is to be submitted. The landscape plan should illustrate the proposed plant materials (with common 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 of 1:100 or 1/8" scale.

20. Section details at a minimum scale of 1/2" = 1 ft. scale to illustrate typical proposed landscape elements including benches, fences, gates, arbours and trellises, and other features.

21. Sections (1/4" = 1 ft. or 1:50) illustrating the building to public realm interface along 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.

22. New proposed street trees should be coordinated with Engineering and the Park Board and noted "Final species, quantity and spacing to the approval of the 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.

23. A high-efficiency automatic irrigation system to be provided for all planters.

24. 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

25. Confirm that the building is on track to meet the requirements of the preceding *Green Buildings Policy for Rezonings* (as amended up to January 14, 2016), 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.

26. In lieu of the requirements outlined in Condition 25, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Building are summarized at: <http://guidelines.vancouver.ca/G015.pdf>.

Engineering

27. Delete special sidewalk treatments shown on the Main Street and 51st Avenue frontages and show standard broom finished sidewalk.
28. Provision of any gas service is to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
29. Provision of construction details to determine the ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

30. 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 and 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.
31. 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.

32. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the building's internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
33. Provision of a landscape plan that reflects the off-site improvements sought for this application. Please provide a copy of the updated landscape plan to Engineering for review.
34. The following statement is to be placed on the landscape plans:

"The landscape plan is to be noted as 'NOT FOR CONSTRUCTION' and is to be submitted for review to Engineering Services a minimum of eight weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive 'For Construction' approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering Building Site Inspector for details."
35. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of all parking stalls to be numbered, labelled and dimensioned.
 - (ii) Confirmation that a security gate on P1 separating the commercial parking and the residential parking is required and clearly show the gate(s) on the drawings.
 - (iii) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp, through the loading bay and the P1 parking level.

Note to Applicant: Label minimum clearance for parking levels on drawings, including at overhead gate and mechanical projections.
 - (iv) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, throughout the parking levels at all sloped sections and at all entrances.

Note to Applicant: The lengths of the sloped sections is to be shown on the submitted drawings.
36. Modification of the parking ramp design as follows:

- (i) The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4 m in length.
- (ii) Ramps which have a 15% slope and are exposed to the weather must be heated.
- (iii) Design development to reduce vehicle conflicts on the ramps with widths less than 20 ft.

Note to Applicant: A review of the design by a qualified Transportation Consultant is required.

- (iv) All maneuver aisles, columns, and column setbacks to be dimensioned on the drawings.
- (v) Provision of a double loading bay throat for the Class B loading space.
- (vi) Provision of an updated 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.

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

Housing

- 37. The development is to comply with the High-Density Housing for Families with Children Guidelines, and include a kitchenette and accessible washroom in the indoor common amenity room.

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

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, 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. Release of Easement and Indemnity Agreement 402301M (commercial crossing) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

2. Provision of building setback and surface statutory right-of-way (SRW) to achieve a 4.5 m distance from the back of the City curb to the building face. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to determine the final setback and SRW dimension. Where required, the SRW agreement will accommodate the underground parking levels P1-P3, a projection at the roof level, and, potentially, small portions of balconies.
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 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 adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
 - (iii) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Water Course By-law. The plan shall achieve the following objectives:
 - a. Retain or infiltrate 50% of the six-month storm event volume (24 mm) onsite.

- b. Treat the six-month event (48 mm) onsite.
- c. Maintain the pre-development two-year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post-development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure on-going operations of certain stormwater storage, rainwater management and green infrastructure systems.

- (iv) Provision of upgraded street lighting on the site frontage to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (v) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations, and depths.

- (vi) Provision of a standard concrete lane crossing including upgraded curb returns and ramps on the north side of 51st Avenue at the lane west of Main Street.
- (vii) Provision of street trees adjacent the site where space permits.
- (viii) Provision of new concrete sidewalk on 51st Avenue a minimum of 1.8m in width adjacent the site.
- (ix) Where extensive damage of the existing sidewalk on Main Street fronting the development site may occur during the course of construction, the site is to replace the existing sidewalk with current sidewalk standards including saw cut control joints. The determination to replace the sidewalk is to be at the sole discretion of the General Manager of Engineering Services.
- (x) Provision of countdown timers and LED intersection lighting (all four corners) for the signal located at 51st Avenue and Main Street.

- 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 System Vista, Vista switchgear, pad mounted transformers, LPT 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. In addition 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

Housing

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 and/or Section 219 Covenant securing all 28 residential units as rental housing for 60 years or the life of the building, whichever is greater, and subject to the following additional conditions in respect of those units:
 - (i) That such units may not be subdivided by deposit of a strata plan.
 - (ii) That none of such units may be separately sold.
 - (iii) That none of such units will be rented for less than one month at a time.
 - (iv) On other such 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 at by-law enactment pursuant to Section 565.2 of the Vancouver Charter and/or a Section 219 Covenant.

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 the Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this 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 issued 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 November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st 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 property owner(s) and their mortgagee(s) prior to enactment of the CD-1 By-law contemplated by this report.
- C. THAT the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st Avenue)", be approved.
- D. 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 6679-6695 Main Street (191 East 51st Avenue)".
- E. THAT A through 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 expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials 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 - 6679-6695 Main St (191 E 51st Ave)]