

SUMMARY AND RECOMMENDATION

5. TEXT AMENDMENT: 1030 Denman Street

Summary: To amend CD-1 (537) (Comprehensive Development) District for 1030 Denman Street to change the limitation on Hotel use, allowing for the conversion of Levels 2 and 3 of the existing building to a 68-room boutique hotel.

Applicant: DA Architects and Planners

Referral: This item was referred to Public Hearing at the Regular Council Meeting of November 15, 2016.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by DA Architects and Planners, on behalf of 0792203 B.C. Ltd. (Siddoo Properties Ltd.) to amend CD-1 (Comprehensive Development) District (537) By-law No. 10566 for 1030 Denman Street [*PID: 002-982-455, Lot D, Block 59, District Lot 185, Plan 17575*], to change the limitation on Hotel use, allowing for the conversion of Levels 2 and 3 of the existing building to a 68-room boutique hotel, generally as presented in Appendix A of the Policy Report dated November 1, 2016 entitled "CD-1 Text Amendment: 1030 Denman Street (Coast Plaza Hotel)", 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 DA Architects and Planners, on behalf of 0792203 B.C. Ltd. (Siddoo Properties Ltd.) and stamped "Received Planning Department, June 21, 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:

Engineering

1. Approval of the detailed design drawings for the "hub works" on Comox Street is required.
2. Provision of a letter of credit to secure the obligations set out in the services agreement for the 2012 rezoning.

3. Provision of automatic door openers providing access to the bicycle room(s) and note on plans.
4. Clarification of all existing canopies and confirmation that they meet the Vancouver Building By-law (VBBL) for demountability and drainage. If they are not compliant, improvements to the canopies are required to meet the VBBL or alternatively the provision of a standard form encroachment agreement for those canopies that do not meet the VBBL is required.
5. Provision of a canopy application for all proposed canopies that extend over the property lines.
6. Provision of an updated landscape plan that reflects the extent of work on public property intended by the current rezoning and the 2012 rezoning.
7. The ETS room for the Neighbourhood Energy Utility system is to be provided below grade.
8. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- (i) Confirmation that 2.3 m of vertical clearance is being provided for access and maneuvering to all disability spaces. This information should be clearly noted on the plans.
- (ii) Provision of the minimum vertical clearance for the Class B loading spaces in the porte-cochere on Comox Street. This information should be clearly noted on the plans.

Note to applicant: A section drawing is required to show elevations and vertical clearances. A 3.8 m vertical clearance is required to allow for Class B loading spaces and maneuvering.

- (iii) Provision of consistent parking plans and layout.

Note to Applicant: Drawing A2.46 and the Level 2 Landscape plan show different parking layouts for the same level.

- (iv) Provision of an improved Landscape L1 plan to show the PBS station on Nelson Street.

Note to Applicant: This drawing is not included in the application package.

- (v) 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 the confirmation of the use of the parking ramp, if applicable, is required.

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

1. Provision of a Right of Way to accommodate a Public Bike Share (PBS) Station with the following specifications:

Size: A station of a minimum size of 16m x 4m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2m for a total width of 4m. The 2 m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property, be clearly visible and accessible to the public 24/7 and allow easy access to the street.

Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: There should be no vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight daily.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.

2. Provision of an encroachment agreement for the existing portions of steps and the retaining wall encroaching onto Denman Street which are proposed to be retained (A2.3a).

Note to Applicant: An application to the City Surveyor is required. For general information, see the Encroachment Guide at:

http://vancouver.ca/files/cov/building_encroachment_guide.pdf

Environmental Contamination

3. 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 Covenants pursuant to Section 219 of 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 sites 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 Council adopt Recommendation A on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditures of funds or incurring of costs is at the 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 condition of rezoning are at the sole risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

[TA - 1030 Denman Street]