

5. REZONING: 1296 West Broadway

Summary: To rezone 1296 West Broadway from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 16-storey mixed-use building, with 153 secured market rental housing units, and commercial uses at grade. A height of 52 m (170.8 ft.) and a floor space ratio (FSR) of 7.07 are proposed.

Applicant: IBI Group.

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 IBI Group on behalf of 1061511 B.C. Ltd (Jameson Development Corp.) to rezone 1296 West Broadway [*Lots 1, 2 and 3, Block 353, District Lot 526, Plan 590; PIDS: 015-185-303, 015-185-311 and 015-185-320 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 3.00 to 7.07 and the maximum building height to 52 m (170.8 ft.), measured from a geodetic elevation of 99.24 m (325.58 ft.) to permit the development of a 16-storey mixed-use building containing commercial and retail uses and 153 for-profit rental housing units, generally as presented in Appendix A of the Policy Report dated November 28, 2017 entitled "CD-1 Rezoning: 1296 West Broadway", 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 IBI Group. and stamped "Received City Planning Department, January 5, 2017", subject to the following conditions, provided that the General Manager of Planning, Urban Design and Sustainability 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 General Manager of Planning, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

1. Design development to reduce apparent building bulk by providing a more differentiated expression to the exterior.

Note to Applicant: As a corner site with a prominent location, design development to the exterior expression is required to enhance verticality or otherwise reduce perceived building bulk. Consider employing differing colours, textures and/or patterns of brick cladding.

2. Design development to maintain the brick cladding to the height and extent as indicated in the application.

3. Design development to more clearly identify the residential and office entries on Birch Street.

Note to Applicant: This can be achieved through distinctive material, lighting, signage and/or canopy treatments.

4. Design development to improve livability by revising window locations with respect to room layouts such that windows are located more centrally in rooms, particularly for deeper units.

5. Design development to significantly reduce the footprint of the rooftop mechanical enclosure;

6. Provision of a 0.5 m setback along the Birch Street frontage to achieve a sidewalk width of 4.5 m, as measured from curb to building face; and a sidewalk width of 5.5m on W. Broadway.

Note to applicant: dimensions are required on the Site Plan indicating compliance with public realm requirements.

7. Design development to maintain and ensure future usability of the expanded public realm at the northwest corner of the site.

Note to Applicant: Avoid elevators or vestibules adjacent to this expanded exterior area at the development permit stage. This space should be maintained to have a relationship to the indoor space into the future such as outdoor seating for a café.

8. Design development to provide an indoor amenity space that is directly adjacent to the outdoor Children's play area, to facilitate direct movement between the two spaces as well as allowing visual surveillance.

9. Design development to improve the lane treatment through increased soft landscaping and reduced hardscape where achievable.

10. That the proposed unit mix for family units, 27% two-bedroom units and 10% three-bedroom units 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 the Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

11. 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.

Sustainability

12. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (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 Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning - Process and Requirements* (amended April 28, 2017 or later).

Landscape Design

13. Design development to provide additional green surface cover to the roof areas.

Note to Applicant: this can be done by dedicating more amenity deck area to planters and trees canopy cover, respecting the programmatic needs for outdoor active space. The upper roof has been reserved for future solar panel installation; however, consider augmenting solar panel space with whole or partial extensive green roof cover to mitigate rain water volumes and heat island effect.

14. 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). Further comments may apply at the development permit stage.

15. 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.

16. Incorporation of 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.

Note to Applicant: Refer to:

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

17. At time of development permit application, the following:

- (i) 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, adjoining landscaping/grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a vegetative surface area calculation overlay plan;

Note to Applicant: The plan should differentiate between extensive and intensive green roof types and provide a percentage ratio of soft and hard surface cover proposed.

- (iii) Illustration of details for any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology;

Note to Applicant: This is not a performance requirement but should be coordinated with the LEED credit scorecard. The Integrated Rainwater Management Plan (I.R.M.P) is an emerging policy that supports rain water management on development sites. Provide a brief written rationale to describe the approach to rainwater management. Rainwater treatment chains are encouraged.

- (iv) 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.

- (v) Provision of high efficiency irrigation for all planted areas and individual hose bibs for all urban agriculture zones;

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.

Engineering

- 18. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- 19. Provision of construction details to determine 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

- 20. 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.
- 21. 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.
- 22. 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 buildings 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.

23. Provision of a landscape plan that reflects the street improvements sought for this rezoning and add the following statement to the landscape plan:

The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 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."
24. Dimension the 5.5 m distance from back of curb to building face on Broadway and 4.5 m distance from back of curb to building face on Birch St. clearly showing the setbacks on the site are free and clear of obstructions.
25. Provision of generous and continuous rain protection for pedestrians along the sidewalk on Broadway. 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 buildings 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.
26. Provision of revised building grades to reflect the new curb on Broadway and curb bulge design.
27. Provision of current standard of soil volumes for planting of street trees.
28. Provision of an improved plan showing the required Class B bicycle spaces on private property.

Note to Applicant: Locate the bike rack in close proximity to the lobby and commercial entrances with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach into the 4.5 m setback on Birch Street.
29. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
30. Provision of 'stairs free' loading access to the office, retail and residential uses and note on plans.
31. Clearly show all entries for the retail spaces and provide corresponding building and design grades for each entry.
32. Confirm if a man door is required for the O/H gate on P3 and if so, note on plans.
33. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provide gridlines on the parking and loading levels.

- (ii) Dimension all stalls. Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4 ft. from the end of the stall and note on plans.
- (iii) Provision minimum vertical clearance for the main ramp, security gates, and loading bays.

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. Provide a section drawing along the E-W maneuvering aisle that extends under the 'dog wash room'. Provide a section drawing of the ramp, from the lane to the P1 level showing the minimum vertical clearance. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering, and 4.3 m of vertical clearance is required for Class C loading spaces and maneuvering. Provide a section drawing for each loading space.

- (iv) Provision of column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: No columns are shown within the parking levels. A column 0.6 m (2 ft.) in length must be set back 0.6 m (2 ft.) from either the opening to or the end of the parking space. A column 0.9 m (3 ft.) long may be set back 0.3 m (1 ft.). Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns. If columns or structure for the O/H door is required within the loading area, ensure that they are located outside of the loading space and the required maneuvering.

- 34. Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, within the parking levels and at all entrances.

Note to Applicant: Using the design elevations shown, the ramp slopes would be steeper than indicated on the drawings and does not meet the requirements of the Parking and Loading Design Supplement. The slope and crossfall within the loading and parking areas must not exceed 5%. The elevation of 138.3 ft. on P2 looks incorrect.

- 35. Modification of the parking ramp design to address the following:

- (i) The slope must not exceed 10% for the first 20 ft. from the property line as 10% is shown for 13 ft.
- (ii) 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. The 15% slope indicated calculates to 22% and no transition ramp is shown.

- (iii) The slope and crossfall must not exceed 5% within the parking areas. Using the design elevations shown on P1, the slope calculates to 11%.
 - (iv) Provide increased ramp width at the top of the parking ramp, through the curved section to enable two vehicles to pass unobstructed. Consider providing a larger radius or chamfer on the inside radius of the ramp to achieve a ramp width of 23'-6".
36. Modification to the loading bay design to address the following:
- (i) Provision of an improved plan showing any columns or structure within the loading area, any required O/H doors, a loading corridor, the north and south property lines and the location of all poles within the lane.
 - (ii) Provision of improved maneuvering diagram specifying the routing of the Class C trucks from the arterial streets to and from the loading space. As the loading spaces are angled west, confirmation is required that trucks can turn in from Alder Street and exit out onto Birch Street. Identify all geometric changes to curb returns and pole relocations that are required, especially to address the 2 poles at Alder Street at the lane south of Broadway.
 - (iii) Provision of Class C maneuvering to occur within the lane, without having to cross over the sidewalk on Birch Street. The maneuvering shown on page 24 of the rezoning drawings is not supported as the Class C truck would be required to stop on the sidewalk and back into the Class C loading space. Consider relocating the Class C space to the most easterly loading space to eliminate this conflict.
37. 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.

Note to PC: Confirm if parking calculations are correct as section 4.1.7 of the PBL should be used for office and retail parking requirements. If so, one level can be eliminated.

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 General Manager of Community Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 1, 2 and 3, Block 353, DL 526, Plan 590 to create a single parcel.
2. Release of Easement & Indemnity Agreement 499005M (commercial crossings) 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.

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 is provided.
 - (i) Delete the sunshades projecting over the lane from the Level 2 windows shown on pages 16, 34 and 35; or make arrangements (legal agreements) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for these features encroaching onto City property. Note: an application to the City Surveyor is required.
 - (ii) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
 - (iii) Provision of new CIP light broom finish concrete sidewalk with saw cut joints on Broadway and on Birch Street that meet current standards.
 - (iv) Provision of upgraded street lighting on Broadway and Birch Street adjacent the site to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
 - (v) Provision of a standard concrete commercial lane crossing at the lane south of Broadway on the east side of Birch Street.
 - (vi) Provision of new curb and gutter along the Broadway frontage of the site.
 - (vii) Removal of the existing driveway crossings on Broadway and Birch Street and replacement with standard curb and gutter and sidewalk.

- (viii) Upgrading of the pedestrian signal at Birch Street and Broadway to an accessible pedestrian signal including upgraded LED lighting at the four corners.
- (ix) Provision of a curb bulge in the south west corner of Birch Street at Broadway. Work to include all utility relocations necessary to achieve construction of the bulge.
- (x) Provision of street trees adjacent the site where space permits.
- (xi) 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.
- (xii) 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.
- (xiii) 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 Bylaw. The plan shall achieve the following objectives;
 - (a) Retain or infiltrate 50% of the 6-month storm event volume (24 mm) onsite;
 - (b) Treat the 6-month event (48 mm) onsite; and
 - (c) Maintain the pre-development 2-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: Legal arrangements may be required to ensure ongoing operations of certain stormwater storage, rain water management and green infrastructure systems.

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 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.

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

Housing

6. 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 Section 219 Covenant securing all residential units as market rental housing units for the longer of 60 years and life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant.
 - (ii) A no stratification covenant.
 - (iii) That 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 Section 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

Sustainability

7. The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Public Art

8. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to applicant: Please call Karen Henry, Public Art Planner (604-673-8282), to discuss your application.

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 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 site as are 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.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT the application to amend Schedule A of 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: 1296 West Broadway", be approved.
- 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 28, 2017, entitled "CD-1 Rezoning: 1296 West Broadway".
- D. THAT A through C 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 sole risk of the person making the expenditures 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 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.

[RZ - 1296 W Broadway]