

SUMMARY AND RECOMMENDATION

5. REZONING: 2894 East Broadway

Summary: To rezone 2894 East Broadway from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a five-storey mixed-use building with at-grade commercial uses and 37 secured for-profit affordable rental housing units. A building height of 14.8 metres (48.6 feet) and a floor space ratio (FSR) of 2.69 are proposed.

Applicant: Gair Williamson Architects Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 20, 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:

RECOMMENDATION

- A. THAT the application by Gair Williamson Architects Inc., on behalf of 1009513 B.C. Ltd., to rezone 2894 East Broadway [*Lot E, Block 2, South 1/2 of Section 35 Town of Hastings Suburban Lands Plan 20664; PIDs: 002-907-763*] from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.20 to 2.69 and the building height from 10.7 m (35 ft.) to 14.8 m (48.6 ft.) to permit the development of a five-storey mixed-use building with at-grade commercial uses and 37 secured for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 2894 East 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 Gair Williamson Architects Inc. and stamped "Received City Planning Department, December 16, 2016", subject to the following conditions, 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 improve architectural expression including any of the following possible explorations:

- (i) further articulation of the tectonic massing concepts;
- (ii) penthouse roof forms;
- (iii) relationship to the immediate context;
- (iv) expression of north east corner with respect to visual prominence at the intersection; and
- (v) treatment of blank, unfinished concrete and block walls.

2. Design development of at grade relationship to public realm.

Note to Applicant: This may be achieved by improving visual and physical connections for retail at grade or by mitigating the impact of blank exposed concrete walls with building articulation, landscape buffering and higher level of detail and materiality.

3. Design development of fifth level to improve unit design with respect to horizontal angle of daylight access.

Note to Applicant: This may be achieved by moving or rotating the Level 5 two-storey volumes above units 408 and 415 further to the south.

4. Provision for future below grade parking access to lot immediately adjacent on the south.

Note to Applicant: This may be achieved with a knock-out panel located on the south wall of the below grade parking level. See Engineering Condition (c) 6.

5. Provision of details to maintain the high-quality materials indicated and as necessary to sufficiently describe the intended expression of the building.

Crime Prevention through Environmental Design (CPTED)

6. 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

- 7. Confirmation of the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including achieving Gold certification under LEED® For Homes - Multi-family Mid-rise with a minimum of 14 Energy and Atmosphere (EA) points, 1 water efficiency point and 1 storm water point or surface water management point.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape Design

- 8. Design development to locate site utilities and vents onto private property, integrated discreetly into the building, avoiding landscaped and common areas.
- 9. Grades, retaining walls, walkways and structural elements, such as underground parking, designed to provide maximum plant growing depth (exceed BCLNA Landscape Standard).
- 10. 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. Planters on slab located on upper levels should exceed BCLNA planting depths and strive to maximize soil volumes and planter widths.
- 11. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 square feet;
- 12. Subject to review at the development permit stage, vegetation (shrubs) proposed at the base of the building and on city property may not be appropriate.
- 13. At time of development permit application:
 - (i) Provision of a detailed Landscape Plan illustrating common and botanical name, size and quantity of all existing/proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the 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 large-scale, dimensioned, architectural and landscape sections [typical] through planted areas, including the slab-patio-planter relationship, common areas and upper levels.

Note to Applicant: The sections should include the slab, planters, planter materials, tree stem, canopy and root ball.

- (iii) Provision of a partial irrigation plan.

Note to Applicant: The irrigation plan should illustrate hose bibs for patios and amenity areas. Include a highlighted, bolded note on the plans, "high efficiency irrigation to be provided for all planted areas and hose bibs for all patios and common areas greater than 100 square feet".

- (iv) Provision of new street trees adjacent to the development site.

Note to Applicant: Street trees to be shown on the development permit plans and confirmed prior to the issuance of the building permit. Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in depth. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

Engineering

- 14. Correct the legal description on page A0.01. It should read "Lot E, Block 2, South ½ of Section 35, THSL, Plan 20664".
- 15. Clarification if canopies or awnings are proposed over the property lines and if so submission of a canopy/awning application is required.
- 16. Confirmation from the effected utility companies that the proposed hydro pole relocations and removals are achievable. Written confirmation from the utility companies is required.

17. Clarification of the garbage pick-up operations, are the commercial bins to have direct access to the lane or be passed through the residential space and then out to the lane for pick up.

18. 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) Provision of an improved plan showing the main parking ramp on one drawing.

19. Modification of the parking ramp design.

Note to Applicant: The following must be addressed:

(i) The slope must not exceed 10% for the first 20 ft. from the property line;

(ii) The slope must not exceed 12.5% after the first 20 ft. from the property line. 15% slopes may be acceptable if 7.5% to 10% transition ramps are provided for at least 4 m in length; and

(iii) Ramps which have a 15% slope and are exposed to weather must be heated.

20. Provision of dimensions and design elevations on both sides of the parking ramp at all breakpoints, through the loading bay, the parking layout and at all entrances.

Note to Applicant: This is to calculate the slope and crossfall.

21. Provision of 2.9 m width by 5.5 m length for the shared vehicle parking space is required.

Note to Applicant: The proposed shared vehicle space 1 shown on drawing A2.00 measures 2.4 m x 4.6 m.

22. Provision of additional parking stall width for stalls adjacent to walls as per the Parking By-law. Some examples of spaces are Commercial stall 2, 5 and Residential stall 22.

Note to Applicant: Consider realigning bulk store #11 and #12 to achieve additional stall width for parking space #22.

23. Excessive column encroachment on disability space #13.

Note to Applicant: A maximum column encroachment of 0.15 m (6 inches) is permitted into any stall as per the Parking and Loading Design Guidelines.

24. Provision of minimum vertical clearances for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and minimum vertical clearances dimensioned on the drawing. The vertical clearance for the Class B loading overhead door measures 9 inches on drawing A3.02, West (Laneway) Elevation.

25. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces.
26. 3.5 m of vertical clearance is required for one Class B loading space and maneuvering.
27. The slope of the Class B loading bay must not exceed 5%.

Note to Applicant: A slope of 12% is shown on drawing A2.01

28. Provide a standard load throat for the Class B loading and show on plans.
29. Clarification of the Class A bicycle parking spaces as space #16, 17 and 18 are missing from the bicycle parking room shown on drawing A2.01. Only 44 Class A bicycle parking spaces are provided.
30. Provision of automatic door openers on the doors providing access to the bicycle room(s).
31. Relocate Class B bike racks on drawing A2.01 as bicycles parked at the racks encroach onto the 4.5 m pedestrian setback zone.
32. Notes to Applicant regarding bus shelter relocation:

The developer will be responsible for all costs including but not limited to:

- (i) Removal and re-installation of the bus shelter;
- (ii) Rebar cage installation by Outfront Media at the sidewalk forming stage of construction;
- (iii) Developer to coordinate with the City of Vancouver and Outfront Media for bus shelter removal and re-installation;
- (iv) Provision of a minimum of 4 weeks notice for removal of the bus shelter. Excavation for shelter foundation requirements to satisfaction of Outfront Media, please contact Marc Freeman at 604.830.6247; and

- (v) The developer will be required to liaise with Outfront Media prior to the scheduling of sidewalk concrete pour to coordinate installation of the bus shelter foundation. Four weeks notice to be provided. Contact Marc Freeman at 604.830.6247.

Housing Policy and Projects

- 33. That the proposed unit mix for family units: 22% two-bedroom and 8% three-bedroom units, be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Director of Planning.

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

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 (or successor in function), the General Manager of Engineering Services and the General Manager of Community Services (or successor in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 1. Provision of building setback and a surface Statuary Right Of Way (SRW) to achieve a 4.5 m distance from the back of the City curb to the building face along East Broadway and Renfrew Street except that provision of building setback and surface SRW to achieve a 5.5 m distance from the back of the City curb to the building face around the relocated Transit Shelter on Renfrew Street. The required SRW agreement must accommodate the underground parking, the balconies on levels 2 to 4, and some minor roof elements within the SRW area. 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/SRW dimensions.

Note: Remove all door swings and class B bicycle parking that encroach into the SRW.

- 2. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 1 Shared Vehicle(s) and the

provision and maintenance of 1 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:

- (i) Provide 1 Shared Vehicle(s) to the development for a minimum period of 3 years;
- (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
- (iii) Provide and maintain the Shared Vehicle Parking Space(s) indefinitely for use exclusively by such shared vehicles;
- (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
- (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle; and
- (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including covenants under section 219 of the Land Title Act of British Columbia, a statutory right of way, and/or other security satisfactory to the Director of Legal Services, securing these conditions.
- (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: Shared vehicle parking spaces are required to be a minimum width of 2.9 m.

- 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.
 - (a) Provision of improved transit stop service on Renfrew Street adjacent to the site by relocation of the transit shelter and bus stop ID location. Improvements to include all sidewalk adjustments and utility relocations to accommodate the changes.
 - (b) Provision of new curb and gutter adjacent the site, on Broadway and to the south edge of the existing driveway crossing on Renfrew Street.

- (c) Provision of improved curb ramps and curb return at the Renfrew Street/Broadway corner adjacent the site.
- (d) Provision of new sidewalk adjacent the site consisting of; 1.35 m exposed aggregate front utility strip, standard 4 piece tree surrounds and the remainder CIP concrete sidewalks complete with broom finish and saw cut joints.
- (e) Provision of a standard concrete lane crossing at the lane west of Renfrew Street on the south side of Broadway.
- (f) Relocation of the existing traffic signal kiosk at the Renfrew Street/Broadway corner so that it does not conflict with the new sidewalk alignments proposed for the site.
- (g) Provision of improved street lighting adjacent to the site, to current standards including LED lighting where applicable.
- (h) Provision of pedestrian countdown timers for the signal at East Broadway/ Renfrew Street.
- (i) Provision of lane paving adjacent the site.
- (j) 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 as determined by the applicant's mechanical consultant to determine if water 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 water system upgrading that may be required.
- (k) 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.

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,

junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

5. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a shared (parkade) access agreement between the development site and the adjacent property to the south at 2543 Renfrew Street (Lot 17 Block 2 South 1/2 Of Section 35 Town of Hastings Suburban Lands Plan 2059) to secure access to underground parking within the future development on Lot 17. See Urban Design Condition 4.

Housing

6. Make arrangements to the satisfaction of the General Manager of Community Services (or successor in function) and the Director of Legal Services to enter into a Housing Agreement securing all residential units as for-profit affordable rental housing units pursuant to Section 3.1A of the Vancouver Development Cost Levy By-law for the longer of 60 years or life of the building, and 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; and
 - (iv) That a rent roll be provided indicating the agreed initial monthly rents for each rental unit.
7. That the average initial starting monthly rents for each unit type will be at or below the following proposed starting rents subject to adjustment as contemplated by the Vancouver Development Cost Levy-By-law:

Unit Type	2894 E Broadway Proposed Average Starting Rents
Studio	\$1,260
1-bedroom	\$1,675
2-bedroom	\$2,084
3-bedroom	\$2,606

8. That a final rent roll be provided, prior to issuance of an occupancy permit, to the satisfaction of General Manager of Community Services (or successor in function) and the Director of Legal Services, that reflects the agreed initial monthly rents as of occupancy in order to address potential changes in unit mix and/or sizes between the rezoning and development permit issuance, and to allow for the rents to be increased annually from the time of the public hearing to initial occupancy, as per the maximum increases authorized by the Vancouver Development Cost Levy By-law.
9. Such other terms and conditions as the General Manager of Community Services (or successor in function) 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.

Soils

10. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning 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 Planning 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 Protection, 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 a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has 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, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 2894 East Broadway", 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) prior to enactment of the CD-1 By-law contemplated by this report.
- C. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigned Schedule "B" (C-1)], generally as set out in Appendix C of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 2894 East Broadway", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 6, 2016, entitled "CD-1 Rezoning: 2894 East Broadway" .
- E. THAT Recommendations 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 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, including the Approving Officer, shall not in any way be limited or directed in exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ - 2894 East Broadway]