

SUMMARY AND RECOMMENDATION

2. REZONING: 26 SW Marine Drive

Summary: To rezone this site from I-2 (Industrial District) to CD-1 (Comprehensive Development District) to permit 1.63 FSR (0.79 retail FSR) large format retail, including Canadian Tire retail and service store, separate retail units, and restaurants, and preservation and heritage designation of the existing post-1940's building façade.

Applicant: Joanne Stich, Kasian Architecture Interior Design and Planning, Ltd.

Recommended Approval: By the Director of Planning

- A. THAT the application by Kasian Architecture Interior Design and Planning, Ltd. to rezone 26 S.W. Marine Drive (PID 009902791, Lot A, Except Part in Reference Plan 6793, North Part of Block 11, District Lot 322, Plan 8878, N.W.D.) from I-2 Industrial District and RS-1 One-Family Dwelling District to CD-1 Comprehensive Development District to permit large format area retail development, generally as presented in Appendix A to Policy Report "CD-1 Rezoning - 26 SW Marine Drive" dated June 28, 2007, be approved, subject to the following conditions:
- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Kasian Architecture, Interior Design and Planning, and stamped "Received City Planning Department", July 25, 2006, 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:

DESIGN DEVELOPMENT

- (i) design development to clearly distinguish new development from the rehabilitated heritage building;

Note to applicant: This can be achieved by creating a contrast between new and old through the use of contemporary building systems that express the prevailing industrial context. Overall massing and detailed aspects of exterior walls/fenestration should be derived, yet, distinguished, from the existing building's architectural qualities with respect to form, scale, horizontal proportioning and detailing.

- (ii) design development to ensure that active uses and at least one door access are provided to the retained portion of the Heritage Building;

Note to Applicant: Provide a tenant layout for the portion of the retained heritage building and make a notation on elevations showing clear glass and operable door(s).

- (iii) design development to reduce the overall scale impacts of the proposed development;

Note to applicant: This can be achieved by reducing height in areas where scale impacts are most noticeable and placing a greater emphasis on horizontal proportioning. Further design development to architectural expression to reduce the extent of blank wall and achieve a simpler, lighter industrial character is also required. Opportunities to maximize clerestory glazing should be pursued.

- (iv) design development to more clearly announce building entries and related on-site circulation systems;

Note to applicant: A greater reliance on good design, and less reliance on wayfinding systems, is required.

- (v) design development to achieve a more streetwall like character for the Ontario Street frontage while managing the scale of the overall development;

Note to applicant: A development strategy that maximizes and expresses active uses, reveals pedestrian/patron movement through maximum clear glazing and de-emphasizes automobile parking and access is required. Confirmation of outdoor display expectations, and related design considerations is required.

- (vi) provision of a single vehicle entry point (crossing) on Ontario Street.

Note to Applicant: The crossing may have more than one inbound and outbound lane. Provision of a qualified traffic consultant's review of the single entry operation is required prior to issuance of any related development permit.

- (vii) provision of truck delivery routes and loading operation details for Canadian Tire and other tenants of the site to determine circulation, access patterns and impacts on the neighbourhood.

- (viii) provision of a conceptual signage package that proposes signage types and locations;

Note to applicant: The signage concept should be developed for site, building and tenancy considerations and should be expressed in a simple, understated manner. The signage concept should enhance the heritage setting and Marine Drive entrance on the northerly portion of the site while acknowledging the importance of the Ontario Street corridor as a secondary access for vehicles and primary access for pedestrians, cyclists

as well as visitors by automobile. Minimal reliance on wayfinding systems is required.

- (ix) provision of a conceptual lighting package that confirms lighting types and locations;

Note to applicant: The lighting concept should be developed for site, building and tenancy considerations and should be expressed in a simple, understated manner. The lighting concept should enhance the heritage setting and Marine Drive entrance on the northerly portion of the site through special lighting of the heritage building, while acknowledging the importance of the Ontario Street corridor as a secondary access for vehicles and primary access for pedestrians, cyclists as well as visitors by automobile.

- (x) design development to properly screen loading activities and utility functions;

Note to applicant: The architectural strategy for screening should be integral to the overall building expression and quality.

- (xi) confirmation of proposed materials, including glazing and screening systems, to ensure a high quality built form response in an industrial context;

- (xii) design development to confirm the location and design of weather protection systems to ensure functionality and visual quality in an industrial context;

- (xiii) design development to the open front area along Marine Drive to provide for a comprehensive landscape plan that incorporates the bio-filtration system, bikeway along Ontario, signage (if proposed in this area), City Food Policy objectives, and the remaining portions of the open lawn, which supports the historic use of this space as a framing element for the historic façade;

- (xiv) design development to the proposed driveway access off S.W. Marine Drive, to include surfacing treatment that minimizes the visual impact on the formal lawn and heritage façade and maximizes retention of existing trees:

Note to Applicant: This could include use of decorative unit pavers and a rolled rim curb.

- (xv) design development to include a conservation plan for the heritage façade;

Note to applicant: The purpose of the plan is to identify the scope of work for the heritage façade, and to identify the proposed remedial measures, and should be included on the development permit drawings

as a series of construction notes, and supported by current photos of the facade.

GREENWAYS/BIKEWAYS

- (xvi) reconfiguration of the plaza to intersect with the sidewalk and pond;

Note to Applicant: Configuration of the plaza should be changed to an equilateral triangle. Each side a minimum of 45 feet long, with one point intersecting the sidewalk, another point intersecting with the pond, and one side parallel to the sidewalk.

- (xvii) design development to include changes and improvements consistent with City greenway/bikeway standards and acceptable to the Director of Planning in consultation with the General Manager of Engineering Services;

Note to Applicant: Contact Engineering Services, 604.873.7155 for additional clarification on plaza amenities sought.

SUSTAINABILITY

- (xviii) commitment to achieving the equivalent of a minimum threshold of 39 points on the LEED Canada NC-1 Project Check List attached to the submitted materials;

Note to Applicant: The City encourages the applicant to complete full LEED™ certification for LEED Gold with the CaGBC.

- (xix) provide a written sustainability rationale, supplemented with drawings if necessary, that details all of the design features, construction practices, product specifications and applications that will allow the applicant to achieve the 39 points LEED Canada NC-1 Project Check List or equivalent attached to the submitted materials;

Note to Applicant: This rationale is to be submitted at the building permit stage and reviewed by City of Vancouver Sustainability Staff.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- (xx) design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard for reducing opportunities for graffiti on exposed party walls on the internal property line;
- (xxi) provision of a comprehensive security report by a licensed security professional for securing or patrolling parking areas for both business and non-business hours.

AGREEMENTS

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

ENGINEERING

- (i) make suitable arrangements, to the satisfaction of the General Manager of Engineering Services, for:
- (a) Provision of independent public utility services (Hydro, Telus; Cable) with all services to be underground from the closest existing suitable service point. All services, and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged.
 - (b) Confirmation that the hydro pole and guy wires located at the westerly end of the site on 69th Avenue can be relocated or removed to allow for the proposed driveways is required. Written confirmation from BC Hydro and confirmation from the City's Utilities Management Branch is required.
- (ii) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for:
- (a) clarification of all charges on title. Provision of 2 copies of a charge summary meeting the requirements of the Director of Legal Services;
 - (b) Arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a maximum 6.0 metre land dedication or other suitable arrangements, and an additional 3.0 metre "option to purchase" along the north property line of the site to accommodate sidewalk and future bikeway facilities and connections. The dedication area is to be reduced where possible, once final road geometrics, sidewalk locations and construction issues have been fully refined;
 - (c) provision of a right of way to allow public access and use of the "bike plaza";
 - (d) provision of appropriate rights of way and agreements granting access across this site to the site adjacent to the westerly property line ("Nevada Bob's") allowing for a single point of access to both sites for any future development;

Note to Applicant: It is expected that for any future development of the adjacent site, the City would seek similar rights.

- (e) upgrading of the storm and sanitary mains to provide adequate service to the site;

Note to Applicant: A storm water management plan will be necessary and will be developed to reduce the extent of sewer system upgrading necessary for this project.

- (f) upgrading of the City water mains to provide adequate water service for the site;

Note to applicant: The current application does not provide enough detail to determine the extent of water system upgrading. Fire flow demand details are required to determine specifics of system upgrading.

- (g) provision of up to \$100,000.00 for traffic calming measures, temporary and/or permanent, as may be required within 5 years of final occupancy to protect against shortcutting within the local neighbourhood bounded by 59th Avenue, Main Street, Marine Drive and Cambie Street, 100% funded by the applicant;
- (h) provision of a raised median/left turn bay, prior to occupancy, to serve westbound Marine Drive vehicles turning south onto Ontario Street (up to 100% funded by the applicant, depending on other concurrent developments contributing to the cost of these works);
- (i) improvements to the west leg of the Marine Drive/Main Street intersection, prior to occupancy, including related signalization changes, to serve increased vehicle volumes (this involves a lengthening of the left turn bay on Marine Drive), 50% funded by the applicant;
- (j) median, curb, and signal modifications on Marine Drive between Ontario Street and Manitoba Street, 100% applicant funded prior to occupancy, which: 1) Introduce a new left turn bay serving the site's principal access along the westerly portion of the site; 2) Provide all infrastructure related to the signalization of the access aforementioned; and 3) Restrict against motor vehicles turning from northbound Ontario to westbound Marine;
- (k) median modifications to restore northbound to westbound movement by motor vehicles (up to 100% funded by the applicant, within 3 years of final occupancy), to be determined by the General Manager of Engineering Services;
- (l) provision of new or revised curb parking regulation signage, 100% applicant funded, along Marine Drive between Manitoba Street and Main Street, to assist traffic safety as may be required within 3 years of final occupancy;
- (m) provision of a contribution of \$100,000.00 towards transit priority measures implemented in the vicinity of Main Street and Marine Drive;
- (n) improvements to Ontario Street from Marine Drive to 69th Avenue, 100% applicant funded, prior to occupancy, in conformance with Greenways/Bikeways standards and are to include the following:
 1. provision of 6 ft. wide broomed finished sidewalk with sawcut expansion joints on the west side of Ontario St. adjacent the site;

2. provision of additional and upgraded "Greenways" lamp standards on the west side of Ontario St, adjacent the site;
 3. provision of street trees on the west side of Ontario St. adjacent the site where space permits; and
 4. provision of standard marked bicycle lanes in both directions on Ontario Street;
- (o) provision of a contribution of \$100,000.00 towards improvements to bicycle routes serving the site, other than those specified elsewhere in these conditions, within the area bounded by 59th Avenue, Fraser River, Cambie Street and Main Street;
 - (p) provision of a Transportation Demand Management Plan to encourage among employees and customers travel by means other than the private automobile, and particularly the single-occupant private automobile, to the satisfaction of the General Manager of Engineering Services;
 - (q) provision of curb, gutter and pavement to centreline on 69th Avenue between Ontario and Manitoba streets, prior to occupancy, up to 100% funded by the applicant, depending on other concurrent developments contributing to the cost of these works;
 - (r) provision of 5 ft. or 6 ft. wide (as space permits) broomed finished concrete sidewalk on north side of 69th Avenue between Ontario and Manitoba streets, prior to occupancy, up to 100% funded by the applicant, depending on other concurrent developments contributing to the cost of these works;
 - (s) provision of street trees on the north side of 69th Avenue between Ontario and Manitoba street where space permits, prior to occupancy, up to 100% funded by the applicant, depending on other concurrent developments contributing to the cost of these works;
 - (t) provision of infill street trees on Marine Drive adjacent the site, where space permits;

Note to Applicant: Off-site traffic measures require separate Council approvals.

HERITAGE

- (iii) execute an agreement satisfactory to the Director of Legal Services and the Director of Planning, to protect the historic façade from vandalism during the construction process and complete the conservation work to the heritage façade and the open lawn on Marine Drive, in a timely manner;
- (iv) The owner will submit a signed letter waiving any future compensation as a consequence of the designation of the site. The letter is to be signed by all parties with a financial interest in the property. Heritage staff can provide a copy of a standard Heritage Designation Compensation Agreement for this purpose.

PUBLIC ART

- (v) Execute an agreement satisfactory to the Directors of Legal Services in consultation with the Assistant Director, Office of Cultural Affairs, for the provision of public art in accordance with the City's *Public Art Policy and Guidelines*, such agreement to provide for security in a form and amount satisfactory to the Director of Legal Services; and provide a preliminary public art plan to the satisfaction of the Assistant Director, Office of Cultural Affairs;

Note to Applicant: The *Public Art Policy & Guidelines* set out all Public Art Program requirements, including details of the preliminary public art plan referred to above. City approval of a Detailed Public Art Plan is a prior to condition of Development Permit issuance. Please discuss your application with Bryan Newson, program manager, 604.871.6002, before beginning your public art planning.

SOILS

- (vi) obtain and submit to the City copies of all soils studies and the consequential Remediation Plan, approved by the Ministry of Environment. Enter into or cause to be entered into agreements satisfactory to the Director of Legal Services, providing for the remediation of any contaminated soils on the site in accordance with a Remediation Plan approved by the Ministry of Environment and acceptable to the City, providing security satisfactory to the Director of Legal Services for the completion of remediation and indemnifying the City and the Approving Officer against any liability or costs which may be incurred as a result of the presence of contaminated soils on the site; and
- (vii) execute an Indemnity Agreement, satisfactory to the Director of Legal Services, providing for security to the satisfaction of the Director of Legal Services, protecting the City and Approving Officer from all liability or damages arising out of or related to the presence of contaminated soils on the lands comprising the subject site, howsoever occurring, arising during the period commencing immediately following the Public Hearing until such time as the Ministry of Environment issues an approval, in a form satisfactory to the Director of Legal Services and the General Manager of Engineering Services, certifying that the subject site, including all roads, utility corridors and open spaces contained therein, have been remediated to Provincial Standards as defined in such approval.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

Such 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; provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, 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, 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 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 the consequential amendment to Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" (C-1), generally as presented in Appendix B to Policy Report "CD-1 Rezoning - 26 SW Marine Drive" dated June 28, 2007, be approved;
- C. THAT Council add the building at 26 S.W. Marine Drive to the Vancouver Heritage Register in the "A" category;
- D. THAT Council approve a Heritage Designation By-law, to:
 - (i) designate as municipally protected heritage property the front masonry façade of the historic Chrysler Building at 26 S.W. Marine Drive for the full width of the building, the corresponding masonry façade along the Ontario Street frontage for a length of approximately 11.4 m (37.4 ft.), and the western elevation for a length of 7.3 m (24 ft.)
 - (ii) designate as municipally protected heritage property the open area in front of the historic façade, to include all property within the Marine Drive, east and west property lines and the face of the historic façade, including a horizontal line that runs along the face of the historic façade to the east and west property lines.

(RZ. - 26 SW Marine Drive)