

8. CD-1 REZONING: 188 EAST 1ST AVENUE

Summary: To rezone from M-2 (Industrial District) to CD-1 (Comprehensive Development District) to allow for an 11.5-storey residential tower with 129 units of supportive non-market housing and grade-level commercial. A floor space ratio of 5.42 is proposed and a height of 38 m (125 ft.).

Applicant: Amela Brudar, GBL Architects Group

Recommended Approval: By the Directors of Planning and the Housing Centre

- A. THAT the application by GBL Architects Group on behalf of Lookout Emergency Aid Society to rezone 188 East 1st Avenue (Lots 7 and 8, Block 7, District Lot 200A, Plan 197, NWD, PID 007-224-516 and 007-224-648) from M-2 to CD-1 to permit an 11 and one-half storey mixed-use (residential with commercial at grade) building with a total density of 5.42 Floor Space Ratio (FSR), generally as presented in Appendix A to policy report "CD-1 Rezoning - 188 East 1st Avenue (formerly 1721-23 Main Street)" dated May 27, 2008, be approved subject to the following conditions:

1. PROPOSED 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 GBL Architects and stamped "Received City Planning Department, revised on May 16, 2008", 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 ensure sustainability strategies and principles are reflected in design details, materials, and architectural finishes;

Crime Prevention Through Environmental Design (CPTED)

- (ii) design development to take into consideration the principles of CPTED;

Landscape

- (iii) design development to the open space and landscape treatment to ensure appropriate and durable landscape materials and structures, such as plant specific soils, durable planters, wall trellis structures;

Note to applicant: Provision, at time of development permit application, of a detailed rationale outlining intent for the specific programming of the outdoor spaces and landscape structures, including overall use, pedestrian capacity, storage (e.g., compost, gardening tools), access, security, sustainable design requirements (planting, water, waste, soil, habitat) will be required.

- (iv) design development to grades, retaining walls, walkways and structural elements, such as underground parking, to be designed to provide maximum plant growing depth;

Note to applicant: Planted areas adjacent to structures and on slab to contain continuous soil volumes. Plant growing depth to exceed BCLNA Landscape Standard.

- (v) provision of large scale partial plans, elevations and sections illustrating the detailed treatment of the public realm interface at the streets and lanes, including planters, retaining walls, stairs, planting, soil depth, underground structures, patios and privacy screens;
- (vi) provision at time of development permit application of a lighting plan;
- (vii) provision of hose bibs for all patios that cannot be serviced using at-grade non potable water; and
- (viii) provision at time of development permit application of a full Landscape Plan illustrating proposed plant materials (common and botanical names), sizes and quantities notation of existing trees to be retained, paving, walls, fences, light fixtures and other landscape elements, including site grading;

Note to applicant: Proposed plant materials are to be clearly illustrated on the Landscape Plan. The Landscape Plan is to be at 1:100 (1/8" = 1'-0").

Urban Agriculture

- (ix) Design development to provide an area for composting, tool storage, work bench and hosebibs, in proximity to the garden plots on levels 2 and 11;

Public Realm

- (x) design development to provide a variety of spaces consistent with the SEFC Public Realm Plan;

Note to applicant: Aspects to consider include special paving, lighting, planting, driveway crossings, pedestrian entrances, walkways, permanent site furniture, weather protection, garbage storage, recycling and loading facilities.

Note to applicant: A copy of the public realm landscape plan should be submitted directly to Engineering for review and comment by Engineering Greenways staff.

Neighbourhood Energy Utility

- (xi) design development to include provision for connections which are compatible with the “district heating system” proposed for the area;

Note to applicant: Clarification of how the building design includes provision for connections to the False Creek Neighbourhood Energy Utility (NEU) is required, as are plans which label the room that will house the system infrastructure as “NEU Energy Transfer Station (ETS)”. The ETS room shall be located at the basement or ground level, preferably at or adjacent to an outside wall.

Note to applicant: The ETS room shall provide suitable space, to the satisfaction of the General Manager of Engineering Services, for the installation of the NEU system ETS equipment, with adequate provision for connection to outside NEU distribution piping and communications conduit. The developer shall make available use of sewer and potable water piping in each ETS room. The ETS room shall be ventilated as required by the Vancouver Building By-law and be heated during the winter to a minimum of 15°C. The developer must provide a dedicated 15 amp 120V, 60 Hz, single-phase electrical service for operation of the ETS, to the satisfaction of the General Manager of Engineering Services.

Universal Design

- (xii) Applicant to work with a Universal Design consultant to achieve the objectives for Universal Design through implementation of “The Safer Home Certification Criteria” as outlined in Appendix G;

Sustainability

- (xiii) Provision of a LEED scorecard, and consideration to achieve a LEED Gold equivalent rating in the projects sustainability performance;

Waste Management

- (xiv) Provision of 3 streams of waste removal for the development (regular garbage, recyclable materials and organics). The development site is to provide adequate space to accommodate 3 streams of waste removal including fully outfitted areas that can be made active upon implementation of an organics collection system.

2. PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (a) That prior to enactment of the CD-1 By-law, arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services be made for the following:
 - (i) consolidation of Lots 7 & 8;
 - (ii) dedication of the north 1.5 m and the east 1.5 m of the site for road purposes;

- (iii) release of Easement & Indemnity agreements 352239M (crossings) & 504525M (current building encroachment);

Note to applicant: a letter of commitment is required.

- (iv) provision of a 1.5 m right of way along the south property line of the site for lighting and landscaping purposes;
- (v) provision of new sidewalks, curb, pavement, concrete lane crossings, lamp standards, street trees, landscaping and street furniture adjacent to the site in keeping with the final SEFC public realm design requirements;
- (vi) provision of improvements to the lane south of 1st Avenue, adjacent to the site, in keeping with the final SEFC public realm design requirements to include runnels, special pavement treatments and concrete lane crossings;
- (vii) agreements for shared use of the loading bay by residential and retail uses;

Note to applicant: appropriate agreements will be required.

- (viii) undergrounding of all existing utility services adjacent to the site and undergrounding of all new utility services to the site from the closest existing suitable service point;

Note to applicant: 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.

SOILS

- (ix) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (x) do all things and/or enter into such agreements deemed necessary by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance has been provided to the City by the Ministry of Environment;

OLYMPIC SECURITY REQUIREMENTS

- (xi) prior to enactment of the CD-1 By-law, arrangements to secure the following:
 - (A) the Owner may make application for all applicable permits to construct and occupy the improvements permitted pursuant to the Rezoning (the "Improvements") at any time and may construct and occupy the Improvements in

accordance with any development permits, building permits and occupancy permits issued in respect of the Improvements. However, if all construction of the Improvements is not fully completed on or before February 1, 2010, the Owner shall, during the period between February 1, 2010 and February 28, 2010:

1. cease, or cause to cease, all servicing and/or construction activities on the Lands; and
 2. not access or use the Lands for any purpose other than for maintenance of and security for the Improvements. The Owner and the Owner's personnel shall comply with any security protocols established by the City during such access or use;
- (B) the Owner shall, during the period February 1, 2010 through February 28, 2010, permit the City and any permittee or licensee of the City including, without limitation, VANOC, access to the Lands and any buildings and improvements located thereon, to erect any fences, security barriers, screens, drapes or other security or pageantry materials or equipment on the Lands deemed necessary by the City or any permittee or licensee for the purpose of facilitating the security and decoration of the Vancouver Olympic Athlete's Village (the "Security Fencing"). The Security Fencing will be at the cost of the City, or its permittee or licensee, as the case may be, and shall be at no cost to the Owner;
- (C) the Owner acknowledges and agrees that vehicular and/or pedestrian access to the Lands from City streets may be restricted or unavailable for a period of time before, during and after the 2010 Olympic Winter Games, at the sole discretion of the City Engineer; and
- (D) the Owner shall release the City and its officials, officers, employees, contractors and agents ("City Personnel") from any costs, damages (including special, indirect and consequential damages), injuries or liabilities of any kind suffered or incurred by the Owner and/or the Owner's officers, employees, contractors and agents ("Owner's Personnel") which arise due to the use or occupation of the Lands by the City and/or City Personnel and/or any restrictions placed on the Owner's use, occupation and development of the Lands, as set out in the Security Agreement. The Owner shall indemnify and hold harmless the City and City Personnel for any costs, damages (including special, indirect and consequential damages), injuries or liabilities of any kind suffered or incurred by the City or City Personnel due to the breach of any term or condition of the Security Agreement by the Owner and/or the Owner's Personnel; the Security Agreement shall be fully registered in the applicable Land Title Office, to the satisfaction of the Director of Legal Services, prior to the enactment of the CD-1 By-law.
- B. THAT the consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (DD) as set out in Appendix C to policy report "CD-1 Rezoning - 188 East 1st Avenue (formerly 1721-23 Main Street)" dated May 27, 2008, be approved;

- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law to include this Comprehensive District in Schedule B as set out in Appendix C to policy report "CD-1 Rezoning - 188 East 1st Avenue" dated May 27, 2008.

(CD-1 RZ. - 188 East 1st Avenue)