

## SUMMARY AND RECOMMENDATION

**10. REZONING: 3333 Main Street**

**Summary:** To rezone from C-2 (Commercial) to CD-1 (Comprehensive Development) District to permit an increase in residential floor area on the upper floors and a height increase of six feet beyond that permitted in C-2.

**Applicant:** Kim Maust, Bastion Development Corporation

**Recommended Approval:** By the Director of Planning, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Bastion Development Corporation, to rezone 3333 Main Street (Lots 6-12, Block 61, D.L. 302, Plan 198 PID: 005-019-648, PID:005-019-656, PID:005-019-664, PID:005-019-672, PID:005-019-681, PID:005-019-699, PID:005-019-711) from C-2 to CD-1, to permit development of a five-storey mixed-use commercial and residential building, generally as presented in Appendix A, to Policy Report, "*CD-1 Rezoning - 3333 Main Street*", dated April 8, 2010, be approved, subject to the following conditions:

**PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Hotson Bakker Boniface Haden Architects, and stamped "Received City Planning Department, December 4, 2009", 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:
- (i) design development to provide a fourteen (14.0) ft. floor-to-floor dimension for the retail spaces, in order to improve the viability and amenity of the commercial activity;
- (Note to Applicant: An increase in building height of approximately one (1.0) ft, may be considered as a part of meeting this condition.)
- (ii) design development to provide an eight (8.0) ft. landscaped setback from the north property line at grade for the townhouse units;
- (Note to Applicant: The intent is to create a larger open space to benefit occupants, and provide more of a transition to residential front yards located to the west along 17th Avenue.)

- (iii) design development to provide a two (2.0) ft. setback from the property line for all retail spaces;

(Note to Applicant: The intent is to provide an optimum pedestrian width. This setback need not be provided where the upgraded open space long Main Street provides an increased width.)

- (iv) design development to provide a minimum two (2.0) ft. setback from the lane to preserve lane clearance and accommodate landscaping entirely on the site;

- (v) design development to improve the separation of adjoining residential and loading uses on the lane in terms of noise, safety and privacy;

(Note to Applicant: Consider a complete enclosure for the east loading facility, in accordance with Section 3.1 [c] of the C-2 Guidelines.)

- (vi) location of all rooftop equipment, including communications receivers and mechanical vents, on the plans and elevations, and details of the screening that will be provided to ensure visual and acoustic separation from residential units;

(Note to Applicant: Notation shall be indicated on plans confirming that: "Communication Receivers and Antennae are shown for reference only and are not approved under this Development Permit. A separate permit is required for the installation of antennae, including satellite dishes used for the transmission or reception of radio, television, satellite, microwave, cellular or related communications together with related masts, mechanical equipment and mechanical rooms.")

- (vii) details of a design for residential lighting that provides a secure night-time environment, without causing glare toward nearby properties, to be shown on the submitted plans and elevation drawings;

(Note to Applicant: This is especially important around the residential portion at grade. For more information, refer to Section 2.10 - Safety and Security, and Section 5.7 - Lights, of the C-2 Guidelines.)

- (viii) proposed finishes, materials, colours and dimensions for all exterior features on the elevation and section drawings, including soffits and wall returns;

- (ix) enlarged drawings for significant exterior features, especially at the public realm interface, keyed to the plans and/or elevations;

- (x) identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least 3 optimize energy performance points, 1 water efficiency point and 1 storm water point;

(Note to applicant: Provide a LEED® checklist confirming LEED® silver equivalency and a detailed written description of how the above noted points have been achieved. Both the checklist and description should be incorporated into the drawing set.)

- (xi) conceptual drawings showing how the signage integrates architecturally in terms of finish and materials;

(Note to Applicant: A separate Sign Permit application will be required for signage. Notation shall be indicated on plans confirming that: "All signage is shown for reference only and is not approved under this Development Permit. Signage is regulated by the Sign By-law and requires separate approvals. The owner[s] assumes responsibility to achieve compliance with the Sign By-law and obtain the required sign permits." The Sign By-law Coordinator should be contacted at 604.871.6714 for further information. Ensure also that there is a clearance of a least nine [9.0] ft. under the sign band, unless the sign bands are recessed and flushed with storefront glazing.)

### Landscape

- (xii) design development to angle the parking level slab downward, as needed, to accommodate soil depth and trees inside the property line;

(Note to Applicant: The objective should be 3.0 ft. depth of soil for trees in a continuous soil volume. Respecting code and ceiling height requirements, this is typically resolved by angling the slab down 3.0 ft. by 4.0 ft., or adding a right angled "elbow".)

- (xiii) design development to garden plot planters to specify high quality, durable materials consistent with the material palette of the building;

(Note to Applicant: The planters should be designed to last the full lifespan of the project.)

- (xiv) a revised Landscape Plan/Site Plan at a more detailed, larger scale format (minimum 1/8" = 1 foot);

- (xv) adequate soil volumes and planter depth;

(Note to Applicant: Where further design development reveals a conflict, landscape amenities [trees] as proposed, should not be deleted.)

- (xvi) large scale section drawings (typical) through planted areas;

(Note to Applicant: Special attention should be paid to any planting proposed above slab such as the second floor permanent planters, trees in the lane and the feature tree at the entrance courtyard off of Main Street, and the townhouse interface. Sections should include the soil profile, root ball and slab/retaining walls. Planting conditions should

meet or exceed the latest British Columbia Landscape & Nursery Association [BCLNA] Standards.)

- (xvii) a large-scale, detailed Landscape/Planting Plan(s) for the proposed "Community Garden Area" on the second floor;

(Note to Applicant: Further design development and programming should include: starter plant list, work station, compost, irrigation, benches, vertical landscaping and additional trees and/or structures. Provide a detailed section drawing through the garden plot area to indicate materials, grading, soil depth and function.)

- (xviii) large-scale detailed section/elevation drawings of proposed "green walls";
- (xix) specification of a high-efficiency irrigation system for all common planters, and hose bibs for garden plot areas and private patios of areas equal to, or greater than 9.3 m<sup>2</sup> (100.00 sq. ft.), illustrated with symbols and noted on the Landscape Plans;
- (xx) clarification of materials/patterning on public and private walkways and streetscape design;
- (xxi) design development to provide foundation planting (shrubs/groundcover) on the "inside" boulevard along East 17th and East 18th Avenues;

(Note to Applicant: Boulevard landscaping must meet the Guidelines for Planting City Boulevards, including the provision of a 1.0 ft. wide grass strip between the public sidewalk and the plants. Plants should not exceed 1.0 m height at maturity.)

### Social Infrastructure

- (xxii) design development to provide opportunities for creative play for children with a range of ages, in a location that optimizes casual surveillance from the indoor amenity area;

(Note to Applicant: Particular care should be given to avoid the use of toxic plants and landscaping materials in and around common outdoor amenity areas. Edible landscaping is encouraged. Play equipment is not required, and creative landscape/play features [creative motor-skills developing features such as balancing logs and boulders, a small/tangible water stream or feature, cat-proofed sandbox, etc.] which provide a myriad of creative play opportunities are encouraged.)

- (xxiii) design development to the "Community Garden Plots" on the west side of the podium roof to include on-site composting, tool storage, hose bibs and potting benches which support urban agriculture activity.

(Note to Applicant: Some garden plots should be universally accessible as per the "Urban Agriculture Guidelines for the Private Realm". Consideration should be given to a rainwater collection system to assist with irrigation.)

## PROPOSED CONDITIONS OF BY-LAW ENACTMENT

(c) That, prior to enactment of the CD-1 By-law, the registered owner shall:

### Engineering

- (i) consolidate Lots 6 to 12, Except the West 20 Feet now Lane, Block 61, D.L. 302, Plan 198, into a single parcel;
- (ii) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for provision of:
  - Traffic calming measures at the 17th and 18th Avenues lane entries to prevent westbound turns from the lane, at no cost to the City;
  - Closure of the slip-lane and completion of all resultant curb and sidewalk work;
  - Street trees adjacent to the site, where space permits; and
  - Standard concrete lane crossings at the 17th and 18th Avenue lane intersections.
- (iii) undergrounding of all utility services 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 Branch. Early contact with the Utilities Branch is recommended.)

- (iv) execute a Pedestrian Walkway Agreement satisfactory to the Director of Legal Services and the Director of Planning to provide public access through the development site, to connect the mid-block entry to the lane on the western boundary of the site.

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 E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (C-2), as set out in Appendix C, to Policy Report, *"CD-1 Rezoning - 3333 Main Street"*, dated April 8, 2010, be approved
- C. THAT, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law following approval and enactment of the CD-1 By-law to establish regulations for this Comprehensive Development District in Schedule B, generally as set out in Appendix C, to Policy Report, *"CD-1 Rezoning - 3333 Main Street"*, dated April 8, 2010.

(RZ. - 3333 Main Street)