

## SUMMARY AND RECOMMENDATION

**8. TEXT AMENDMENT: 2908 West 33rd Avenue**

**Summary:** To amend Comprehensive Development (CD-1) #190 to permit a three-storey mixed residential development with retail on the corner.

**Applicant:** Geoffrey Glotman, Mackenzie Street Development Inc.

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

THAT the application by Mackenzie Street Development Inc., to amend CD-1 #190 (By-law No. 6155) for 2908 West 33rd Avenue (PID 013-283-006, 013-283-014, and 013-283-031; Lots 16, 17, and 18, all of Lot 1; Block 47; District Lot 2027; N.W.D; Plan 2972), to permit construction of a mixed-use development with 10 residential units and 4 commercial units at a floor space ratio (FSR) of 1.25, generally as presented in Appendix A, to the Policy Report, "*CD-1 Text Amendment - 2908 West 33rd Avenue*", dated April 6, 2010, be approved, subject to 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 Ramsay Worden Architects Ltd., and stamped "Received City Planning Department, November 18, 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:

**Design Development**

- (i) Design development to the Mackenzie Street elevation to improve integration of the upper storeys with the ground level storey.

Note to Applicant: This can be achieved by shifting the mass of the storeys above the commercial use to the east. This will also broaden the separation between the two buildings, reducing privacy impacts.

- (ii) Design development to the roof and expression of the western building to reduce the impacts to the western neighbour.

Note to Applicant: The west elevation of the two-family building presents a

large portion of blank wall, blocky massing with upper bulk, long building depth, and a high springline to the western neighbour. Design development considering composition, privacy, materials, and detailing is required to reduce the impact. An alternate roof shape with a lower springline should also be considered. The Kitsilano RT-7 and RT-8 Guidelines may provide a useful reference.

### **Sustainability**

- (iii) Submission of details on strategies necessary to achieve BuiltGreen™ BC Gold with a score of Energuide 80.

Note to Applicant: In particular, features, which will reduce building energy and water consumption, should be identified on the final approved permit drawings.

### **Crime Prevention through Environmental Design (CPTED)**

- (iv) Design development to take into consideration the principles of CPTED having particular regard for reducing opportunities for:
- Unintended cut-throughs;
  - Theft in the underground parking;
  - Break and enter;
  - Mischief in alcoves; and
  - Nuisance activity such as graffiti.

### **Landscape Design**

- (v) Provision of a fully illustrated and detailed Landscape Plan.
- (vi) Resolution of the conflict between retained trees on the subject and neighbouring sites and proposed construction as outlined on the Landscape Plans submitted by Durante and Kreuk Ltd. and date stamped received November 2009.

Note to Applicant: Further design development is needed to limit excavation within the drip line of the 12 inch neighbour-owned Maple and the 14 inch Maple on the development site. Talk with the neighbour about risks to tree health. Neighbour's written consent is required for tree removal. Shift proposed hard landscaping away from the trunk of the retained 14 inch Maple in the front yard of West 33rd Avenue.

- (vii) An arborist report submitted by an ISA Certified Arborist confirming the method of safe retention of retained trees and a letter of assurance confirming arborist supervision during excavation and construction as needed.
- (viii) Design development to maximize security for the residents and visitors to the

Courtyard Mews by providing the mews entryways with gates, and illustrated on the Landscape Plan.

- (ix) Provision of illustration details at  $\frac{1}{4}''=1'-0''$  scale showing the project's public realm interface at the street edge; include illustration of semi-private front yards with privacy screening, planter walls, fence and or gates, stairs, landscaping, street trees and bus stop.
- (x) Provision of large scale illustration/section details at  $\frac{1}{2}''=1'0''$  scale confirming soil depth in planters.

### Engineering

- (xi) Provision of required bicycle parking spaces within a bicycle room.

Note to Applicant: Where bicycle spaces are proposed near the parking space, these should be enclosed within a hard shell locker.

- (xii) Provision of correctly dimensioned disability parking space as per the Parking By-law.

Note to Applicant: The required width is 4.0 m.

- (xiii) Provision of a loading bay throat as per the Engineering Parking and Loading Design supplement.

Note to Applicant: This will require changes to the position of the adjacent disability parking space to set it further back, thereby allowing the loading throat to be provided.

- (xiv) Provision of a parking ramp slope not to exceed 10% for the first 20 ft. from the property line and a maximum 12.5% thereafter.

Note to Applicant: If a ramp slope steeper than 12.5% is required after the first 20 ft., provision of a transition slope of 7.5 to 10% at the bottom will be required.

- (xv) Provision of a parabolic mirror in the bottom corner of the parking ramp to allow drivers of exiting vehicles visibility of oncoming vehicles on the parking ramp.

- (xvi) Provision of column setback from the entrance into the parking space as per the Engineering Parking and Loading Design Supplement.

Note to Applicant: 2 ft. long columns which encroach into the standard parking space must be set back 2 ft. from the end of the space.

- (xvii) Relocate the overhead security gate to the top of the parking ramp at the building line.

Note to Applicant: For CPTED reasons, this is necessary.

- (xviii) Delete landscaping and curbing shown in the lane.
- (xix) Make arrangements to the satisfaction of the General Manager of Engineering Services for relation of the bus stop and bench on Mackenzie Street. (Note: A bench located adjacent to the most southern CRU is preferred by Engineering and Coast Mountain Bus Company. A widened canopy and bench should be provided to achieve this. If not the default location for the bench will place it in front of a residential unit.)
- (xx) Clarify proposed canopy design of the CRU's. Canopies must be fully demountable and drained to the buildings internal drainage system. (Note: The proposed canopy appears to be an extension of the concrete slab which is not an acceptable design). Engineering encourages the provision of wide canopies to provide shelter for transit users.
- (xxi) Make separate application to the General Manager of Engineering Services for the proposed sidewalk café. (The development permit process will not provide an approval for the sidewalk café).
- (xxii) Clarify garbage pick up operations. Please provide confirmation from a waste hauler that they can access and pick up from the location shown without reliance of bin storage on the City lane, or provide garbage storage at grade adjacent the lane so bins can be picked up and immediately be returned to the storage area and not remain in the lane.
- (xxiii) Provision of separate retail and residential garbage storage areas.
- (xxiv) Delete specialty sidewalk/paving and landscaping area shown as a sidewalk café and make separate application to the General Manager of Engineering Services.
- (xxv) Sidewalk relocation should result in a 4 ft. exposed aggregate front filler and a 6 ft. wide standard sidewalk with the balance in either grass or concrete in the back filler area as necessary.

#### PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall make arrangements for the following to the satisfaction of the General Manager of Engineering Services, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services:

## Engineering

- (i) Consolidation of lots 16, 17 and 18 is required.
- (ii) Release of easement and indemnity agreement 145906M (crossing agreement) prior to occupancy of the site.
- (iii) 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 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.
- (iv) Provision of upgraded disability ramps at the south west corner of West 33rd Avenue and Mackenzie Street to current Engineering standards.
- (v) Provision of an improved lane entry including standard concrete curb returns, at the lane south of West 33rd Avenue on the west side of Mackenzie Street.
- (vi) Provision of an infill street light on Mackenzie Street at West 33rd Avenue to achieve minimum lighting standards.
- (vii) Provision of street trees adjacent the site where space permits.
- (viii) Undergrounding of all new utility services 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.

## Soils

- (ix) The applicant will do all things and/or enter into such agreements deemed necessary by the City to fulfill the requirements of Section 571B of the Vancouver Charter, on terms and conditions satisfactory to the Manager of Environmental Protection and the Director of Legal Services in their sole discretion.
- (x) The applicant will execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance or other

instruments acceptable to the City have been provided to the City by the Ministry of Environment.

- (xi) Provision of an off-site contamination agreement that requires contamination in the road to be remediated to City standards on terms and conditions that the General Manager of Engineering Services and the Director of Legal Services deems necessary, in their sole discretion, which may include Section 219 Covenants which provide that there will be no occupancy of any buildings or other improvements until the City has received the confirmation that the road has been remediated.

#### **Community Amenity Contribution**

- (xii) Offering to the City of a Community Amenity Contribution (CAC) in the amount of \$37,911.

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 it 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 deems appropriate by, and in form and contents satisfactory to, the Director of Legal Services.

The timing of all required payments if any shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

**(RZ. 718/2009 - 2908 West 33rd Avenue)**