

SUMMARY AND RECOMMENDATION

4. REZONING: 1401 Comox Street

Summary: To rezone from RM-5 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District. The proposal is for a 22-storey market rental residential tower, with a total of 186 housing units. The proposed development includes a floor space ratio (FSR) of 7.19 and a building height of 61 metres (200 feet). This is a concurrent rezoning and development permit (DE413347) application.

Applicant: Gregory Henriquez, Henriquez Partners Architects.

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 Henriquez Partners Architects, on behalf Westbank Projects/Peterson Investment Group, to rezone 1401 Comox Street, (*PIDs: 015-761-487 and 015-761-495; Lots 19 and 20 (respectively), Block 47, District Lot 185, Plan 92*) from RM-5 (Multiple Residential) District to CD-1 (Comprehensive Development) District, to increase the density from 1.50 to 7.19 FSR to permit construction of a 22-storey market rental residential building, generally as presented in Appendix A of the Policy Report dated April 24, 2012, entitled "CD-1 Rezoning: 1401 Comox Street", 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 Henriquez Partners Architects, and stamped "Received City Planning Department, November 30, 2011", 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 the tower's apparent slenderness through further articulation of facades, balconies and guardrails, as well as consideration of passive design shading elements on the south and west facades to address solar heat gain.

Note to Applicant: Detailed sections and elevations illustrating high quality material treatments are required.
2. Design development to improve the public realm interface of the ground-oriented townhouses facing Broughton Street with the provision

of planter walls and entry gates enhanced with high quality materials and treatments.

3. Design development to relocated and incorporate the garage exhaust vents to improve the interface on the sidewalk and at the neighbouring entry walkway.
4. Design development to reduce the depth of the rooftop mechanical penthouse as much as possible while still providing screening for any necessary equipment.
5. Design development to the balconies to provide more visual interest within the overall façade composition.

Note to Applicant: Variation of material treatments should be explored.

Sustainability

6. Identification on the plans and elevation of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least three optimize energy performance points, one water efficiency point, and one 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 with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set. Pursuit of LEED® Gold rather than Silver is encouraged, as are registration and application for Certification of the project.

Crime Prevention Through Environmental Design (CPTED)

7. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcove and vandalism, such as graffiti.

Landscape

8. Resolution of conflict between the proposed excavation and the neighbour trees near the west property line.

Note to Applicant: The trees were retained and protected during the demolition phase. Either this protection method or an alternative method should be integrated into the new proposal through design development, to the satisfaction of a project engineer, the project arborist and staff. Arborist report will be required. The arborist must consider the feasibility of removing individual trees within the group, should that be proposed, regardless of ownership. Alternatively, an application for a tree permit can be made to remove/replace the trees

and accompanied by a written consent letter from the neighbour. Further comments may be outstanding.

9. Where applicable, provision of a certified arborist report, to the satisfaction of staff.

Note to Applicant: The report should provide information, advice and solutions regarding the impacts of neighbour trees in close proximity to excavation. Arborist setback dimensions should direct design, where applicable. Further comments may be outstanding.

10. Where applicable, provision of a letter of assurance that the arborist has been hired to supervise and manage tree retention for the project.

11. Design development to the Broughton Street public/private interface.

Note to Applicant: Where the double row of trees is not accepted by the City Engineer, the inboard westerly row of trees should be set back onto the private property patios. The underground parking slab should angle down a minimum distance of three feet in the vertical and horizontal plane to provide a continuous soil planting trench connected to the open soil. The planters on the westerly patios will need to be re-configured accordingly. Provide layered planting on the city boulevard, leaving a one foot lawn setback from the sidewalk.

12. Further design development to the demonstration garden.

Note to Applicant: Further consideration should be given to the security, programming and ownership of the space. An adequate amount of tool storage, hose bibs and a compost station must be provided in close proximity. Locate storage within or attached to the building; or, an alternative, such as lockable, hidden storage within the benching. Integrate edible planting into the planting scheme, including adding additional replacement trees species and a starter plant list for the garden plots. Provide detailed sections and plans.

13. Design development to provide sufficient soil depth and volume to ensure long term plant health.

Note to Applicant: Soil depths to meet or exceed BCLNA Landscape Standards (latest edition).

14. Provision of a detailed landscape/planting plan.

Note to Applicant: Provide details of all hard and soft landscaping, including a detailed plant list and clarification of all surface materials. The plant list should be appended to plant symbols on the plant list.

15. Provision of a Tree Plan, including dimensioned tree protection barriers.

Note to Applicant: Refer to *Protection of Trees By-law* (sec. 4.0, 4.3) and the tree protection requirements processed at time of demolition permit. For staff to consider removal of any neighbour trees, a separate tree permit application accompanied by a neighbour consent letter must be submitted. Replacement tree considerations should be explored in advance of the application.

16. Provision of large scale sections through the landscaped areas.
Note to Applicant: Include all four sides of the building (townhouse interface, the slab-patio-planter relationship, the lane interface, the west neighbour relationship) and common areas (childcare, demonstration garden, courtyard). For planting on slabs, detailed sections should include the soil profile, root ball and slab/retaining walls.
17. Provision of high efficiency irrigation for all planted areas, hose bibs for garden plot areas and private patios of areas equal or greater to 9.3 m² (100 sq. ft.).
Note to Applicant: In addition to hose bibs, drip irrigation should be provided for planters on private patios. Illustrate symbols, written specifications and notations on the landscape plans in this regard.
18. Provision of new street trees adjacent to the development site, to be confirmed prior to the issuance of the building permit, to discretion of the General Manager of Engineering.
Note to Applicant: Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Park Board, ph: 604.257.8587 for tree species selection and planting requirements. Provide a notation on the plan, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, 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".
19. Provision of layered planting on the inside boulevard.
Note to Applicant: Refer to *Engineering Guidelines for Planting on Boulevards*.

Engineering

20. Provision of a marked hatched area for the pedestrian corridor between parking spaces 3 and 4 on P3.
21. Provision of a 1.5 m (5 ft.) access corridor for disability spaces 19, 29, 40 and 41 on P2.
Note to Applicant: Clarify if the space between stalls 40 and 41 on P2 is the disability stall access aisle or a parking space. Engineering recommends the conversion of stall 1 on P2 to a disability stall with a shared access aisle with stall 2, and of stall 6 on P1 to a disability stall.
22. Provision of an improved plan showing the maneuvering of the truck from the lane into and out of the loading space and back out into the lane.

Note to Applicant: This is to confirm that the trucks can turn around on site without having to back out into the lane and assess if parking across the lane needs to be removed.

23. Confirm that 2.3 m (7' 6 ½") of vertical clearance is being provided on P2 underneath the storage room for disability parking.

Note to Applicant: Section drawing AA measures 2.2 m at this location.

24. Provision of all Class A bicycle storage on P1 level.
25. Provision of 6 additional Class B bicycle parking spaces on public property as space permits.
Note to Applicant: A separate application to the GMES is required.
26. Delete the landscaping (including trees) shown within the curbed sidewalk area in the lane on Page A1.03. This must remain as pavement (note vine pockets could be considered).
27. Doors and gates are not to swing over the property lines (transformer and stairwell exit gates on drawing A1.04).

Social Development

28. Design development to the common amenity room and children's play area to improve the physical and visual connections between the two spaces, and to secure the children's play area by providing gates and fencing, in accordance with the High Density Housing for Families with Children Guidelines.
29. Design development to ensure an accessible washroom is provided off the amenity room. Consideration should be given to adding a diaper change table to the washroom to assist parents with infants.
30. Design development to the "Community/Demonstration Garden" on the south side of the site to include on-site composting, tool storage, hosebibs and potting benches which support urban agricultural activity, and to make some garden plots 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.

Heritage

31. Submission of an commemoration program including an interpretative plan for incorporating remaining artifacts and historical fragments from the church and hall.

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 and to the

Director of Planning, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 19 and 20, Block 47, DL 185, Plan 92 to create a single parcel.
2. Provision of a Services Agreement to detail the on- 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 following services is provided:
 - (i) improvements to the proposed demonstration garden by providing a water drinking fountain, seating, and pedestrian scale lighting adjacent the walk, all to be located on private property;
 - (ii) provision of pedestrian-scale lighting on Comox Street adjacent the site;
 - (iii) provision of a landscaped corner bulge at the northwest corner of Comox and Broughton streets including relocation of utilities and services impacted by bulge construction;
 - (iv) provision of a concrete pedestrian lane crossing and curb ramps at the lane south of Nelson Street on the west side of Broughton Street;
 - (v) provision of broom-finished concrete sidewalks on Comox Street adjacent to the site to the City of Vancouver Greenways standard (1.8 metres wide with saw cut joints);
 - (vi) provision of street trees adjacent to the site where space permits;
 - (vii) provision of the adjustment of parking regulation signage in the lane as a result of changes to vehicular access;
 - (viii) the General Manager of Engineering Services will require all utility services to be underground for this development. All electrical services to the site must be primary with all electrical plant, including but is not limited to, junction boxes, switchgear, kiosks, other utility kiosks and pad mounted transformers, are to be located on private property. 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.

3. Provision, operation, and maintenance of three shared vehicles, and the provision and maintenance of three parking spaces for use exclusively by such shared vehicles, with two of such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law, and with all three vehicles and spaces under the conditions outlined below:
 - (i) a professional shared vehicle organization, satisfactory to the Director of Planning and General Manager of Engineering Services, is to manage the shared vehicles;
 - (ii) the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right-of-way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization including those who do not reside in the development; and
 - (iii) the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces.
4. Provision of space on the site to accommodate a Public Bicycle Share Station, and arrangements for the appropriate rights-of-way to allow public access to the Bicycle Share Station.
5. Provision of appropriate agreements to ensure on-going maintenance of non-standard landscaping features on public property adjacent to the site.

Comox Public Open Space

6. Make arrangements to the satisfaction of the Director of Planning and the Director of Legal Services, to secure public access over the 8.7 m (28.5 ft.) by 37 m (121.4 ft.) public open space fronting onto Comox Street, including community gardens, children's playground, and open lawn area, as shown on diagram A1.04 (Ground Floor Plan).

Note to Applicant: A statutory right-of-way will be required to provide public access to this open space. Construction, installation, maintenance and lighting will be the owner's responsibility.

Affordable Rental Housing

7. Execute a Housing Agreement pursuant to the Short Term Incentives for Rental (STIR) Program to secure all 186 residential units in this development as rental for the life of the building or 60 years, whichever is longer, and to include registrable covenants in respect of all such units prohibiting stratification, separate sales and rental for a term of less than one month at a time, and subject to such other terms and conditions as are satisfactory to the Director of Legal Services, the Managing Director of Social Development.

Note to Applicant: This Housing Agreement will be entered into by the City by by-law pursuant to Section 565.2 of the *Vancouver Charter*.

Public Art

8. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

- B. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as presented in Appendix C of the Policy Report dated April 24, 2012, entitled "CD-1 Rezoning: 1401 Comox Street".
- C. THAT Council approve in principle a Housing Agreement pursuant to the Short Term Incentives for Rental (STIR) Program securing all 186 residential units as rental for the life of the building or 60 years, whichever is longer, including no separate sales and a no stratification covenants in respect of such units and such other terms and conditions as are more particularly described in the body of this Report and are to the satisfaction of the Director of Legal Services and Managing Director of Social Development;

FURTHER THAT the Director of Legal Services be instructed to bring forward a by-law pursuant to Section 565.2 of the *Vancouver Charter* to authorize such Housing Agreement, and after enactment of the Housing Agreement by-law, to execute and register the Housing Agreement.

(RZ - 1401 Comox Street)