

SUMMARY AND RECOMMENDATION

7. REZONING: 1388 Continental Street (formerly 1349 Granville Street)

Summary: To rezone the site from DD (Downtown) District to CD-1 (Comprehensive Development) District to permit a 10-storey, mixed-use commercial and residential building with 89 affordable market rental residential units. This rezoning application is being considered under the Short Term Incentives for Rental (STIR) Program. The proposed floor space ratio (FSR) is 6.99 and the building height is 30 metres (98.4 feet).

Applicant: Mr. David Evans, Cressey (Drake) Development LLP

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 Cressey Drake Holdings Ltd, to rezone 1388 Continental Street (*PID: 009-655-883; Lot C, Block 112, District Lot 541, Plan 9442*) from DD (Downtown District) to CD-1 (Comprehensive Development) District, to permit a 10-storey mixed-use commercial and residential building with 89 residential units secured as affordable market rental under the Short Term Incentives for Rental (STIR) Program, generally as presented in Appendix A of the Policy Report dated May 22, 2012, entitled "CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville 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 IBI/HB Architects and stamped "Received City Planning Department, January 16, 2012", subject to the following conditions, 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

1. Design development to incorporate landscape treatments contributing to both the amenity of the roof deck as well as improving the overlook from nearby adjacent buildings.
2. Design development to provide an indoor amenity room adjacent to the outdoor amenity area provided on level 9.

3. Design development to improve and enhance the profile of the parapet, particularly at the corner of Granville Street and Neon Street.
4. Design development to enhance the quality of the weather protection with improved materials of glazing and steel.
Note to Applicant: Opportunities to incorporate color into the glazed canopy system is encouraged.
5. Design development to improve privacy between the private residential roof deck and the shared amenity roof deck area.
Note to Applicant: This should be achieved with enhanced landscaped treatments. The shared amenity should be maximized by reducing the private roof area.
6. Design development to minimize the visual impact of exposed mechanical vents.

Crime Prevention Through Environmental Design (CPTED)

7. Design development to consider the principles of CPTED having particular regard for reducing opportunities for theft in the underground parking.

Sustainability

8. Registration for LEED® certification and identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, including at least 6 optimize energy performance points, 1 water efficiency point and 1 storm water point to the satisfaction of the Director of Planning.

Engineering

9. Revised Parking plans to show 3 additional disability spaces and location of the 3 shared vehicles/spaces.
10. Revised building grades should be applied for as soon as possible to reflect the final lot configuration. Note: there is an identified grade issue at the north property lines intersection with the lot to the north. Please ensure the grading at this location is reviewed with staff to ensure the proposed parkade ramp elevation is compatible with the entry ramp to the north and both entries will meet City building grades.
11. Provision of a conceptual landscape plan (final) which will show the streetscape, the number, location and species of street trees, the final curb location and the future public open space area (parkette) as well as lamp standards and other street furniture.
12. Provision of widened stairs and walkway connecting Neon Street to Granville Street (minimum 6 feet wide, inside dimension) complete with bicycle wheel ramp on the stair to improve accessibility.

13. Provision of pedestrian lighting along the widened stairs and walkway connecting Neon Street to Granville Street.
14. Clarification of the use and function of the area between the building and the planter under the walkway and stairs.

Note to Applicant:

- (i) Please consult with Engineering Sewers Design branch early to confirm sewer connection locations and elevations.
- (ii) The building foundations are to be designed to withstand the loads of the future streets to be constructed adjacent the site and backfilling of the Granville Street bridge gap.

Urban Agriculture

15. Design development to the common outdoor amenity area on level 9 to include planters with edible landscaping and/or garden plots, with compost bins, and the necessary infrastructure to support urban agricultural activity such as tool storage, a potting bench and hose bibs.

Landscape

16. Notation on Landscape Plan confirming the location of all existing trees, 20 cm caliper or greater, that are proposed to be removed or retained, as noted on the survey plan.

Note to Applicant: Revise the survey plan to include tree locations and complete the Landscape Plan.

17. Provision of a large scale $\frac{1}{4}'' = 1'-0''$ or 1:50 scale of section/elevation details illustrating the detailed landscape treatment of the project's public realm interface at the street to show the future public open space at the intersection of Continental Street and Neon Street and triangle of landscaping at Neon Street (east property line).

Note to Applicant: The detail drawings will need to include planter walls, stairs, landscaping, soil depth (indicated by underground structures), semi-private patios and privacy screens.

18. Provision of a large scale $\frac{1}{4}'' = 1'-0''$ or 1:50 scale of section/elevation details illustrating the roof decks at Level 2 and Level 9 to show the planter depth edge and separation between the common and private terraces.

Note to Applicant: Refer to Design Condition 15.

19. Provision of hose bibs for hand watering landscape planters at all building locations and note on the Site Plan and Landscape Plan.

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

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:

1. Subdivision of Lot C, Block 112, DL 541, Plan 9442 to result in dedication for road purposes of the westerly 0.9 metres of the site, and that portion of the site lying south of a line drawn parallel to and south of the north property line by 22.4 metres.

Note to Applicant: The land surveyor involved should contact the City's Land Survey Branch for detailed property line dimensions.

2. Provision of an encroachment agreement for the stairs and ramp connecting Continental Street/Neon Street to the Granville Street bridge. This connection will be over the road right-of-way following the land dedications.

Note: the applicant is to provide a letter of commitment at the rezoning enactment stage with the encroachment agreement finalized and registered in Land Titles Office prior to building occupancy.

3. Execution of a Services Agreement to detail the delivery of all on-site and off-site works and services necessary or incidental to the servicing of the Rezoning Site (collectively called the "Services") such that they are designed, constructed and installed at no cost to the City, and that all necessary street dedications and rights-of-ways for the Services are provided. Without limiting the discretion of the General Manager of Engineering Services and the Director of Legal Services, this agreement shall include provisions that:
 - (i) no Development Permit in respect of any improvements to be constructed on the Rezoning Site pursuant to this rezoning will be issued until the design of all of the Services is completed to the satisfaction of the General Manager of Engineering Services and security for the services is provided;
 - (ii) the design of all Services will be completed to the satisfaction of the General Manager of Engineering Services prior to; tendering for the construction of any of the Services; or any construction of the Services if the Owner decides not to tender the construction;
 - (iii) no occupancy of any building or improvements constructed pursuant to the rezoning will be permitted until all the Services

are completed to the satisfaction of the General Manager of Engineering Services; and

- (iv) in addition to standard utilities and utility extensions, necessary Services will include:
- a. Interim widening of Neon Street and Continental Street to accommodate existing road configuration/access to adjacent properties until such time as the Granville bridge loops are removed and the final road design is implemented. The applicant is to fund at 100%, all costs of interim works (sidewalks, pavement, utility adjustments or interim utility arrangements) ensuring on-going road function;
 - b. Provision of a cash contribution towards the future construction of the proposed parkette. The value is to be determined by provision of an estimate to backfill the parkette area to the future road grades of Neon Street and Continental Street and the value to construct the final parkette features which will included concrete pavement, boulevard, trees and landscaping where space permits, seating for the public and lighting;
 - c. Provision of adequate water services for this site. Currently no water mains serve this location, a new main will have to be constructed to serve the site from Drake Street to the service point for the site for which the developer is to responsible for 100% of the construction costs. The applicant is to provide water demand details for the project including projected fire flow rates to determine the size of water main required;
 - d. Provision of all utility services to be underground from the closest existing suitable service point;

All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property and not on the public road right-of-way. 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.
 - e. Provision of improved street lighting on Continental Street and Neon Street to meet current street lighting standards;
 - f. Provision of improved sidewalks on Granville Street to current commercial standards for the area;

- g. Provision of street trees adjacent the site where space permits. Note, this will require backfilling of the gap between the east property line of the site and the Granville Street bridge structure such that adequate growing medium for street trees can be provided for on Granville Street.

4. Make arrangements for:

- (i) The provision, operation, and maintenance of 3 shared vehicles and the provision and maintenance of 3 parking spaces for use exclusively by such shared vehicles;
- (ii) The developer to fund \$25,000 toward each required shared vehicle and fund \$11,500 for operating costs for each required shared vehicle;

Note to Applicant: These dollar amounts are subject to inflationary increases and final amounts will be calculated prior to Occupancy.

- (iii) a professional shared vehicle organization satisfactory to the Director of Planning and General Manager of Engineering Services to manage the shared vehicles;
- (iv) 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 who do not reside in the development; and
- (v) 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 at all times.

Housing

- 5. Execute a Housing Agreement pursuant to the Short Term Incentives for Rental (STIR) Program to secure all 89 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.

Soils

6. Submit a site profile to the Environmental Protection Branch (EPB).
7. The property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
8. Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated there from on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Water, Land and Air Protection, has been provided to the City.

Note: 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 the Sign By-law to establish regulations for this CD-1 and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C of the Policy Report dated May 22, 2012, entitled "CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)", be approved.
- C. THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this CD-1 in Schedule A, generally as set out in Appendix C of the Policy Report dated May 22, 2012, entitled "CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)" for enactment following the approval and enactment of the CD-1 By-law.
- D. 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 set out in Appendix C of the Policy Report dated May 22, 2012, entitled "CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)".
- E. THAT Council approve in principle a Housing Agreement pursuant to the Short Term Incentives for Rental (STIR) Program securing all 89 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 - 1388 Continental Street (formerly 1349 Granville Street)]