



## POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: November 2, 2012  
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VanRIMS No.: 08-2000-20  
Meeting Date: November 13, 2012

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple Street)

### **RECOMMENDATION**

- A. THAT the application by Bingham Hill Architects, on the behalf of 6098941 Canada Inc. (Pinnacle International), to rezone 2001 West 10th Avenue (PID: 009-165-517, Lot D, Block 345, DL 526, Plan 11084;) from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a 7-storey residential building and a 6-storey residential building including a child day-care at grade with a density of 2.5 FSR and a maximum height of 22.70 m (74.5 ft.), be referred to a Public Hearing, together with:

- (i) plans received June 30, 2010;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- C. THAT Recommendations A, and B be adopted on the following conditions:

- (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### ***REPORT SUMMARY***

This report assesses an application to rezone this site from M-1 (Industrial) District to CD-1 (Comprehensive Development) District to permit the development of a 7-storey residential building and a 6-storey residential building, with a child day-care at grade, all over shared underground parking. The application proposes a maximum floor space ratio (FSR) of 2.50 and a maximum building height of 22.70 m (74.5 ft.). As dwelling units are not permitted under the current zoning, this proposal represents an increase in permitted residential floor space of 2.50 FSR. Staff have assessed the application and conclude that it is supported by Council policy. Subject to a public hearing, staff recommend that the application be approved with conditions outlined in Appendix B.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

Relevant Council policies for this site include:

- Arbutus Neighbourhood Policy Plan (November 19, 1992)
- Arbutus Neighbourhood - Implementation of Development Cost Levies (November 7, 1995)
- Broadway-Arbutus Policies (July 7, 2004)
- Broadway-Arbutus C-3A and 2000 Block West 10th Avenue (North Side) Guidelines (July 7, 2004)
- EcoDensity Charter (June 10, 2008)
- Green Building Rezoning Policy (February 4, 2010)

### ***REPORT***

#### ***Background/Context***

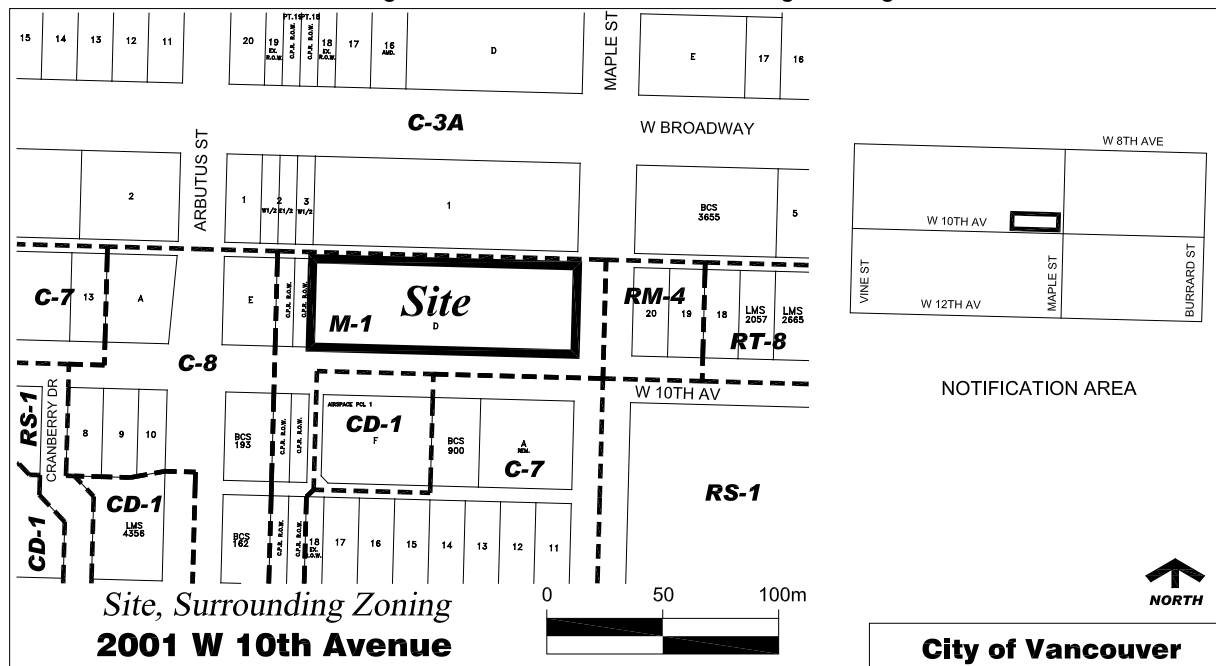
##### **1. Site and Context**

The site is located at 10th Avenue and Maple Street and was developed with an IGA grocery store and BC liquor store for decades. These stores relied on a surface parking lot on a separate property fronting West Broadway. The Broadway property is zoned C-3A and is being developed with a mixed use development with retail at grade and residential above to a height of 7-storeys. The subject site on which the vacant store buildings currently exist, is

zoned M-1 and has 114 m (375 ft.) of frontage on 10th Avenue, from Maple Street to the CPR right-of-way (Arbutus Corridor) at the west property line. Across Maple Street to the east are 2 ½ storey multiple dwellings and duplexes and Tennyson Elementary School. Across 10th Avenue to the south are C-7 zoned sites with a 3-storey office building, a 5-storey residential building as well as a 4-storey mixed use building on a CD-1 zoned site. Across the Arbutus Corridor, the site fronting Arbutus Street is zoned C-8 and is developed with a 2-storey commercial building (See Figure 1).

The future UBC Rapid Transit Line is being planned along the Broadway corridor. A future transit station is envisioned near Arbutus and may result in an entrance where the Arbutus Corridor meets either 10th Avenue or Broadway. To provide a pedestrian connection linking 10th Avenue to future transit infrastructure on Broadway, a 6.1 m (20 ft.) right of way adjacent to the Arbutus Corridor will be secured through this rezoning.

Figure 1 — Site and Surrounding Zoning



## 2. Broadway-Arbutus Policies

In 2004, policy work was undertaken in the Broadway-Arbutus area in response to a development enquiry for a large-format retail development for this site and the adjacent parking lot. The resultant “Broadway-Arbutus Policies” and accompanying guidelines outline recommended density, height, massing and uses for this area.

In summary, the Broadway-Arbutus Policies provide the following key recommendations specifically for the M-1 zoned subject site:

**Use and Density:** confirm current density maximum of 2.25 FSR, with choice of use (residential or commercial), but do not permit retail.

**Height and Built-form:** allow up to 18.3 m (60 ft.) to accommodate the day-care, or to respond to the adjacent C-3A development.

**Movement - Pedestrians:** a setback from the Arbutus rail corridor should be considered to facilitate a more direct connection for pedestrians between the retail/service uses on Broadway and Arbutus Street.

The Arbutus Neighbourhood Policy Plan adopted in 1992 first identified this site as a potential location for a child day-care, and the Broadway-Arbutus Policies re-affirms this as a key public benefit to be provided through redevelopment of this site.

### ***Strategic Analysis***

#### **1. Land Use, Density and Height**

The current M-1 industrial zoning for this site does not permit residential development. The Arbutus Neighbourhood Policy Plan (Policy Plan) envisioned the transformation of this area from an industrial area to a predominantly residential neighbourhood with opportunities for mixed use development. While the Policy Plan did not prescribe height or density for the subject site, the subsequent Broadway-Arbutus Policies provided more specific direction, with heights anticipated up to 18.3 m (60 ft.) and a density of 2.25 FSR.

Staff recognize the opportunity presented by the proximity of this large redevelopment site to current and future transit service. The site is one block from two intersecting transit routes, fronts onto a popular bikeway and is an easy walk to many services and amenities. The Eco Density Charter provides a commitment to “achieve densities smartly and strategically in land-use patterns, locations and designs where carbon footprint improvements and environmental gains are highest”. The plan to extend rapid transit to this walkable and bikeable community presents a compelling rationale to consider additional density on this site in a way that respects the intent and direction of existing policies and plans.

The application proposes a height of 22.70 m (74.5 ft.) and a density of 2.50 FSR. While this represents an increase in height of 4.4 m (14.4 ft.) beyond the Broadway-Arbutus Policies, the impact is minimized by locating the taller building at the west end of the site where the elevation is lower. The site slopes down approximately 2.3 m (7.5 ft.) along 10th Avenue from Maple Street to the Arbutus Corridor. The additional density of 0.25 FSR beyond the policy recommendation of 2.25 FSR is partially achieved by virtue of the additional height proposed.

The primarily residential use with child day-care at grade is consistent with plan and policies for this neighbourhood.

Staff believe that the additional height and density are manageable on this site and will support the ridership of future transit infrastructure. For this reason, staff support the proposed use, density and height subject to design development conditions noted in Appendix B and described below.

#### **2. Form of Development (Appendix D)**

This site provides a transition from C-3A zoned sites on Broadway, which are being developed with 7-storey buildings to the lower 4-storey C-7 zoned sites to the south and west. By

breaking the project into two buildings and stepping the 6th and 7th floors, the height and mass are scaled down to establish an appropriate transition to existing and future 4-storey developments along 10th Avenue and Arbutus Street.

The site is 114 m (375 ft.) wide along 10th Avenue and one of the zoning conditions will require a 6.1 m (20 ft.) right-of-way along the west property line parallel to the Arbutus Corridor for pedestrian connectivity to Broadway and potential future transit infrastructure. The taller 7-storey building at the west end of the site has townhouses fronting 10th Avenue and the Arbutus Corridor providing residential uses at grade level. The 6-storey building at the east end of the site includes a child day-care at grade facing 10th Avenue and three townhouses facing Maple Street. The outdoor play space for the child day-care animates the street and benefits from the sunny south exposure.

While the space between the buildings is aligned with that of the new C-3A development to the north helping to preserve some private northerly views from the residential building to the south, those views are eliminated most of the year by the mature existing street trees. The presence of the large street trees, along with a 3.7 m (12 ft.) front yard setback on 10th Avenue, also help to temper the scale of the proposed development.

The Urban Design Panel reviewed the application on August 25, 2010 and supported the proposed form of development.

Staff generally support the proposed form of development. Design development is recommended, at the Development Permit stage, to increase transparency between the child day-care play space and the public realm, to improve usability of the second floor outdoor amenity space, and to make the lane edge more pedestrian friendly with links and landscaping, as noted in Appendix B.

### **3. Child Day-care**

Childcare is an important element of complete, sustainable communities. Licensed group childcare has been shown to improve children's readiness to learn in the school environment and contributes to families' economic stability by supporting labour force participation. Staff are recommending that a 37-space childcare be incorporated into the development providing an opportunity to relocate and expand the existing 25-space facility at Arbutus Street and 8th Avenue operated by Montessori Daycare Society (MDS).

The City and MDS have been working to find an alternate location since 2004. After exploring a variety of options and analyzing the implications, both City staff and the MDS have concluded that the proposed location is preferred. As there are two other childcare facilities north of Broadway, relocating MDS south of Broadway within the Arbutus DCL catchment area is an optimal approach..

The Montessori Daycare Society has been a valued provider of childcare services in the Kitsilano area since 1974. The 8th Avenue location can currently accommodate 25 children aged two and a half to five years of age. Moving the Montessori Daycare to a new purpose-built facility at the Maple and 10th site would provide stability to the Society, allow for a modest expansion of spaces to 37, and improve the environment for the children.

#### **4. Parking, Loading and Circulation**

The application proposes two levels of underground parking accessed from the lane providing 162 parking spaces. Four grade-level loading spaces accessed off the lane are proposed. While the applicant proposes more parking spaces than is required, this site is located within two blocks of the intersection of two bus routes. Accordingly, Engineering staff are recommending that the minimum parking standard be reduced by 10%. This provides an opportunity for some parking reduction at the discretion of the developer.

Increased traffic and the need to improve pedestrian comfort was anticipated by the Broadway-Arbutus Policies and raised by residents. In response, Engineering staff are recommending a variety of traffic calming measures and public realm improvements including improved sidewalks and street furniture, a signal upgrade at Maple Street and Broadway, a new pedestrian/bicycle actuated signal at Maple Street and 12th Avenue, and contingency to provide traffic calming on Maple Street north of Broadway if needed within five years as noted in Appendix B.

#### **5. Environmental Sustainability**

At the date this application was made (June 30, 2010), Council's Rezoning Policy for Greener Buildings required that all rezonings meet a minimum equivalent of LEED® Silver, with a minimum of 3 optimize energy performance points, 1 water efficiency point and 1 stormwater point and LEED® registration. Of the 33-38 points required for a LEED® Silver rating, 36 points are proposed. A LEED® Checklist is included in Appendix C.

#### ***PUBLIC INPUT***

**Public Notification and Open House** — A notification postcard, dated September 15, 2010, was mailed to 1,705 surrounding property owners. In addition, a rezoning information sign was installed on the site and an open house was held on September 30, 2010, with staff and the applicant team available to answer questions from approximately 26 people who attended. Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage.

**Public Response Summary** — In response to the notification and open house, 17 comment forms and e-mails were received and one comment was received by phone. Of the comments received, 3 were supportive, and 15 were opposed. Two common reasons for opposition were increased traffic and loss of the IGA and liquor store. Other comments suggested that a lower density and height would be more acceptable. Many of the other concerns raised by the public can be addressed through public realm improvements and traffic calming measures for which details were not available at the time of the open house. The common concern regarding the loss of the existing stores is a result of misunderstanding. The liquor store is moving into the new development on the adjacent parking lot site, fronting Broadway, which also has the capacity to accommodate a grocery. A summary of comments is included in Appendix C.

#### ***PUBLIC BENEFITS***

In response to City policies which address changes in land use and density, this rezoning application offers the following public benefits.

**Development Cost Levies (DCLS):** DCLs apply to all new construction and help pay for facilities made necessary by growth, including parks, child care facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is located in the Arbutus DCL area where the rate for new residential or commercial floor space is \$90.53 per m<sup>2</sup> (\$8.41 per sq. ft.). Based on the applicant's floor area figures and the current rates, a total DCL payment of \$985,400 is anticipated should this rezoning application be approved. DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment which takes place on September 30th of each year.

**Public Art Program:** The Public Art Program requires that rezonings involving a floor area of 9 290 m<sup>2</sup> (100,000 sq. ft.) or greater allocate a portion of their construction budgets (\$1.81/sq. ft.) to public art as a condition of rezoning. With 10 885 m<sup>2</sup> (117,165 sq. ft.) proposed in this rezoning, a public art budget of approximately \$212,000 can be anticipated.

**Child Day-care facility:** In July of 2004 council approved the Broadway-Arbutus policies which included a requirement that a childcare facility be constructed on the Maple site or be provided elsewhere in the Arbutus DCL area as a condition of development of the Maple site. The current rezoning proposal includes a childcare facility of approximately 4,300 sq. ft. of indoor space and approximately 5,000 sq. ft. of outdoor space located on the southwest corner of the site. The cost of constructing, fitting, furnishing, equipping and supplying the childcare facility is estimated to be \$2,545,385 to paid by the City from the Arbutus Development Cost Levy Reserve Fund (Childcare Allocation).

The proposal for a new childcare facility on this site is for a 37-space facility. Twenty-five of these spaces are replacement spaces, therefore, only the 12 new spaces count towards Council's target of 500 additional spaces by end of 2014.

Council Target	New Childcare Spaces Built as of January 1, 2012	Committed new spaces (under development or secured by rezoning), as of January 1, 2012	Total built and committed childcare spaces	# new spaces proposed by rezoning	Total built and committed spaces, if rezoning application is accepted
500 new childcare spaces between 2012-14	91 spaces	378	469	12 spaces	481

**Community Amenity Contribution (CAC):** The applicant has offered a CAC of \$4.6 million based on the increased land value that would be created by permitting the development of 10 885 m<sup>2</sup> (117,165 sq. ft.) of residential floor area not permitted under the current M-1 zoning. Real Estate Services staff have reviewed the applicant's development proforma and recommend that this offer be accepted. Staff recommend \$1.1 million of the CAC be allocated to support the operation and maintenance of the daycare, and \$3.5 million be allocated to the Affordable Housing Reserve.

### *Financial*

As noted in the section on Public Benefits, the applicant will contribute \$4.6 million to the City as a Community Amenity Contribution (CAC). Staff are recommending that the CAC be allocated as follows: \$3.5 million to the Affordable Housing Reserve and \$1.1 million to the operation and maintenance of the proposed childcare facility.

The site is subject to the Arbutus DCL and it is anticipated that the applicant will pay approximately \$985,000 in DCLs. This application will also result in a public art contribution estimated at \$212,000 toward new on- or off-site public art.

It is anticipated The City will contribute up to \$2,534,385 toward the construction of the 37-space childcare facility to be built by the applicant, source of funds to be the Arbutus Development Cost Levy Reserve. The final amount and timing of payment will be reported to Council in a future Capital Budget report.

### *CONCLUSION*

Staff assessment of this rezoning application has concluded that the proposed form of development can be supported at this location. The General Manager of Planning and Development Services recommends that the application be referred to a public hearing, together with a draft by-law generally as shown in Appendix A and with recommendation that these be approved, subject to a public hearing, along with conditions listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix E.

\* \* \* \* \*



2001 West 10th Avenue  
DRAFT CD-1 BY-LAW PROVISIONS

**Note:** A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Uses**

- Dwelling uses, limited to Dwelling Units in conjunction with any of the uses listed in this schedule;
- Institutional Uses, limited to Child Day Care Facility;
- Accessory Uses customarily ancillary to the above uses.

**Density**

- Maximum floor space ratio of 2.50 FSR.
- For the purpose of computing floor space ratio, the site is deemed to be 4 354 m<sup>2</sup>, being the site size at time of application for rezoning, prior to any dedications.
- Computation of floor area must include:
  - all floors, including earthen floors, to be measured to the extreme outer limits of the building;
  - stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
- Computation of floor area must exclude:
  - open residential balconies, sun decks, porches and any other appurtenances which, in the opinion of the Director of Planning are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;
  - patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
  - where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which:
    - are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
  - amenity areas, including recreation facilities and meeting rooms provided that:
    - the total area being excluded for amenity areas shall not exceed 10 percent of the permitted floor space;
  - areas of undeveloped floors which are located:
    - above the highest storey or half-storey and to which there is no permanent;

- means of access other than a hatch; or adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
  - floors located at or below finished grade with a ceiling height of less than 1.2 m; and
  - all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.
- Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
    - Child Day Care Facility
    - enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
      - the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
      - no more than fifty percent of the excluded balcony floor area may be enclosed.

## Height

- A maximum of 22.7 m.

## Horizontal Angle of Daylight

- All habitable rooms must have at least one window on an exterior wall which complies with the following:
  - the window shall be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, shall be unobstructed over a distance of 24.4 m; and
  - the plane or planes shall be measured horizontally from the centre of the bottom of the window.
- The Development Permit Board or the Director of Planning, as the case may be, may relax the horizontal angle of daylight requirement of this section provided he first considers all the applicable policies and guidelines adopted by Council and providing that a minimum distance of 3.7 m of unobstructed view is maintained.
- For the purpose of calculation of the horizontal angle of daylight, the following are considered as obstructions:
  - the largest building permitted under the zoning on any adjoining sites; and
  - part of the same building including permitted projections.
- A habitable room referred to in this section does not include:
  - a bathroom; or
  - a kitchen whose floor area is the lesser of:
    - less than 10% of the total floor area of the dwelling unit, or
    - less than 9.3 m<sup>2</sup>.

## Acoustics

- All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

\* \* \* \* \*

2001 West 10th Avenue  
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

**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 Bingham Hill Architects and stamped "Received City Planning Department, June 30, 2010", subject to the following conditions, provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

**Design Development**

- 1. Design development to address the relationship between the public realm and the daycare play area, increasing transparency and spatial interconnectivity between them as seen from the street, while maintaining a safe and secure play environment;  
  
Note to Applicant: Reduce the amount and scale of the solid wall and the cage-like appearance of the metal fencing.
- 2. Design development to bring further consistency to the material treatment and expression to the building with particular regard to the north elevations;  
  
Note to Applicant: Introduce colour panels to the north elevations, more building articulation and smaller scale elements, with particular regard to the base of the building.
- 3. Design development to improve the usability of the second floor landscape area over the parking ramp, providing direct pedestrian connections to the outdoor amenity area at grade and with further consideration to the functional programming of the space so as to better animate this area;  
  
Note to Applicant: This space appears to be a dead end and potentially underutilized with access only from one floor.
- 4. Design development to further pedestrianize the edge conditions adjacent to the lane, providing a continuous sidewalk from Maple Street, to the 20 ft.

walkway, west end of the site with pedestrian links into the site, and additional landscaping;

5. Design development to provide an art piece for the site; and

Note to Applicant: In consultation with City staff, establish a budget and artist selection process.

6. Confirmation on the drawings that the planting soil is of sufficient depth for the proposed landscaping;

Note to Applicant: In consultation with City staff, provide a minimum 3 ft. base, dimensioned on detail sections.

### Landscape

7. Design development to maximize at-grade tree planting opportunities on private property;

Note to Applicant: In addition to the proposed trees shown on the Landscape Plan, there may be space for 2 new trees at the northeast corner of the west building townhouses, 1 new tree at the northwest corner of the east building townhouses, and 2 new trees on the 10th Avenue flanking landscaped edge adjacent to Unit #107.

8. Design development to explore opportunities for providing common urban agriculture plots for residents use within a sunny exposure;

9. Design development to include edible landscaping and/or garden plots, on-site composting, tool storage, hose bibs and potting benches which support urban agricultural activity, and to make some garden plots in the proposed common outdoor amenity patio (lane edge) universally accessible as per the "Urban Agriculture Guidelines for the Private Realm";

Note to Applicant: Consider fruit trees in the common amenity outdoor space. Consideration should be given to a rainwater collection system to assist with irrigation.

10. Design development to provide space to accommodate a continuous paved pedestrian path linking Maple Street to the west property line and connecting corridor of the site. Refer to Design Development conditions 4;

Note to Applicant: This will mean shifting the proposed planters and private patios from this area. Pathway design and materials to match developments at the north side of lane at 2080 W Broadway (DE412784).

11. Provision of a separate landscape lighting plan to illuminate the common areas for security and safety purposes;

Note to Applicant: Lighting details should be included on the Landscape Plan.

12. Provision of adequate planting medium depth within planters on slab condition to meet the BCSLA latest standard;
13. Proposed plantings to be consistent with the City of Vancouver Waterwise Planting Guidelines;

### Sustainability

14. 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® Silver equivalency, including at least 3 optimize energy performance points, 1 water efficiency point and 1 storm water point to the satisfaction of the Director of Planning;

### Engineering

15. Provision of an improved plan showing the cross sections of the main ramp and the two loading bays showing vertical clearance and the slope of the ramps;

Note to Applicant: 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces.

Note to applicant: Ramps which have a 15% slope and are exposed to the weather must be heated.

16. Provision of design elevations on both sides of the ramp at all break points and within the parking area to calculate slope and cross fall;
17. Modify the loading spaces in the East Building to work independently, as tandem spaces are not acceptable;

Note to applicant: The Class A and Class B loading spaces will need to be side by side.

18. Provide a double throat for the Class B loading space in the West Building and increase the size of the throats for both Class B spaces as per the City of Vancouver Parking and Loading Design Supplement;

Note to applicant: The Class B spaces will require a double throat to manoeuvre in/out of the dead end laneway.

19. Number all parking and loading spaces;
20. Modify the width of the disability access aisle between parking spaces 72 and 73 on P2 to 1.5 m;

21. Modify the entrance and door swing to the two bike rooms along the drive aisle at section line B on P1 to create a refuge for cyclists going in and out of the bike rooms;
22. Provision of 6 Class B bicycle parking spaces and storage space for three bicycle trailers for daycare parents and staff;
23. Delete the proposed privacy hedge from within the 20 foot access corridor and its truncation;
24. Delete portions of trellis structure shown encroaching onto public property at the corner of 10th Avenue and Maple Street; and
25. Provide details of garbage storage areas. (Bins or compactors and recycling space should be clearly shown for each tower or access from each tower to a centralized location for garbage storage is required). Clarification of garbage pick-up operations is also required;

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

##### Engineering

26. Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for:
  - a. Provision of a 20 ft. wide access corridor at the westerly edge of the site and a 10' x 10' truncation (corner cut) where it meets the lane north of 10<sup>th</sup> Avenue, for public and transit access facility use. Arrangements are to include a public access agreement, a SRW for public utilities (Transit) and an option to purchase for future lane use. Delete all proposed structures above and below grade within the 20' access corridor and 10' x 10' truncation area;
  - b. Decommissioning of the existing electrical duct that crosses the lane and discharge of the related indemnity agreement #363334m prior to occupancy of the building;
  - c. Release of Easement & Indemnity Agreement 351752M (commercial crossings), prior to occupancy of the building;
  - d. 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;

- e. 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 of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading;
- f. Execution 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 are provided.
  - i. Upgrading of the pedestrian actuated signal at Maple Street and Broadway to a semi-actuated signal at the owner's expense to a maximum of \$100,000;
  - ii. Provision of a pedestrian/bicycle actuated signal at Maple Street and 12th Avenue at 50% of the owners cost to a maximum of \$100,000;
  - iii. Provision of traffic calming on Maple Street. from Broadway to 8th Avenue if required within 5 years of issuance of the last occupancy permit for the building, to a maximum of \$50,000;
  - iv. Provision of benches and a water fountain on the development site along the 10th Avenue frontage as a public amenity for the Bikeway. A right of way for public access and maintenance agreement will be required;
  - v. Provision of improvements to the public sidewalk and portion of roadway and curbing immediately west of the site where it crosses the existing rail line on both sides of 10th Avenue to improve pedestrian connections to the west;
  - vi. Provision of improved curb ramps at the north west corner of 10th Avenue and Maple street;
  - vii. Provision of street trees adjacent the site where space permits;



### **Social Development**

27. The design, construction, fitting, furnishing, equipping, and supplying by the owner, at its cost, of a licensable childcare facility of approximately 4,300 square feet (gross) of at-grade indoor space with adjacent outdoor space of approximately 5,000 square feet, and seven dedicated parking stalls as per the City of Vancouver Childcare Design Guidelines to be offset by payment from the City to come from the Arbutus DCL, to the satisfaction of the Managing Director of Social Development, Director of Facility Design & Management, and Community Care Facilities Licensing;

Note to Applicant: design development will be required through the Development Permitting process to demonstrate that the requirements of the City's Childcare Design Guidelines for sunlight on the outdoor play areas, parking, parent drop-off, and storage can be met.

### **Soils**

28. Submit a site profile to the Environmental Protection Branch (EPB);
29. 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;

### **Public Art**

30. Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of 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.

Note to Applicant: To discuss your public art application and fulfilment options please call Bryan Newson, Public Art Program Manager, at 604.871.6002.

### **Community Amenity Contribution**

31. The agreed Community Amenity Contribution of \$4,600,000 is to be paid to the City and such payment is to be made prior to enactment of the CD-1 by-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services to be allocated as follows:
  - i. \$3.5 million to the Affordable Housing Reserve;
  - ii. \$1.1 million to the operation and maintenance of the proposed childcare facility.

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.

\* \* \* \* \*

2001 West 10th Avenue  
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

**Note:** A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of the Parking By-law.
2. Add the CD-1 to Schedule C of the Parking By-Law with the following provisions as Parking Requirements:

"Parking, loading, and bicycle spaces must be provided according to the Parking By-Law on (public hearing date) except that:

- For residential loading a minimum of 1 Class A and 2 Class B loading spaces are to be provided; and
- For non-residential loading a minimum of 3 Class B and 6 Class A loading spaces (in lieu of 2 Class C loading spaces) are to be provided."

\* \* \* \* \*

**2001 West 10th Avenue  
ADDITIONAL INFORMATION / COMMENTARY OF REVIEWING BODIES**

**Comments - General Manager of Engineering Services:** The General Manager of Engineering Services has no objection to the proposed rezoning, provided that the arrangements and conditions as shown in Appendix B are satisfactorily concluded.

**URBAN DESIGN PANEL**

The Urban Design Panel reviewed this proposal on August 25, 2010 and unanimously supported the proposed use, density and form of development.

**Introduction:** Grant Miller, Rezoning Planner, introduced the proposal for a rezoning application to rezone an M-1 site on West 10<sup>th</sup> Avenue at Maple Street. The site is currently developed with an IGA and Liquor Store. The parking lot fronting West Broadway is zoned C-3A and a Development Permit has been approved for a 7-storey mixed use development on that site.

The proposal is to develop two residential buildings over shared underground parking. A 7-storey building to the west and a 6-storey building at the east end are planned. The 6-storey building includes a 37 space daycare at grade which is excluded from the floor space. The proposal will include 125 dwelling units.

The site falls within the Broadway Arbutus Area which has policies that were adopted in 2004.

**3.2.2 Maple site - 10th Avenue (M-1 portion)**

- (a) Generally limit heights to 45 ft.
- (b) Allow relaxations up to 60 ft. to accommodate the daycare, or to respond to the adjacent C-3A development, where it can be shown that:
  - (i) Overshadowing and overlook impacts to adjacent residential areas and sidewalks are manageable;
  - (ii) A better scale relationship to adjacent buildings is created;
  - (iii) On-site open space for the daycare is achieved;
  - (iv) Overall liveability of the residential units is improved.

The proposal is for heights greater than 60 feet and with increased density which supports the provision of the daycare. The proposal follows the Broadway Arbutus Guidelines generally with an increase of 15 feet of height and .25 FSR density. The applicant is providing a 37 space daycare as a public benefit as prescribed in our policies.

Ralph Segal, Senior Architect and Development Planner, further described the proposal noting it is a rezoning application. Even though it would be desirable, it is unrealistic to consider that the lane would cross over the CPR right-of-way at this time to Arbutus Street. In terms of use it was envisioned to be a primary residential with the daycare. Mr. Segal described the context for the area. He noted that it is foreseen that either West Broadway or West 10<sup>th</sup> Avenue will have a transit station for the UBC rapid transit line.

Advice from the Panel on this application is sought on the following:

1. Has an appropriate built form “fit” with the surrounding context been achieved, taking into account the proposed increase in density and height from the Broadway-Arbutus Policies from 2.25 to 2.5 FSR and from 60 feet to 74.5 feet (west building)?
2. Does the proposed Public Realm achieve the desired high quality pedestrian realm at this location?
3. Is the proposed response to Sustainability satisfactory?

**Applicant’s Introductory Comments:** John Bingham, Architect, further described the proposal noting that the project relates closely to the adjacent project across the lane. He added that Engineering stated that the lane will eventually go through. One of the relationships has always been the interface on both West 10<sup>th</sup> Avenue and the lane. Mr. Bingham described the architectural plans for the proposal. He noted that they have tried to introduce a simple form and relationship to the site and it also relates to the voids in the adjacent site for some potential view corridors. The other strong characteristic that has been driving the design is the daycare location. They used the fence system to drive some of the other related characteristics of how the building as a whole relates to color and form. Mr. Bingham noted that the proposal is a rezoning however the design has been taken beyond that in order to identify some of the spaces. On the lane side there will be a two storey amenity relating to a green space. Parking is on the lane which will be used as a drop off for the daycare. There are parking spaces underground off the lane allocated for Zip Cars. Exterior stairs will be used for access to the roof space.

Doug Nelson, Architect, noted that even though the proposal is a separate legal property from the West Broadway site across the lane; they have designed them separately but were cognizant of the West Broadway project. They used a lot of the same parameters, fundamentals and materials and color selections, although not repetitive of that project but complimentary to them.

Peter Kreuk, Landscape Architect, described the landscaping plans noting the trees on West 10<sup>th</sup> Avenue are mature and have a significant impact on the west façade of the building. The roofs are for private amenity and are accessed from the penthouses.

The applicant team took questions from the Panel.

**Panel’s Consensus on Key Aspects Needing Improvement:**

- Design development on the lane in order to strengthen the relationship between the two projects.
- Design development to the daycare outdoor area to make it more transparent.
- Consider moving some of the outdoor common amenity space to the roof for all the residents to enjoy.
- Consider moving the access to the underground to allow for more room for the amenity and daycare outdoor spaces.
- Design development to the ground plane around the townhouses.

**Related Commentary:** The proposal was supported by the Panel and they thought the project was well resolved.

Although the Panel supported the proposal they thought it was a missed opportunity that the site could not be made into a single project with the one across the lane and have the lane used as an open area between the two buildings. They felt that it would have made the relationship between the two buildings stronger. One Panel member suggested relocating the access ramp closer to the larger building to make for more residential and daycare outdoor space.

The Panel supported the height and density and thought the built form fitted into the surrounding context. They also thought there was a good relationship between the housing and the street. However several Panel members thought the city homes should have a two level scale as they look like they are sucked under the building.

The Panel agreed that the daycare was a benefit and was in the right location on the site. Most of the Panel felt that the outdoor play area had a cage like appearance and thought there didn't need to be a six foot high fence. One Panel member suggested having the fencing be part of the public art element.

Several Panel members thought the outdoor amenity was in the wrong location noting that it is in the back and in shade. They also thought the second floor amenity would not get a lot of sun. A couple of Panel members suggested having a common outdoor amenity space on the roof. Also a Panel member thought the townhouse patio expression on West 10<sup>th</sup> Avenue seemed limited due to the inboard gates.

The Panel supported the green roof and encouraged the applicant to go for LEED™ Gold.

**Applicant's Response:** Mr. Bingham said they appreciate the comments from the Panel and had provided some good insights. The driveway access matches the one opposite in the other building and was put there to minimize traffic in the lane. He added that they will look at accommodating more outdoor amenity space.

## **PUBLIC CONSULTATION SUMMARY**

**Public Notification:** A rezoning information sign was installed on the site on September 17, 2010. A community open house was held on September 30, 2010. Notification and application information, as well as, an online comment form, was provided on the City of Vancouver Rezoning Centre webpage [www.vancouver.ca/rezapps](http://www.vancouver.ca/rezapps).

**September 2010 Notification and Open House:** A notification postcard, dated September 15, 2010, was mailed to 1705 surrounding property owners. The open house was held on September 30, 2010, at St. Augustine's Church with staff and the applicant team in attendance. A total of approximately 26 people attended and 8 comment forms submitted. Additionally, the City received a total of 9 e-mails and online forms and one phone call.

## **Public Response Summary**

There were a variety of responses to this application that included comments regarding the general needs for the area. Overall, about 17% of the comments indicated support for the proposed development, 83% were non-supportive.

Loss of Retail: many responses included concern that the existing grocery store and liquor store would be lost. The new development that on the parking lot of the old grocery store contains a new retail space and the liquor store has relocated into one of the spaces.

Traffic: the increase in residential density worries some neighbours, who suggest traffic will be a problem.

Form and Density: Many of those opposed to the proposal feel that the height and density are not appropriate for this location.

Other comments included:

- The new residents will bring more unwanted dogs into the area
- On street parking is already scarce
- The existing trees on W 10<sup>th</sup> Ave should be protected
- The daycare play space will be windy and over shadowed
- Transit service should be improved to respond to increased density
- Additional amenity beyond the daycare should be provided
- The design is ugly
- Traffic on Maple will need to be calmed and monitored over time

**Comments of the Applicant:** The applicant has been provided with a copy of this report and has provided the following comments:

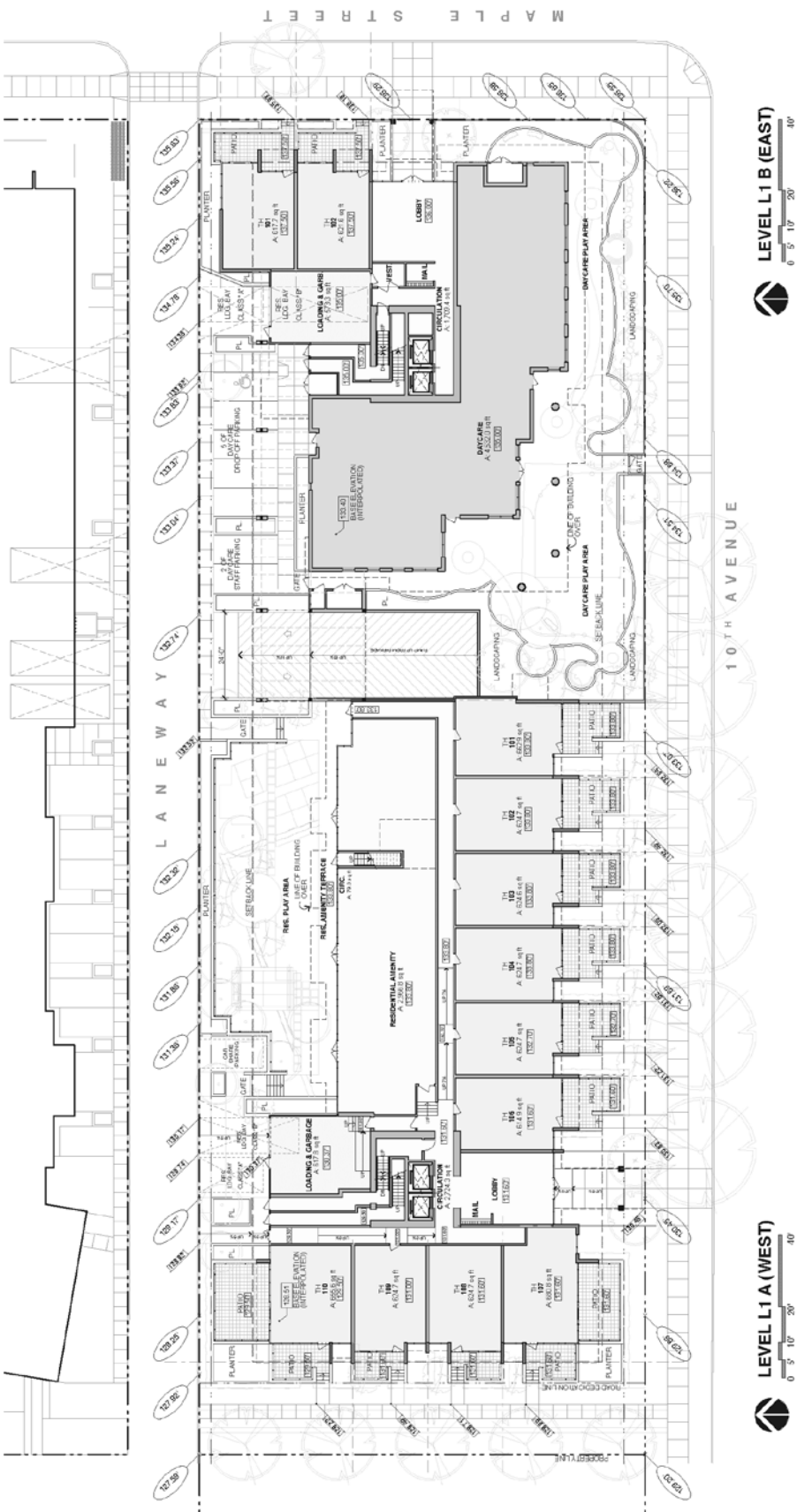
"We have reviewed the report and understand the recommendations and conditions."

\* \* \* \* \*

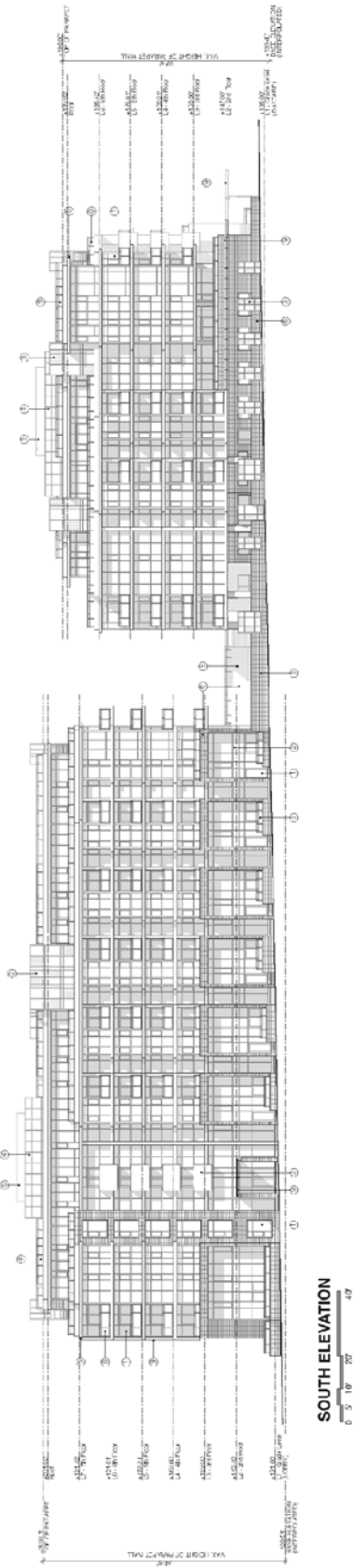
2001 West 10th Avenue  
FORM OF DEVELOPMENT



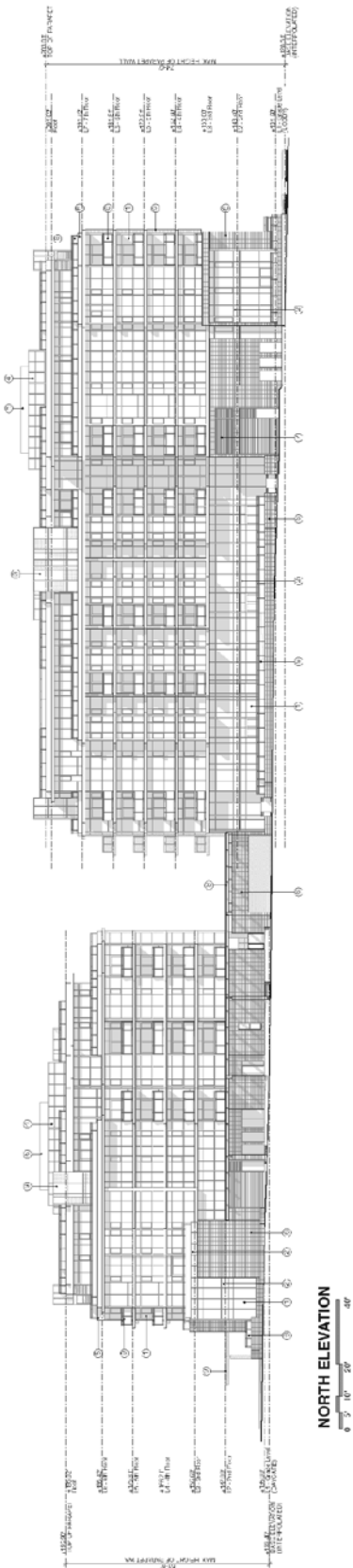


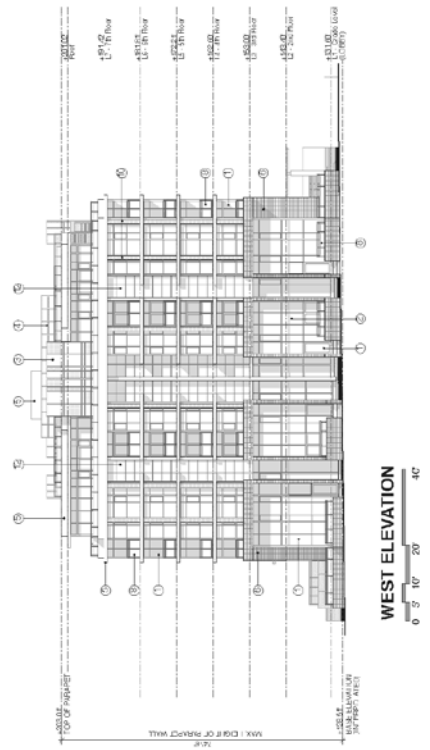
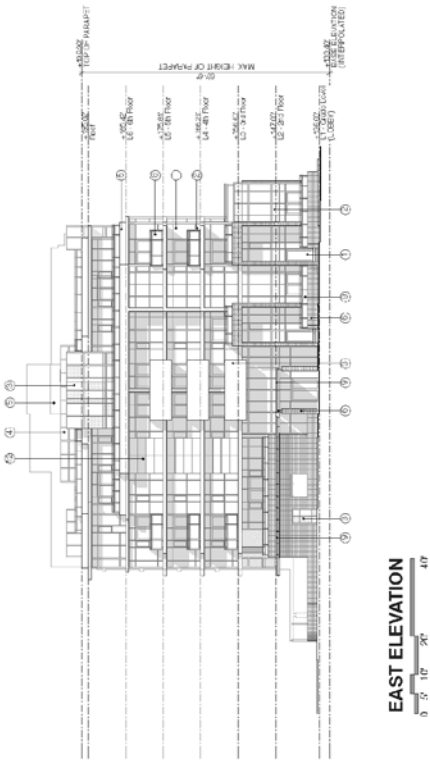


- LIST OF MATERIALS**
- ① GLASS INSULATED PANELS
  - ② TYPICAL SPANDREL GLASS INSULATED PANEL
  - ③ TYPICAL SPANDREL GLASS INSULATED PANEL
  - ④ TYPICAL SPANDREL GLASS INSULATED PANEL
  - ⑤ PARTITION CONCRETE
  - ⑥ BRICK VENEER
  - ⑦ METAL LOBBIES
  - ⑧ ALUMINUM CLADDING PANELS
  - ⑨ ALUMINUM CLADDING
  - ⑩ METAL PANELS
  - ⑪ METAL PANELS
  - ⑫ METAL PANELS



- LIST OF MATERIALS**
- ① GLAZED ALUMINUM FRAMES
  - ② TYPICAL TRANSOM GLAZING FOR BALCONIES
  - ③ TYPICAL TRANSOM GLAZING FOR BALCONIES
  - ④ GLAZED ALUMINUM FRAMES
  - ⑤ GLAZED ALUMINUM FRAMES
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2001 West 10<sup>th</sup> Avenue  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

7-storey residential building including a 37-space child day-care on the ground floor

**Public Benefit Summary:**

a child day-care will be built, and maintained with and operating endowment to ensure on-going affordability of spaces. Additional funds will support affordable housing proximate to the site

	Current Zoning	Proposed Zoning
Zoning District	M-1	CD-1
FSR (site area = 48,828 sq. ft.)	5.0 (no residential)	2.5
Buildable Floor Space (sq. ft.)	No residential	117,165 sq. ft.
Land Use	Industrial	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$12.50/sf)		
	DCL (Area Specific) \$90.53/m2 (\$8.41/sf)	\$393,700 (2.5 Industrial)	\$985,400
	Public Art		\$212,000
	20% Social Housing		
Offered (Community Amenity Contribution)	Heritage (transfer of density receiver site)		
	Childcare Facilities	N/A	\$1,100,000
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (Affordable Housing Reserve)		\$3,500,000
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$393,700	\$5,797,400

Other Benefits (non-market and/or STIR components):

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ for each of the Area Specific DCL Districts.

**2001 West 10<sup>th</sup> Avenue  
APPLICANT AND PROPERTY INFORMATION**

Street Address	2001 West 10th Avenue (2555 Maple Street)
Legal Description	Lot D, Block 345, DL 526, Plan 11084
Applicant	John Bingham, Bingham Hill Architects
Architect	John Bingham, Bingham Hill Architects
Property Owner	6098941 Canada Inc.
Developer	Pinnacle International

**SITE STATISTICS**

	<b>GROSS</b>	<b>DEDICATIONS</b>	<b>NET</b>
<b>SITE AREA</b>	4 354 m <sup>2</sup>	236.9 m <sup>2</sup>	4 117.1 m <sup>2</sup>

**DEVELOPMENT STATISTICS**

	<b>DEVELOPMENT PERMITTED UNDER EXISTING ZONING</b>	<b>PROPOSED DEVELOPMENT</b>	<b>RECOMMENDED DEVELOPMENT</b>
<b>ZONING</b>	M-1	CD-1	as proposed
<b>USES</b>	Industrial	Residential, Day-care	as proposed
<b>DWELLING UNITS</b>	0	125	as proposed
<b>MAX. FLOOR SPACE RATIO</b>	5.0 Industrial	2.50	as proposed
<b>MAXIMUM HEIGHT</b>	30.5 m	22.7 m	as proposed
<b>PARKING SPACES</b>	Parking by-law	183	as proposed
<b>LOADING SPACES</b>	Parking by-law	4	as proposed