

## SUMMARY AND RECOMMENDATION

**4. REZONING: 2001 West 10th Avenue (2555 Maple Street)**

**Summary:** To rezone 2001 West 10th Avenue (2555 Maple Street) from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for a 7-storey residential building and a 6-storey residential building, with a childcare facility at grade, all over shared underground parking. The application proposes a total of 125 dwelling units, a maximum floor space ratio of 2.5, a maximum building height of 22.70 metres (74.5 feet) and 183 parking spaces.

**Applicant:** John Bingham, Bingham Hill Architects

**Recommended Approval:** By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- 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 childcare facility at grade with a density of 2.5 FSR and a maximum height of 22.70 m (74.5 ft.), generally as presented in Appendix A of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple 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 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.

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 West 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 stormwater 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 maneuver 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.
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

1. 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 10th 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 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 northwest corner of 10th Avenue and Maple street;
- vii. Provision of street trees adjacent the site where space permits.

### **Social Development**

- 2. 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**

- 3. Submit a site profile to the Environmental Protection Branch (EPB).
- 4. As required by the Manager of Environmental Protection and the Director of Legal Services at 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

5. 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 fulfillment options please call Bryan Newson, Public Art Program Manager, at 604.871.6002.

## Community Amenity Contribution

6. 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:
  - a. \$3.5 million to the Affordable Housing Reserve;
  - b. \$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.

- 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 set out in Appendix C of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple Street)".
- 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
- (ii) 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.

[RZ - 2001 West 10th Avenue (2555 Maple Street)]