

SUMMARY AND RECOMMENDATION

3. REZONING: 1600 Beach Avenue and 1651 Harwood Street

Summary: To rezone 1600 Beach Avenue and 1651 Harwood Street from RM-5A (Multiple Residential) District to CD-1 (Comprehensive Development) District. The proposal on both sites is for infill residential development of secured market rental units. On the Beach Avenue site, the proposal includes 118 residential units located within a four-storey and a nine-storey building, a one-storey amenity building and enclosure of the bases of the existing towers. On the Harwood Street site, the proposal includes 15 residential units located within two- and three-storey buildings. The proposed increase in allowable floor area is 8 276.9 m² (89,095 sq. ft.) and 1 013.1 m² (10,906 sq. ft.), respectively.

Applicant: Gwyn Vose, IBI/HB 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 IBI/HB Architects:

- (a) on behalf of Beach Towers Investments Inc. to rezone 1600 Beach Avenue [*PID: 009-004-726, Lot A, except portions in Explanatory Plan 9688, Block 63, District Lot 185, Plan 11809*] to increase the allowable floor area on the site from 27 773.3 m² (298,959 sq. ft.) to 36 050.2 m² (388,054 sq. ft.) to allow for the infill development of 118 secured market rental residential units; and
- (b) on behalf of English Bay Investments Inc. to rezone 1651 Harwood Street [*the East ½ of Lot 27, the West ½ of Lot 27, the East ½ of Lot 28, the West ½ of Lot 28, the East ½ of Lot 29 and the West ½ of Lot 29, Block 63, District Lot 185, Plan 92, PIDs: 015-750-825, 015-750-922, 015-750-841, 015-750-931, 015-750-906, and 015-750-957 respectively*] to increase the allowable floor area on the site from 7 933.5 m² (85,398 sq. ft.) to 8 946.6 m² (96,304 sq. ft.) to allow for the infill development of 15 secured market rental residential units;

each from RM-5A (Multiple Residential) District to a CD-1 (Comprehensive Development) District, generally as presented in Appendices A1 and A2 of the Policy Report dated January 15, 2013, entitled "CD-1 Rezoning - 1600 Beach Avenue and 1651 Harwood Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development for each site be approved by Council in principle, generally as prepared by IBI/HB Architects, and stamped "Received City Planning Department, May 22, 2012", provided that the General Manager of Planning and Development Services may allow minor alterations to the 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 of each site, the applicants shall obtain approval of development applications by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1600 Beach Avenue Site

1. Design development to the new buildings for a contemporary architectural character that is distinctive but complementary with the existing on-site residential buildings contributing to the incremental character of the built form and visual quality of the West End.
2. Provision of high quality material treatments.

Note to applicant: Consider passive design shading elements on the south and west facades to address solar heat gain. Detailed sections and elevations illustrating high quality material treatments are required.

3. Design development to the public realm and building interfaces to further engage and enhance the public experience, utilizing high quality materials contributing to the existing mature landscape streetscape character of the West End.

Note to applicant: Along Beach Avenue and Cardero Street, any new retaining walls, below grade slabs or privacy fences should be set back 0.9 m (3 ft.) from property lines.

4. Design development to the overall proportion of the building at Harwood and Cardero streets (Building B), to minimize its apparent bulkiness, in particular along the Harwood Street frontage.
5. Design development to enhance the amenity building at Beach and Cardero streets (Building D) as a special building element while also contributing to the pedestrian experience and landscaped streetscape character of Cardero Street and Beach Avenue.

Note to applicant: Design development should consider a more pedestrian friendly corner and interface with the buildings. Consider circulation at the corner and adding a public resting space with street furniture, special paving and landscaping. Public art could also be considered at this corner.

1651 Harwood Street Site

6. Design development to the new buildings to develop a contemporary architectural character that is distinctive but complementary with the existing residential building while contributing to the character and visual quality of the West End.

7. Provision of high quality material treatments.

Note to applicant: Consider passive design shading elements on the south and west facades to address solar heat gain. Detailed sections and elevations illustrating high quality material treatments are required.

8. Design development for enhanced landscape treatments along the street and lane edges that contributes to the existing mature landscaped streetscape character of the West End.

Sustainability

9. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

Note to Applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration of the project is also required under the policy.

Crime Prevention Through Environmental Design (CPTED)

10. Design development to respond to CPTED principles, having particular regards for:
 - (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Landscape

11. Design development to the entry court areas to mitigate conflicts between pedestrians and vehicles.
12. Provision of adequate soil depths for planting on slabs.

Note to Applicant: To ensure the long term viability of planting on slabs, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs should angle down to provide deeper soils. Planters on slab above parking areas should take advantage of opportunities to lower the slab, where possible, to create planters that extend above and below the slab.

13. Expansion and detailing of the urban agriculture program.

Note to Applicant: The urban agriculture component requires further design development. The overall number of garden plots and size of planters should be reasonable in proportion to total amount of outdoor

space on sites. The metal planters proposed appear too small to have a presence and viability. Locate the garden plots strategically near amenity areas. Provide tool storage, hose bibs, compost bins, outdoor furniture and a starter plant list. Edible plantings may be integrated into the overall planting plan.

14. Repair and revitalisation of existing planters, where applicable.

Note to Applicant: The scope of work should include an investigation into the health of existing plants, planter soil health and membrane integrity.

15. At time of development permit application, the following:

- (a) Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to Applicant: the Landscape plan should include a planting plan listing common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. Illustrate and clarify all outdoor surface/paving materials, site furniture, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, anti-skateboard guards (where applicable), parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

- (b) Clarification of "new" and "existing to be retained" landscape elements.

Note to Applicant: Clarify locations of the two existing on-site metal sculptures (2).

- (c) Provision of a Tree Plan, including dimensioned tree protection barriers.

Note to Applicant: Refer to Protection of Trees Bylaw (sec. 4.0, 4.3). A substantial number of new trees are encouraged; the tree plan should respond to the unique waterfront location with regard to location and species.

- (d) Provision of high quality landscape treatments.

Note to Applicant: Provide large scale sections [typical] through the landscaped areas, including the townhouse interface, the slab-patio-planter relationship, the lane interface and common areas.

- (e) Illustration of spot elevations to all outdoor areas (including top/bottom walls), including offsite context spot elevations in proximity (such as the public sidewalks, inner boulevards and lanes, for example).

16. New street trees to be provided adjacent to the development site, to be shown on the development permit plans and confirmed prior to the issuance of the building permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (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 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

17. Provision of an efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs to be provided for all patios (new construction) of 9.3 m² (100 sq. ft.) or greater. Specification notes and irrigation symbols to should be added to the drawing.

18. Design development to mitigate blank walls.

Note to Applicant: In consideration of CPTED principles, exposed walls should be textured to discourage graffiti. In addition, "vine pockets" can be located near the lane edge to establish plants on walls.

19. Provision of planting on city property along the streetscape edge, where space permits.

Note to Applicant: Expand the planting plan to fill the inside boulevard. Substitute hardy, layered planting for lawn, wherever possible. Refer to City of Vancouver Guidelines for planting on City boulevards.

Engineering

20. Delete the planter shown straddling the south property line of Lot A on Page RZ4.03 (note: this planter does not appear on any other view).
21. Clarification of any existing building encroachments onto the city street (indicated in Easement and Indemnity Agreement BB1120698 and reproduced on page RZ6.01) that are intended to be removed as part of the site development. If so, arrangements for discharge of related agreements are required following removal of the encroachments and in any event prior to occupancy of the first new building on the site.
22. Clarify existing and proposed garbage and recycling storage provisions and pick up operations for both sites. Additional on-site storage space is to be provided where necessary and pick up operations are not to rely on any on-street storage.
23. Arrangements for removal of all boulevard crossings (driveways) no longer required for access as a result of this site redevelopment.

24. Class A and B bicycle parking is required for all dwelling units on the sites (existing and proposed) and where practical, for the bicycle spaces which will be provided in the existing buildings, electric outlets shall be provided all in accordance with Parking By-Law requirements.
25. Disability parking spaces are required in accordance with the requirements of the Parking By-Law for all existing and new dwelling units on the site.
26. Provision of a Green Mobility and Clean Vehicles Strategy that includes the requisite infrastructure where appropriate to prioritize sustainable transportation modes including walking, cycling, public transit, and provisions for low carbon vehicles (e.g., electric vehicles), completed to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any legal agreements required by this Strategy on terms and conditions acceptable to the City.
27. Provision of a Sustainable Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site.
28. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid waste generating activities within the complex.

Note to Applicant: The strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services, and prior to Development Permit issuance the completion of any agreements required by this Strategy on terms and conditions acceptable to the General Manager of Engineering Services and the Director of Legal Services.

Note to Applicant: An interconnected water service is required for this project. Please contact Engineering Water Design Branch for details.

Renewable Energy

29. Provide for any further feasibility studies and/or technical investigations required to confirm the economic and technical viability of the preferred approach(es) to reducing greenhouse gas emissions and energy consumption as presented in the Low Carbon Energy Supply Feasibility Screening Study, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: If results of further analysis do not support the preferred approach to reducing energy consumption and GHG emissions then a suitable alternative shall be investigated and implemented, where available, to the satisfaction of the General Manager of Engineering Services.

30. Greenhouse gas emissions associated with space and domestic hot water heating of the development as a whole (including both new and existing components) shall be reduced by a minimum of 40% over a business-as-usual approach to space and domestic hot water heating, where business-as-usual takes into consideration the status of the existing buildings and mechanical system at the time of submission of the rezoning application as well as a typical approach to space and domestic hot water heating for new construction.

Note to Applicant: Measures to reduce energy consumption and GHG emission may include implementation of demand site management strategies (for example, reducing air leakage within existing buildings), low carbon energy supply, boiler replacement, etc.

31. The heating energy system for the development shall include a central energy plant serving all new and existing buildings within the development without the use of electric baseboard heaters, distributed heat generating equipment, or heat producing fireplaces. Detailed design of the energy system must be to satisfaction of the General Manager of Engineering Services.
32. Energy demand management measures described in the Low Carbon Energy Supply Feasibility Screening Study shall be implemented in accordance with an Implementation Plan to be provided by the Applicant prior to the issuance of development permit(s), all to the satisfaction of the General Manager of Engineering Services.

Heritage

33. Provision of a letter from the owner which supports bringing forward the addition of the Beach Towers sites to the Vancouver Heritage Register.
34. Design development to reduce the size of the areas at the ground floor proposed to be infilled at the Laurier, MacDonald and Douglas Towers in order to maximize views through the site and beneath the towers.
35. Design development to the areas at the ground floor proposed to be infilled to ensure that the glazing is set back from the columns; that the glazing be reversible; and that the window treatments in these areas be consistent throughout.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owners shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, 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 both such registered owners, make arrangements to be jointly and severally liable for the following for each of the sites, as applicable:

Engineering

1. Consolidation of East ½ of Lot 27, East ½ of Lot 28, West ½ of Lot 27, West ½ of Lot 28, East ½ of Lot 29 and West ½ of Lot 29, Block 63, District Lot 185, Plan 92 to create a single lot.
2. Discharge of any of the existing driveway crossing agreements made redundant through elimination of driveways as a result of this application, all prior to occupancy of the first new building on the site.
3. Provision of appropriate agreements to secure provision of and access from the street to the bicycle parking spaces that are being provided on the 1600 Beach Avenue site.
4. Provision of a Services Agreement, that facilitates a phased approach to development, 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. The agreement shall include, but not be limited to the following provisions to the satisfaction of the General Manager of Engineering Services:
 - (a) no development permit will be issued for a building until the design of the services required for that particular phase of development are completed;
 - (b) no occupancy of any new buildings until the services required for that particular phase of development are completed; and
 - (c) shall include the following works to the satisfaction of the General Manager of Engineering Services:
 - i. Provision of pedestrian countdown timers at the intersections of Bidwell Street and Beach Avenue and at Cardero Street and Beach Avenue.
 - ii. Provision of pedestrian level lighting on the west side of Cardero Street adjacent the site.
 - iii. Provision of corner bulges at the intersection of Cardero Street and Harwood Street on the sides of the street where parking is permitted.
 - iv. Provision of improved curb ramps on all corners adjacent the site and on the south side of Beach Avenue opposite the site.
 - v. Provision of widened concrete sidewalk on Beach Avenue adjacent the site to a minimum 2.4 m (7.87 ft.) in width.
 - vi. Provision of street trees adjacent both sites where space permits.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the sites must be primary with all electrical plant, which include but are not limited

to, junction boxes, switchgear, pad mounted transformers and kiosks 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 sites will be provided with all services being underground.

6. 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 as determined by the applicant's mechanical consultant 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. The developer is responsible for 100% of any water system upgrading that may be required.

Housing Agreement

7. Execute Housing Agreements pursuant to the Short Term Incentives for Rental (STIR) Program to secure all 118 new residential units at 1600 Beach Avenue and all 15 new residential units at 1651 Harwood Street, as rental for the life of the building or 60 years, whichever is longer, and to include registerable 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 and the Managing Director of Social Development.

Amenity Space

8. Execute an agreement satisfactory to the Director of Legal Services and General Manager of Planning and Development Services to secure access to the amenity space located at 1600 Beach Avenue for residents of 1651 Harwood Street.

Community Amenity Contribution

9. Deliver, prior to enactment of either of the rezoning by-laws the Community Amenity Contribution of \$243,000 which the developer has offered to the City.

Note: The Community Amenity Contribution is to be allocated to public benefits in the West End, with specific allocations to be brought forward after the West End Community Plan and the associated public benefits strategy has been endorsed by Council.

Public Art

10. 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

Soils Agreement

11. If applicable:
 - (a) Submit a site profile to the Environmental Protection Branch (EPB).
 - (b) 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.
 - (c) Enter into a remediation agreement for the remediation of the sites and any contaminants which have migrated therefrom 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 of the new 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 sites 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-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, subject to enactment of the CD-1 By-laws, the Parking By-law be amended to include these CD-1s and to provide parking regulations generally as set out in Appendix C of the Policy Report dated January 15, 2013, entitled "CD-1 Rezoning - 1600 Beach Avenue and 1651 Harwood Street".

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-laws.

- C. THAT, if after Public Hearing Council approves in principle these rezonings and the Housing Agreements described in part (c) of Appendix B of the Policy Report dated January 15, 2013, entitled "CD-1 Rezoning - 1600 Beach Avenue and 1651 Harwood Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws for enactment prior to enactment of the CD-1 By-laws contemplated by this report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- D. THAT Recommendations A through C be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 bylaw rezoning the property, and 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.

[RZ - 1600 Beach Avenue and 1651 Harwood Street]