

## SUMMARY AND RECOMMENDATION

**1. REZONING: 3002-3036 West Broadway**

**Summary:** To rezone 3002-3036 West Broadway from C-2C (Commercial) District to CD-1 (Comprehensive Development) District. The proposal is for a 5-storey mixed-use commercial and residential building, containing 83 units of for-profit affordable rental housing. A floor space ratio (FSR) of 3.37 and maximum height of 18.5 m (60.7 ft.) are proposed.

**Applicant:** Tim Orr, Orr Development Corp.

**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 Yamamoto Architecture on behalf of Orr Development Corp. to rezone:
- a. 3002 West Broadway [*PID: 015-063-194; Lot 4A, except (a) part in Plan 4166 (b) part in Reference Plan 1101 and (c) the south 8 feet now lane, Block 33 District Lot 192 Plan 1003*];
  - b. 3010 West Broadway [*PID: 015-063-186; Lot 4, except (a) part in Plan 4166 and (b) the south 8 feet now lane, Block 33 District Lot 192 Plan 1003*];
  - c. 3024 West Broadway [*PID: 015-965-104; Lot 3A, except (a) the south 10 feet now lane and (b) part in Plan 4166, Block 33 District Lot 192 Plan 1003*]; and
  - d. 3036 West Broadway [*PID: 015-063-178; Lot 3, except (a) part in plan 4166 and (b) the south 10 feet now lane, Block 33 District Lot 192 Plan 1003*];

from C-2C (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.0 to 3.37 to permit the development of a five-storey mixed-use commercial and residential building with a maximum height of 18.5 m (60.7 ft.) and accommodating 83 residential units secured as for-profit affordable rental housing, generally as presented in Appendix A of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway", 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 Yamamoto Architecture and stamped "Received City Planning Department, October 12, 2012", 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 improve the interface between this development's residential levels and the existing detached houses to the south.

Note to Applicant: The intent is to mitigate some of the effects of the proposed height and massing to nearby detached housing while accommodating new residential and commercial development. This can be accomplished by increasing the setback to the rear elevation; varying the façade with steps in plan and elevation; setting the fifth floor farther back than the lower levels; and reducing roof overhangs. Consider a setback of at least 9.7 m (32 ft.) for the majority of the rear elevation. Balconies should not extend into the setback more than about 2 ft., be lightweight in appearance and use translucent glazing or other privacy measures. A portion of the rear elevation, closest to Carnarvon Street and parallel to the south corner lot, may extend toward the lane, but should not be closer than permitted in the C-2C District Schedule. Show how the building massing can be adjusted to achieve view or daylight effects comparable to a four-storey building, as allowed under existing zoning.

2. Design development to the main commercial space to be more consistent with the rhythm of nearby commercial frontages and to offer more pedestrian amenity.

Note to Applicant: This can be accomplished by reducing the frontage of this space, increasing the number of entryways and retail spaces along Broadway, providing larger setback spaces to increase the pedestrian area, adding benches and planting, and/or other changes in plan and elevation to better reflect the local pattern of store fronts that are typically 50 ft. or less in width. Store design should provide an unobstructed visual connection between active shopping areas and the public realm.

3. Design development to the massing and length of the north façade to better respond to the variety of local building forms.

Note to Applicant: Consider stepping the roof line back or down for some portions to reduce the apparent horizontal length at the fifth floor roof line and other measures.

4. Design development to the west elevation to increase its visual interest in the interim condition as an exposed side wall.

Note to Applicant: Consider using the patterning, colour and materials of the east elevation facing Carnarvon Street.

5. Design development to improve access to natural light for new residences.

Note to Applicant: This can be accomplished by relocating small units to the south side, increasing window sizes, reducing unit depths, or some combination thereof.

6. Greater visual prominence for the residential entry.

Note to Applicant: This can be accomplished by increasing the residential frontage on Carnarvon Street and by the size and distinctiveness of the residential entryway and canopy.

7. Specification of high quality and durable exterior finishes that are compatible with nearby development.

#### **Crime Prevention Through Environmental Design (CPTED)**

8. Explore opportunities 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 to establish plants on walls.

#### **Landscape Design**

9. Provision of a high quality open space treatment.

Note to Applicant: The public realm treatment should be informed by street design in the Broadway corridor, including street trees, paving, outdoor furniture and planting (where applicable). Special attention should be paid to the pedestrian experience at the main entrance and lobby areas. The upper story amenity areas and private patios should be further detailed to reflect an appropriate program for users, where space permits, including a children's play area and exploration of opportunities for urban agriculture/edible planting and other gathering activities.

10. Design development to maximize planting in the lane setback.

Note to Applicant: Wherever space permits, provide landscape planting to improve the lane environment.

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

Note to Applicant: Where applicable, the structural slab should angle down to accommodate soil and planting at grade. For any planting area, soil depths should meet or exceed BCLNA Landscape Standards (latest edition).

12. 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 6 cm 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".

13. Provision of an efficient irrigation system for all common outdoor planters and individual hose bibs for all patio areas of 100 sq. ft. or greater. Notations and irrigation symbols to this affect should be added to the drawings.
14. 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, atgrade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

15. Provision of large-scale sections [typical] through the landscaped areas, including the townhouse interface, the slab-patio-planter relationship, the lane interface and common areas.
16. Illustration of spot elevations to all outdoor areas (both top and bottom of walls), including offsite context spot elevations in proximity (in the lane, for example).

### **Sustainability**

17. 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.

### **Engineering**

18. Clarify garbage pick-up operations. Provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to Applicant: Pick up operations should not rely on bins being stored on the street or lane for pick up; bins are to be returned to storage areas immediately after emptying.

19. A canopy application is required.

Note to Applicant: Canopies must be fully demountable and drained to the building's internal drainage system.

20. Clarify small encroachment shown below the canopy on the south lane elevation (Dwg. A3.2).

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

##### Engineering

1. Consolidation of Lots 3, 3A, 4 and 4A to create a single parcel and subdivision of that site to result in dedication of the south 2 feet of Lots 4 and 4A for lane purposes.
2. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. The agreement shall include, but not be limited to, the following provisions to the satisfaction of the General Manager of Engineering Services:
  - (a) Provision of widened sidewalks on Broadway where space permits. This may include adjustment to the concrete utility strip, replacement of portions or all of the existing sidewalk to allow for widened pedestrian spaces;
  - (b) Provision of a standard concrete lane entry on the west side of Carnarvon Street at the lane south of Broadway;
  - (c) Provision of street trees adjacent the site where space permits; and
  - (d) Provision of asphalt lane paving of the lane south of Broadway from Carnarvon Street west for the length of the site.
3. Provision of all utility services to be underground for this development. All electrical services to the site must be primary with all electrical plant, which includes but is not limited to, junction boxes, switchgear, kiosks, other utility kiosks and pad mounted transformers, are to be located on private property. There will be no reliance on secondary

voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground. Please contact Utilities Services at 604.873.7373 for further information.

4. 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

5. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services, to secure all housing units as for-profit affordable rental housing pursuant to the Secured Market Rental Housing Policy (Rental 100) for 60 years or life of the building, whichever is greater, subject to a no separate-sales covenant and a non-stratification covenant, and subject to all such units being made available as rental housing for a term not less than one month at a time, and on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require

### Soils

6. If applicable:
  - (a) Submit a site profile to the Environmental Protection Branch (EPB);
  - (b) 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; and
  - (c) Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By law for enactment, prior to enactment of the CD-1 By-law contemplated by the same 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.
- C. 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 April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway".
- D. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2C)], generally as set out in Appendix C of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway", be approved.
- E. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway".
- F. THAT Recommendations A through E 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 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 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 - 3002-3036 West Broadway]