

SUMMARY AND RECOMMENDATION

2. REZONING: 2290 Main Street

Summary: To rezone 2290 Main Street from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit a 9-storey mixed-use building with a partial mezzanine in the ground floor, 85 residential units and ground-floor commercial spaces. A height of 30.0 m (98.5 ft.), a floor space ratio (FSR) of 4.92, a commercial floor area of 701 m² (7,548 sq. ft.) and a residential floor area of 7,268 m² (78,241 sq. ft.) are proposed.

Applicant: Arno Matis Architecture

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 24, 2013.

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 Arno Matis Architecture on behalf of Main Street Commercial Holdings Inc., to rezone 2290 Main Street [*Lots 4, 5 and 6, Block 38, District Lot 200A, Plan 197;*, PIDs: 005-626-153, 005-626-277 and 005-626-285 respectively] from IC-2 (Light Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 4.92 and the building height from 18.3 m (60 feet) to 30.0 m (98.5 feet) in order to permit the development of a nine-storey mixed-use building containing commercial spaces and market residential units, generally as presented in Appendix A of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 2290 Main Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Arno Matis Architecture, and stamped "Received City Planning Department, December 24, 2012", 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:

Urban Design

1. Design development to reduce the building height by two feet.
2. Design development to delete live-work units at the mezzanine level facing the lane and to convert the ground floor live-work units facing the lane

into two-level units with the second floors set back a minimum 10 feet from the face of the building.

Note to Applicant: these units shall be served by a primary entrance connected to the residential lobby.

3. Design development of the townhouse entries to provide a minimum setback of 8 ft. from the property line and to raise the floor elevation a minimum of 2.5 ft. above the nearest building grade elevation at the sidewalk.
4. Design development of the level 2 amenity room to provide a related outdoor terrace space.

Note to Applicant: Provide and clarify that the outdoor amenity space provides adequate screening and separation to maintain the privacy of the adjacent residential unit. Landscape strategies should provide some screening for privacy and overlook concerns towards adjacent neighbouring sites.

5. Design development to provide common support space in support of the proposed roof top garden plots

Note to Applicant: The support space within this condition cannot be located on the roof due to height reasons. A location may be located elsewhere in the proposal with convenient proximity to the elevator service.

6. Design development to delete benches shown on West elevation along Main Street.

Note to Applicant: this will enhance flexibility of opportunities for the design of public realm space.

7. Provision of high quality and durable exterior finishes.

Note to Applicant: As this project continues through the development application process, the overall proposed quality of materials, articulation, and expression will be maintained.

8. Design development to create open spaces suitable for children's play with adjacent common amenity room. Refer to the *High-Density Housing for Families with Children Guidelines* for more information
9. Design development to meet the *Mount Pleasant Draft Public Realm Plan* including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

Sustainability

10. 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 and certification of the project is also required under the policy.

11. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to neighbourhood energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

12. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
13. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.
14. A suitable space of not less than 50 m² (538 sq. ft.) shall be provided within the parkade level P1 and designated for energy system operations equipment as deemed necessary by the General Manager of Engineering.

Crime Prevention Through Environmental Design (CPTED)

15. 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

16. Design development to activate the lane edge by creating a pedestrian walkway on private property setback adjacent to the lane.

Note to Applicant: This can be achieved by deleting the private patios and by paving the setback area. The entire area of the setback should be raised six inches, with a curb edge at the property line. Fastigate trees should be provided in concrete tree surrounds along with small areas of shrub planting adjacent to the entry doors.

17. Provision of a greener edge between the 2nd floor deck facing the lane and the condominiums to the east. The lane edge deck planters should consist of low shrubs, small trees and plants capable of draping over the edge of the planter.

Note to Applicant: The 2nd floor amenity deck area should be separated from the private deck to the south by a privacy screen or by planting.

18. Provision a more detailed Landscape Plan for the roof deck, including some areas (planters or plots) suitable for urban agriculture activity. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should reference the Urban Agriculture Guidelines for the Private Realm and should maximize sunlight, integrate into the overall design and provide universal access.

19. Provision of a public realm treatment in accordance with the Draft Public Realm Plan for Mount Pleasant. The details of the public realm should be taken from the "Main Street - 2nd to 8th Avenue" design.

Note to applicant: A note should be added to the Landscape Plan as follows: "All public realm design to the approval of the General Manager of Engineering and in accordance with the Mount Pleasant Public Realm Plan".

20. Provision of a full Landscape Plan. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, retaining walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

21. Provision of large scale sections (1/4"=1' or 1:50) illustrating the town house to public realm interface of the townhouses facing East 7th Avenue as well as those townhouses facing the lane.

Note to Applicant: The sections should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

22. Provision of a separate Lighting Plan. The Lighting Plan should include details of lane edge lighting as well as the pedestrian level lighting along Main Street.
23. Provision of a high efficiency irrigation system for all planters, including the roof deck and all private decks with planters. Notations to that effect should be added to the drawings.

Note to Applicant: The irrigation system design and installation system shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

Engineering

24. Design development related to public realm and landscape:
 - 7th Avenue treatments are to include a minimum 1.8 m wide smooth broom finished concrete sidewalks with saw cut joints, public seating (benches) and Mount Pleasant style pedestrian lighting. Note: There is an opportunity to widen the sidewalk to 2.1 m to accommodate the proposed commercial uses for the section between Main St and the residential building entry.
 - The following note is to be placed on the landscape plan; “This plan is Not For Construction of any public property facilities. A minimum of 8 weeks prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services for review. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details.”
 - Patio tables shown on public property should be identified as reference only and as not being approved by this application. A separate application to the General Manager of Engineering Services is required.
 - Delete what appears to be a small planter encroachment adjacent the patio table on drawing L1.
 - Delete or reorient bike racks shown in the notches along Main Street as when in use they will not obstruct the pedestrian SRW.
 - Delete specialty paving on public property along the 7th Avenue frontage. (Wellness walkway standards are to apply).
 - Delete reference to special lane treatments. A separate application to the General Manager of Engineering Services is required.
25. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- Provision of the required Class B bicycle spaces to be located on private property at street level.

Note to Applicant: where bicycle racks are desired on public property a separate application to the General Manager of Engineering Services is required. Bicycle parking shown on public property cannot be counted toward the class B bicycle parking requirements.

- Provision of a direct fully accessible connection between the Class A bicycle spaces and the lane without stairs.
 - Provision of an improved plan showing the design elevations on both sides of the parking ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls. The improved plan should also show maneuvering for the largest trucks accessing the two Class B loading spaces on P1 and to and from the lane.
 - Provision of a section drawing of the ramp and P1 showing 3.8 m (12.5 ft.) of vertical clearance for the area required by trucks for maneuvering and show design elevations throughout the loading/manoeuvring area to clearly indicate vertical clearance is available.
 - Provision of double throat widths for the loading bays.
26. Provision of a statutory right of way along a portion of the lane frontage adjacent the live-work units to allow for placement of traffic regulatory signs to ensure parking does not take place in front of the townhome exit doors.
 27. Clarify garbage pick-up operations. Confirmation from a waste hauler that they can access and pick up from the location shown on P1 is required.
 28. A canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56mm in thickness. (VBBL section 1A.9.8).
 29. Clarification is required if a built-in bench is proposed to encroach over the south property line, as indicated on page A.204; or if this is actually meant to be a narrow grass strip, as indicated on page L1.00. Delete any portions of bench encroaching onto City property.

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 Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management 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 4, 5 and 6, Block 38, DL 200A, Plan 197 to create a single parcel.
2. Provision of a building setback along the Main St. frontage to achieve a 5.5 meter width from the curb to the building face. A surface statutory right of way for public pedestrian use of the setback area is required.

Note: The applicants' Land Surveyor is to provide confirmation of the existing back of curb to property line distance so that the width of the setback and SRW can be established.

3. Release of Easement & Indemnity Agreement 323962M (commercial crossing) and Easement & Indemnity Agreement BL71473, Statutory Right of Way BL71474, and Equitable Charge BL71475 (all pertaining to a private communications conduit across East 7th Avenue and into the lane) prior to occupancy. A letter of undertaking is required prior to zoning enactment with full discharge prior to occupancy.

Note: Written confirmation that the communication conduit has been decommissioned will be required prior to building occupancy.

4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. 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.
5. 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. No development permit for the site will be issued until the security for the services are provided.
 - (a) 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 applicants' 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.

- (b) Provision of curb realignment on the north side of 7th Av. from Main St to the lane east of Main St. to align and normalize the width of the street with the portion to the east of the lane. Work to include all curb, gutter, pavement, landscaping and related utility work necessary to accommodate the realignment.
- (c) Provision of new sidewalks and boulevards along the 7th Av. frontage of the site to be consistent with the wellness walkway treatment pattern and to include benches and pedestrian scaled lighting.
- (d) Provision of new concrete sidewalks along the Main St. frontage consistent with commercial sidewalk standards.
- (e) Provision of street trees adjacent the site where space permits.
- (f) Provision of a standard concrete lane crossing at the lane entry east of Main St. on the north side of 7th Av. The entry is to include the upgrading of the curb returns and curb ramps on both sides of the lane to current standards.

Note to Applicant: All public realm improvements are to be subject to the Mount Pleasant Public Realm Plan currently being finalized and may involve the delivery of other public realm treatments and features than those listed in this report.

Sustainability

- 6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a Neighbourhood Energy System, if and when the opportunity is available and in accordance with the Council approved Neighbourhood Energy Strategy and Energy Centre Guidelines, and corresponding District Energy Connectivity Standards, which may include but are not limited to agreements which:
 - (a) require buildings on site to connect to a Neighbourhood Energy System, once available;
 - (b) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation; and
 - (c) grant access to and use of suitable space required for the purposes of neighbourhood energy system operation equipment, to the satisfaction of the General Manager of Engineering Services.

Soils Agreement

7. If applicable:
 - (a) Submit a site profile to Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team).
 - (b) As required by the Manager of Environmental Planning 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) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, 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 Planning, the General Manager of Engineering Services and the 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Community Amenity Contribution (CAC)

8. Pay to the City the Community Amenity Contribution of \$3,044,000 which the applicant has offered to the City. 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.

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 is 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 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 [assigned Schedule "B" (C-3A)], generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 2290 Main Street", be approved.
- 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 2290 Main Street".
- 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 - 2290 Main Street)