

SUMMARY AND RECOMMENDATION

4. REZONING: 521-527 West 8th Avenue

Summary: To rezone 521-527 West 8th Avenue from from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of an eight-storey office building with commercial retail use at grade. A height of 33.3 metres (109.3 feet) and a floor space ratio (FSR) of 6.51 are proposed.

Applicant: Musson Cattell Mackey Partnership, on behalf of VANLUX West 8th Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of October 17, 2017.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Musson Cattell Mackey Partnership, on behalf of VANLUX West 8th Inc., to rezone 521-527 West 8th Avenue [*Lots 16 and 17, Except the north 10 feet now lane, Block 320, District Lot 526, Plan 590; PIDs: 004-316-703 and 004-309-707 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.00 to 6.51 and the building height to 33.3 m (109.3 ft.) to permit the development of an eight-storey office building with commercial retail use at grade, generally as presented in Appendix A of the Policy Report dated September 19, 2017 entitled "CD-1 Rezoning: 521-527 West 8th Avenue", 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 Musson Cattell Mackey Partnership and stamped "Received City of Vancouver, March 14, 2017", subject to the following conditions, provided that the General Manager of Planning, Urban Design and Sustainability 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, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

1. Provision of design development to refine the exterior finishes to add visual interest consistent with the rezoning application, while maintaining high quality and durability.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including appearance, durability, and performance, with consideration given to incorporating further details to add visual interest and texture to the façade, such as fritting or imagery to the glass, or passive design elements, noting that the latter will also improve the building's environmental performance.

2. Provision of improved pedestrian interest through a more active use at the ground floor at the corner of 8th Avenue and the lane.

Note to Applicant: Relocate the stair and elevator to the underground parkade away from the exterior façade, so that a more engaging and pedestrian-friendly use may be provided.

3. Provision of continuous weather protection along the 8th Avenue frontage.

Note to Applicant: The intent is to ensure coverage for pedestrians in Vancouver's winter climate and to make this street 'rain friendly' as noted in the *Transportation 2040 Plan*. The canopy should extend horizontally from the ground floor wall for a distance that is at least 70% of the canopy's height above the sidewalk. For example, if the canopy is located 10 ft. above the sidewalk, then it should extend 7 ft. horizontally.

Landscape

4. Design development to the slab and structural design to provide adequate soil volumes and depths for planting.

Note to Applicant: To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards.

5. Provision of additional details to ensure the viability of the green wall system on the west elevation.
6. Design development to locate site utilities and vents on private property and integrated discreetly into the building, avoiding landscaped and common areas.
7. Design development to reduce potable water consumption in the irrigation systems by using drought-tolerant plant species, efficient irrigation rainwater technology and rain water harvesting methods (to the greatest extent practicable).
8. Provision of new street trees adjacent to the development site, where applicable, to be confirmed prior to the issuance of the building permit, at the discretion of the General Manager of Engineering Services.

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 deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion."

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

- (i) 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, bicycle racks, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

- (ii) Provision of large-scale sections [typical] through landscaped areas, including the ground-oriented interface, the slab-planter relationship, street trees, any common areas and upper storey planters.

Note to Applicant: The sections should include the planter materials, tree canopy, tree stem, outline of the root ball, voiding, built up membrane and dimensions.

- (iii) Provision of spot elevations to all outdoor areas (including top/bottom walls), including off-site context spot elevations in proximity (public sidewalks, inner boulevards and lanes).

- (iv) Provision of adequate soil volumes and depths for planting on slabs and in planters.

Note to Applicant: Refer to Landscape condition 4. To ensure the long-term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards.

- (v) Provision of universal design principles in the outdoor spaces.

Note to Applicant: Special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along shared circulation routes.

- (vi) Provision of a partial irrigation plan to demonstrate efficient irrigation system for all outdoor planters.

Note to Applicant: Specification notes and irrigation symbols should be added to the drawing.

Sustainability

- 10. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezonings including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: Provide an updated LEED® checklist and sustainable design strategy at time of Development Permit application outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy.

Engineering

- 11. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 12. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
- 13. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way.
- 14. Delete what appears to be curbing from the corner cut off lane dedication area (lower ground floor plan).

15. Clarify garbage and recycling space location. If "RCY" is intended as the garbage and recycling room please indicate bins and totters intended for the space (please reference the COV garbage and recycling supplement).
16. 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 0.56 mm in thickness. (VBBL section 1A.9.8).
17. Provision of a landscape plan that reflects the off-site improvements sought by this application.
18. Provision of additional design grades at all entries clearly indicating City building grades are met at the property lines.
19. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
20. Design development to improve access to bicycle parking.

Note to Applicant: As there is no parking ramp for bicycle access, an appropriately sized elevator with double doors, providing direct access to outside is required. Clearly note the access route on plans.
21. Provision of an improved plan showing the access route from the loading spaces to the CRU and elevator core.

Note to Applicant: The route must be 'stairs free' and confirm the use of an elevator, if required.
22. Provision of an improved plan showing six (6) Class B bicycle spaces on private property.

Note to Applicant: Locate the bike rack in close proximity to the lobby entrance with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach over the property line.
23. Provision of an improved drawing A2.01 to show the complete layout of stalls 12, 13 and the parking ramp.
24. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, additional design elevations within the parking area, and at all entrances.

Note to Applicant: Provide separate P1 and P2 drawings with design elevations.

(ii) Dimension all columns (length, width, and column setback) that are encroaching into parking stalls, all parking and loading stall widths, stall offsets from walls, and number and label all stalls.

(iii) Relocate disability stalls at gridline B/2, closer to the elevator core.

Note to Applicant: The required minimum number of disability stalls can be bonused as two parking spaces as per section 4.1.15 of the PBL.

(iv) Design development to improve access to parking.

Note to Applicant: Relocate the column adjacent to stall 20 on P1 to be clear of the maneuvering aisle and provide additional stall width for stall 20. This condition exists on multiple levels.

(v) Provision of minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8m of vertical clearance is required for Class B loading spaces and maneuvering.

(vi) Provision of measures to improve visibility and address conflicts between vehicles at the 90 degree turn on the ramp at gridline 1/B. A parabolic mirror is recommended.

(vii) Modification of the Class B loading bay design to provide double loading throats as the west end of the lane narrows to 3 m.

25. Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law, except:

(i) A minimum of 2 Class B and 2 Class A loading spaces must be provided.

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, Urban Design and Sustainability, the General Manager of Engineering 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 16 and 17, Both Except the North 10 Feet, Now Lane, Block 320, DL 526, Plan 590 to create a single parcel and subdivision of that site to result in the dedication of the easterly 6 ft. of the site and a further 10 ft. x10 ft. corner-cut truncation in the northeast corner of the site for lane purposes.
2. Provision of a building setback and a surface Statutory Right-of-Way (SRW) on W 8th Ave to achieve a 4.5 m (15 ft.) sidewalk from the back of the existing City curb to the building face. A legal survey of the existing dimension from the back of the City curb is required to determine the final setback/SRW dimension. The SRW will be free of any encumbrance such as structure, stairs, door swing, landscape and bicycle parking at grade but the encroaching building portions shown below grade and at the 3rd storey and above will be accommodated within the SRW agreement.
3. Provision of a Services Agreement to detail the on-site 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.
 - (i) 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.
 - (ii) Upgrade approximately 125 m of the existing 600 mm stormwater main along W 8th Ave and Cambie to the Metro Vancouver English Bay Interceptor. The proposed size is a 900 mm, but the applicant is to submit design calculations and drawings to the City for final review.
 - (iii) Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and comply with the Sewer and Watercourse By-law. The plan shall achieve the following:
 - (a) retain or infiltrate the 6-month storm event volume (24 mm) onsite;

- (b) treat the 2-year event (48 mm) onsite; and
- (c) maintain the pre-development 2014 IDF-10-year storm event rate. The post-development estimate shall use the 2100 IDF curve to account for climate change.

Note to Applicant: Legal arrangements may be required to ensure ongoing operations of certain stormwater storage systems.

- (iv) Provision of a natural watercourse agreement. Records indicate there are natural watercourses that may pass through the site. Watercourses may not be blocked but can be rerouted within the site to reduce the impact on the sites development. A legal arrangement will be required.
- (v) Provision of a CIP light broom-finish concrete sidewalk with sawcut joints on W 8th Ave adjacent the site in keeping with area standards.
- (vi) Provision of a concrete lane crossing and associated curb returns and ramps on both sides of the lane entry at the lane west of Cambie St on the north side of W 8th Ave to current standards.
- (vii) Upgrading of the traffic signal at the intersection of Cambie St and W 8th Ave from an audible signal to an accessible pedestrian signal.
- (viii) Provision of new street lighting to current standards should it be a required. A lighting study is necessary to determine the extent of upgrading or new lighting that may be necessary.
- (ix) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (x) Provision of lane paving for the dedication areas including adjustment of existing pavement where necessary to ensure typical lane design standards are met.
- (xi) Provision of street trees adjacent the site where space permits.

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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.

In addition, 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

Environmental Contamination

5. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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
 - (iii) If required by the Manager of Environmental Services 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 Services, the General Manager of Engineering Services 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 separate Certificates of Compliance satisfactory to the City for the on site and off site contamination, issued by the Ministry of Environment, have 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 registered charges pursuant to 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 A of the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 19, 2017, entitled "CD-1 Rezoning: 521-527 West 8th Avenue", be approved.
- C. That, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated September 19, 2017, entitled "CD-1 Rezoning: 521-527 West 8th Avenue."
- D. THAT A to 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 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 sole 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 - 521-527 West 8th Avenue]