



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: November 28, 2017
Contact: Kent Munro
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RTS No.: 12196
VanRIMS No.: 08-2000-20
Meeting Date: December 12, 2017

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 1296 West Broadway

RECOMMENDATION

- A. THAT the application by IBI Group on behalf of 1061511 B.C. Ltd (Jameson Development Corp.) to rezone 1296 West Broadway [*Lots 1, 2 and 3, Block 353, District Lot 526, Plan 590; PIDS: 015-185-303, 015-185-311 and 015-185-320 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 3.0 to 7.07 and the maximum building height to 52 m (170.8 ft.), measured from a geodetic elevation of 99.24 m (325.58 ft.) to permit the development of a 16-storey mixed-use building containing commercial and retail uses and 153 for-profit rental housing units, be referred to a public hearing, together with:
- (i) plans prepared by IBI Group, received January 5, 2017;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-Law generally in accordance with Appendix A for consideration at the public hearing.

- B. THAT, if after public hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s) and prior to enactment of the CD-1 By-law 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 General Manager of Community Services.

- C. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be referred to the same Public Hearing.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C, for consideration at the Public Hearing.

- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of the enactment of the CD-1 By-law.

- E. THAT Recommendations A through D 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.

REPORT SUMMARY

This report evaluates an application to rezone a site located at 1296 West Broadway from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a 16-storey mixed use building (including the mezzanine level) with commercial/retail at grade and the second level, and 153 secured rental housing units on the upper floors. The application has been submitted under the *Secured Market Rental Housing Policy* (commonly known as R-100) and in accordance with that policy, the application seeks increased height and density in return for all proposed housing units being secured as for-profit rental housing for the longer of the life of the building and 60 years.

If approved, the application would contribute 153 secured for-profit rental housing units to the City's housing goals as identified in the *Housing and Homelessness Strategy* and the *Mayor's Task Force on Housing Affordability*. Staff recommend that the application be referred to a public hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the public hearing, along with the conditions of approval as outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Secured Market Rental Housing Policy (Rental 100) (2012);
- Housing and Homelessness Strategy (2011);
- Final Report from the Mayor's Task Force on Housing Affordability (2012);
- Housing Vancouver Emerging Directions (2017)
- C-3A District Schedule and Guidelines (1996, amended 2013);
- High-Density Housing for Families with Children Guidelines (1992);
- Family Room: Housing Mix Policy in Rezoning Projects (2016);
- Community Amenity Contributions through Rezonings (last amended 2016);
- Public Art Policy and Procedures for Rezoned Developments (2014);
- Green Buildings Policy for Rezonings (2010, amended 2017); and
- Vancouver Development Cost Levy By-law No. 9755 (last amended 2016).

REPORT

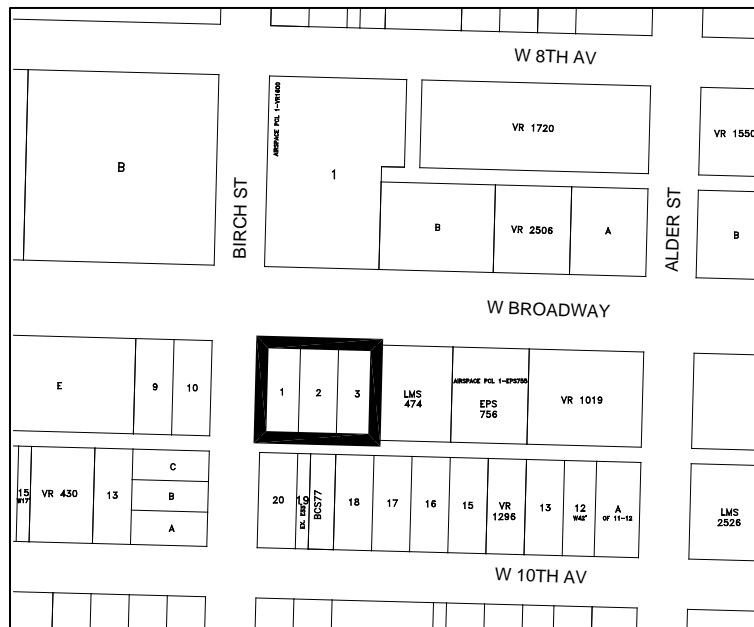
Background/Context

1. Site and Context

The subject site is located at the southeast corner of West Broadway and Birch Street in the Fairview community (see Figure 1). The site is comprised of three legal parcels, with a total area of 1,743 sq. m (18,762 sq. ft.), a frontage of 45.7 m (150 ft.) along Broadway and a depth of 38.1 m (125 ft.) along Birch Street. It is located two blocks east of Granville Street, currently a high-frequency transit route which has been identified as a potential Millennium Line Broadway Subway Extension station location.

Currently, the site is occupied by a one-storey commercial building with surface parking. This area along Broadway is generally comprised of two- to four-storey commercial and mixed-use tower buildings. The site to the east is occupied by a 13-storey mixed-use strata residential building. Directly north and northwest are two office towers at 8- and 13-storeys respectively. The area to the south is zoned RM-3 and is currently developed with low-rise apartment buildings.

Figure 1: Location Map- Site and Context



2. Policy Context

Secured Market Rental Housing Policy (Rental 100) – In May 2012, Council approved the *Secured Market Rental Housing Policy*, which provides incentives for new developments where 100 per cent of the residential floor space provided is non-stratified rental housing. The *Final Report from the Mayor’s Task Force on Housing Affordability*, adopted by Council in October 2012, further endorsed the importance of incentivizing market rental housing through a focus on strategies to repair, renew and expand market rental stock across all neighbourhoods. Rezoning applications considered under this policy must meet a number of criteria regarding affordability, security of tenure, location and form of development.

Rental Incentive Guidelines – The *Rental Incentive Guidelines* inform the way in which rental incentives, taken at the applicant’s discretion, are applied to specific projects. Applications made under Policy 1.2 ‘Residential Rental Projects Requiring a Rezoning for Projects where 100% of the Residential Floor Space is Rental’ are eligible for additional floor area (subject to an urban design review), parking relaxations, a DCL waiver for the residential rental floor area of the project and a relaxation of unit size provided that the design and location of the unit delivers a satisfactory living accommodation. For sites zoned C-3A, the guidelines suggest adhering to the local C-3A height provisions, however, an urban design review of the surrounding context is required.

Housing and Homelessness Strategy 2012-2021 – In July 2011, Council endorsed the *Housing and Homelessness Strategy 2012-2021*, which includes strategic directions to increase the supply of affordable housing, encourage a housing mix across all neighbourhoods that enhances quality of life and provides strong leadership and support to partners to enhance housing stability in Vancouver. The priority actions identified to achieve some of the strategy’s goals relevant to this application include refining and developing new zoning approaches, development tools and rental incentives to continue the achievement of securing purpose-built rental housing and using financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households.

Housing Vancouver (2017) – In November 2017, a new 10-year strategy known as *Housing Vancouver* was endorsed by Council. Its aim is to improve housing affordability by creating the right types of homes to meet the needs of the people who live and work in Vancouver. An *Emerging Directions* report was presented to Council in spring 2017 outlining initial proposals and priority actions. A further update was provided to Council in July 2017 detailing proposed targets of 72,000 new homes in Vancouver over the next 10 years. Of the 72,000 new homes target, 20,000 units are targeted for purpose-built rental. This application will make a significant contribution towards the City's rental housing target.

C-3A District Schedule and Guidelines – The intent of the C-3A District Schedule is to provide for a wide range of goods and services, to maintain commercial activities, specialized services and some light manufacturing enterprises while preserving the character and general amenity of the area and its immediate surroundings, and to provide for dwelling uses designed compatibly with commercial uses. The associated urban design guidelines encourage residential along this portion of Broadway to create continuity of the Fairview residential use along the north and south sides of the corridor. Although this application proposes an increase in building height beyond that allowed by the existing C-3A regulations, the mixed-use form and proposal for secured rental housing is considered to be in keeping with the land use intent for the area and future development potential, particularly in the context of the anticipated Millennium Line Broadway Subway Extension.

Family Room: Housing Mix Policy for Rezoning Projects – In July 2016, Council approved *Family Room: Housing Mix Policy for Rezoning Projects*, which increased the requirement for family units with two or more bedrooms in rental housing projects from a minimum of 25 per cent to 35 per cent.

High-Density Housing for Families with Children Guidelines – The intent of the guidelines is to address key issues of site, building and unit design to achieve livability objectives for families with children. The guidelines provide direction on project planning, project design, unit design and amenity areas.

Strategic Analysis

1. Proposal

This application proposes a 16-storey mixed-use building (including the mezzanine level) with commercial at grade, retail and office uses on the second level and 153 secured market rental housing units (see Figure 2). Underground parking is accessed from the rear lane. The overall density proposed is 7.07 FSR and the maximum height of the building is 52 m (170.8ft.), measured from a geodetic elevation of 325.58 ft.

Figure 2: Street View from Broadway Looking East



2. Housing

The *Housing and Homelessness Strategy* strives to enhance access to affordable housing and sets a number of short- and long-term rental housing targets. The *Secured Market Rental Housing Policy* (Rental 100 program) plays a critical role in the achievement of those targets by helping to realize secured market rental housing. Rental housing provides a more affordable housing option for nearly half of Vancouver's population and contributes to a number of City initiatives intended to create diverse and sustainable communities. Dwelling units developed under the Rental 100 program are targeted to moderate-income households and the program extends throughout all parts of the city, thereby providing options that are more affordable than home ownership.

This application meets the requirement of the *Secured Market Rental Housing Policy* by proposing 100 per cent of the residential floor area as secured rental housing. All residential units would be secured through a Housing Agreement and/or a Section 219 Covenant for the longer of the life of the building and 60 years. Covenant(s) will be registered on title to preclude the stratification and/or separate sale of individual units.

The proposal includes 153 secured market rental housing units in the form of studios, one-bedroom, two-bedrooms, and three-bedrooms. The *Family Room: Housing Mix Policy for Rezoning Projects* requires secured market rental projects to include a minimum of 35 per cent family units with two or more bedrooms, to be designed in accordance with the *High-Density Housing for Families with Children Guidelines*. This application proposes 41 two-bedroom and 15 three-bedroom units (37 per cent of the overall units), thereby exceeding the policy. These units are considered to be suitable for families with children and will help meet the need for family rental housing in the city. The percentage of family units will be secured as a condition of rezoning. See Appendix B for rezoning conditions related to the Housing Agreement.

The *Secured Market Rental Housing* policy program provides various incentives to be taken at the applicant's discretion to assist with a project's viability. These incentives can include a Development Cost Levy (DCL) waiver. This project, however, is not seeking a DCL waiver because the proposed rental rates and the cost of construction exceed the waiver eligibility maximums described in the DCL Bylaw. As such, a DCL will be paid as part of the approval requirements during the permit stage.

Since the establishment of affordable housing targets in the City's *Housing and Homelessness Strategy* in 2011, a total of 7,032 secured residential rental units have been generated in the city. The long-term goal was to achieve 5,000 new units by 2021, which has been achieved. If approved, this application would contribute an additional 153 units towards the City's stated short-term and long-term targets (see Figure 3).

Figure 3: Progress Toward the Secured Market Rental Housing Targets as set in the Housing and Homelessness Strategy 2012-2021 (September 30, 2017)*

	TARGET	CURRENT PROJECTS				GAP
	2012-2021	Completed	Under Construction	Approved	Total	Above or Below 2021 Target
Secured Market Rental Housing Units	5,000	2,139	2,895	1,998	7,032	2,032 above target

*Unit numbers exclude units proposed at 1296 West Broadway, pending Council approval of this rezoning application.

Vancouver has one of the lowest rental vacancy rates in Canada. In the autumn of 2016, the vacancy rate in the city was 0.8 per cent. That means only eight out of every 1,000 market rental units were empty and available for rent. A vacancy rate of 3 per cent is considered to be a balanced rental market. The vacancy rate in the Fairview neighbourhood was even lower at 0.7 per cent.

3. Density, Height and Form of Development (see application drawings in Appendix E)

Density and Building Mass

This rezoning application proposes an overall floor area of 12,317 sq. m (132, 647 sq. ft.) equivalent to 7.07 FSR, and a maximum height of 52 m (170.8 ft.), measured from a geodetic elevation of 325.58 ft. The January 5, 2017 application submission originally proposed a height of 50.8m (166.8 ft.), measured from a geodetic elevation of 321.58 ft. An additional four feet of height was requested by the applicant in order to assist with floor-to-floor dimensions for the residential tower component. Staff have reviewed the implications of increasing the height to 52 m (170.8 ft.) and determined that it will have no material affect. The draft CD-1 Bylaw presented herein reflects the overall height now proposed.

The Central Broadway C-3A Design Guidelines recommend that street-facing building widths be reduced with increased height. The proposal complies directly with this guideline, such that the building width above 9.1 m (30 feet) and below 21.3 m (70 ft.) is limited to 67 percent of the site width. For portions above 21.3 m (70 ft.), the building width is reduced to a maximum of 50 percent of the site width. The building width is further narrowed above the 13-story to 36 percent of the site width.

The proposed development has a floorplate of 803 sq. m. (8,650 sq. ft.) from the 8- to the 13-stories, and narrows to 464 sq. m. (5000 sq. ft.) at the upper levels. The application proposes a bulkier tower form than the two residential towers to the east on the same block which date from 1992 and 2010. However, the existing commercial buildings to the northwest and northeast at 1285 W. Broadway and 1333 W. Broadway, have floorplates of 929 sq. m. (10,000 sq. ft.) and 1022 sq. m. (11,000 sq. ft.), respectively.

Setbacks and tower separation were also considered in evaluating the proposed building form. The application proposes over 27.7 m (91 ft.) separation between the proposed tower and the tower to the east, exceeding the 80 ft. minimum requirement. The proposed tower is set back 2.1 m (7 ft.) from the west property line such that 80 ft. of separation can be provided between the proposal and any future tower at the southwest corner of the intersection of West Broadway and Birch Street. The proposed rear setback of 6.4 m (21 ft.) is greater than the required 4.5 m (15 ft.) rear setback of the prevailing C-3A zoning.

Considering the context of bulkier building forms nearby, and satisfactory setbacks which ensure appropriate space between towers, staff have determined the proposed density and massing to be supportable.

Streetwall

The Central Broadway C-3A Design Guidelines recommend that building faces on the south side of West Broadway in the Fairview Slopes Sub-area should form a continuous street wall to a height of 30 ft. The proposal complies with the Guidelines. The street wall height lowers at the eastern edge to transition naturally to the lower podium height of the development to the east.

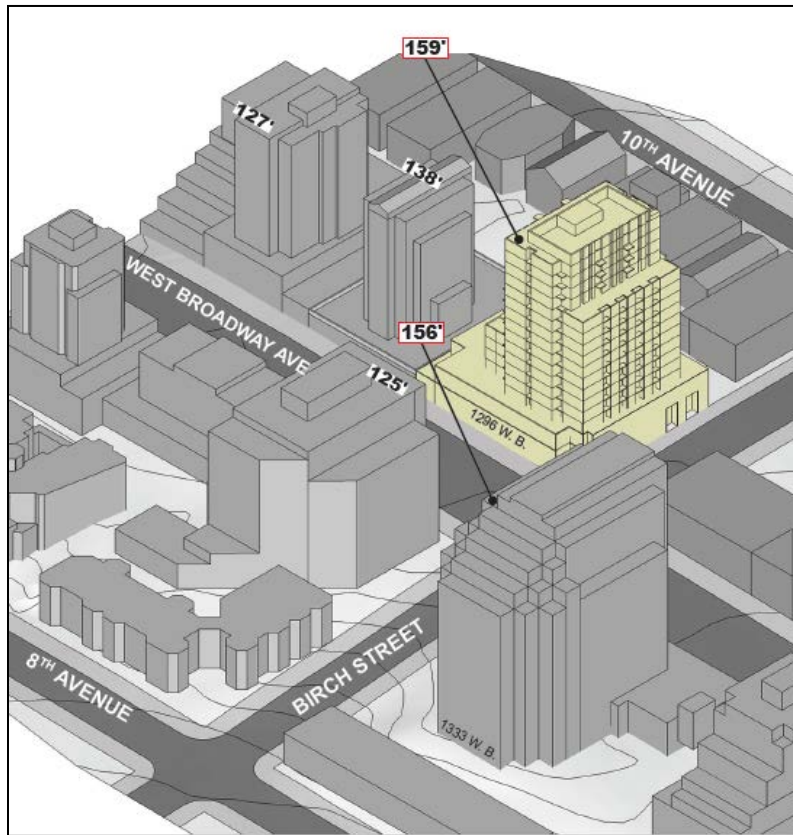
Height

The Rental Incentive Guidelines which accompany the Rental 100 policy suggest that development in the C-3A zoning area should generally follow the C-3A guidelines for height. However, as noted in the policy section of this report, Rental 100 is a Citywide policy and reliant upon a thorough urban design study to determine an appropriate height for a specific site. The applicable policy pertaining to height is the Central Broadway C-3A Guidelines, which specify a maximum height of 120 ft. for the Fairview Slopes Sub-area. However, staff have reviewed the proposed height relative to the context and have considered public input and feedback from the UDP, determining that the height of 52 m (170.8 ft) is supportable in this case.

Height Revision from the January 5, Submission

The application package received on January 5, 2017 showed a building height to the top of the roof slab of 48.5 m (159 ft.) and 50.8 m (166.8 ft) to top of parapet (see Figure 4). An additional four feet of height was requested by the applicant in order to assist with floor-to-floor dimensions for the residential tower component. This will result in a maximum building height of 52 m (170.8 ft.) measured from a geodetic elevation of 99.24 m (325.58 ft.). Staff have reviewed the revisions and concluded that the implications are not material. No other changes regarding floor area and density are proposed.

Figure 4: Proposed Building Looking South-East with Neighbouring Context



Urban Design Panel

The rezoning application was reviewed by the Urban Design Panel, receiving support on May 3, 2017 (see Appendix D).

Staff conclude that the height, massing and density are supportable given the context. It is recommended, subject to the Public Hearing, that the application be approved in principle, subject to the conditions in Appendix B, which seek further design refinement at the Development Permit stage.

4. Transportation and Parking

The application proposes four levels of underground car and bike parking accessed from the lane. A total of 168 parking spaces are provided, comprised of 110 parking spaces for the residential component and 58 spaces for the commercial component. Also proposed are 224 Class A bicycle spaces.

Parking for the residential and commercial spaces is to be provided in accordance with the Parking By-law. The application exceeds the number of vehicle parking and Class A bicycle spaces required, but the by-law requirements for Class B bicycle spaces has not been met. The application will be required to provide a minimum of 12 Class B bicycle spaces.

Engineering Services has reviewed the rezoning application and has no objections to the proposal provided the applicant satisfies the rezoning conditions included in Appendix B.

5. Environmental Sustainability

The *Green Buildings Policy for Rezoning* (amended by Council on April 28, 2017) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements are mandatory for all rezoning applications received on or after May 1, 2017. Applications received prior to May 1, 2017 may choose to meet this updated version of the policy or the preceding version.

This application has opted to satisfy the updated version of the *Green Buildings Policy for Rezoning* under the low emissions green buildings requirements. The low emissions green buildings pathway represents City priority outcomes, establishing limits on heat loss, energy use, and greenhouse gases, and drawing on industry best practices to create more efficient, healthy and comfortable homes and workplaces.

The applicant has submitted preliminary energy modeling analysis detailing building performance strategies to meet the new energy use intensity, greenhouse gas and thermal demand targets. Additionally, the applicant submitted a preliminary LEED® for New Construction scorecard, indicating that the project would be eligible for a LEED® Gold rating, should they choose to pursue registration.

PUBLIC INPUT

Public Notification- A rezoning information sign was installed on the site on February 20, 2017. Approximately 4,350 notifications were distributed within the neighbouring area on or about March 21, 2017. Additional information such as the application information and an online comment form were provided on the City's Rezoning Applications webpage (Vancouver.ca/rezapps).

Total notifications	4350
Open House attendees	42
Feedback forms	10
Electronic feedback	4

Public Response and Comments- The public response to this application has been very modest. As of April, 2017 staff received a total of 14 written responses for this rezoning application including open house comment sheets and email correspondence.

Support for the project cited the following:

- Beneficial to add density where there is transit infrastructure;
- Provision of family-sized units; and
- Increasing the rental stock.

Key concerns about the project included the following:

- Increased traffic; and
- Small unit sizes.

As discussed elsewhere in this report, the proposed form of development fits in this context. The site is in a highly suitable location on a major transit route and delivers on a number of objectives such as increasing the housing stock in the city.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application addresses public benefits as follows:

Public Benefits- Required by By-law or Policy

Development Cost Levies (DCLs)- Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. This site is subject to City-wide DCL rate, which as of September 30, 2017 is \$168.13 per sq. m. (\$15.62 per sq. ft.). Based on the proposed floor area of 12,317 sq. m. (132,647 sq. ft.), the rezoning is anticipated to deliver a DCL of approximately \$2,071,946.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process.

An application may qualify as an in-stream application and, therefore, may be exempt from DCL rate increases for a period of 12 months from the date of DCL By-law rate amendment, provided that it has been submitted prior to the adoption of such DCL By-law rate adjustment. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art Program- *The Public Art Policy for Rezoning Developments* requires that a rezoning involving a floor area of 9,290 sq. m. (100,000 sq. ft.) or greater allocate a portion of their construction budget to public art as a condition of the rezoning. Public art budgets are based on a formula of \$21.31 per sq. m (\$1.98 per sq. ft.) for all areas contributing to the total FSR calculation. Based on the total proposed floor area of 12,317.2 sq. m. (132,647 sq. ft.), a public art budget of approximately \$262,520 is anticipated.

Public Benefits – Offered by the Applicant

Community Amenity Contributions (CACs) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution (CAC) to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CAC offers typically include either the provision of on-site amenities or a cash contribution towards other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

Rental Housing – The applicant has proposed that 153 residential units be secured as market rental housing (non-stratified). The public benefit accruing from these units is their contribution to the City’s rental housing stock for the longer of the life of the building and 60 years. Covenants would be registered on title to preclude the stratification and/or separate sale of individual units.

The public benefit achieved for this application is secured market rental housing. Real Estate Services staff have reviewed the applicant’s development pro forma and have concluded that, after factoring in the costs associated with the for-profit affordable rental housing units for the longer of the life of the building and 60 years, no further contribution towards public benefits is anticipated in this instance. See Appendix F for a summary of all of the public benefits for this application.

FINANCIAL IMPLICATIONS

The site is within the City-wide DCL district. Should Council approve the rezoning application, it is anticipated to generate approximately \$2,071,946 in DCLs.

The applicant will also be required to provide new public art on-site, or make a cash contribution to the City for off-site public art, at an estimated value of \$262,520.

The secured market rental housing, secured by a Housing Agreement for the longer of the life of the building and 60 years, will be privately owned and operated.

CONCLUSION

Staff have reviewed the application to rezone the site at 1296 West Broadway from C-3A to CD-1 to permit development of a building with secured market rental housing and confirm that the proposal is consistent with the objectives in the *Secured Market Rental Housing Policy*. Further, staff conclude that the application qualifies for incentives provided under the policy such as additional height and density. If approved, this development would make a notable contribution to delivering secured market rental housing within the City of Vancouver.

The proposed form of development represents an appropriate urban design response to the site and context. The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a public hearing, together with a draft CD-1 By-Law generally as set out in Appendix A and that, subject to the public hearing, the application including the form of development as shown in the plans in Appendix F, be approved in principle, subject to the Applicant fulfilling the conditions of approval as outlined in Appendix B.

* * * * *

1296 West Broadway
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No.3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-() attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ().

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Bingo Hall, Club, Community Centre or Neighbourhood House, Fitness Centre , Hall, Library, Museum or Archives, and Theatre;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
- (c) Institutional Uses, limited to Child Day Care Facility, Church, and Social Service Centre;
- (d) Manufacturing Uses, limited to Clothing Manufacturing, Food or Beverage Products Manufacturing - Class B, Jewellery Manufacturing, and Printing or Publishing;
- (e) Office Uses;
- (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Small Scale Pharmacy, Retail Store, Liquor Store, Public Bike Share, and Secondhand Store;
- (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop -

Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;

(h) Utility and Communication Uses, limited to Public Utility and Radio Communication Station; and

(i) Accessory Uses customarily ancillary to the uses listed in this Section 2.2.

Conditions of use

3.1 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for:

- (a) Farmers' Market;
- (b) Neighbourhood Public House;
- (c) Restaurant;
- (d) Public Bike Share; and
- (e) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.

3.2 The design and layout of at least 35% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

Floor area and density

4.1 Computation of floor space ratio must assume that the site consists of 1,743 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

4.2 The floor space ratio for all uses must not exceed 7.07

4.3 Computation of floor area must include all floors of all buildings, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

4.4 Computation of floor area must exclude:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:

- (i) the total area of all such exclusions must not exceed 12% of the residential floor area, and
 - (ii) the balconies must not be enclosed for the life of the building.
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
 - (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area; and
 - (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5 The use of floor area excluded under section 4.4 must not include any use other than that which justified the exclusion.

Building height

5.1 Building height, measured to the top of the roof slab above the uppermost habitable floor, excluding the parapet wall, must not exceed the geodetic datum elevation of 96.8 m.

5.2 Overall building height must not exceed the geodetic elevation of 99.24 m.

Horizontal angle of daylight

6.1 Each habitable room must have at least one window on an exterior wall of a building.

6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m.

6.5 An obstruction referred to in section 6.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 ().

6.6 A habitable room referred to in section 6.1 does not include:

- (a) a bathroom;
- (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

7. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portion of Dwelling Unit	Noise Level (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

1296 West Broadway
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the public hearing.

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 IBI Group. and stamped "Received City Planning Department, January 5, 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. Design development to reduce apparent building bulk by providing a more differentiated expression to the exterior.

Note to Applicant: As a corner site with a prominent location, design development to the exterior expression is required to enhance verticality or otherwise reduce perceived building bulk. Consider employing differing colours, textures and/or patterns of brick cladding.
2. Design development to maintain the brick cladding to the height and extent as indicated in the application.
3. Design development to more clearly identify the residential and office entries on Birch Street.

Note to Applicant: This can be achieved through distinctive material, lighting, signage and/or canopy treatments.

4. Design development to improve livability by revising window locations with respect to room layouts such that windows are located more centrally in rooms, particularly for deeper units.
5. Design development to significantly reduce the footprint of the rooftop mechanical enclosure;
6. Provision of a 0.5 m setback along the Birch Street frontage to achieve a sidewalk width of 4.5 m, as measured from curb to building face; and a sidewalk width of 5.5m on W. Broadway.

Note to applicant: dimensions are required on the Site Plan indicating compliance with public realm requirements.

7. Design development to maintain and ensure future usability of the expanded public realm at the northwest corner of the site.

Note to Applicant: Avoid elevators or vestibules adjacent to this expanded exterior area at the development permit stage. This space should be maintained to have a relationship to the indoor space into the future such as outdoor seating for a café.

8. Design development to provide an indoor amenity space that is directly adjacent to the outdoor Children's play area, to facilitate direct movement between the two spaces as well as allowing visual surveillance..
9. Design development to improve the lane treatment through increased soft landscaping and reduced hardscape where achievable.
10. That the proposed unit mix for family units, 27 % two-bedroom units and 10% three-bedroom units be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or the Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

11. Design development to consider the principles of CPTED, having particular regard for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

12. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings*

Policy for Rezoning - Process and Requirements (amended April 28, 2017 or later).

Landscape Design

13. Design development to provide additional green surface cover to the roof areas.

Note to Applicant: this can be done by dedicating more amenity deck area to planters and trees canopy cover, respecting the programmatic needs for outdoor active space. The upper roof has been reserved for future solar panel installation; however, consider augmenting solar panel space with whole or partial extensive green roof cover to mitigate rain water volumes and heat island effect.

14. Design development to the integration of the architecture, grades, retaining walls, walkways and structural elements, such as underground parking, to provide maximum plant growing depth (exceed BCLNA Landscape Standard).

Note to Applicant: Variations in the slab may be required in combination with appropriate growing medium. In the horizontal plane, soils should be contiguous, wherever possible. To accommodate trees in planters near property lines, the underground parking to angle downward at the corner (1 m across and 1.2 m downward). Further comments may apply at the development permit stage.

15. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.

Note to Applicant: this includes the exploration of opportunities to screen the pad mounted transformer at the lane with a trellis and gates. Further coordination with BC Hydro will be necessary.

16. Incorporation of the principles of the City of Vancouver, Bird-Friendly Design Guidelines for the protection, enhancement and creation of bird habitat and to reduce potential threats to birds in the City.

Note to Applicant: Refer to:

<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>
<http://council.vancouver.ca/20150120/documents/rr1attachmentC.pdf>

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

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

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to a standard Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm

treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a vegetative surface area calculation overlay plan;

Note to Applicant: The plan should differentiate between extensive and intensive green roof types and provide a percentage ratio of soft and hard surface cover proposed.

- (iii) Illustration of details for any measures that support integrated rainwater management, including absorbent landscapes, soil volumes and detention technology;

Note to Applicant: This is not a performance requirement but should be coordinated with the LEED credit scorecard. The Integrated Rainwater Management Plan (I.R.M.P) is an emerging policy that supports rain water management on development sites. Provide a brief written rationale to describe the approach to rainwater management. Rainwater treatment chains are encouraged.

- (iv) Provision of large scale, dimensioned, landscape sections [typical] through planted areas,

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

- (v) Provision of high efficiency irrigation for all planted areas and individual hose bibs for all all urban agriculture zones;

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or landscape plan describing the intent and/or standards of irrigation.

Engineering

18. 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.
19. 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.

Note to Applicant: 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

20. 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.
21. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.
22. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
23. Provision of a landscape plan that reflects the street improvements sought for this rezoning and add the following statement to the landscape plan:

The landscape plan is to be noted as "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details."
24. Dimension the 5.5m distance from back of curb to building face on Broadway and 4.5 distance from back of curb to building face on Birch St. clearly showing the setbacks on the site are free and clear of obstructions.
25. Provision of generous and continuous rain protection for pedestrians along the sidewalk on Broadway. Provision of a separate application to the General Manager of Engineering Services for any canopy/awning encroaching over public property. Note; canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
26. Provision of revised building grades to reflect the new curb on Broadway and curb bulge design.
27. Provision of current standard of soil volumes for planting of street trees.

28. Provision of an improved plan showing the required Class B bicycle spaces on private property.
- Note to Applicant: Locate the bike rack in close proximity to the lobby and commercial entrances with 'stairs free' access. Ensure that bicycles locked to the rack do not encroach into the 4.5m setback on Birch Street.
29. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
30. Provision of 'stairs free' loading access to the office, retail and residential uses and note on plans.
31. Clearly show all entries for the retail spaces and provide corresponding building and design grades for each entry.
32. Confirm if a man door is required for the O/H gate on P3 and if so, note on plans.
33. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Provide gridlines on the parking and loading levels.
- (ii) Dimension all stalls. Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 4' from the end of the stall and note on plans.
- (iii) Provision 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. Provide a section drawing along the E-W maneuvering aisle that extends under the 'dog wash room'. Provide a section drawing of the ramp, from the lane to the P1 level showing the minimum vertical clearance. 3.8m of vertical clearance is required for Class B loading spaces and maneuvering, and 4.3m of vertical clearance is required for Class C loading spaces and maneuvering. Provide a section drawing for each loading space.

- (iv) Provision of column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.

Note to Applicant: No columns are shown within the parking levels. A column 0.6 m (2 ft.) in length must be set back 0.6 m (2 ft.) from either the opening to or the end of the parking space. A column 0.9 m (3 ft.) long may be set back 0.3 m (1 ft.). Provide a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns. If columns or structure for

the O/H door is required within the loading area, ensure that they are located outside of the loading space and the required maneuvering.

34. Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, within the parking levels and at all entrances.

Note to Applicant: Using the design elevations shown, the ramp slopes would be steeper than indicated on the drawings and does not meet the requirements of the Parking and Loading Design Supplement. The slope and crossfall within the loading and parking areas must not exceed 5%. The elevation of 138.3' on P2 looks incorrect.

35. Modification of the parking ramp design to address the following:
- (i) The slope must not exceed 10% for the first 20' from the property line as 10% is shown for 13'.
 - (ii) The slope must not exceed 12.5% after the first 20' from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4m in length. The 15% slope indicated calculates to 22% and no transition ramp is shown.
 - (iii) The slope and crossfall must not exceed 5% within the parking areas. Using the design elevations shown on P1, the slope calculates to 11%.
 - (iv) Provide increased ramp width at the top of the parking ramp, through the curved section to enable two vehicles to pass unobstructed. Consider providing a larger radius or chamfer on the inside radius of the ramp to achieve a ramp width of 23'6".
36. Modification to the loading bay design to address the following:
- (i) Provision of an improved plan showing any columns or structure within the loading area, any required O/H doors, a loading corridor, the north and south property lines and the location of all poles within the lane.
 - (ii) Provision of improved maneuvering diagram specifying the routing of the Class C trucks from the arterial streets to and from the loading space. As the loading spaces are angled west, confirmation is required that trucks can turn in from Alder Street and exit out onto Birch Street. Identify all geometric changes to curb returns and pole relocations that are required, especially to address the 2 poles at Alder Street at the lane south of Broadway.
 - (iii) Provision of Class C maneuvering to occur within the lane, without having to cross over the sidewalk on Birch Street. The maneuvering shown on page 24 of the rezoning drawings is not supported as the Class C truck would be required to stop on the sidewalk and back into the

Class C loading space. Consider relocating the Class C space to the most easterly loading space to eliminate this conflict.

37. Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

Note to PC: Confirm if parking calculations are correct as section 4.1.7 of the PBL should be used for office and retail parking requirements. If so, one level can be eliminated.

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 General Manager of Community Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 1, 2 & 3, Block 353, DL 526, Plan 590 to create a single parcel.
2. Release of Easement & Indemnity Agreement 499005M (commercial crossings) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

3. 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 is provided.
 - (i) Delete the sunshades projecting over the lane from the Level 2 windows shown on pages 16, 34 & 35; or make arrangements (legal agreements) to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for these features encroaching onto City property. Note: an application to the City Surveyor is required.
 - (ii) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.

- (iii) Provision of new CIP light broom finish concrete sidewalk with saw cut joints on West Broadway and on Birch Street that meet current standards.
- (iv) Provision of upgraded street lighting on West Broadway and Birch Street adjacent the site to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (v) Provision of a standard concrete commercial lane crossing at the lane south of Broadway on the east side of Birch St.
- (vi) Provision of new curb and gutter along the Broadway frontage of the site.
- (vii) Removal of the existing driveway crossings on West Broadway and Birch Street and replacement with standard curb and gutter and sidewalk.
- (viii) Upgrading of the pedestrian signal at Birch Street and West Broadway to an accessible pedestrian signal including upgraded LED lighting at the 4 corners.
- (ix) Provision of a curb bulge in the south west corner of Birch Street at West Broadway. Work to include all utility relocations necessary to achieve construction of the bulge.
- (x) Provision of street trees adjacent the site where space permits.
- (xi) Parking, loading and bicycle spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law.
- (xii) 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.
- (xiii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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 sewer system upgrading that may be required.

- (xiv) Provision of a stormwater and rainwater management plan that meet the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Water Course Bylaw. The plan shall achieve the following objectives;
 - (a) Retain or infiltrate 50% of the 6-month storm event volume (24 mm) onsite;
 - (b) Treat the 6-month event (48 mm) onsite; and
 - (c) Maintain the pre-development 2 year storm event rate. The pre-development estimate shall utilize the 2014 IDF curve, whereas the post development estimate shall use the 2100 IDF curve to account for climate change.

Note: Legal arrangements may be required to ensure on-going operations of certain stormwater storage, rain water management and green infrastructure systems.

- 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.

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

Housing

6. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Housing Agreement and Section 219 Covenant securing all residential units as market rental housing units for the longer of 60 years and life of the building, subject to the following additional conditions:
 - (i) A no separate-sales covenant.
 - (ii) A no stratification covenant.
 - (iii) That none of such units will be rented for less than one month at a time.
 - (iv) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Section 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

Sustainability

7. The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Public Art

8. 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.

Note to applicant: Please call Karen Henry, Public Art Planner (604-673-8282), to discuss your application.

Environmental Contamination

9. 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 to Applicant: 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.

* * * * *

1296 West Broadway
DRAFT CONSEQUENTIAL AMENDMENTS

SIGN BY-LAW NO. 11879

Amend Schedule A (CD-1 Zoning Districts Regulated by Part 9) by adding the following:

"1296 West Broadway CD-1 (#) [By-law #] C-3A"

NOISE CONTROL BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 (#)] [By-law #] 1296 West Broadway"

* * * * *

1296 West Broadway
ADDITIONAL INFORMATION

URBAN DESIGN PANEL

The Urban Design Plan reviewed the application and supported it on May 3, 2017.

EVALUATION: SUPPORT

Introduction:

Michelle Yip Rezoning Planner, introduced the project as a rezoning application comprised of three parcels on the southeast corner of Broadway and Birch Street, two blocks east of Granville Street, in the Fairview local area. The sites along Broadway are zoned C-3A and consist of a mix of two- to four-storey commercial buildings, office towers and mixed-use tower developments. The adjacent site to the east is a 13-storey mixed-use building at 138 feet and kitty corner to the site is a 13-storey office building at 156 feet. The area south of the lane is zoned RM- 3 and mainly consists of low-rise apartment buildings.

The rezoning proposal is being considered under the *Secured Market Rental Housing Policy* (Rental 100), which allows for consideration of additional density while adhering to existing height limits and generally to guidelines. The C-3A guidelines for this area suggest a maximum height of 120 feet. The proposal is exceeding the height limit set in the guidelines based on the existing surrounding context. The proposal is for a 16-storey mixed-use development containing commercial at grade and 153 rental housing units above, at a height of 163 feet and density of 7.07FSR.

Patrick O'Sullivan, Development Planner, introduced the site as being 150' by 125' deep; with a crossfall of 9 feet from southeast to northwest. The zoning C-3A allows mixed use, up to 3.3 FSR, and up to 120 feet in height. The proposed height is 163 feet with retail at grade and a retail mezzanine and commercial use on Level 2. The tower is rental residential units, and the width of the tower steps back with increased height.. There are two lobbies: an office lobby and a residential lobby on Birch toward the south of the west elevation. Amenity is located on the first level of residential and has a collocated exterior amenity space.

Mr. O'Sullivan then took questions from the panel.

Advice from the Panel on this application was sought on the following:

1. Does the panel support the overall form of development, including the proposed massing, setbacks, and density (7.07 FSR)?
2. The maximum guideline height of the base zoning is 120 feet. Considering the Rental 100 policy to adhere to existing height limits, does the panel support the proposed height of 163 feet?
3. Please comment on the landscape design including the public realm at the ground plane, and the roof deck.

Applicant's Introductory Comments

The applicant team started by noting the lot size. It is a mixed used project with many of the units being family oriented. There is outdoor space proposed on the podium roof. The design approach is to have an efficient envelope by using brick for 'greater continuity of insulation' on the outside. The proportion of window to wall ratio is 50%, with vinyl windows.

The proposed massing follows the city design guidelines. The tower is 50% of the lot width. The shoulder is limited in the top floor plate. There are 3-bedroom units to take advantage of outdoor spaces. There is a 30 foot high podium, and a line of planters proposed at the lower and higher portions for privacy.

Streetscape wise, there is a line of street trees proposed along Broadway and Birch. The setback is proposed along the landscape wall. On the next level up there are community gardens proposed and an opportunity for urban agriculture. There are green walls along the loading docks to green up the lane. The columns with landscape coming up the building are integral to the building design. The building is intended to meet T.E.D. Gas Emissions targets, and the window openings have been optimized for passive use.

The applicant team then took questions from the panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Improve the livability of the layout of the units, especially on the south side
- Work with the corner expressions in horizontal and vertical ways
- The loading at the lane should be less dominant
- The landscape needs further design development with more softscape
- Consider a rooftop amenity
- Consider public art option
- Improve the livability of the residential lobby

Related Commentary:

The panel noted that the height, setbacks and density were supported in the project. Overall, the building could use more character, and may appear too 'massive' because the architectural expression does not vary around the building. More softscape could be added. The fern garden at the east corner feels out of scale and could be higher. A roof garden should be added.

There should be loading at 90 degrees to provide opportunity for public realm along the lane. The public art process should be started as soon as possible so it does not hold up other aspects of the design.

Applicant's Response:

The applicant team thanked the panel, particularly regarding the commentary about the unit plans.

1296 West Broadway
FORM OF DEVELOPMENT

For a complete set of application drawings visit:
<http://rezoning.vancouver.ca/applications/1296wbroadway/index.htm>

North Elevation



East Elevation



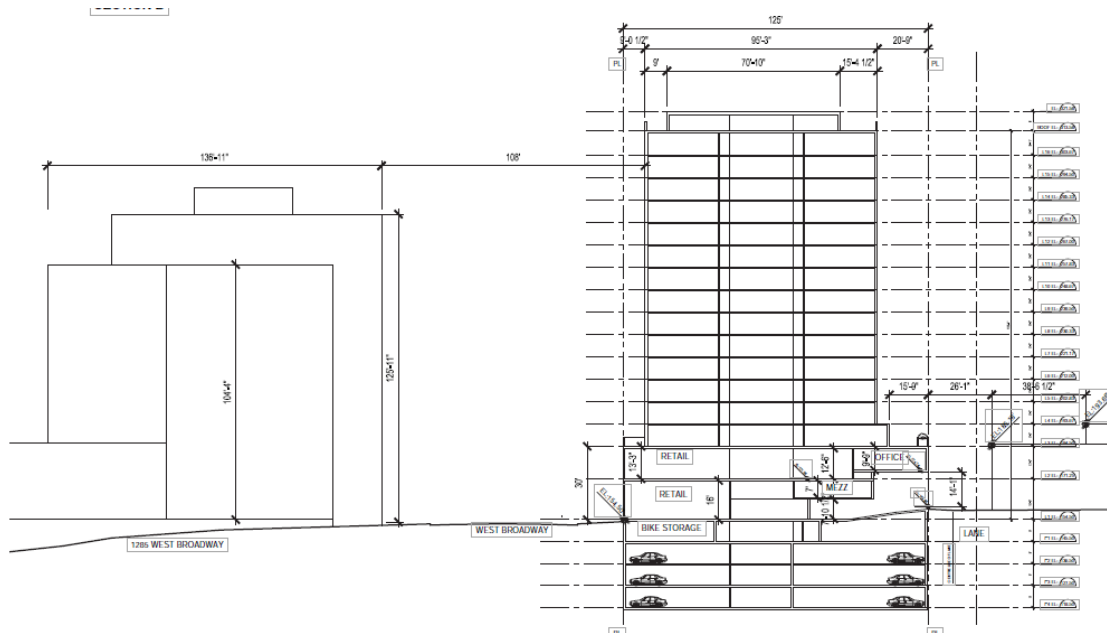
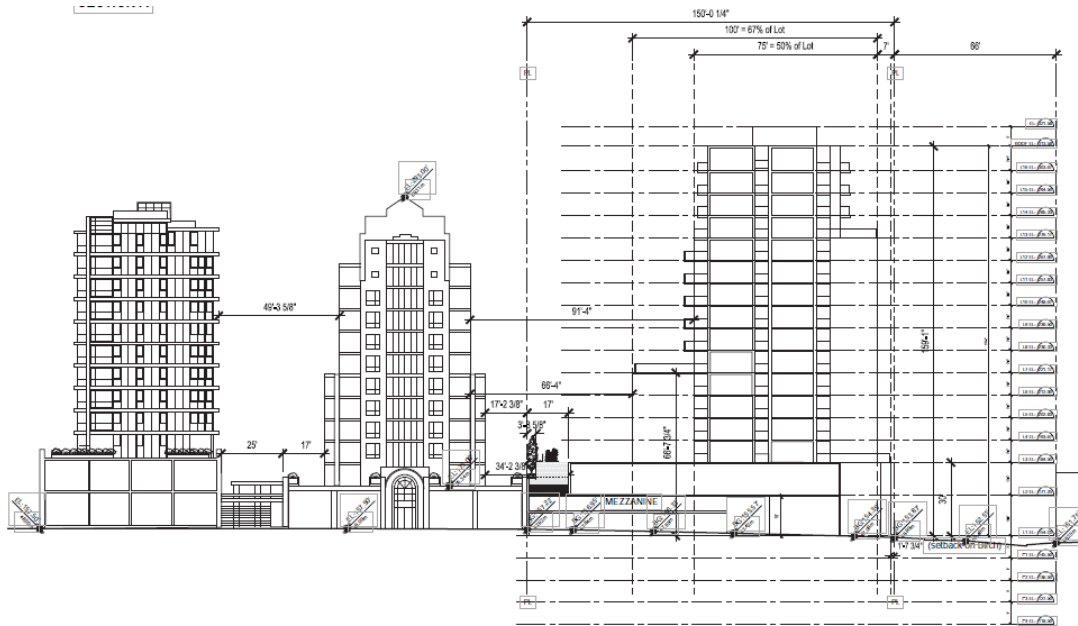
South Elevation



West Elevation



Sections



Site Plan



1296 W Broadway
PUBLIC BENEFITS SUMMARY

Project Summary

A 16-storey mixed-use building with commercial uses in the podium and secured market rental units above.

Public Benefit Summary:

The proposal would provide 153 dwelling units secured as market rental housing for the life of the building or 60 years, whichever is longer. Also, the applicant will pay DCLs and a contribution towards public art.

	Current Zoning	Proposed Zoning
Zoning District	C-3A	CD-1
FSR (site area = 1,743m.sq./ 18,762sq. ft.)	3.0	7.07
Floor Area (sq. ft.)	56,286	132,586
Land Use	Commercial/Residential	Commercial/Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (Citywide)	\$879,187	\$2,070,993
	Public Art	n/a	\$262,520
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
Other			
TOTAL VALUE OF PUBLIC BENEFITS		\$879,187	\$2,333,513

Other Benefits (non-quantified components):

153 units of rental housing secured for the longer of the life of the building or 60 years.

1296 West Broadway
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
1296 West Broadway	015-185-303	Lot 1, Block 353, District Lot 526, Plan 590
1296 West Broadway	015-185-311	Lot 2, Block 353, District Lot 526, Plan 590
1296 West Broadway	015-185-320	Lot 3, Block 353, District Lot 526, Plan 590

Applicant Information

Applicant/Architect	IBI Group
Developer/Property Owner	1061511 B.C. Ltd (Jameson Development Corporation)

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	C-3A	CD-1
Site Area	18,762 sq. ft.	18,762 sq. ft.
Land Use	Commercial & Residential	Commercial & Residential
Maximum FSR	3.00	7.07
Maximum Height	36.6 m (120 ft.)	52 m (170.8 ft.), measured from a geodetic elevation of 99.24 m (325.58 ft)
Floor Area	5,229 sq. m (56,286 sq. ft)	Total: 12,318 sq. m (132,586 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law