

SUMMARY AND RECOMMENDATION

2. REZONING: 425 West 6th Avenue

Summary: To rezone 425 West 6th Avenue from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a 10-storey office building with commercial retail use at grade. A height of 43.2 m (141.7 ft.) and a floor space ratio (FSR) of 7.11 are proposed.

Applicant: IBI Group

Referral: This item was referred to Public Hearing at the Regular Council Meeting of May 1, 2018.

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 IBI Group on behalf of Cressey (West 6th) Holdings Ltd., to rezone 425 West 6th Avenue [*Lots 9 and 10, Block 12, District Lot 302, Plan 5832; PIDs: 011-068-264 and 010-723-196 respectively; and Lots A, B and C, all of Lots 11 and 12, Block 12, District Lot 302, Plan 7117; PIDs: 010-723-200, 010 723-218 and 010-723-226 respectively*] from C-3A (Commercial) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.00 to 7.11 to permit the development of a 10-storey office building with commercial retail use at grade and a maximum building height of 43.2 m (141.7 ft.) generally as presented in Appendix A of the Policy Report dated April 17, 2018 entitled "CD-1 Rezoning: 425 West 6th 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 IBI Group and stamped "Received City of Vancouver, November 21, 2017", subject to the following conditions, provided that the Director of Planning 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 Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development to improve building massing and setbacks, to better relate to the scale of the streetscape and improve its architectural expression, as follows:
 - (i) On Levels 2 to 4, set back the west "podium" element by 0.9 m from the south PL, to align with Level 1 building face;

- (ii) On Level 5, maintain the proposed 3.0 m setback from the floor below (noting that this requires moving the south wall back 0.9 m); and
- (iii) On Levels 6 to 8, add a minimum 3.0 m setback from the south PL to the floor below, to create a significant change in plane between the “podium” element and this “transitional” volume.

Note to applicant: This condition will result in a reduction in floor area of approx. 245 m² to 7.11 FSR. (This density reduction is reflected in the CD-1 bylaw.) Other setbacks (i.e. from north, west, and east PLs) should be maintained as proposed.

2. Design development to improve the building elevations, as follows:

- (i) Extend fritting to corners, on the west “faceted” volume;
- (ii) Provide horizontal fritting on the podium elevation, to better express the horizontal streetwall and to contrast the vertical, “faceted” volume; and
- (iii) Consideration to refine the design of solar shading devices, taking into account an overall simplification of the building detailing, as well as maintenance (i.e. window washing).

Note to applicant: Further simplification and refinement of the building elevations are recommended at the DP stage.

3. Design development to improve the interface of the public realm as follows:

- (i) Reconfigure, reduce or remove the water feature on Yukon St, to improve access to retail units;
- (ii) Reconfigure the stair in the east sidewalk, to avoid conflicts with the PBS station and the retail entrance; and
- (iii) Consider adding opportunities for seating on Yukon St (potentially integrating into the water feature).

4. Design development to improve the common outdoor spaces, by adding weather protection at doorways to rooftop patios.

Note to applicant: Weather protection is typically provided as cantilevered canopies, 4 ft. depth. Larger covered areas may be proposed, but may be included in floor space calculations.

5. Identification on the architectural and landscape drawings of any built features intended to create a bird friendly design;

Note to applicant: Refer to the *Bird Friendly Design Guidelines* for examples, and provide a design rationale for any features provided (<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.)

Landscape

6. Design development to enhance the sustainable character of the building by enabling the rooftop terrace planting to be visible from the street.

Note to applicant: This can be achieved by locating the planting beds around the perimeter of the terraces.

7. Design development to locate, integrate and fully screen parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
8. Provision of an arborist report to justify tree removal of any proposed removals and recommend tree protection measures for the retained trees.

Note to applicant: If required, a Letter of Assurance should also be submitted to ensure that arborist will supervise any work within the tree protection zones.

9. Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to applicant: Edible plants can be used as ornamentals as part of the landscape design.

10. A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale and should match the architectural site plan.

11. Section details at a minimum scale of 1/2"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details should show dimensioned rootballs to confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future. The depth should exceed BCSLA standard.

12. A high-efficiency automatic irrigation system to be provided for all planted areas.

13. A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

Sustainability

14. All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (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) - http://bylaws.vancouver.ca/Bulletin/G002_2017April28.pdf.

Engineering

15. 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.
16. 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.
17. 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. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. 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.
18. A review of the existing street tree locations and scale/size of tree to determine if the proposed building location will have a negative impact on retention of the trees and a review to determine a construction methodology that will ensure the protection of the trees and tree canopies during the construction period and post occupancy.
19. Place the following statement on the landscape plan: This plan is "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.

20. Update the landscape and/or site plan to reflect the public realm changes including all of the off-site improvements sought for this rezoning, where a design or detail is not available please make note of the improvement on the site and/or landscape plans. Please submit a copy of the updated plan to engineering for review.
21. A solar shade application to Engineering Development Services is required for the portions of metal sunshades proposed to encroach over W 6th Ave. The sunshades are to be lightweight and demountable, and the applicant must provide rationale for these sunshades.
22. Provision of generous and continuous weather protection on Yukon St and W 6th Ave.

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 and continuous weather protection for the sidewalk users.

23. Delete the water feature from the 4 ft. dedication on Yukon St and show standard city sidewalk treatments.
24. The proposed 16 m x 4 m PBS space as shown on private property at the northeast corner of the site along Yukon St is acceptable provided applicant confirms there are no fire connections on the building wall along the length of the PBS space. Consideration for placement of building elements (e.g. fire department connections, HVAC vents, etc.) and landscaping that require frequent access and maintenance directly adjacent to the PBS space so as not to conflict or cause frequent disruption to the PBS station.
25. Provide automatic door openers on the doors providing access to the bicycle room and note on drawings.
26. Provision of a 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.

27. Existing wood pole(s) in lane conflict with parking access. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation(s) are required. Written confirmation from all utilities including any City of Vancouver utility for relocation of the wood poles and any infrastructure attached to the poles. Should this result in the need for kiosks, cabinets, transformers or similar needs the space for these items is to be provided for on site.
28. Provision of gridline numbers for reference on the drawings.
29. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Provision of a section drawing showing elevations, vertical clearances, and security gates for the main ramp and through the loading bay and additional dimensions on the section drawings showing vertical clearance within the parking levels. Ensure adequate vertical clearance is provided for mechanical projections, utilities and other services.
 - (ii) Provision of additional loading space width and load throats for the Class B loading spaces.
 - (iii) Dimension all columns and column encroachments.
 - (iv) Provision of additional information on the drawings showing dimensions and vertical clearance for the overhead security gate.
 - (v) Provision of additional information showing the overhead door separating the residential parking spaces from the commercial parking spaces.
 - (vi) Provision of design elevations on both sides of the parking ramp at all breakpoints and at all entrances.
 - (vii) Additional design elevations are required to confirm the slope and cross fall within the parking levels do not exceed 5%. Slopes and cross fall to be clearly shown on the drawings.
 - (viii) Provision of parking spaces that do not infringe upon the drive aisle or other parking spaces.
- Note to applicant: Parking spaces 18 and 19 on Parking P1 are locations that need adjusting. The corresponding parking spaces on each parking level should be checked.
- (ix) 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces and must be noted on the drawings.
 - (x) Dimension the access aisle width in the bicycle storage rooms.
 - (xi) Dimension the size of the bicycle spaces.
 - (xii) Clarify and show the slope of the internal loading corridor from the Class B loading space(s) to the CRUs on the drawings.

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

Green Infrastructure

Provision of a detailed response toward the IRMP requirements outlined in the *Green Buildings Policy for Rezoning*s, and the following:

31. As the project moves to detailed design, provide a Rainwater Management Plan (RMP) that details how the rainwater management

system meets the IRMP requirements for infiltration, cleaning and safe conveyance, prepared by a subject matter expert (Engineer), subject to review.

- (i) In this instance of a zero lot line design staff will consider:
 - a) The first 24 mm of rainfall within 24 hours as a retention volume for runoff reduction instead of infiltration volume;
 - b) Retention can be achieved through rainwater reuse, in green roofs and planter boxes, or slow release detention such as lined permeable pavement systems;
 - c) The second 24 mm of rainfall within 24 hours as a water quality volume to be treated.
- (ii) Staff do not accept the principle that distinct site areas that have large infiltration and/or storage capacity in some way compensate for those areas of the site that are impervious, without the first and second 24 mm of runoff being directed towards these absorbent areas, and this being clearly demonstrated. The subsequent safe conveyance of rainfall surpassing 48 mm in 24 hours will also need to be demonstrated.
 - a) The drawings indicate that much of the growing medium is above the level of adjacent paving. In such cases staff do not accept that these elevated growing medium volumes contribute to the storage and/or treatment of rainwater that has been directed towards these areas from adjacent surfaces;
 - b) Provide confirmation that the stone paving is permeable.
- (iii) Submit a plan illustrating how rainfall is directed from impermeable surfaces into planted or other storage/treatment areas.
- (iv) Provide outline area/volume calculations to support the overall rainwater management strategy. Include the area measurement for all pervious/impervious areas and demonstrate that each of the receiving infiltration/treatment areas can accommodate the proposed runoff volumes without being inundated.
- (v) Vegetated areas on slab, while not infiltration, will be considered as rainwater retention/runoff reduction and water quality practices.
 - a) Planters designed as flow-through planters can be used to meet the treatment volume requirement;
 - b) Consider increasing the depth of soil throughout planted areas and include shallow ponding depths within the planted areas as part of the calculations.
- (vi) The building/public realm should be designed to show leadership in the City's commitment to Green Building systems including an

integrative approach to rainwater management to minimize potable water use and encourage the use of alternative water sources in areas such as toilet flushing and irrigation.

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

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 9 and 10, Plan 5832; and Lots A, B and C of Lots 11 and 12, Plan 7117, all of Block 12, District Lot 302 to create a single parcel and subdivision of that site to result in the dedication of the easterly 4 ft. (the building line area) for road purposes.

Note: A subdivision plan and application to the Subdivision and Strata Group is required.

2. Provision of a Statutory Right of Way (SRW) for public pedestrian use of an expanded sidewalk over the area of the site adjacent to the south property line to give an overall distance of 4.5 m (14'-9") from the existing back of curb. The SRW is to be free of any encumbrance such as structure, stairs, door-swings, benches, landscape and bicycle parking at grade but the SRW agreement will accommodate portions of Levels 2 to 6 within the SRW area.
3. Provision of a natural watercourse agreement. Records indicate a natural watercourse passes through this site, a legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed.
4. Provision for a Right of Way for space to accommodate a Public Bike Share (PBS) Station.

Size: At a minimum a 16m x 4m sized station must be accommodated. The physical station with docked bicycles is 2m wide and has a required bicycle maneuvering zone of 2m for a total width of 4m. The 2m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing easy access to the street.

Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut

or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.

Power: Provide and maintain electrical power and electrical service to the public bike share station from the lands, at the sole cost and expense of the Owner prior to occupancy of the building.

5. Release of Easement & Indemnity Agreement 144375M (commercial crossing) and Covenant/SRW BG175059-61 (Parking) 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.

6. 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) Provision of a full traffic signal at the intersection of Yukon St and W 6th Ave including all adjustments to existing infrastructure to allow for the signals installation.
 - (iii) Provision of curb bulges along W 6th Ave on both the north and south side of 6th Ave at Yukon St including all adjustments to existing infrastructure to allow for the curb bulge installation.

- (iv) Provision of a 1.53 m (5'-0") sod lawn front boulevard and light broom finish saw cut concrete sidewalk between the front boulevard and the new property line on Yukon St.
- (v) Provision of a standard exposed aggregate front boulevard and light broom finish saw cut concrete sidewalk between the front boulevard and 0.3 m building strip on W 6th Ave adjacent the site.
- (vi) Provision of a new curb return and ramps at the 6th Avenue and Yukon Street corner of the site.
- (vii) Provision of standard concrete lane crossing on the west side of Yukon Street at the lane south of 5th Avenue including new curb returns and ramps on both sides of the lane entry.
- (viii) Replacement of the existing concrete vault covers located in the grass boulevard along the Yukon St frontage of the site. There are two (2) vault covers that require replacement to more slip resistant and safe walking surfaces as they will be located in the main City sidewalk.
- (ix) Provision of upgraded street lighting adjacent to the site to current LED standards including a review of the existing lighting to determine its adequacy and a lighting design as required. Note the existing street light at the lane entry is to be relocated as well as upgraded to allow for a standard lane entry to be constructed.

7. 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 B.C. 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.

8. Provision of a stormwater and rainwater management plan that meets the objectives of the Citywide Integrated Rainwater Management Plan and complies with the Sewer and Watercourse By-law. The plan shall achieve the following objectives:
- (i) The 10-year post development; storm event rate shall be maintained to the pre-development level.

- (ii) The pre-development estimate shall utilize the 2014 IDF curve, whereas
- (iii) The post development estimate shall utilize the 2100 IDF curve to account for climate change.

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

Sustainability

- 9. 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

- 10. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to applicant: Please contact 311 to be directed to the Public Art Program Manager to discuss your application.

Environmental Contamination

- 11. 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 the Director of Legal Services, including a Section 219 covenant that there will be no occupancy of any buildings or improvements on this 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 issued to the City.

Non-stratification Covenant

12. Enter into a Covenant pursuant to Section 219 of the Land Title Act prohibiting both the separate sale and the strata subdivision of all commercial and office floor space.

Commercial Linkage Contribution

13. Pay to the City a contribution of \$990,977, which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$990,977 is to be allocated toward funding of childcare facilities and/or affordable housing in and around the Metro Core area.

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 registerable 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 site 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-law and at no cost to the City.

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 the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated April 17, 2018, entitled "CD-1 Rezoning: 425 West 6th 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 Noise Control By-law, generally as set out in Appendix C of the Policy Report dated April 17, 2018, entitled "CD-1 Rezoning: 425 West 6th 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 bylaw rezoning the property, and any costs incurred

in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ – 425 West 6th Avenue]