



POLICY REPORT

Report Date: August 27, 2019
Contact: Karen Hoesse
Contact No.: 604.871.6403
RTS No.: 13299
VanRIMS No.: 08-2000-20
Meeting Date: September 10, 2019

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Text Amendment: 1630 West 15th Avenue

RECOMMENDATION

- A. THAT the application by SHAPE Architecture on behalf of Vancouver Lawn Tennis and Badminton Club, to amend the text of CD-1 (Comprehensive Development) District (284) By-law No. 6962 for 1630 West 15th Avenue [*PID 007-200-111; Lot 1, Block 469, District Lot 526, Plan 13363*], to increase the permitted floor space ratio (FSR) for permanent above-ground structures from 0.29 to 0.35 and the maximum building height from 12.4 m (41 ft.) to 14.7 m (48 ft.) to allow for additional floor area and ceiling height on level three, be referred to public hearing, together with:
- (i) Plans prepared by SHAPE Architecture, received March 5, 2019;
 - (ii) draft CD-1 By-law amendments, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix A, for consideration at public hearing.

- B. THAT Recommendation A be adopted on the following conditions:
- (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a 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 assesses an application to amend the CD-1 (284) By-law for the Vancouver Lawn Tennis and Badminton Club at 1630 West 15th Avenue. The proposed amendment would permit an increase in floor space ratio (FSR) for permanent above-ground structures from 0.29 to 0.35 for an increased floor area above grade of 846 sq. m and an increase in the maximum building height from 12.4 m (41 ft.) to 14.7 m (48 ft.). This would allow for additional floor area and ceiling height in an expansion to level three of the existing club building, providing for additional fitness and activity spaces for the existing membership.

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.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (284) By-law No. 6962, enacted April 16, 1992 (last amended July 19, 2005)
- Broadway Planning Program – Interim Rezoning Policy (2018)

REPORT

Background/Context

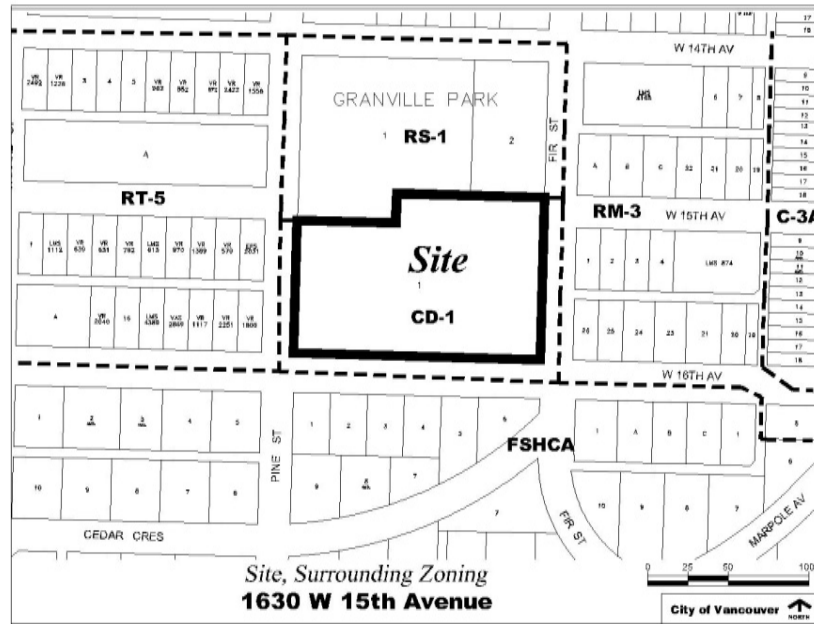
1. Site and Context

The subject site is one block west of Granville Street, located within the Fairview Neighbourhood and bordered by Shaughnessy to the south. Comprising a full city block, the site is bounded by Pine Street to the west, 16th Avenue to the south, Fir Street to the east, and Granville Park to the north (see figure 1).

The property is owned by the Vancouver Lawn Tennis and Badminton Club which operates facilities that include a badminton and tennis hall, a clubhouse, seasonal air-supported structures, and fitness spaces.

Surrounding the site is RT-5 zoning to the west, which allows for duplex housing forms and RM-3 zoning to the east, which allows for apartment forms. To the south of the site are primarily large detached homes permitted within the First Shaughnessy District.

Figure 1 – Site and Surrounding Zoning



2. Policy Context

The site falls within the southern boundary of the Broadway Planning Area. Under this plan’s Interim Rezoning Policy (IRP), which was adopted on June 20, 2019, applications can be considered where, at the time of adoption of the policy, there is an active rezoning application or where a recent application for rezoning advice has been received within the past three years. The proposed expansion by the Vancouver Lawn Tennis and Badminton Club was received as a development application enquiry in May of 2018. At this point, staff concluded that the proposed expansion could not be achieved under existing zoning and recommended a CD-1 text amendment. Given that this advice had been given prior to the Broadway Plan IRP being approved, it meets the IRP policy requirements.

3. Background

The site was rezoned in 1992 from RT-5 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit a phased expansion of the club, which has been operating on the site since 1914. The CD-1 By-law differentiates between temporary (air-supported “bubbles” that are erected during winter over the courts) and permanent structures (the buildings). It further differentiates between above-grade and

below-grade floor area. It was decided through the 1992 rezoning that the club could expand beyond a density of 0.62 FSR (permanent and temporary structures combined) provided that the floor area over this amount was located below grade. Locker rooms, an activity room, parking and back of house spaces were subsequently built below grade.

Strategic Analysis

1. Proposal

The application proposes to amend CD-1 (284) to increase the permitted FSR for permanent above-ground structures from 0.29 to 0.35 FSR and the building height from 12.4 m (41 ft.) to 14.7 m (48 ft.). The currently proposed changes to the by-law would allow for the construction of fitness and activity spaces on level three, as improvements to the club's existing facilities.

2. Height, Density and Form of Development

Changes to the third floor include the infill of the rooftop space between two existing three-storey blocks. The overall permitted FSR of 1.12 is not proposed to change. The density amendment would essentially allow 0.06 FSR of unused floor space currently allocated for below grade to be located above grade at the third floor level.

Staff have reviewed the proposal to increase the maximum building height to from 12.4 m (41 ft.) to 14.7 m (48 ft.) and the density for permanent above-ground structures from 0.29 to 0.35 FSR, and have concluded that these modest increases are supportable. The height increase is isolated to a specific section of the building and it is located at the northeast portion of the site, adjacent to the RM-3 apartment zone to the east which allows buildings up 36.6 m in height. Upland properties to the south in the First Shaughnessy District will still enjoy expansive views across the site. Nonetheless, staff have provided a design development condition for the applicant to explore ways to reduce the visual impact of the roof form from the upland residences to the south. The floor area increase is modest relative to the existing above-grade floor area on the site. It infills a portion of the existing building and does not entail adding any new buildings to the site.

Staff recommend that, subject to Public Hearing, the CD-1 By-law be amended to permit the additional height and floor area, subject to conditions outlined in Appendix B.

3. Transportation and Parking

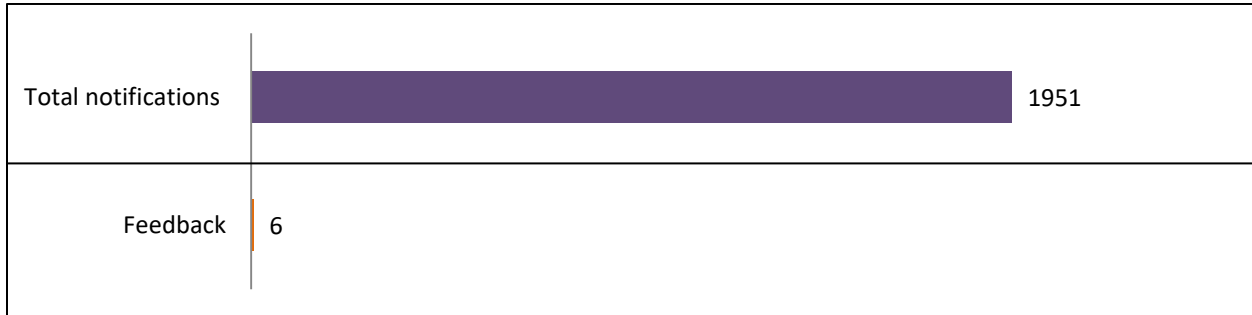
The existing parking facility currently has a total of 162 parking spaces which meets the requirements of the Parking By-law. No change to the number of parking spaces is proposed.

The Vancouver Lawn Tennis and Badminton Club has expressed no intention of increasing its membership with the new fitness facility. The expanded space has been proposed as a way to better respond to the needs of the club's current membership. As membership is not expected to increase, there is little anticipated intensification of vehicular traffic and parking demand.

PUBLIC INPUT

Public Notification – A rezoning information sign was installed on the site on April 4, 2019. Approximately 1,951 notifications were distributed to surrounding property owners, as well as to non-owner occupants on or about April 10, 2019. In addition, application information and an online comment form were provided on the City’s Rezoning Applications webpage (vancouver.ca/rezapps).

Figure 2 – Public Notification and Responses



Public Response and Comments – Staff received feedback from a total of six individuals in the form of electronic comments sheets, emails and phone calls. Respondents expressed a mix of support and concern. Those in support felt that the project would not significantly or adversely affect neighbouring properties. Concerns included the potential for increased traffic, impacts to street parking, added noise and the lack of public benefits provided by such an exclusive club. Construction-related noise, dust and traffic issues were also mentioned. Additionally, some residents of the single-family homes located uphill to the south were concerned that the increased building height could potentially impact their views.

As noted above, there is no increase in membership associated with the expansion of the club facilities, so increased impact of the club on traffic, parking and noise is not anticipated. As there is no increase to the overall permitted floor area, no public benefits or community amenity contribution is anticipated. Staff do not anticipate significant impacts on the views from neighbouring houses. Urban design conditions have also been provided to require that the roof venting on the building expansion be designed to ensure visual obstructions are minimized.

PUBLIC BENEFITS

Development Cost Levies – 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 engineering infrastructure. The site is subject to City-wide DCLs and City-wide Utilities DCLs on the proposed net increase in floor area of 846 sq. m (9,106 sq. ft.). Based on the rates in effect as of September 30, 2018, a total DCL of approximately \$178,667 is anticipated.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at

that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's DCL Bulletin for details on DCL rate protection.

Public Art Program – The Public Art Policy for Rezoning Development requires that rezonings involving a floor area of 9,290.0 sq. m (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. As the application entails no increase to the overall permitted floor area, no public art contribution is required.

Community Amenity Contribution (CAC) – Within the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CACs typically include either the provision of onsite amenities or a cash contribution toward other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services. As this application proposes no change to the maximum density for this site of 1.12 FSR, a CAC contribution is not anticipated.

Financial Implications

The site is within the City-wide DCL district. It is anticipated that the project will generate approximately \$178,667 in additional DCLs. No public art contribution or Community Amenity Contribution is anticipated as part of the application.

CONCLUSION

Staff have reviewed the application to amend the text of CD-1 (284) for 1630 West 15th Avenue and support the increase in height and floor area as it allows the Vancouver Lawn Tennis and Badminton Club to better suit its membership's needs without causing undue impacts to the neighbourhood. The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to public hearing together with the draft amending by-law as generally set out in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application including the form of development, as shown in the plans in Appendix C, be approved in principle, subject to the applicant fulfilling the conditions of Approval in Appendix B.

* * * * *

1630 West 15th Avenue
PROPOSED BY-LAW PROVISIONS
to amend CD-1 (284) By-law No. 6962

Note: A By-law to amend CD-1 (284) By-law No. 6962 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. Council amends section 4.1 by striking out "0.29" and substituting "0.35".
2. Council amends section 5 by striking out "12.4" and substituting "14.7".

* * * * *

**1630 West 15th Avenue
CONDITIONS OF APPROVAL**

Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the public hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

Note: Consideration by Council at the public hearing of the proposed form of development is in reference to plans prepared by SHAPE Architecture, received March 5, 2019, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.

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 of the roof vent to lessen its visual impact on the single-family residences located uphill to the south.

Note to Applicant: Consider several narrower roof vents rather than one horizontal vent.

2. Design development to develop a colour and materials scheme compatible with the existing club facility.

Engineering

3. 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 & 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.
4. 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.
5. 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.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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 and to the General Manager of Planning and Development, 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. Delete the portions of the proposed addition that lie within Utility Statutory Right of Way 489526M; or make arrangements for the replacement of the SRW agreement such that the new agreement accepts both the proposed encroachments in the current application and also those in the former application for the entranceway (see DE417942 condition 1.10).

Note to Applicant: An application to the City Surveyor is required to confirm with Engineering stakeholders that the proposed encroachments are acceptable. Arrangements are to be completed prior to By-law Enactment.

2. 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.

- (a) Provision of adequate water service to meet the fire flow demands of the project.

Based on City minimum required fire flows and domestic flows and sprinkler flows submitted by AME Group dated February 28, 2019, no water main upgrades are required to service the development.

Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

The proposed development is to be serviced by the existing 375 mm SAN and the 500 mm STM in Fir St.

The proposed development may NOT be serviced by the combined main in the easement between Pine St and Fir St near W 15th Ave. This combined main may be abandoned by the City in the future, however further analysis is needed to determine the hydraulic impacts of doing so. If the Developer wishes to abandon or remove the combined main in the easement as part of this development, at their own cost, then the Developer's Engineer will be required to provide a hydrologic and hydraulic modeling study to determine if any upgrades are required to maintain at least the current level of service in the storm and sanitary sewer systems. Developer to contact Utilities.Servicing@vancouver.ca for direction prior to commencing any work.

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including upgrade design drawings (90% design stage or better) are required to be reviewed and accepted by the City Engineer prior to development permit issuance.

Groundwater requirements are not currently an immediate concern at this site. The City may require a Hydrogeological Study, Groundwater Management Plan, and/or Impact Assessment if dewatering rates are significant or concerning, to the City's discretion. The developer is advised to undertake adequate investigations to understand the site groundwater conditions early on in the planning and design process.

Note to Applicant: A watercourse covenant may be required based on the presence of an old stream(s).

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.

- (c) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

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

- 3. 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.

Soils

4. If applicable:

- (a) Submit a site profile to the Environmental Services Department.
- (b) 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
- (c) 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, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note 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.

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.

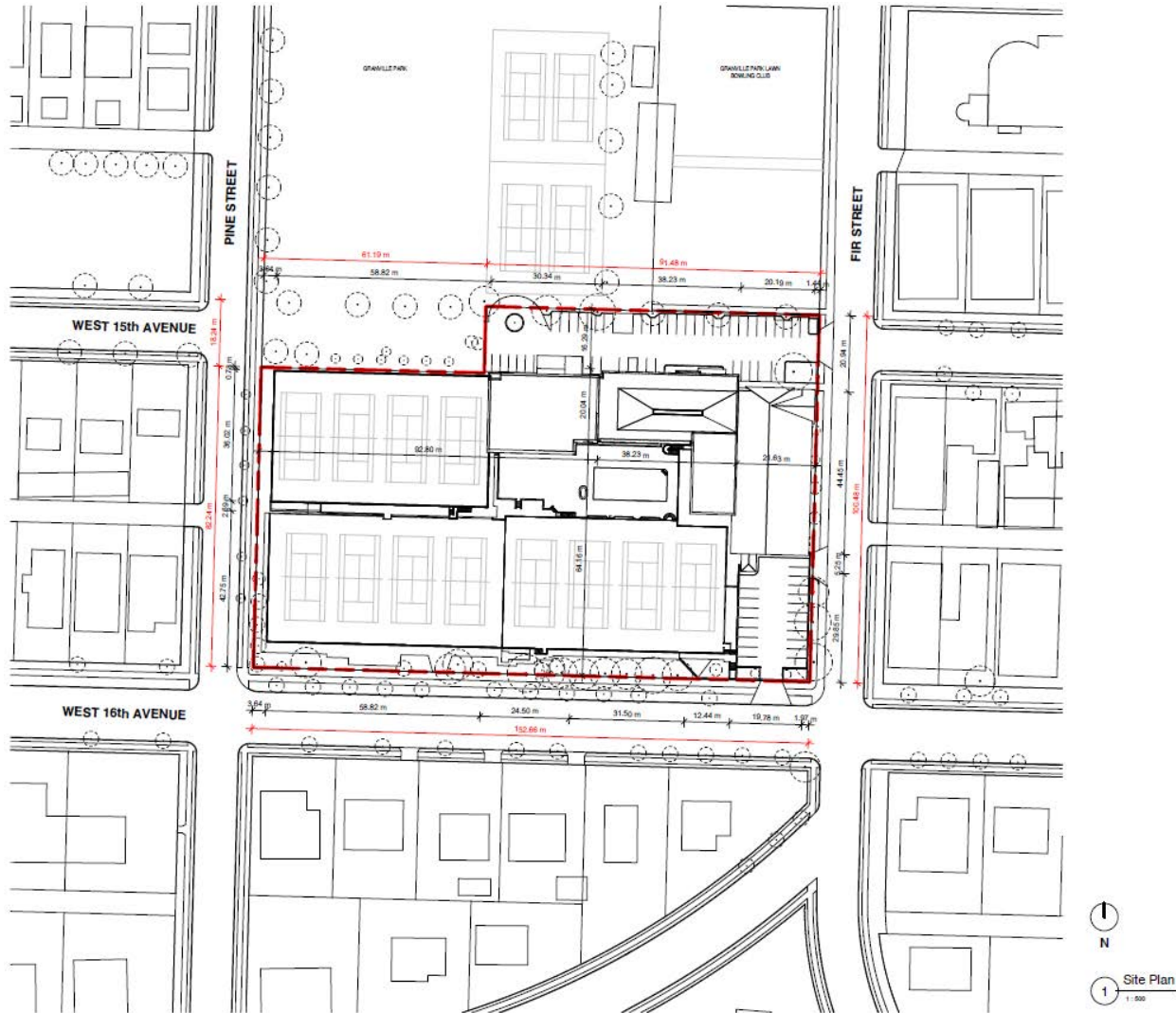
The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services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

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

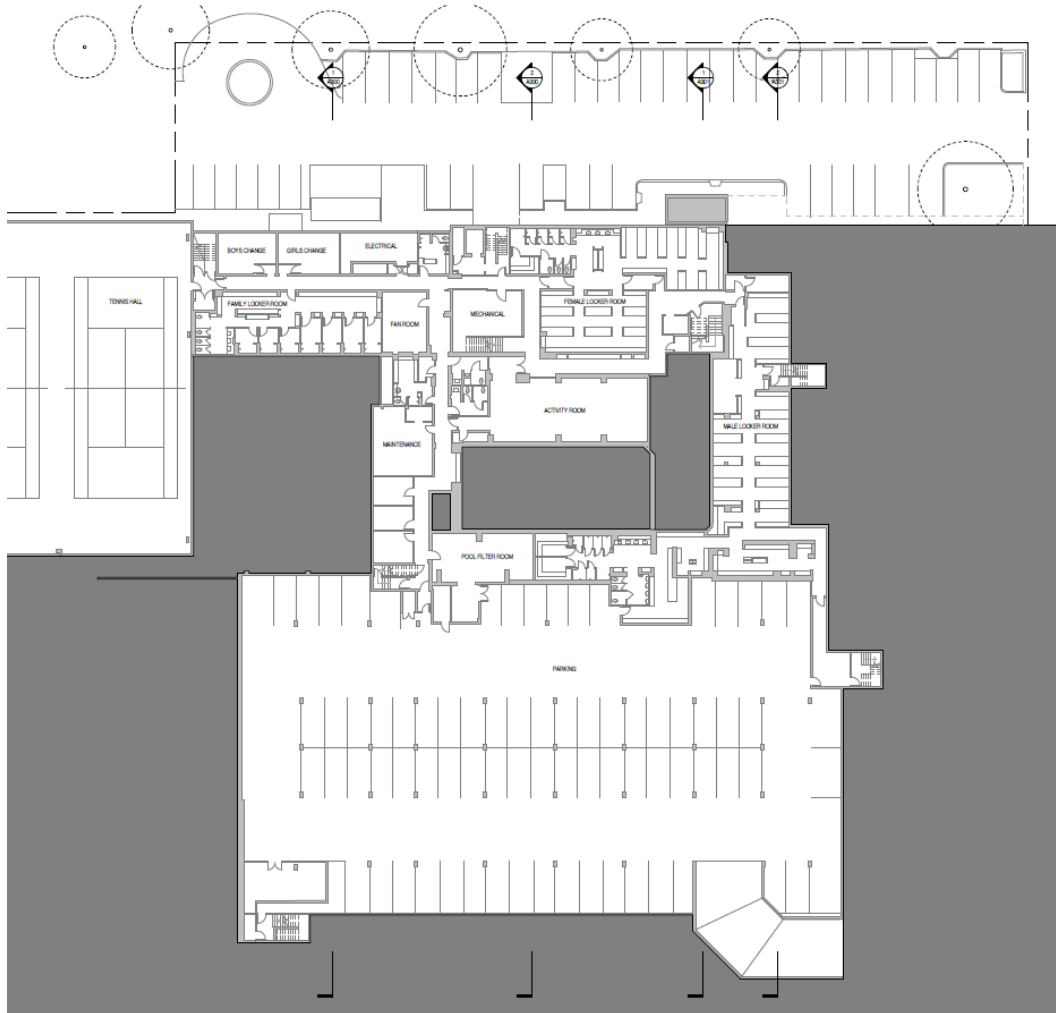
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1630 West 15th Avenue FORM OF DEVELOPMENT

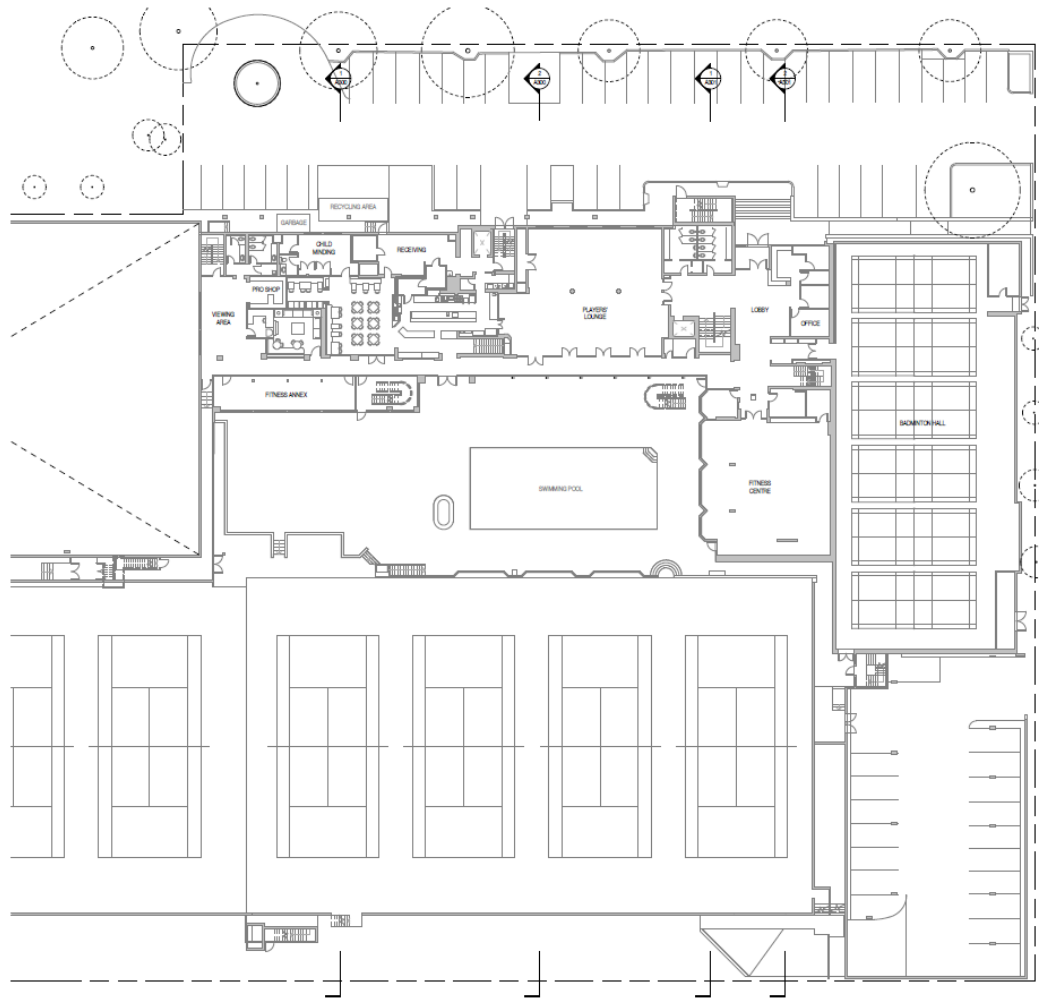
Site Plan



Floor Plan – Ground Plan (showing below-grade floor area)

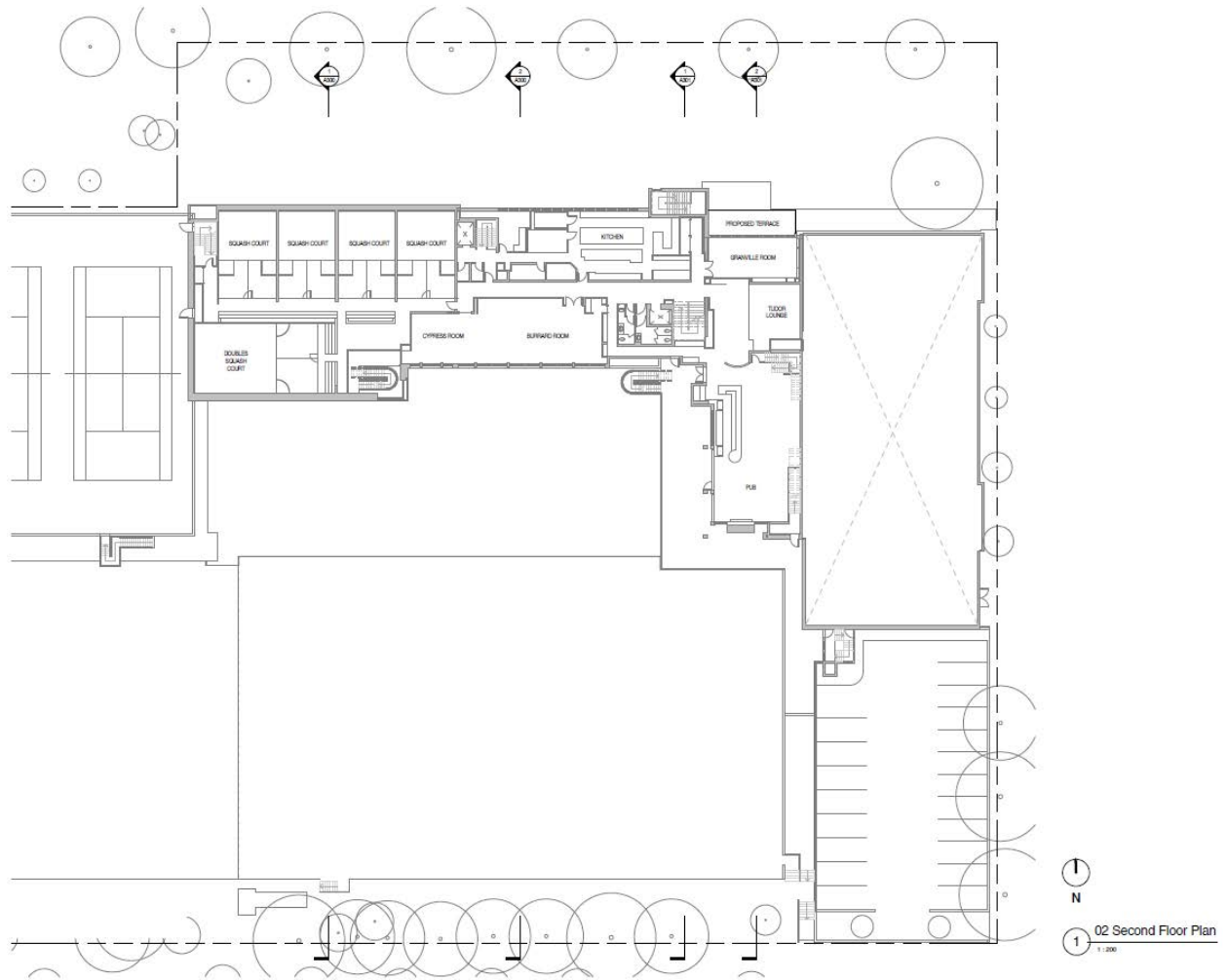


Floor Plan – Level 1

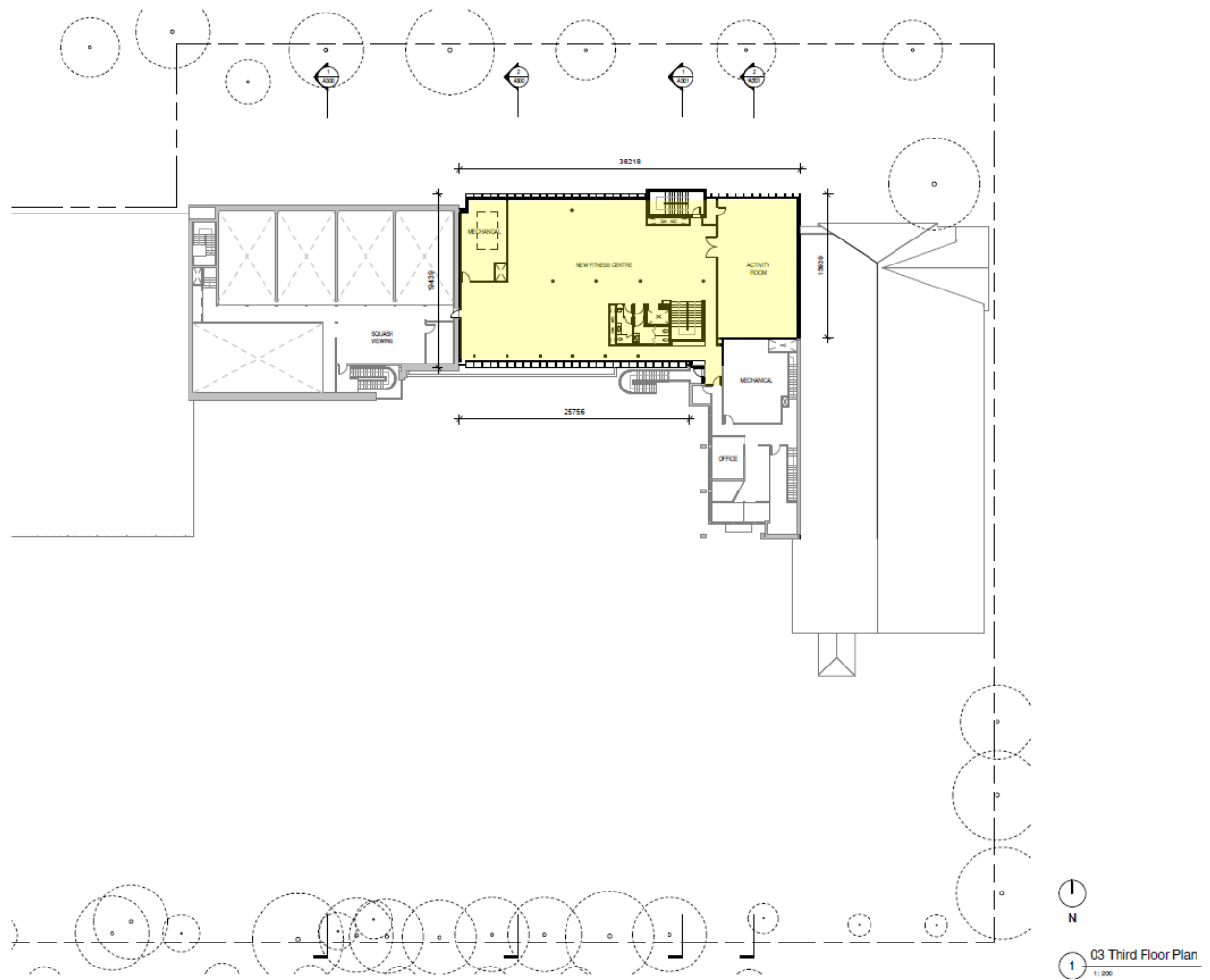


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N
1 01 Main Floor Plan
1:200
EXISTING - NO CHANGE

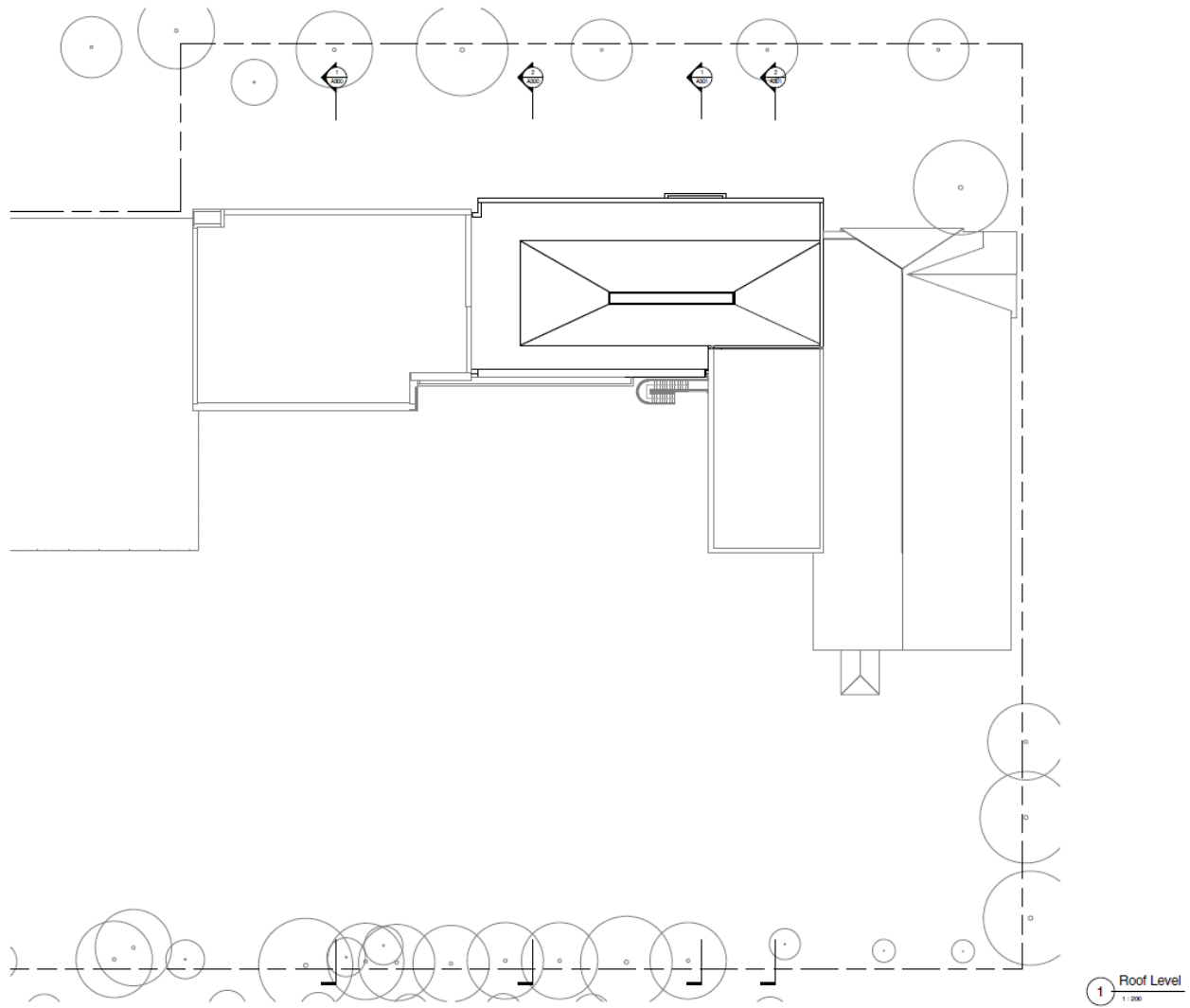
Floor Plan – Level 2



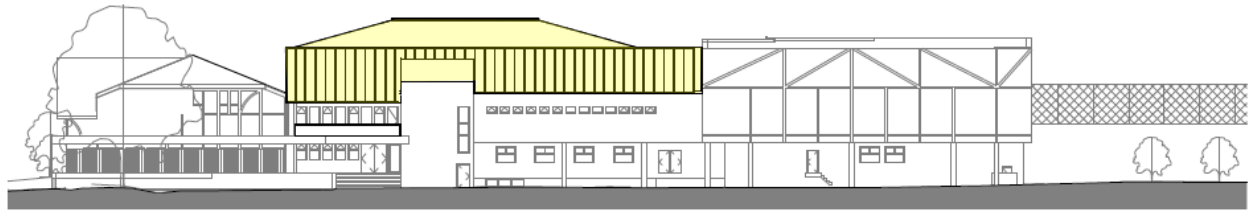
Floor Plan – Level 3 (showing addition in highlight)



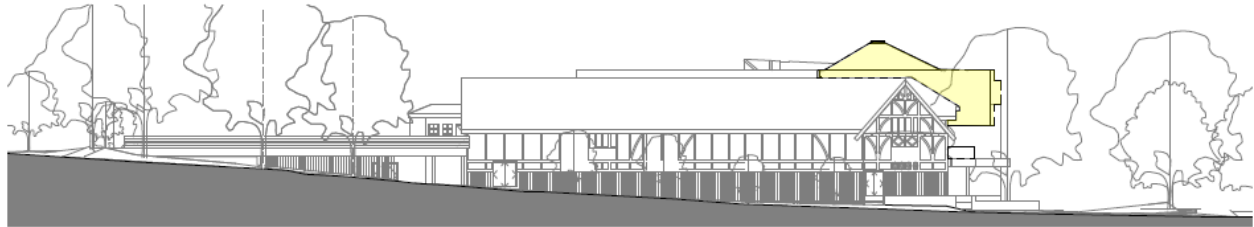
Roof Plan



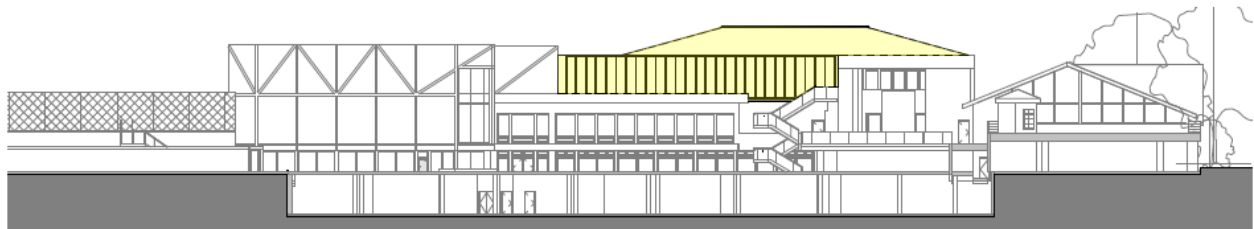
Elevations



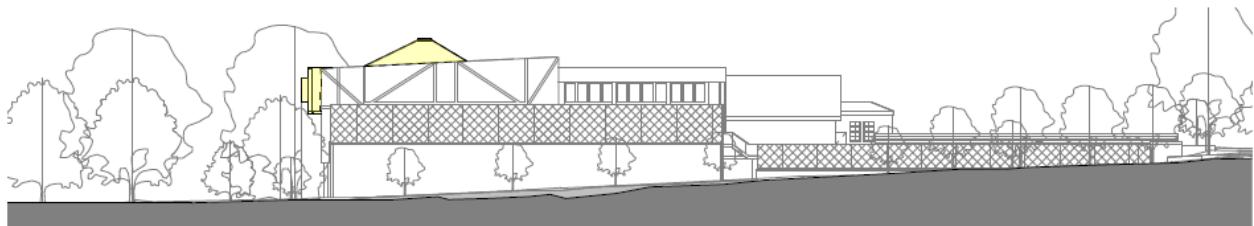
1 North Elevation
1:200



2 East Elevation
1:200

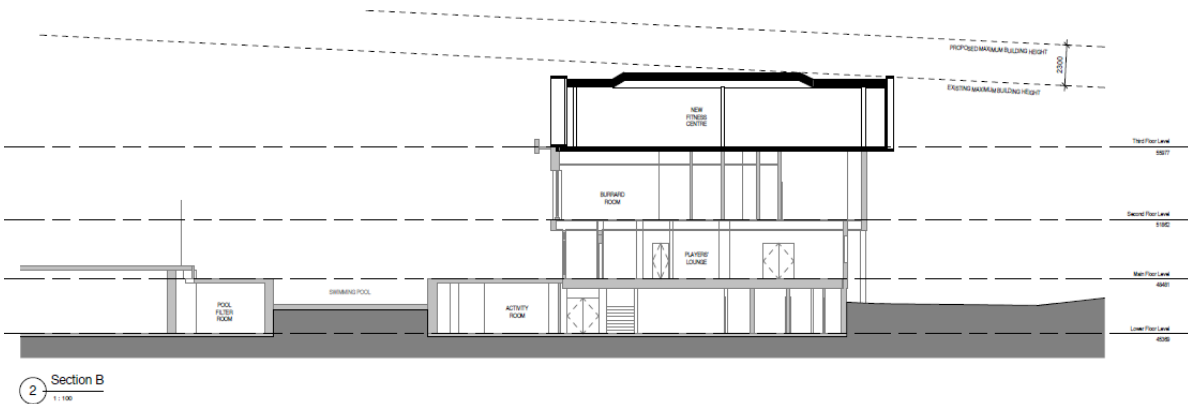
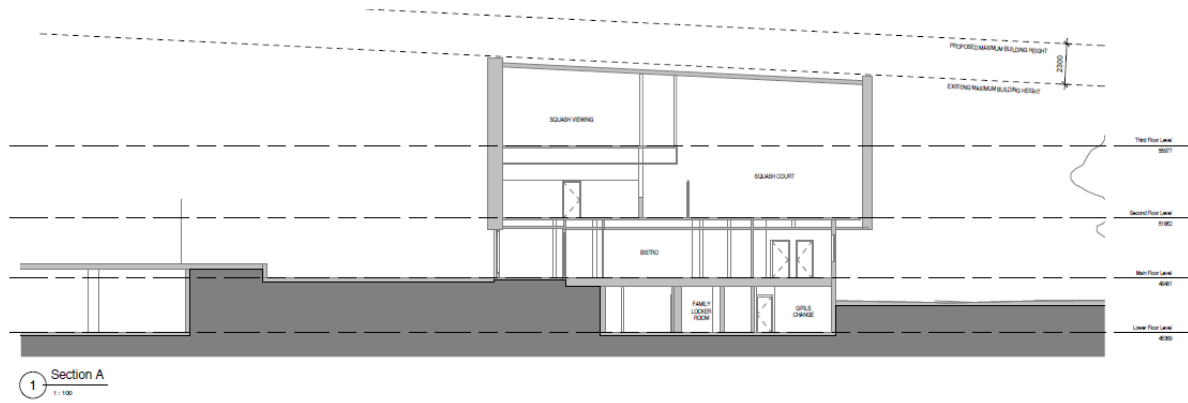


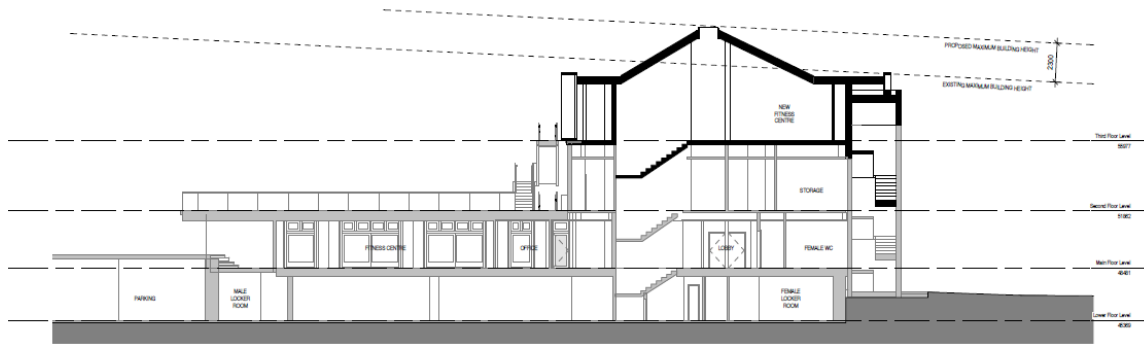
3 South Elevation
1:200



4 West Elevation
1:200

Sections



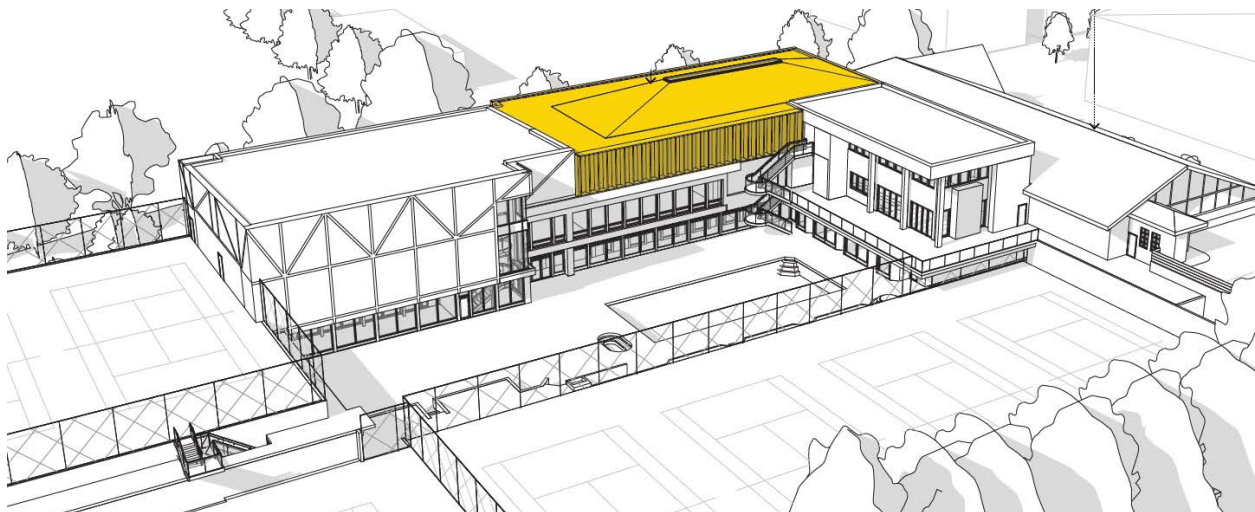


1 Section C
1:100



2 Section D
1:100

Renderings



**1630 West 15th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary:

Text amendment to increase the permitted floor area for permanent above-ground structures from 0.29 to 0.35 and the maximum building height 12.4 m (41 ft.) to 14.7 m (48 ft.)

Public Benefit Summary:

DCL contribution

	Current Zoning	Proposed Zoning
Zoning District	CD-1	Amended CD-1
FSR (site area = 14,217 sq. m/ 153,035 sq. ft.)	1.12	1.12
Floor Area (sq. ft.)	171,405 permitted 135,959 built	145,065

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
<i>Required*</i>	City-wide DCL		\$132,771
	City-wide Utilities DCL		\$45,896
	Public Art		
	20% Social Housing		
<i>Other Public Benefits Offered</i>	Heritage and Amenity Bonus Density		
	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social, Community and Civic Facilities		
	Unallocated		
	Other		
	TOTAL VALUE OF PUBLIC BENEFITS		

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-Wide DCL, revenues are allocated into the following public benefit categories: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

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1630 West 15th Avenue
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	1630 West 15th Avenue
Legal Description	PID 007-200-111, LOT 1, BLOCK 469, DISTRICT LOT 526, PLAN 13363
Applicant/Architect	SHAPE Architecture
Property Owner	Vancouver Lawn Tennis and Badminton Club

SITE STATISTICS

Site Area	14214 sq. m (153,035 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning		Proposed
Zoning	CD-1 (284)		Amended CD-1 (284)
Uses	Club and Accessory Uses customarily ancillary to any use permitted in this section, including, but not limited to, tennis, badminton and squash courts, swimming pools, billiard rooms, dining lounge, pub, and administrative offices		No change
Max. Density	At or above base plane: 0.29 FSR Below base plane: 0.5 FSR Seasonal structures: 0.33 FSR Total allowable: 1.12 FSR		At or above base plane: 0.35 FSR Below base plane: 0.44 FSR Seasonal structures: 0.33 (no change) Total allowable: 1.12 FSR (no change)
Floor Area	Approved CD-1: Below base plane: 7,109 sq. m (76,521 sq. ft.) At and above base plane: 4,123 sq. m (44,380 sq. ft.) Seasonal structures: 4,692 sq. m (50,504 sq. ft.)	Existing: Below base plane: 3,816 sq. m (41,075 sq. ft.) At and above base plane: 4,123 sq. m (44,380 sq. ft.) Seasonal structures: 4,692 sq. m (50,504 sq. ft.)	Below base plan: 3,816 sq. m (41,075 sq. ft.) (no change) At and above base plane: 4,969 sq. m (53,486 sq. ft.) Seasonal structures: 4,692 sq. m (50,504 sq. ft.) (no change)
Maximum Height	12.4 m (41 ft.)		14.7 m (48 ft.)
Parking, Loading and Bicycle Spaces	Approved CD-1: 151 vehicle spaces, 1 loading bay, 25 bicycle spaces	Existing: 162 vehicle spaces, 1 loading bay, 25 bicycle spaces	No change

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