



REFERRAL REPORT

Report Date: March 28, 2023
Contact: Yardley McNeill
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VanRIMS No.: 11-2000-20
Meeting Date: April 11, 2023

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 855-865 West 10th Avenue

RECOMMENDATION TO REFER

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-law(s), in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by W. T. Leung Architects, on behalf of

- Three Putt Investments Ltd. [*PID 002-842-718; Lot 16 Block 357 District Lot 526 Plan 991*]; and
- Three Putt (West 10th) Investments Ltd. [*PID 015-018-822; Lot 17 Block 357 District Lot 526 Plan 991*];

the registered owners of the lands located at 855 West 10th Avenue, to rezone from CD-1 (137) (Comprehensive Development) District to a new CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 1.70 to 6.17 and the building height from 10.7 m (35 ft.) to 46.4 m (152 ft.), to permit the development of a 12-storey strata-titled office and commercial building, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by W. T. Leung Architects Inc., received August 10, 2021, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

- B. THAT, if the application is referred to a Public Hearing, the consequential amendment to remove the site from CD-1 (137) By-law No. 5373 be referred to the same Public Hearing;

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

- C. THAT subject to approval of the new CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C, be approved.
- D. THAT subject to approval of the new CD-1 By-law, the Noise Control By-law be amended to include the new CD-1, 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 enactment of the CD-1 By-law.

- E. THAT Recommendations A to 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; 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 for a 12-storey strata-titled office and commercial building. The application is to create a new CD-1 (Comprehensive Development) District under the *Broadway Plan*.

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 in principle, subject to the Public Hearing and conditions contained in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Vancouver Plan (2022)
- Broadway Plan (2022)
- Metro Core Jobs and Economy Land Use Plan: Issues and Directions Report (2007)
- Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during Broadway Planning Process (2018)
- Comprehensive Development (CD-1) District Schedule (137)
- Employment Lands and Economy Review: Phase 2 (2020)
- View Protection Guidelines (1989, last amended 2011)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2022)
- Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Green Buildings Policy for Rezoning (2010, last amended 2022)

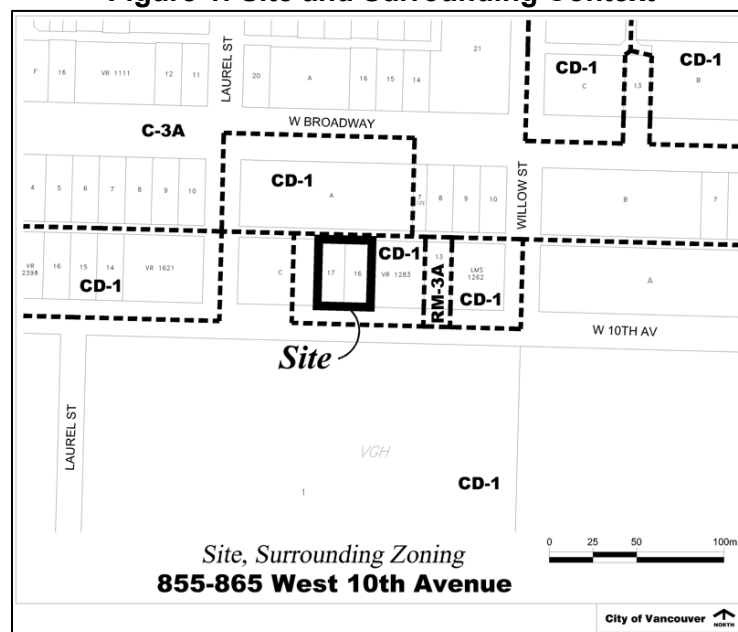
REPORT

Background/Context

1. Site and Context

The site is located on the north side of West 10th Avenue between Laurel and Willow Streets (see Figure 1). Comprised of two parcels, the total site area is 1,162.8 sq. m (12,516 sq. ft.) with a frontage of 30.5 m (100 ft.) and a depth of 38.2 m (125 ft.). It is currently occupied by two three-storey office buildings. There are no residential tenants.

Figure 1: Site and Surrounding Context



Neighbouring areas are zoned CD-1, C-3A and RM-3A, consisting of low- to mid-rise buildings with residential, office, and hotel. The Vancouver General Hospital (VGH) campus and related healthcare facilities are directly to the south. Surrounding properties are eligible for redevelopment with tower forms under the *Broadway Plan*.

Neighbourhood Amenities – Nearby amenities include:

- **Institutional:** Vancouver General Hospital (250 m) and False Creek Elementary School (400 m).
- **Parks:** Laurel Landbridge (200 m), Willow (200 m), Charleson (300 m), and Choklit (350 m).
- **Cultural/Community Space:** False Creek Community Centre (950 m), Firehall Branch of the Vancouver Public Library (1 km), and the Anza Club (1.4 km).
- **Childcare:** Kids and Company (200 m), Oasis Montessori Academy (400 m), and Echelon Day Care (550 m).

2. Policy Context

Vancouver Plan – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land-use strategy to guide long-term growth of the City over the next 30 years. The *Vancouver Plan* serves as a framework with further implementation planning work to follow over the next two to four years. The site is located within the *Broadway Plan* area which is generally in alignment with the *Vancouver Plan*.

Broadway Plan – The *Broadway Plan*, approved by Council in 2022, is a comprehensive community plan for the area from Vine Street to Clark Drive and 1st Avenue to 16th Avenue. The 30-year plan focuses on opportunities to integrate new housing, jobs, and amenities around the new Broadway Subway.

Broadway Plan Public Benefits Strategy (PBS) – The PBS identifies public benefits and infrastructure to support growth in the area, including both short-term and long-term priorities in and around the plan area.

Policy on Consideration of Rezoning Applications and Heritage Revitalization

Agreements during Broadway Planning Process (“Broadway Interim Rezoning”) – The site is within the boundaries of the *Broadway Plan*. In 2018, Council endorsed the *Broadway Interim Rezoning* policy, allowing specific in-stream rezoning proposals to proceed while the planning process for the *Broadway Plan* was underway. This application qualifies under this provision.

Metro Core Jobs and Economy Land Use Plan (“Metro Core Plan”) – The *Metro Core Plan*, adopted by Council in 2007, provides policy directions to enhance the Metro Core’s role as the region’s “downtown” by ensuring adequate job space for economic growth. The Broadway Uptown Office District is designated as the “second downtown,” with policy directions for intensified commercial capacity to expand job space in the area next to rapid transit.

Strategic Analysis

1. Proposal

The application proposes a 12-storey strata-titled office and commercial building over four levels of underground parking (see Figure 2). The proposed building height is 46.4 m (152 ft.) and the proposed total floor area is 7,177.4 sq. m (77,257 sq. ft.) for a floor space ratio (FSR) of 6.17.

Further, Recommendation B seeks to remove the subject site from the existing CD-1 (137) By-Law No. 5373 and to create a new By-law. CD-1 (137) was created in 1980 for hospital-related uses. Removing this specific site from the boundaries of CD-1 (137), allows for a site specific Bylaw to be created for this site based on the proposal.

2. Background

In June of 2018, Council adopted the Terms of Reference for the *Broadway Planning Program and Associated Interim Policies* (IRP). Council placed a moratorium on rezoning applications in the *Broadway Plan* area during the *Plan* development phase, except if specific applications met Council-approved exemptions. One exemption included proposals that received a positive letter of response by City staff within three years of the *IRP*'s adoption. This application met those provisions, and, was permitted to proceed. This application was received under the *IRP* in advance of the *Broadway Plan*'s adoption in 2022. Once the *Broadway Plan* was adopted, staff confirmed that the submission conformed to the new *Plan* and would be evaluated according to new policy.

Figure 2: Proposed Development (Looking Northeast)



3. Land Use

The proposal is consistent with the *Broadway Plan*'s directions. The site is located within the Large and Unique Site: VGH Campus (FUCB) of the *Broadway Plan*. The intent of this area is to support the ongoing expansion and development of the campus with additional hospital and health care uses, associated offices, medical and biotech institutions, and retail/service uses.

4. Form of Development, Height and Density (refer to drawings in Appendix F)

Form of Development – The proposed 12-storey, mid-rise building contains three small commercial-retail units at grade with office above. An 8.3 m (27 ft.) building setback is proposed from the property line to accommodate a landscaped area along the boulevard along 10th Avenue. The podium steps back from the building edges on level 4 and above by 4.6 m (15 ft.),

adding to the building articulation. On level 12, the northern edge is also stepped back from the lane by 3 m (10 ft.) with a terraced outdoor area for office tenants.

Shadowing – Shadow impacts were assessed at 10 am and 4 pm during the spring and fall equinoxes. Shadow studies reveal no major shadow impacts to the east, west and south properties. To the north is a future hotel's private outdoor amenity area, which will be moderately shadowed. Urban design conditions in Appendix B require reasonable efforts be made to shape the proposed building to mitigate the shadow impact onto the outdoor amenity space.

Height –The *Broadway Plan* states that new developments in the FUBC policy area are subject to view cone and helicopter flight path restrictions. VGH establishes a height restriction for helicopters accessing the hospital's emergency heliport. The proposed building height of 46.4 m (152 ft.) respects the view cone and helicopter flight path limits, for which this height is secured in the CD-1 By-law. The FUCB policy area supports building heights up to 106.7 m (350 ft.), for the north side of West 10th Avenue between Willow and Oak streets, subject to VGH flight path restrictions. Conditions related to the VGH helicopter flight path are contained in Appendix B.

Density – Site-specific density is subject to height and form of development considerations. For an office and commercial building, the proposed FSR of 6.17 is supported.

Urban Design Panel (UDP) – UDP supported the application on November 10, 2021 (see Appendix D). Recommendations include improvements to the building articulation, exploration of incorporating a green roof, and to develop the ground floor with a stronger architectural expression and character for the retail. Recommendations have been considered in the urban design conditions found in Appendix B.

Staff have evaluated the proposal with consideration for UDP's recommendation and conclude that it is supportable, subject to conditions in Appendix B.

5. Parking and Transportation

This location is well served by rapid transit along Broadway, is adjacent to the 10th Avenue bicycle corridor, and within one block of a future Broadway subway station.

Four levels of vehicle parking will be accessed from the lane. A total of 90 vehicle parking and 86 bicycle spaces are proposed. Parking, loading and bicycle spaces must be provided in accordance with the Parking By-law. Conditions require the applicant to provide multimodal wayfinding, signage, and end-of-trip amenities to improve transportation connections. Engineering conditions are included in Appendix B.

6. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezoning*s requires that rezoning applications satisfy the green and resilient building conditions, including detailed strategies to meet energy, emissions and embodied carbon targets. This application complies with the policy.

Natural Assets – The *Urban Forest Strategy* seeks to preserve, protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law requires permission be sought to remove trees that meet certain conditions in an effort to protect as many healthy, viable trees while still meeting the challenges of development and housing priorities.

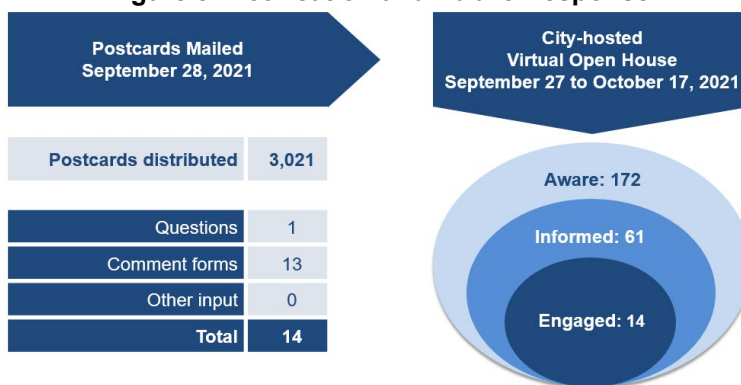
Two of the three on-site trees are recommended for removal due to their location and conflict with the proposed building footprint. Design conditions require green roof treatment and improved landscape treatment. A landscaped area as well as five new site trees are proposed which will provide rain infiltration for the large tree located along 10th Avenue.

7. Public Input

Public Notification – A rezoning information sign was installed on the site on September 23, 2021. Approximately 3,021 notification postcards were distributed within the neighbouring area on or about September 28, 2021 with 172 individuals accessing the project website and a total of 14 submissions received. Notification, application information, and online comment form was provided on the City’s Shape Your City Vancouver (shapeyourcity.ca/) platform.

Virtual Open House – A virtual open house was held between September 27 and October 17, 2021, which consisted of an open-question online event where questions were submitted and posted with a response (see Figure 3). A digital model was posted for online viewing.

Figure 3: Notification and Public Response



Public Response and Comments – Public input was provided via online questions, comment forms, email and phone. A summary of all public responses are in Appendix D.

Generally, comments of support fell within the following areas:

- **Height, density, and massing:** There was expressed support for height, density and massing, which matches the neighbourhood context.
- **Location:** The location near a future subway station and within the hospital district is appropriate for an office and commercial building. The location is bike-friendly.

Generally, comments of concern fell within the following area:

- **Traffic and parking:** Existing congestion in the vicinity will worsen with the proposed development. There was concern for insufficient parking and drop-off spots.

PUBLIC BENEFITS

Community Amenity Contribution (CAC) – The application, as commercial strata, is subject to a negotiated CAC under the *Community Amenity Contributions Policy for Rezoning*. The

applicant has offered a cash CAC of \$1,383,000. Real Estate Services staff have reviewed the applicant's pro forma and concluded that the offer is appropriate and recommend it be accepted.

The cash CAC from this rezoning application would be allocated to support delivery of the *Broadway Plan* Public Benefits Strategy. Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

Development Cost Levies (DCLs) – The site is currently subject to a City-wide and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. Based on the rates in effect as of September 30, 2022 and the proposed 7,177.4 sq. m (77,257 sq. ft.) of commercial and office floor area, \$1,906,703 in DCLs would be expected from this project.

Public Art Program – The proposed floor area is below the 9,290 sq. m (100,000 sq. ft.) minimum threshold, and as such, no public art contribution is required from this application.

A summary of public benefits associated with this application is included in Appendix G.

Financial Implications

As noted in the Public Benefits section, this project is expected to provide a cash CAC and DCLs. See Appendix G for additional details.

CONCLUSION

The application is consistent with the *Broadway Plan*. If approved, the project will contribute to increasing job space and to advancing the City's economic development objectives.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further, it is recommended, that subject to the Public Hearing, the application along with the form of development, as shown in plans in Appendix D, be approved in principle, subject to the applicant fulfilling conditions of approval in Appendix B.

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855-865 West 10th Avenue
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A By-law to rezone an area to a new CD-1 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 attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of by-law No. 3575.

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (___).

Uses

3. 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 this 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;
 - (b) Institutional Uses;
 - (c) Manufacturing Uses;
 - (d) Office Uses;
 - (e) Retail Uses;
 - (f) Service Uses;
 - (g) Utility and Communication Uses; and
 - (h) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

4. All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:

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

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

- 5.1 Computation of floor area must assume that the site area is 1,162.8 m², being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

- 5.2 The maximum floor space ratio for all uses combined is 6.17.

- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

- 5.4 Computation of floor area must exclude:

- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that:
 - (i) the total area of all such exclusions must not exceed 10% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building,
- (b) patios and roof decks, if the Director of Planning considers the impact on the privacy and outlook;
- (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,

- (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, and
 - (d) all storage area below base surface.
- 5.5 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building Height

6. Building height must not exceed 46.4 m except that no part of the development is permitted to protrude into the Council-approved public views, as set out in the City of *Vancouver View Protection Guidelines*, or into the emergency helicopter flight path requirements for the Vancouver General Hospital.

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855-865 West 10th 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 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 W. T. Leung Architects Inc., received August 10, 2021, 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

- 1.1 Design development to improve the architectural expression, visual variety and material treatment of the proposal in a rigorous design language addressing the following items:
 - (a) Differentiate further and improve the podium and tower expression;
 - (b) Improve how the building transitions to and interfaces with the ground plane in its articulation of the recessed planes;
 - (c) Refine the building façade's key points of transition, use of shadows and planes to provide further depth/interest to the façade;
 - (d) Refine the articulation of form, setbacks and massing of the building with a clear base, middle and top;
 - (e) Demonstrate refinement of the building's overall articulation and rendition of elements;
 - (f) Utilize authentic, high quality, and durable materials implied as necessary, to achieve the level of high-quality detailing necessary to accomplish and construct the proposed design aesthetic in its final iteration; and
 - (g) Examine further strategies for techniques to improve sustainability and green building performance (e.g. Fenestration type, solar-shading devices and green roof technologies).
- 1.2 Design development to the proposal for a more responsive contextual relationship, optimizing performance to ensure appropriate micro-climatic conditions are achieved at grade and with adjacent neighbouring built forms.

- 1.3 Design development to incorporate green-roof treatment into the building design where ever possible.
- 1.4 Design development to maintain a minimum 18 m (60 ft.) tower separation above 18 m (60 ft.) in height from long-stay dwelling units in any future built context.
- 1.5 Design development to conform to all height restrictions applicable to the building and subject site including:
 - (a) Compliance with all view cone policy requirements with no encroachment of applicable view cones affecting the site; and
 - (b) Compliance with all final helicopter flight path requirements.

Note to Applicant: Ensure that consultation is undertaken with Transport Canada, the British Columbia Emergency Health Services ("BCEHS"), Helijet International ("Helijet") and VGH throughout the process as required with an opinion to be produced by Helijet that the proposed building will or will not affect usability of the VGH heliport. Usability relates to whether a helicopter can clear an obstacle during a "one-engine inoperative" (OEI) emergency.

- 1.6 Design development to ensure the design, massing, and setbacks create a sensitive transition to the surrounding neighborhood for improved contextual fit achieving a harmonious relationship in line with best practice principles of urban design.
- 1.7 Design development to refine the building's envelope design, the performance of the façade sun shading elements, the execution of the glazed parapet, design and its transition to the parapet.
- 1.8 Design development to consider a more responsive relationship to adjacent and nearby private views by:
 - (a) Shaping built form to optimize performance; and
 - (b) Mitigate privacy concerns to adjacent long stay dwellings (i.e. use of standard glass, translucent or transparent) by exploring material or screening mechanisms.
- 1.9 Design development to the at-grade landscaping and public realm interface with provision of all details necessary to confirm a lively public realm and special consideration of the below:
 - (a) Provide a clearer expression and character for the retail;
 - (b) Improve the frontage and building interface to ensure activation, materiality to provide an enhanced pedestrian experience examining the solidity, deepness, and lightness to the building face as it transitions to the public realm;
 - (c) Maximize the transparency, accessibility and activation of the retail units;
 - (d) Improve the ground-floor level lobby areas with improved integration of the public realm to make them more spacious, accessible, and welcoming to the public;

- (e) Enhance integration with the ground plane, supporting its success as a pedestrian thoroughfare;
- (f) Provide additional means to create a more coordinated fluid pedestrian realm refining the strategies for the street furniture, bollards, benches, pedestrian-scale lighting, bike racks, guard rails, decorative grilles, planters etc.; and
- (g) Explore means to enhance the overall outdoor surface treatment so as to be high quality, visually interesting and cohesive throughout.

Note to Applicant: Special attention is needed at the material transition from public realm to the private property edge.

- 1.10 Design development of commercial entrances to be clearly delineated and to better address the public realm with architectural features and fenestration patterns that emphasize a scale appropriate for a neighborhood-serving retail and to strengthen the connection between public and private space.

Note to Applicant: Entries at grade may be identified by use of lighting, materiality, colour, texture, projecting canopies, entry recesses or wayfinding cues.

- 1.11 Design development to ensure the expression of the main office entrance maintains and enhances wherever possible appropriate articulation, hierarchy and wayfinding.

Note to Applicant: Entrances should be enhanced through the use of elements such as low walls, special paving, special planting features, architecturally integrated canopies projecting from the building and special lighting.

- 1.12 Provide universally accessible connections for pedestrians, the less abled and people using wheelchairs, to all common open-space areas throughout the site and at grade.
- 1.13 Incorporate continuous weather protection at grade throughout that is integrated with the building design, demountable and effectively provides pedestrian comfort.
- 1.14 Identify on the plans and elevations of any built elements contributing to the building's sustainability performance and explore further strategies to improve green building performance and identify significant thermal bridges and their resolution on design drawings.
- 1.15 Explore additional strategies to improve green building performance and identify any significant thermal bridges and their resolution on design drawings.
- 1.16 Provide detailed architectural drawings per typical drafting standards indicating fully dimensioned sections, elevations, and plans clearly indicating any variances, relaxations or non-policy compliant items with all attendant annotation and information required.

Note to Applicant: Any non-policy compliant items must be accompanied with a design rationale that presents an argument that is on a non-fiscal basis, is built on the policy framework, is reasonable and clearly demonstrates how the applicant could not meet policy requirements due to force majeure circumstances beyond their control etc.

- 1.17 Provide shadowing diagrams on the two equinoxes at 10 am, 12 pm, 2 pm and 4 pm and distinguish in colour/tone the additional shadow generated from the proposal clearly with clear delineation from the existing shadows generated by existing buildings.
- 1.18 Ensure all SRWs, setbacks, step backs, form of development considerations, and all other policy requirements governing the subject site are reflected in the articulation of the buildings and the public realm and clearly indicated in the drawings.
- 1.19 Maximize amenity access and usability of roof-tops for outdoor enjoyment, urban agriculture, and extensive green roofs, etc.
- 1.20 Confirm integration of all rooftop mechanical equipment, including elevator override service volumes, photovoltaic panels, window-washing infrastructure, cell tower, antennae elements or any other service equipment within the proposed mechanical enclosure and to ensure service equipment does not protrude into the public view cone beyond the allowable height.

Note to Applicant: The roof should remain uncluttered, as proposed, with all equipment being housed in the appurtenances. Where possible, enclosures should be of non-opaque materials and contribute to the overall architecture of the building.

- 1.21 Identify on the architectural and landscape drawings any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at <http://former.vancouver.ca/>.

Crime Prevention Through Environmental Design (CPTED)

- 1.22 Provision of a conceptual lighting strategy and outdoor lighting drawings to appropriately frame the building, demonstrate CPTED performance and ensure appropriate lighting levels while minimizing glare for nearby buildings.

Landscape

- 1.23 Design development to improve the sustainability strategy, by the following:
 - (a) Explore opportunities to add intensive or extensive green roofs to all available flat roof surfaces;
 - (b) Add substantially more landscape around all entry areas to accent and soften them;
 - (c) Add vines to any blank wall façades, ensuring the vine support is sturdy and low maintenance (avoid high maintenance modular "green wall" systems);
 - (d) Add planters with overarching shrubs to common upper-level decks, to be visually accessible from below, softening the edges and consisting of woody evergreen plant material for year-round presence;
 - (e) Add edible plants, which can be used as ornamentals as part of the landscape design;

- (f) in addition to urban agriculture plots.
- 1.24 Design development to ensure the intended landscape design is carried into the future by adequate maintenance, as follows:
- (a) Provide common maintenance access to all planted common areas;
 - (b) Provide a high efficiency irrigation system for all planted areas.
- 1.25 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.
- 1.26 Design development to the Integrated Rainwater Management Strategy to explore opportunities for onsite rain water infiltration and soil absorption, as follows:
- (a) maximize natural landscape best management practises;
 - (b) minimize the necessity for hidden mechanical water storage;
 - (c) increase the amount of planting to the rooftop areas, where possible;
 - (d) consider linear infiltration bio-swales along property lines, at lower site areas;
 - (e) use permeable paving;
 - (f) employ treatment chain systems (gravity fed, wherever possible);
 - (g) use grading methods to direct water to soil and storage areas;
- Note to applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (I.R.M.P), Vol.1 & 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.
- 1.27 Provision of plans, plan details and documentation/calculations that support integrated rainwater management, including absorbent landscapes, soil volumes and detention systems, as follows:
- (a) detailed storm water report with calculations describing how the various best management practices contribute to the quality and quantity targets;
 - (b) a separate soil volume overlay plan with schematic grading indicating intent to direct rainwater to infiltration zones;
 - (c) an overlay plan that shows amount and ratio of vegetative cover (green roof), permeable/impermeable hardscaping and notations describing the storage location of rainwater falling on each surface, including roofs.

Note to applicant: the sustainable summary water balance calculations assume soil volumes are capable of receiving rainwater are only valid if water is directed from hard surfaces to infiltration zones.

- 1.28 Provision of coordination between Landscape Plan and architectural Site Plan, for most updated information.
- 1.29 Provision of complete information, such as references on the Roof Deck Plan, confirming all landscape elements.
- 1.30 Approval by the Park Board for proposed tree protection methods for Tree #101.
- 1.31 Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, pad mounted transformer (PMT)/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- 1.32 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm;

Note to applicant: the sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- 1.33 Provision of a "Tree Management Plan".

Note to applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

- 1.34 Provision of an arborist "letter of undertaking" to include signatures by the owner, contractor and arborist.

Note to applicant: the signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

- 1.35 Coordination for the removal and replacement of street trees.

Note to applicant: Any City-owned tree removals to be confirmed by Engineering and the Park Board. New street trees to be shown and confirmed on the development permit plans, including referenced on Plant List. Contact Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, *"Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion"*.

- 1.36 Provision of an outdoor Lighting Plan.

Sustainability

- 1.37 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezoning*s (amended May 2, 2018), 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*s - *Process and Requirements* (amended April 28, 2017 or later).

Engineering

- 1.38 Construction of the Broadway Subway Project (BSP) has begun and is expected to last until 2026. Street use around the BSP construction sites, mostly along Broadway and main intersections, such as Laurel Street and Oak Street will be severely restricted. Access to and from your project site and availability of street use for construction may be impacted. At this point, we do not yet have specific details on the restrictions; however, we would like to provide advance awareness, such that this is considered during early stages of your project. As Broadway Subway project construction plans are developed further, we will be able to provide more details on how it will affect your property. If you have any further questions, do not hesitate to contact us. You may find more information and sign up for regular email updates on the Province's website at broadwaysubway.ca.
- 1.39 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.
- 1.40 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.
- 1.41 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.
- 1.42 Water Sustainability Act: Construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License. Applications for

provincial Approvals or Licenses can be completed online. The application will be received and accepted into the province's online system, and the provincial authorizations team strives for 140 days to get the approval to the applicant. The approval holder must be able to produce their approval on site so that it may be shown to a government official upon request. Dewatering before this approval is granted is not in compliance with the provincial Water Sustainability Act. Provide a letter confirming acknowledgement of the condition.

For more information: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals>

- 1.43 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:
- (a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan <https://vancouver.ca/files/cov/engineering-design-manual.PDF>;
 - (b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

- 1.44 Delete the portions of P1 and the bench, raised planter, and new tree proposed within the SRW area along West 10th Avenue.
- 1.45 Removal of the existing retaining wall and tree within the SRW area on West 10th Avenue (at the southwest corner of the site) that are proposed to be retained.

Note to Applicant: removal of this retaining wall and tree are required in order to allow for potential sidewalk improvements to be constructed within the SRW area at a later date.

- 1.46 Provision of a signed, sealed and finalized Transportation Assessment and Management Study (TAMS).
- 1.47 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: A TDM Plan with a minimum of 24 points is required (to achieve the proposed vehicle parking reduction. The proposed plan achieves 24 points. A single TDM measure may count towards multiple land uses if it is usable by each land use. Refer to Schedule B of the TDM policy for detailed requirements for each measure. Provide TDM Plan as a separate package with complete information on TDM measures proposed, including the following clarifications:

- (a) ACT-01 – Additional Class A Bicycle Parking:

- (i) identification of the number and location of the additional Class A bicycle parking on plans.

Note to Applicant: Additional Class A bicycle parking spaces must meet the standards and minimums identified in the Parking By-law, and/or applicable Design Guidelines.

(b) ACT-02 – Improved Access to Class A bicycle Parking:

- (i) provision of concept design for excellent design of lighting, finishes, grades, convenience;
- (ii) provision of operational and design specifications for automated bicycle parking (if applicable); and
- (iii) identification of the number and location of the Class A bicycle parking provided at- and/or above-grade on plans, as well as note the access route to reach the Class A bicycle parking from the outside.

(c) ACT-05 – Bicycle Maintenance Facilities:

- (i) notation and dimension location of facilities on plans;
- (ii) bicycle maintenance facilities to be located with convenient access to from Class A bicycle spaces;
- (iii) provision of an operational plan detailing the following: and
 - i. a description of the amenities to be provided;
 - ii. a means of providing access to all residents, commercial tenants, and the public (if applicable); and
 - iii. a plan for maintaining these amenities.
- (iv) if available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.

(d) ACT-06 – Improved End-of-Trip Amenities:

- (i) provision of concept design for improved end-of-trip amenities; and
- (ii) identification of the location, number and type of end-of-trip amenities being provided on plans.

(e) SUP-01 – Transportation Marketing Services:

- (i) provision of a description of the services to be provided; and

- (ii) if available, provision of any additional information regarding this measure (e.g., online signup portals or additional marketing materials) that demonstrates how the property owner will offer this service.
 - (f) SUP-02 – Real-Time Information:
 - (i) identification of the general locations for proposed displays on plans; and
 - (ii) provision of description of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed, and service provider.
 - (g) SUP-03 – Multimodal Wayfinding Signage:
 - (i) identification of the general locations for proposed displays on plans; and
 - (ii) provision of conceptual design of the content (e.g. transit lines, walk time to transit locations, availability of on-site car share vehicles, availability of nearby shared bicycles, etc.) to be displayed.
- 1.48 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement prior to development permit issuance, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which:
- (a) secures provision of funding towards long-term TDM monitoring fund in the amount of \$280 per parking space waived;
 - (b) secures the provision of TDM measures on the site;
 - (c) permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed; and
 - (d) agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.
- 1.49 Design development to improve access and design of bicycle parking and demonstrate compliance with the Bicycle Parking Design Supplement by performing the following:
- (a) provision of an alcove for the bike room access off the vehicle parking ramp and maneuvering aisle;
 - (b) provision of lockers and oversized bicycle spaces as per Bylaw;
 - (c) provision of automatic door openers for all doors providing access to Class A bicycle spaces; and
 - (d) design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances.
- Note to Applicant: Racks must be usable for all ages and abilities.
- 1.50 Design development to improve access and design of loading spaces and demonstrate

compliance with the Parking and Loading Design Supplement by performing the following:

- (a) provision of convenient, internal, stair-free loading access to/from all site uses;
- (b) confirmation that the slope of the loading bay does not exceed 5%;
- (c) provision of a clear unloading area or raised rear dock, minimum 1.8 m (5.9 ft.) wide, with suitable access to facilitate goods loading /unloading.

1.51 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services:

- (a) improved two-way flow for vehicles on the ramp and in the parking areas through provision of the following:
 - (i) provide parabolic mirrors on the main ramp and throughout parkade to improve visibility;
- (b) confirmation that vertical clearance of overhead projections into vehicle parking spaces are not less than 1.2 m (4.0 ft.) and projection into the space is not more than 1.2 m (4.0 ft.).

Note to Applicant: Overhead projections into disability spaces are not permitted.

1.52 Provision of the following information as part of the drawing submission at the development permit stage to facilitate a complete Transportation review:

- (a) a complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;
- (b) all types of parking and loading spaces individually numbered and labelled;
- (c) dimension of any/all column encroachments into parking stalls;
- (d) identification of all columns in the parking layouts;
- (e) dimensions for typical parking spaces;
- (f) dimensions of additional setbacks for parking spaces due to columns and walls;
- (g) dimensions of maneuvering aisles and the drive aisles at the parkade entrance and all gates;
- (h) section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

- (i) areas of minimum vertical clearances labelled on parking levels;
- (j) design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

- (k) indication of the stair-free access route from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.

- (l) existing street furniture including bus stops, benches etc. to be shown on plans; and
- (m) the location of all poles and guy wires to be shown on the site plan.

1.53 Provision of a draft final Rainwater Management Plan (RWMP) to be submitted prior to DP issuance to clearly indicate how the onsite system achieves the following:

(a) General Requirements

- (i) Provision of a pre-development site plan showing orthophoto, existing drainage areas, and onsite and downstream offsite drainage appurtenances.
- (ii) Provision of post-development site plan(s) that includes the following:
 - building location/footprint;
 - underground parking extent;
 - proposed service connections to the municipal sewer system;
 - location and labels for all proposed rainwater management practices;
 - area measurements for all the different land use surface types within the site limits; and
 - delineated catchments to demonstrate best management practices (detention tank(s), green infrastructure, etc.) are appropriately sized.
- (iii) Provide a summary of all catchment areas in a tabular form which includes the required capture and treatment, any direct capture and treatment achieved from adjacent surfaces, and storage capacities for that catchment. Catchments must be shown in a proposed site plan drawing or figure as part of the Final Rainwater Management Plan Report.
- (iv) Ensure best management practice and requirements are adhered to for the design of the proposed rainwater management system which includes drainage by gravity to the receiving system for flow attenuation and overflow purposes.

(b) Volume Reduction

- (i) Prioritize methods of capture by Tier 1 and 2 with Tier 3 only as a last resort.

Note to Applicant: Justifications for the exclusion of rainwater harvesting and reuse system and/or green roofs were not adequately detailed or acceptable for exemption. It is unclear why the total direct area capture from Tier 1 practices is 0% and Tier 2 practices only account for 12% of the Volume Reduction requirement.

Note to Applicant: For this proposed 12 storey commercial development with over 76,000 sq. ft. gross floor area and with projected increases to sewer and water utility rates, the feasibility of a rainwater harvesting and reuse system to meet non-potable water demands should be thoroughly evaluated and considered.

- (ii) Provision of design specifics and details of all best management practices to support the design claim for meeting target requirements. Coordinate with the landscape architect on the details specific to the landscape portion, such as proposed growing medium depth and grading of hardscapes into adjacent landscaping.
- (iii) Provision of a grading plan to support the proposal of grading hardscapes into adjacent landscaping. Coordination with the landscape architect, soil storage capacities and a grading plan will be required to support this proposal.

(c) Water Quality

- (i) Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the DP submission, the following should be included for review for all proprietary devices:

- Product Name and Manufacturer/Supplier.
- Total area and % Impervious being treated.
- Treatment flow rate.
- Supporting calculations to demonstrate adequate sizing system based on the contributing drainage area.
- Include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV.
- Location of device in drawing or figure in the report.

Note to Applicant: If a substantial proportion of the site (the roof area) can capture precipitation for rainwater reuse purposes, then a treatment system for runoff discharged offsite may not be necessary or a "pre-treatment" unit as categorized and certified by Washington State's TAPE program may be permitted.

(d) Release Rate

- (i) Peak flow calculations to use 1:10 year return period. Inlet time = 5 minutes. Travel time to be estimated by applicant. Ensure that the pre-development calculation uses the 2014 IDF curve values and the post-development calculation uses the 2100 IDF curve values.
- (ii) Note to Applicant: Include the peak flow estimate in post-development conditions for both with and without release rate controls.
- (iii) Revise the post development target allowable release rate to utilize the full required detention system volume if the detention tank volume is greater than the pre-development peak flow storage volume.

Note to Applicant: As of July 5, 2022, the Rainwater Management Bulletin has been updated to clarify the City's review process and detail submission requirements for applicants. In preparing for resubmission at development permit, please review the document and it's associated appendix. Additional information can be found at the following link: <https://vancouver.ca/home-property-development/private-realm-rainwater-management.aspx>

Please contact the City of Vancouver's Rainwater Management Review group for any questions or concerns related to the conditions or comments prior to resubmission with the DP application. A meeting may be scheduled upon request by contacting rainwater@vancouver.ca.

- 1.54 Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services registered prior to issuance of a development permit.
- 1.55 Provision of a final signed and sealed RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.
- 1.56 Provision of a final signed and sealed standalone Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.
- 1.57 Developer to submit a Hydrogeological Study according to Groundwater Bulletin to be reviewed and accepted by a City Engineer.
- 1.58 Developer's Engineer to submit a sewer abandonment plan to the City that details the abandonment or removal of all existing storm, sanitary, and combined connections to the development site. The abandonment plan is required to be reviewed and accepted by the City Engineer prior to issuance of the Sewer Permit.
- 1.59 The following statement is to be placed 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 and Major Projects and/or your Engineering, Building Site

Inspector for details”.

- 1.60 Follow VGH streetscape guidelines.
- 1.61 City supplied building grades are preliminary and final building grades are required to be issued by the City prior to DP application. Show all City supplied building grades on architectural and landscape drawings. To minimize grade differences, interpolate a continuous building grade between the points provided on the City supplied building grade plan.

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, the General Manager of Planning, Urban Design and Sustainability and the General Manager of Engineering Services, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 2.1. Arrangements are to be made for the consolidation of Lots 16 and 17, both of Block 357, District Lot 526, Plan 991, to create a single parcel.
- 2.2. Provision of a building setback and volumetric Statutory Right-of-Way (SRW) for public pedestrian use over a portion of the site, along West 10th Avenue to achieve a 2.5 m offset distance measured from the property line for potential future construction of a widened sidewalk. The SRW agreement will accommodate the parkade structure at the P2 level and below and include provisions which allow the City to enter the SRW area and perform any necessary activities required to construct a public sidewalk and associated infrastructure within the SRW area at a future date. The SRW will be clear of any encumbrance including structure, mechanical vents, stairs, and planter walls at grade and at the P1 level.

Note to Applicant: A sacrificial slab is required to be constructed above the P2 ceiling to further protect the parkade structure from potential damage due to future construction within the SRW area.

- 2.3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the “Services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement
 - (a) Provision of adequate water service to meet the fire flow demands of the project.
 - (i) Based on the confirmed Fire Underwriter’s Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. dated

June 23, 2021, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm along West 10th Avenue. Should the development require water service connections larger than 200 mm, the developer shall upsize the existing main to the satisfaction of the General Manager of Engineering Services. The developer is responsible for 100% of the cost of the upgrading.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.
 - (i) Implementation of development(s) at 855-865 West 10th Avenue requires the following in order to maintain acceptable sanitary sewer flow conditions.

No upgrades are required.

Note to Applicant: Development to be serviced to the existing 200 mm SAN and 250 mm STM sewers in lane south of West Broadway.

- (ii) 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. This shall be demonstrated by preparation of a Rainwater Management Plan with all necessary supporting calculations and drawings prior to the issuance of the development permit.
- (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.
- (d) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current City standards and IESNA recommendations.
- (e) Provision to remove and replace 125 mm thickness of asphalt from the existing laneway along the development site's frontage. Maintain center valley cross section.

- (f) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- 2.4. Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

Sustainability

- 2.5. 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.

Community Amenity Contribution (CAC)

- 2.6. Pay to the City the cash Community Amenity Contribution of \$1,383,000 which the applicant has offered to the City and which is to be allocated to support the delivery of the *Broadway Plan* Public Benefits Strategy. 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.

Environmental Contamination

- 2.7. If applicable:
- (a) Submit a site disclosure statement to Environmental Services (Environmental Protection);
 - (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, 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.

Agreements

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.

* * * * *

**855-865 West 10th Avenue
PROPOSED CONSEQUENTIAL BY-LAW PROVISIONS**

CD-1 (137) BY-LAW NO. 5373

1. This By-law amends the indicated provisions of By-law No. 5373.
2. Council strikes out and replaces section 1 with the following:

“1 Zoning District Plan Amendment

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 attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of By-law No. 3575.”.

3. Council strikes out Schedule D and substitutes the following:

Schedule A



DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

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

“855-865 West 10th Avenue [CD-1 #] [By-law #] C-2”

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

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

“[CD-1#] [By-law #] 855-865 West 10th Avenue”

* * * * *

855-865 West 10th Avenue
ADDITIONAL INFORMATION

1. Urban Design Panel

The Urban Design Panel (UDP) reviewed this application on November 10, 2021 and supported the proposal with three recommendations (see Appendix D). These recommendations included improvement to the building articulation, improved shadowing mitigation, green roof incorporation, and further development of the podium / tower expression. It also include development to the architectural expression at the ground plane to provide a clearer expression and character for the retail. Refer to [UDP meeting minutes](#) for full details.

The Panel's recommendations have been considered in the conditions contained in Appendix B.

Staff have evaluated the proposal against applicable policies and having considered the input of the general public and the UDP conclude that the proposal is supportable subject to the design development conditions outlined in Appendix B.

2. Public Consultation Summary

List of Engagement Events, Notification, and Responses

	Dates	Results
Events		
Virtual open house (City-led)	September 27 to October 17, 2021	48 participants (aware)* <ul style="list-style-type: none"> • 14 informed • 7 engaged
Public Notification		
Postcard distribution – Notice of a rezoning application and virtual open house	September 28, 2021	3,021 notices mailed
Public Responses		
Online questions	September 27 to October 17, 2021	1 submittal
Online comment forms <ul style="list-style-type: none"> • via Shape Your City platform 	August to December, 2021	13 submittals
Overall position <ul style="list-style-type: none"> • support • opposed • mixed 	August to December, 2021	13 submittals <ul style="list-style-type: none"> • 7 responses • 4 responses • 1 response
Other input	August to December, 2021	0 submittals
Online Engagement – Shape Your City Vancouver		

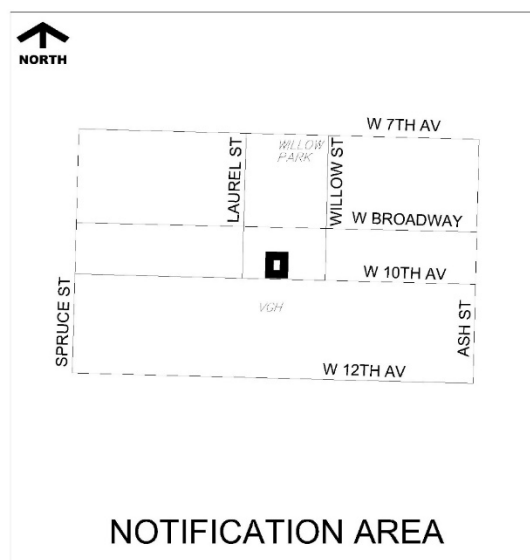
Total participants during online engagement period	August to December, 2021	172 participants (aware)* <ul style="list-style-type: none"> • 61 informed • 14 engaged
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Note: All reported numbers above are approximate.

* The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

Map of Notification Area



Analysis of All Comments Received

Below is an analysis of all public feedback by topic and ordered by frequency.

Generally, comments of support fell in the following areas:

- **Building height, density, and massing:** Comments expressed support for the height, density and massing proposed, which matches the neighbourhood context.
- **Location:** The location near a future subway station and within the hospital district is appropriate for an office building with retail spaces. The location is also very bike-friendly.

Generally, comments of concern fell within the following areas:

- **Traffic and parking:** Existing congestion in the vicinity will worsen with the introduction of the proposed development. There is concern that there is insufficient parking and drop-off spots.

The following miscellaneous comments were received from the public (note: these were topics that were not ranked as highly as above).

General comments of support:

- The minimum frontage setbacks are unnecessary.
- The building lines up well with the hotel across the laneway to retain visitor's privacy.

General comments of concern:

- The building design is boring.
- The helicopter flight path is at risk by the development.

Neutral comments/suggestions/recommendations:

- Increase the FSR due to the demand for office space.
- Add a residential component to the development.
- Add an accessible amenity on the rooftop.
- Add a green roof.
- Add solar shading features.
- Add opaque glass to the corners of the building to improve privacy for visitors of the hotel across the laneway.
- Improve the pedestrian realm in the laneway.
- Add colour to the building design.

* * * * *

855-865 West 10th Avenue URBAN DESIGN ANALYSIS

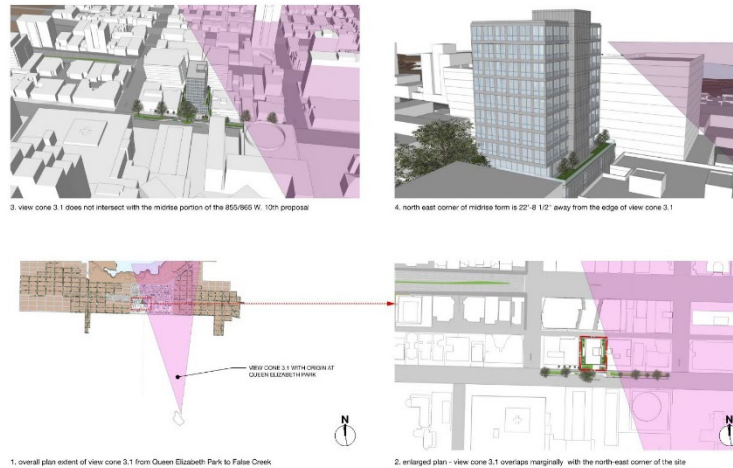
Density, Height and Form of Development

Density – The site is currently zoned CD-1 (137) (Comprehensive District) which permits density up to 1.7 FSR. The development proposed has a floor space ratio (FSR) of 6.12, and the floor area is 7,177 sq. m (77,257 sq. ft.), including 6723 sq. m (72,366.1 sq. ft.) of office space.

Height – The maximum outright height under the current CD-1 zoning area C1 is 10.7m/ 35'. The Central Broadway C-3A Urban Design Guidelines that building height maximums are to be 120 feet subject to urban design analysis. No height limit is specified in Fairview Slopes sub-area. The C-3A guidelines C recommends new podium street wall height to match existing building street wall height. The development proposed would be 12 stories high measuring approximately 47.6m/ 156 feet. There is a view cone over the site (view cone 3.1) but it does not interact with the building. Urban Design Conditions in Appendix B stipulate requirements pertinent to operant height restrictions.

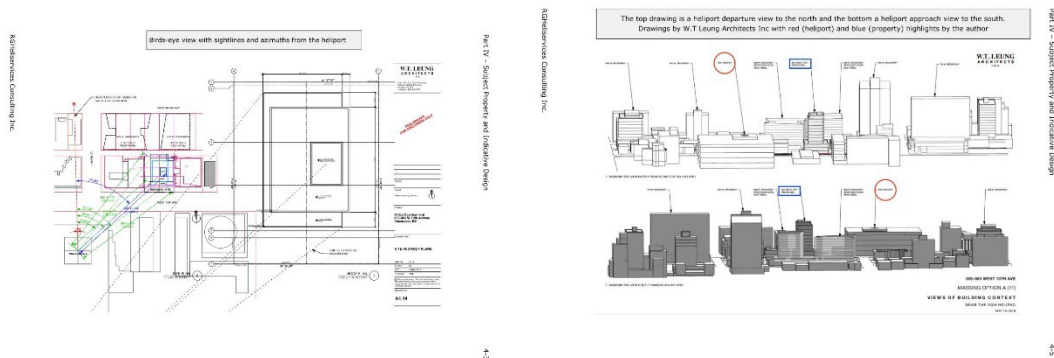
View Cones

VIEW CONE 3.1 ANALYSIS



Helicopter Flight Path – The subject site is in close proximity to Vancouver General Hospital and a required helicopter flight path height restriction. As with other applications that fall in or near the flight path, the applicant was required to provide a third-party consultant report, complete with commentary from VGH and the helicopter provider.

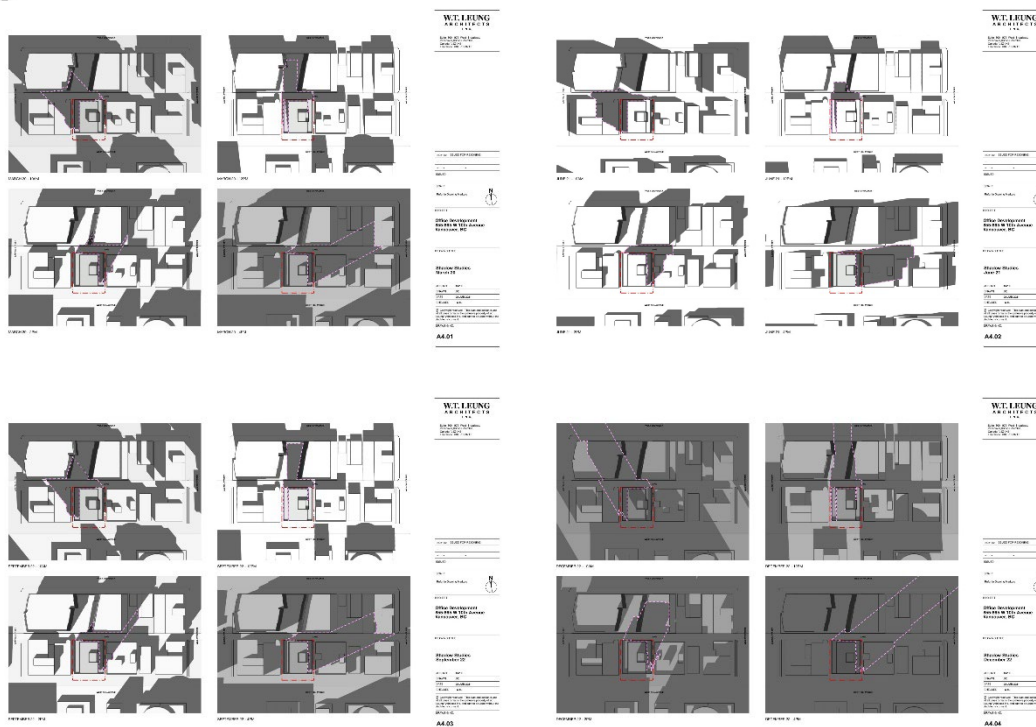
Helicopter Flight Path



In discussions with VGH the flight path will remain as is for the foreseeable future.

Tower Separation and Setbacks – The CD-1 zoning requires a minimum 6m/ 20' front yard setback, and a 1.5m/5ft side yard setback. The project requires a minimum tower separation distance of 18m/ 60ft between any commercial tower and adjacent current or planned future residential buildings in order to satisfy livability needs of those units for privacy and daylight. Urban Design Conditions in Appendix B note this requirement be maintained as the design progresses to later permitting stages.

Shadowing – Shadow impact was assessed during the traditionally measured times of the spring equinox, fall equinox, summer solstice, and winter solstice between the hours of 10:00am and 4:00pm.



Shadows studies on the March & June 21st Equinoxes reveal no major negative impacts on the adjoining neighbors to the east, west and south of the site however the amenity area to the north for the hotel long stay units will be impacted particularly at noon. The least severe impact is during June. It should be noted that the building to the north is a commercial hotel building however the long stay units in the east tower are considered quasi residential. The impact on their outdoor amenity space should be considered but not to the same severity as a pure residential amenity. The applicant should demonstrate that shaping of the building has made reasonable efforts to mitigate the impact on the amenity with some shaping and stepping in line with common best practice.

Urban Design Conditions in Appendix B relating to this encourage further refinement to these mitigation measures at later permitting stages.

Form of Development – The proposed project is a 12-storey office building located opposite the Vancouver General Hospital to the south. At grade there are three small commercial retail units off West 8th Avenue with a 27' setback from the property line and large green planted area directly along the boulevard. The parkade and loading are accessed from the rear lane. A number of mechanical spaces are also located at grade to the rear. The main office entry is located at the centre of the frontage similar in design to the retail entries accessing a small lobby and the primary vertical circulation core. A large grassy area and a planter with a small tree is placed off the sidewalk with bicycle parking behind the planter. The soft cover is intended to provide rain infiltration for the large tree #101 located on the sidewalk.

Views of the Proposal



The podium office floor plans at level 02 and 03 are subdivided into smaller units located off the central core corridor in an orthogonal plan. Level 3 repeats this layout with slight alterations of the subdivision. There is glazing throughout the floors on the east / west elevations as well as the north / south. The podium steps in at level 4 from a square plan to a slimmer rectangular form inset on both sides by approximately 15' whose pure geometry is largely unarticulated as it rises to level 11. The vertical circulation core projects slightly on the eastern edge and is solidly clad in contrast to the curtain wall glazing on either side. At level 12 the north edge steps back from the lane edge by 10' with a terrace for the office users that is looking towards 888 W Broadway. At roof level there is a simple overrun with mechanical access only. The primary core is located on the western edge and appears to be clad in stone or metal cladding.

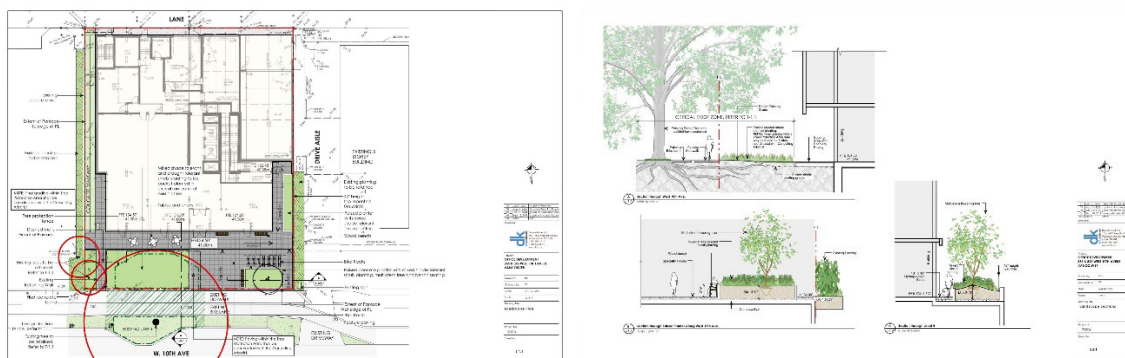
To the north directly cross the lane at 888 W Broadway is a proposed long and short term stay hotel which has a large green amenity areas between the two branching towers. The application is somewhat conceptual in detail. It does not indicate continuous glazed rain cover in the visualizations at grade and appears to utilize the overhang of the building to address inclement

weather. The retail entries are shown as simple portal doors as part of a glazing system. The material treatment is not precisely defined in the drawings but appears to be a mix of solid grey metal cladding panels, spandrel panels and curtain wall glazing. Urban Design Conditions in Appendix B seek improvement to these elements.

In terms of sustainability the applicant aims to achieve LEED gold and will expand further on this topic in their presentation.

Public Realm – The building incorporates some design features to activate the public realm, while providing retail and pedestrian connectivity. Additional conditions in Appendix B seek refinement to these elements to improve the performance of the public realm in accordance with the comments of the Urban Design Panel.

Site Plan and Public Realm



Urban Design Panel – The proposal was unanimously supported by the Urban Design Panel (UDP) on November 10, 2021 (see Appendix F) with three recommendations. These recommendations included improvement to the building articulation, improved shadowing mitigation, green roof incorporation, and further development of the podium/ tower expression. It also include development to the architectural expression at the ground plane to provide a clearer expression and character for the retail.

The Panels recommendations have been considered in the proposed conditions contained in Appendix B.

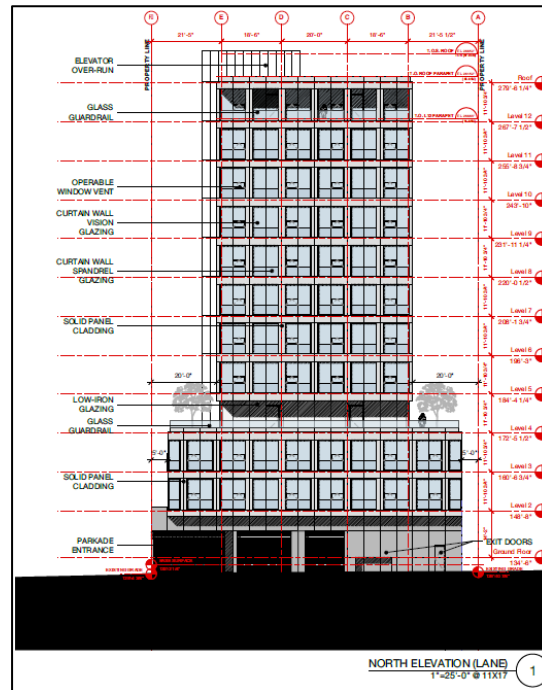
Summary/ Conclusion – Staff have evaluated the proposal against applicable policies and having considered the input of the general public and the UDP conclude that the proposal is supportable subject to the design development conditions outlined in Appendix B.

855-865 West 10th Avenue
FORM OF DEVELOPMENT

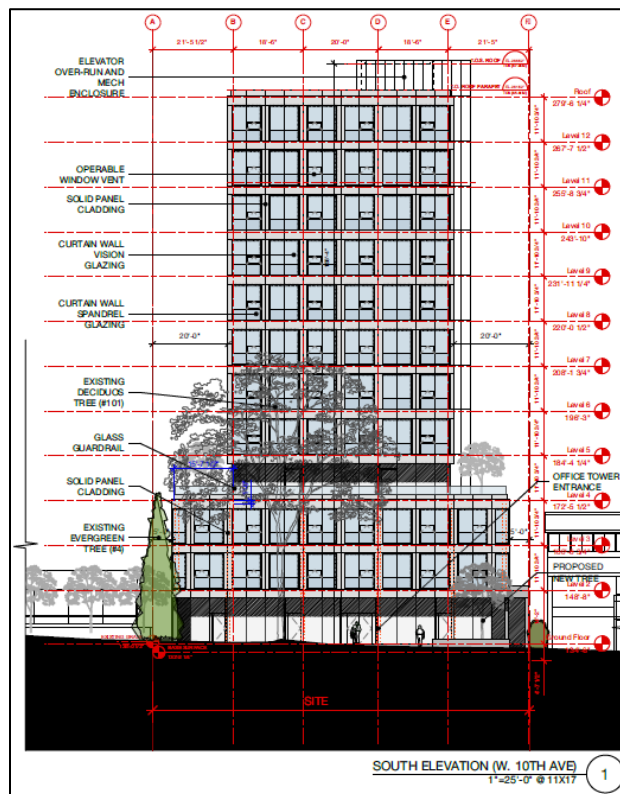
Rendering from West 10th Looking East



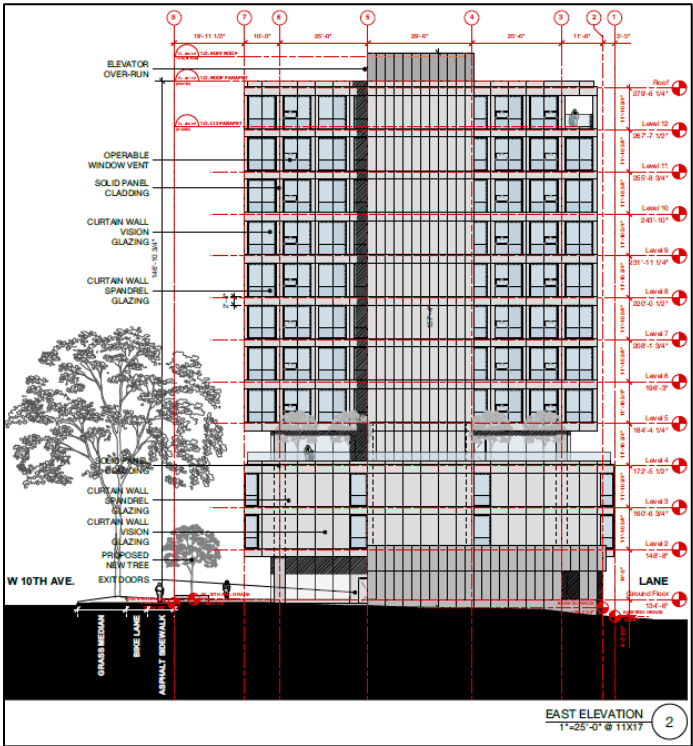
North Elevation



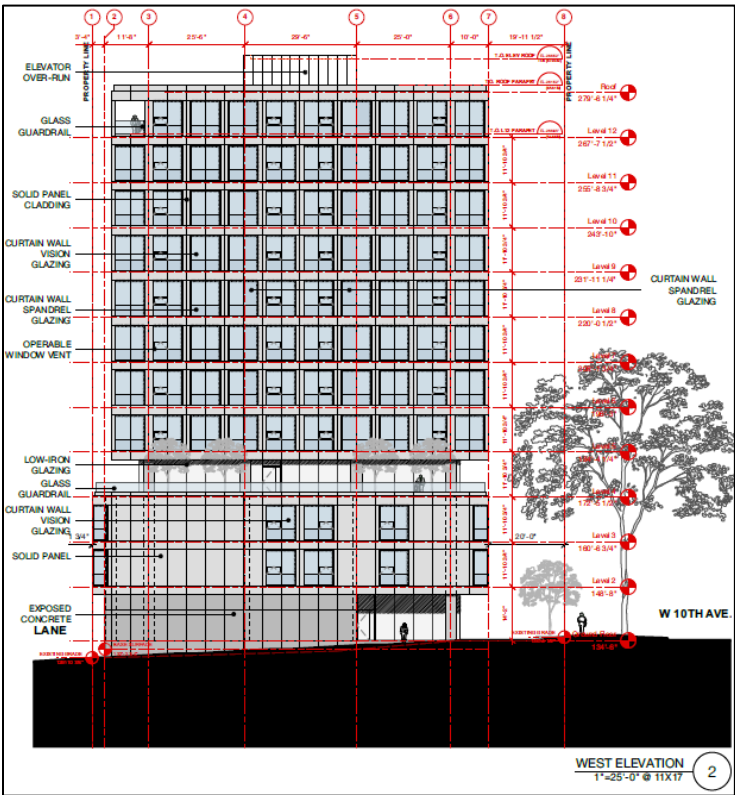
South Elevation



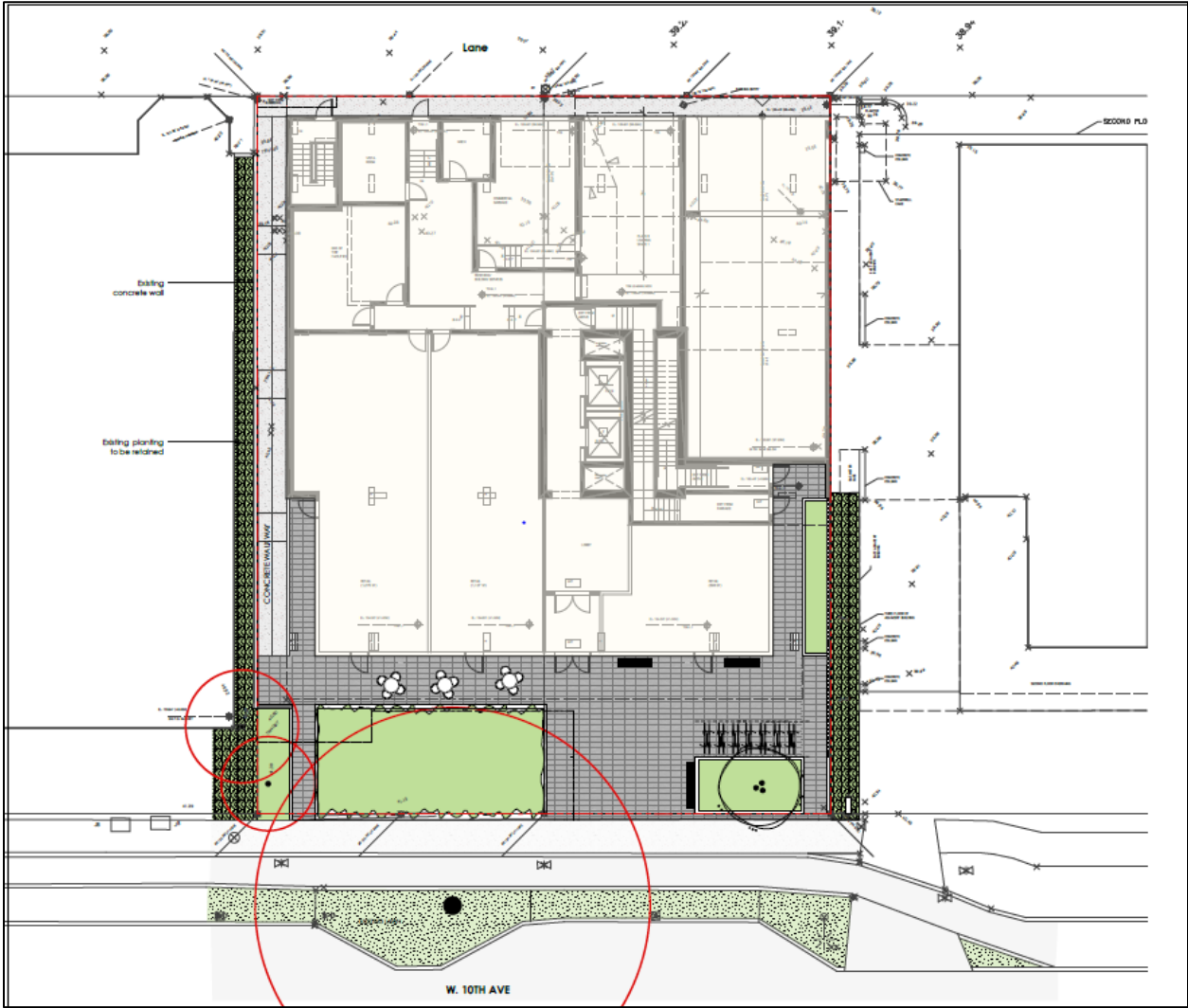
East Elevation



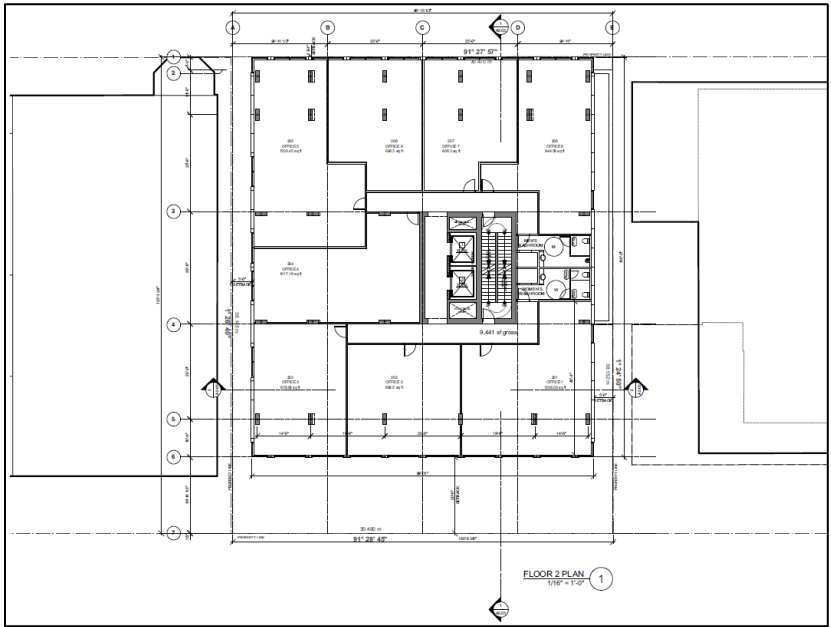
West Elevation



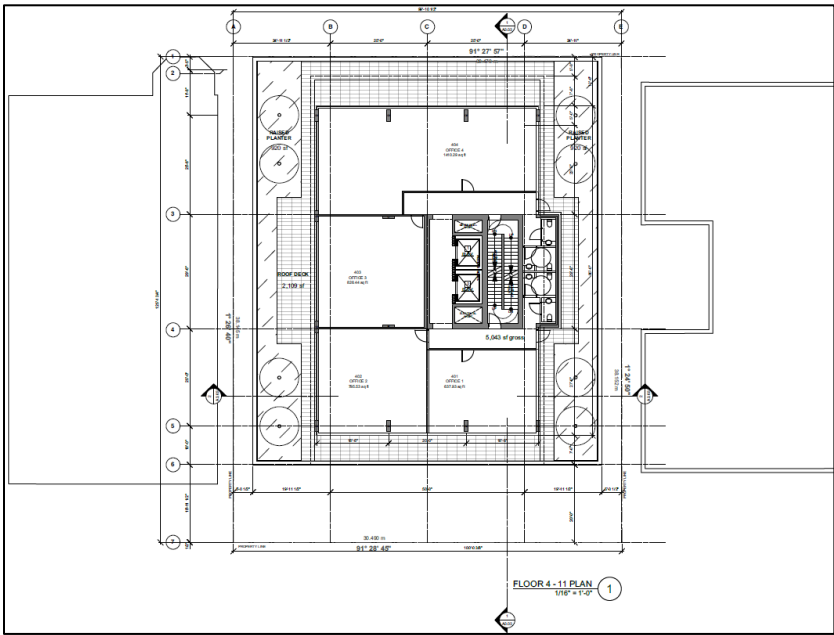
Ground Floor Plan



Levels 2 and 3 Floor Plan



Levels 4 to 11



**855-565 West 10th Avenue
PUBLIC BENEFITS SUMMARY**

Project Summary:

Proposal for a 12-storey, strata-titled office and commercial building.

Public Benefit Summary:

The project would generate a DCL payment and a cash CAC to be allocated to the *Broadway Plan* Public Benefits Strategy.

	Current Zoning	Proposed Zoning
Zoning District	CD-1 (137)	New CD-1
FSR (site area = 1,162.8 sq. m / 12,516.0 sq. ft.)	1.70	6.17
Floor Area (sq. ft.)	21,277 sq. ft.	77,257 sq. ft.
Land Use	Residential and hospital related uses	Office and Retail

Summary of development contributions expected under proposed zoning

City-wide DCL ¹	\$1,436,980
Utilities DCL ¹	\$469,723
Community Amenity Contribution – Cash	\$1,383,000
TOTAL	\$3,289,703

¹ Based on by-laws in effect as of September 30, 2022. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL bylaws are subject to future adjustments by Council, including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection, see the City's [DCL Bulletin](#) for details.

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855-865 West 10th Avenue
PROPERTY, APPLICANT AND DEVELOPMENT PROPOSAL INFORMATION

Property Information

Address	Parcel Identifier (PID)	Legal Description
855 West 10th Avenue	002-842-718	Lot 16 Block 357 District Lot 526 Plan 991
865 West 10th Avenue	015-018-822	Lot 17 Block 357 District Lot 526 Plan 991

Applicant Information

Applicant/Architect	W. T. Leung Architects
Registered Owners	Three Putt Investments Ltd. Inc. and Three Putt (West 10th) Investments Inc.

Development Proposal Information

	Permitted Under Existing Zoning	Proposed Zoning
Site Area	1,162.8 sq. m (12,516 sq. ft.)	1,162.8 sq. m (12,516 sq. ft.)
Zoning	CD-1 (137)	CD-1 (New)
Land Use	Residential, Medical Office	Office and Retail
FSR	1.70	6.17
Floor Area	1,977 sq. m (21,277 sq. ft.)	7,177.4 sq. m (77,257 sq. ft.)
Height	10.7 m (35 ft.)	46.4 m (152 ft.)
Parking Loading Passenger Bicycle	As per Parking By-law	88 total 4 Loading 2 Passenger 86 Bicycle To be confirmed at the development permit stage
Natural Assets	Three on-site trees and one off-site tree	Eight on-site trees To be confirmed at the development permit stage

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