



POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: June 2, 2009
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Meeting Date: June 16, 2009

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Text Amendment - 555 West 12th Avenue (City Square)

RECOMMENDATION

THAT the application by Bunt & Associates to amend the parking section of CD-1 #187 (By-law No. 6072) for 555 West 12th Avenue (PID: 008-897-557; Block 380, Plan 21466, DL 526 NWD) to introduce a new parking standard for commercial uses be referred to a public hearing, together with:

- i) draft CD-1 By-law amendments, generally as presented in Appendix A, and
- ii) the recommendation of the Director of Planning to approve the application subject to conditions outlined 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 the public hearing

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

- In November 1986, Council rezoned the subject site to CD-1 to permit development of a retail and office complex which included the adaptive re-use of two A-listed heritage school buildings.
- In May 2009, Council approved amendments to the Parking By-law that established reduced parking standards for commercial uses in the Central Broadway C-3A District.

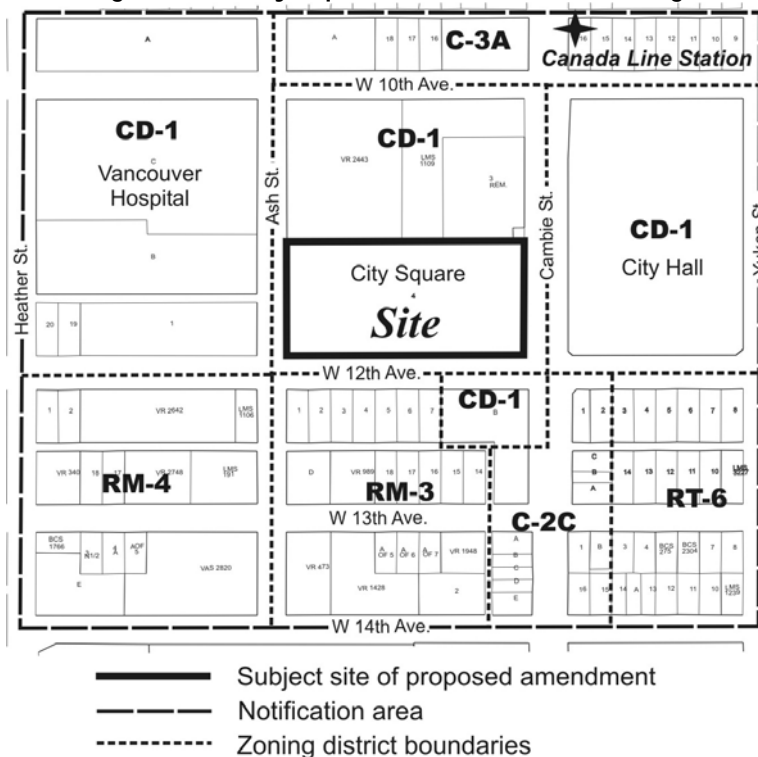
SUMMARY AND PURPOSE

This report analyzes an application by Bunt & Associates, on behalf of City Square Shopping Centre, to revise the CD-1 By-law for 555 West 12th Avenue to introduce a more flexible parking standard for commercial uses on the site. The proposed standard is more suitable to City Square’s location near a Canada Line transit station and it is in keeping with reduced parking standards recently approved for the Central Broadway C-3A District. Staff have reviewed the applicant’s submission and recommend that the draft by-law amendments proposed in Appendix A be referred to a public hearing and be approved, subject to conditions outlined in Appendix B.

DISCUSSION

Background – CD-1 #187 covers all the land bound by 12th Avenue, Ash Street, 10th Avenue and Cambie Street. It comprises four developments built in the late 1980s – two residential strata developments on the north portion, a shopping centre and office complex on the south portion (the subject site), and a City-owned parkade and childcare centre on Cambie Street.

Figure 1 – City Square site and surroundings



The CD-1 By-law currently states that off-street parking and loading shall be provided in accordance with the Parking By-law, except that the cumulative parking requirement of all permitted uses in City Square should not exceed 710 spaces. City Square has a variety of commercial uses including retail, restaurant, office and school of self improvement. The existing parking supply in City Square of 650 spaces meets the Parking By-law standards for the particular mix of uses currently approved on the site. Current use of the existing supply at weekday peak times is approximately 85% and it is considerably lower at other times.

Proposal – City Square now wishes to alter the mix of uses by converting some retail and general office floor space to restaurant and health-care office uses. These uses are permitted in the CD-1 By-law – however, under the Parking By-law, the uses are assessed at approximately double the parking requirement for retail and general office. A development permit, authorizing the desired land use changes, cannot be approved because the cumulative parking requirement would exceed the 710-space limit specified in the CD-1 By-law. Even if this limit were removed, it would not be physically feasible or particularly desirable to retrofit the existing development with more parking spaces.

To resolve this issue, Bunt & Associates Transportation Consultants have undertaken a comprehensive review of City Square's parking needs for current and proposed land uses, and have recommended in their application an alternate parking standard that would allow the shopping centre operators to achieve their desired changes while working with the existing parking supply. The consultant's analysis concludes that the flat-rate standard recently introduced for commercial uses in the Central Broadway C-3A District is appropriate for City Square. That rate is a minimum of one parking space per 70 m² of gross floor area in non-residential uses and a maximum of one space per 40 m². This proposed fixed rate has been shown by the applicant to be appropriate for all commercial uses, based on a testing of combinations of future uses at City Square. Future demand is shown to fit within the existing supply of 650 parking spaces.

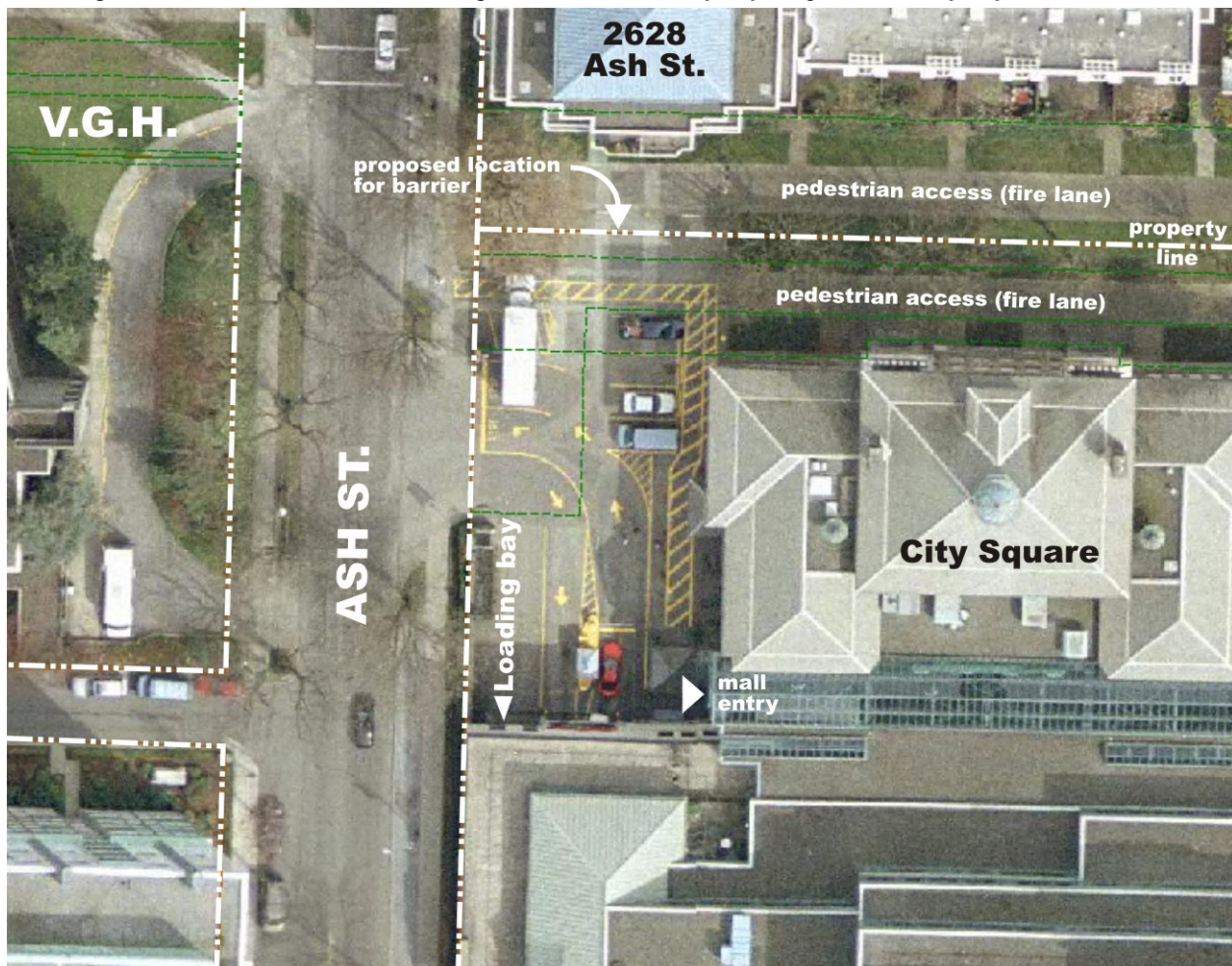
Staff agree that conditions for City Square are very similar to those applicable to Central Broadway. Having reviewed the consultant's study and recommendations, staff endorse the proposed standard which takes into account the proximity of City Square to the new Canada Line transit station at Broadway and Cambie Street. Adopting a flat-rate standard for City Square would extend to the site the leasing flexibility with commercial uses that now exists for other commercial areas in the city that are well served by transit. For the existing residential uses in the CD-1 there would be no changes – they would continue to be regulated by the Parking By-law.

Car-share Vehicles – The new parking standard is also intended to work in tandem with other transportation demand management (TDM) measures being introduced for City Square. Council policy compels staff to look at car-sharing possibilities with large developments. The shopping centre operators have responded by agreeing to provide four car-share vehicles for five years and two permanent dedicated car-share parking spaces as part of the overall TDM strategy for City Square. These vehicles would be available for any member of public who contracts the services of the car-share organisation, and therefore could be used by those in the adjacent strata developments and other nearby residents, or by local workers and Canada Line transit riders.

Bicycles – Also included with the TDM strategy is an increase in the available bicycle parking on the site. No Class A (commuter) spaces are currently provided, so City Square plans to convert some available space in the Lower Shops level into a secure bike room for about 30 bikes. The mall is also in the process of retrofitting staff washroom facilities with showers and change rooms. If the bike room proves inadequate for the demand, the shopping centre will consider adding additional Class A spaces. There are currently 30 Class B (short-term) spaces located in bike racks around the exterior of the building which will be increased to 35 spaces.

Public Consultation – A notice of the application was sent to property owners in the notification area indicated in Figure 1. Only one response was received, from the strata council of the adjacent residential building to the north at 2628 Ash Street. The strata council has no concerns about the proposed change to the parking regulation, however they are concerned about vehicle parking that encroaches onto their property in the auto court located on Ash Street. The auto court provides vehicular access to the shopping centre's underground parking and access to a Class C loading bay for the Safeway store. It also has four Class A loading spaces near the mall entrance, approved for couriers and small deliveries. The property line between the shopping centre and the strata runs across the paved surface on the north edge of the auto court. (See Figure 2, below.)

Figure 2 – Auto court, showing location of the property line and proposed barrier



The north part of the auto court is needed as manoeuvring space for the tandem trucks that access Safeway's loading bay. It also provides access to fire lanes that run along the property line between the shopping centre and the condo complex. Although the area is signed as a fire lane and no parking is permitted anywhere in the auto court except in the courier spaces, in practice the entire area is frequently congested with cars and trucks. What is of greatest concern for the residents of the condo building is mid-size trucks that park north of the property line for extended periods of time with engines or refrigerant systems running.

In the past, wheel stops and bollards have been installed along the property line as a means to keep vehicles off of the strata property, however these devices have not lasted. Two lamp standards located in the area have also not fared well, despite having large concrete bases.

The strata owners' request is that Council's approval of the application be on the condition that the owners of the shopping centre erect a durable barrier to prevent vehicles from parking on their property. The barrier would be designed so that it could be opened by Safeway staff to permit the manoeuvring of the large trucks into their loading bay, but would otherwise stay closed and locked. The gate would be penetrable by Fire and Rescue Services for emergency access.

Staff concur that this request is reasonable and have included a condition in Appendix B that requires City Square to install the barrier. The public pedestrian right-of-way between City Square and the residential development will also benefit if vehicles are kept off of the strata property.

The shopping centre operator agrees to provide the proposed barrier and further to undertake other improvements to the auto court, on both sides of the property line, to provide the necessary barrier elements to stop parking on the strata property and to restore the damaged lighting. They have agreed to hire a landscape architect to design the improvements, in collaboration with their transportation consultant. Improvements proposed for the residential property would be subject to the strata owners' approval.

FINANCIAL IMPLICATIONS

There are no financial implications.

ENVIRONMENTAL IMPLICATIONS

Approval of the rezoning application with the recommended conditions would bring the existing City Square commercial development into greater compliance with the City's Transportation Plan and its Green Building Strategy through encouragement of less automobile use by reducing the availability of parking, by introducing opportunities for car sharing and by making available improved facilities for cycling.

CONCLUSION

Staff have reviewed the application to revise the CD-1 By-law for City Square to introduce a more flexible parking standard for commercial uses and conclude that it is supportable. The Director of Planning recommends that the application be referred to a public hearing, together with the draft by-law amendment contained in Appendix A, and that it be approved subject to conditions outlined in Appendix B.

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555 West 12th Avenue (City Square)
DRAFT AMENDMENT TO CD-1 #187 (BY-LAW NO. 6072)

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

- Replace Section 5 with the following:

5 Parking, Loading and Bicycle Parking

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that, for non-residential uses, there must be no less than one parking space for each 70 m² of gross floor area and no more than one space for each 40 m² of gross floor area, unless any amendment to the Parking By-law results in any lesser requirement, in which case the lesser requirement is to apply.

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555 West 12th Avenue (City Square)
PROPOSED CONDITIONS OF APPROVAL

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

PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- a) THAT, prior to enactment of the by-law to amend the CD-1 By-law, the registered owner (the "owner") shall:
- i) make arrangements, to the satisfaction of the Director of Legal Services, in consultation with the General Managers of Engineering Services and Community Services, for the provision, operation, and maintenance of four car-share vehicles for five years and the provision and maintenance on site of two permanent parking spaces for use exclusively by car-share vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law;

Note to Applicant: Subject to coordination and agreement with the car-share organisation, the car-share vehicles and their designated parking spaces are to be provided as follows:

- 1) One car-share vehicle is to be located in the City Square underground parking in a space permanently designated for a car-share vehicle, secured by a covenant;
 - 2) One car-share vehicle is to be located in a space permanently designated for a car-share vehicle in place of one of the Class A loading spaces in the Ash Street auto court, secured by a covenant, and the loading space moved to the underground parking;
 - 3) Two car-share vehicles are to be located within a four-block radius of City Square in the Resident Parking Permit (RPP) zone and the owner is to be responsible for the monthly/yearly cost of parking the vehicle in the RPP zone as set by the General Manager of Engineering Services, for five years; and
 - 4) All four car-share vehicles are to be maintained by the owner for five years, or the cost of this maintenance is to be paid by the owner to the car-share organisation for five years.
- ii) provide adequate Class A and Class B bicycle spaces as required by the Parking By-law or to the satisfaction of the General Manager of Engineering Services; and
 - iii) provide, to the satisfaction of the General Manager of Engineering Services and the Director of Planning, a durable barrier in the Ash Street auto court to prevent vehicles from parking on the adjacent property to the north.

Note to Applicant: The barrier should be designed with a durable access that opens to sufficient width to permit access by trucks manoeuvring into Safeway's loading bay and is locked at other times. Because of the width of the auto court at this

location, the barrier may be comprised of a gate, posts or other durable elements to effectively prevent vehicles from driving onto the strata property at 2628 Ash Street. The owner is strongly advised to hire a landscape architect to work with their transportation consultant in the design of the barrier and any other improvements proposed for the auto court and the strata property.

Note: Where the Director of Legal Services deems appropriate, agreements related to condition a)(i) above (the "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 agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The 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 agreement, who may consult other City officials and City Council.

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