

SUMMARY AND RECOMMENDATION

4. REZONING: 538-560 West Broadway

Summary: To rezone from C-3A (Commercial District) to CD-1 (Comprehensive Development) District. An increase in the maximum floor space ratio from 3.00 to 4.84 is proposed. Rezoning would allow development of a six-storey building with a mixture of commercial uses.

Applicant: Director of Planning

Recommended Approval: By the Director of Planning, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Studio One Architecture, to rezone 538-560 West Broadway (Lots 3, 4, 5 and 6, Block 360, D.L. 526, Plan 590; PID:015-183-629, PID:003-723-071, PID:007-723-097, PID:008-899-215) from C-3A to CD-1, to permit development of a six-storey commercial building, over three levels of underground parking, generally as presented in Appendix A to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009, be approved, subject to the following conditions:

PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Studio One Architecture Inc., Architect, and stamped "Received City Planning Department, February 25, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Design Development

- (i) design development to improve the detailing and articulation of the materials treatment of the Broadway façade and canopy elements to enhance pedestrian visual interest;

Note to Applicant: Provision of high quality materials and detailed large-scale (1:50) architectural plans, sections and elevations describing the exterior finishes and articulation, including location of signage, weather protection, landscaping and soil depth is required.

- (ii) design development to enhance the roovescape to improve its visual quality as well as its environmental performance through the provision

of a green roof treatment, either intensive or extensive, with modest areas for active uses as outdoor amenity;

Note to Applicant: A green roof treatment is an important component of sustainability for reducing heat island effects. In addition, coordination and screening of mechanical equipment should be undertaken. Access to the roofs outdoor amenity areas should be located to minimize any view impacts of City Hall from False Creek.

- (iii) design development to minimize the impact of mechanical vents;

Note to Applicant: Vents servicing the below-grade parking structure should be located to minimize their impact of the pedestrian environment.

Sustainability

- (iv) compliance with EcoDensity Action Item A-1 with regard to the specific point requirements and identification on the building plans and elevations of all sustainable design features;

Note to Applicant: Clarification and demonstration of the sustainable features establishing a minimum LEED™ Silver equivalent, with a minimum of 3 optimize energy performance points, 1 water efficiency point and 1 storm water point must be shown on the final approved permit drawings.

Landscape Design

- (v) provision of greater coverage for the planters on the third and fifth level deck, in order to provide larger soil volumes for the proposed trees;
- (vi) design development to provide a greener lane edge by setting back part of the ground level in order to provide a 2.0 ft.-wide planter against the blank wall between the gas meters and the recycling area;
- (vii) design development to enhance the pedestrian experience by providing street trees where space permits;

Note to Applicant: Contact Eileen Curran, Streets Engineering, (604.871.6131) to confirm tree planting locations and Park Board staff (604.257.8587) for tree species selection and planting requirements.

- (viii) provision of a full Landscape Plan;

Note to Applicant: The Landscape Plan should illustrate the proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that

is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- (ix) provision of large scale sections (1/4"=1' or 1:50) illustrating the soil depth for all deck planters;

Note to Applicant: The sections should include any guardrails that are attached to the outside edges of the planters.

Engineering

- (x) design development to:
 1. provide Class A bicycle spaces on the first parking level;
 2. provide Class B loading spaces that will serve the largest truck intended to serve the site (confirmation of truck size from tenants is required);

Note to Applicant: Loading bays are to be independently accessible and a consultant's study showing this operation and associated turning swaths is required. Note the current study confirms that the loading bay design requires modifications.

3. modify the design of the parking entry to enable vehicles travelling in either direction on the lane to enter and exit simultaneously and for cars to exit westbound in the lane to Ash Street;

Note to Applicant: A "jug handle" design set deeper into the building to position cars perpendicular to the lane for improved turning may be required.

4. provide separate facilities to contain the proposed garbage compactor outside of the required Class B loading spaces.

Note to Applicant: The compactor can be located at the back of the loading bay but not within the bay itself.

PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, complete the following on terms and conditions satisfactory to the Director of Legal Services:

Engineering

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the following:
 1. consolidate Lots 3, 4, 5 and 6, Block 360, D.L. 526, Plan 590 into a single parcel;
 2. provision of a surface right of way over that portion of the site along Broadway between the northerly property line and the above-grade

building setback, measuring 1.9 m at the east property line, tapering to a 0.55 m at the west property line;

3. undergrounding of all utility services from the from the closest existing suitable service point;

Note to Applicant: All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Branch. Early contact with the Utilities Branch is recommended.

4. removal or relocation of the wooden utility poles in the lane to ensure adequate two-way traffic flow in the lane and to ensure unobstructed access into the loading bays; and
5. provision of a concrete lane crossing at the intersection of Ash Street and the lane south of Broadway.

Community Amenity Contribution

- (ii) secure the purchase and transfer of heritage density with value of \$603,400 from a suitable donor site.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as 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 preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (C-3A), as set out in Appendix C to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009, be approved; and
- C. THAT, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law following approval and enactment of the CD-1 By-law to establish regulations for this Comprehensive District in Schedule B, as set out in Appendix C to the Policy Report, "*CD-1 Rezoning - 538-560 West Broadway*", dated September 22, 2009; and

- D. THAT, the registered property owner shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner of a suitable donor site for the purchase of heritage density as described in this report.

(RZ. - 538-560 West Broadway)