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CITY OF VANCOUVER  
PLANNING & DEVELOPMENT SERVICES

DEVELOPMENT PERMIT STAFF COMMITTEE  
MEETING  
January 6, 2021

FOR THE DEVELOPMENT PERMIT BOARD  
February 8, 2021

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2465 Arbutus Street (formerly 2103 W Broadway)  
DP-2018-00488– C3-A

(COMPLETE APPLICATION)  
KS/JS/OE/JC

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**DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS**

**Present:**

J. Greer (Chair), Development Services  
J. Olinek, Urban Design & Development Planning  
J. Turecki, Engineering Services

**Also Present:**

K. Spaans, Urban Design & Development Planning  
O. Eriksson, Urban Design & Development Planning  
J. Smallwood, Development Services  
J. Catarino, Development Services  
E. Tsang-Trinaistich, Development Services

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**APPLICANT:**

Daniel Dirscherl  
1684 West 2<sup>nd</sup> Ave  
Vancouver, BC  
V6J 1H4

**PROPERTY OWNER:**

Bastion Properties (Arbutus) Ltd  
500 – 1681 Chestnut Street  
Vancouver, BC  
V6J 4M6

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**EXECUTIVE SUMMARY**

- **Proposal:** To develop the site with an eleven-storey mixed-use building consisting of Retail use on the first storey and Dwelling use (79 units) from the second to eleventh storeys, all over two levels of underground parking, providing parking for the rear adjacent site 2106 W 8th Avenue (DP-2018-00490), and having vehicular access from the lane. The applicants are proposing to purchase Heritage Amenity Shares to obtain a 10% density bonus.

See Appendix A      Standard Conditions  
Appendix B      Standard Notes and Conditions of Development Permit  
Appendix C      Plans and Elevations  
Appendix D      Applicant's Design Rationale

● **Issues:**

1. Height, massing and contextual fit;
2. Enhanced corner plaza and public realm; and
3. Adjacency to future Arbutus Millennium Line subway station and transit hub.

- **Urban Design Panel:** Support without Recommendations (7-0)
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**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DP-2018-00488 submitted, the plans and information forming a part thereof, thereby permitting the development of an eleven-storey mixed-use building consisting of Retail use on the first storey and dwelling use (79 units) from the second to eleventh storeys, all over two-levels of underground parking, providing parking for the rear adjacent site 2106 W 8th Avenue (DP-2018-00490) having vehicular access from the lane, subject to the following conditions:

**1.0 Prior to the issuance of the development permit, revised drawings and information shall be submitted to the satisfaction of the Director of Planning, clearly indicating:**

1.1 design development to strengthen the architectural expression of the tower, particularly as it presents at the southeast corner of the site, in order to better denote the intersection of W Broadway and Arbutus St as an important place in the community. This may be achieved by way of the following recommended design strategies:

- a. presenting a more unified architectural concept that reads cohesively from multiple aspects;

**Note to Applicant:** The combination of staggered balconies, architectural frame / lens elements, and slab extensions at the roof level results in an architectural expression that may appear over-complicated when compared to the orderliness of the west wing of the building, particularly when viewed from the intersection.

- b. tracing the materiality, articulation, or other architectural treatment of the corner plaza soffit up the southeastern corner of the building;

**Note to Applicant:** The treatment of the corner of the tower should also be used as an opportunity to afford the plaza more formal prominence at the intersection. Also refer to Recommended Condition 1.2.

- c. reshaping the overall massing of the tower, with consideration given to pronounced articulation of the roof line, at the corner of the building;
- d. giving consideration to a material and colour palette that affords the tower greater prominence while remaining sympathetic to the character of the context; and / or,
- e. introducing an architectural lighting strategy that adds visual interest and character to the building at all hours;

**Note to Applicant:** While prominent architectural lighting is strongly encouraged as a means to provide for pedestrian comfort, visual interest, and as a component of the CPTED strategy, consideration must be given to measures intended to mitigate the potential impacts of feature lighting on building residents and neighbours. Lighting should generally be oriented away from adjacent residential neighbourhoods.

1.2 design development to improve the performance of the corner plaza by providing direct primary access between the plaza and the southeastern-most commercial retail unit, and more strongly denoting the public corner plaza in the expression of the building form. This may be achieved by way of the following recommended design strategies:

- a. introducing measurable articulation of the soffit such as a vertical chamfer, angling, tessellation, or other design measure visible from multiple aspects;

**Note to Applicant:** The soffit-suspended design feature suggested in the application materials provides visual interest for those standing directly beneath the building overhang, but does not provide for enhanced distant views, or connote the corner plaza as a publicly accessible amenity.

- b. reconfiguring the balconies, architectural frame / lens elements, and materiality at the southeast corner of the building such that the corner of the tower is afforded formal prominence; and / or,

**Note to Applicant:** Also refer to Recommended condition 1.1.

- c. other architectural-scale design measures intended to measurably improve the performance and prominence of the corner plaza.

1.3 design development to improve the interface between the building and the W Broadway public realm by way of the following design strategies:

- a. introducing landscaped recesses between discrete commercial retail units or elsewhere at the south side of the property; and,

**Note to Applicant:** The design of the landscape within the site boundaries should anticipate the eventuality that the final design for the public realm may not include two rows of substantial street trees as shown. Discontinuity in the glass canopy may be supported to provide for enhanced landscaping. Also refer to Landscape Review condition A.1.15 i.

- b. more clearly expressing at-grade commercial retail units as discrete and architecturally delineated building elements to better align with the objectives for neighbourhood character in the *Broadway-Arbutus C-3A and 2000 Block West 10th Avenue (North Side) Guidelines*.

**2.0 That the conditions set out in Appendix A be met prior to the issuance of the Development Permit.**

**3.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.**

• Technical Analysis:

Technical Review For:		2465 Arbutus St.		Zone:	C-3A	
Imperial		Permitted/Required		Proposed		
Site Size <sup>1</sup>				115	x	199.67 ft.
Site Area <sup>1</sup>				23,000.00 sq.ft.		
Frontage				199.67 ft.		
Setbacks <sup>2</sup>	Front Yard	0 ft.		Front Yard - S	12.92 ft.	
	Rear Yard	0.17 ft.		Rear Yard - N	5.17 ft.	
	Resid. Rear Yard	14.93 ft.		Resid. Rear Yard - N	15 ft.	
	Side Yard	0 ft.		Side Yard - E	9.83 ft.	
	Side Yard	0 ft.		Side Yard - W	0 ft.	
Height <sup>3</sup>	Outright:	30.18 ft.		Top of Guard	122.37 ft.	
	Conditional:	70 ft.		Top of Trellis	<u>127.7</u> ft.	
FSR <sup>4</sup>				Retail:	0.20	
				Dwelling:	3.18	
	Conditional Total:		3.00			
	Heritage Amenity Share Max.		<u>3.30</u>	Total:	<u>3.38</u>	
Floor Area <sup>4</sup>				Total Retail:	4,590.00	
				Total Dwelling:	71,497.00	
				Total Proposed:	76,087.00	
				Balcony Overage:	1,711.24	
	Total:		<u>75,900.00</u>	sq.ft.	Combined Total:	<u>77,798.24</u>
Balcony:	Total:	8%	5,719.76 sq.ft.	Total:	10%	7,431.00 sq.ft.
Storage:				Total:	3,040.00 sq.ft.	
Amenity:	Total:	10,760.00 sq.ft.		Total:	9% 7,025.00 sq.ft.	
Dwelling Unit Type				Type	%	No.
				Studio	0%	0
				One Bedroom	51%	40
				Two Bedroom	46%	36
				Three Bedroom	4%	3
			Total:	100%	79	
Horizontal Angle of Daylight				Satisfied		

Parking <sup>5</sup>	<i>Retail:</i>				Retail							
	Standard:			6	Standard:			9				
	Small Car:	25%		1	Small Car:			0				
	Disability:			0	Disability:			1				
	<i>Dwelling:</i>				Dwelling:							
	Standard:			71	Standard:			57				
	Small Car:	25%		18	Small Car:			29				
	Disability (>=7 units):			3	Disability:			3				
	<i>Townhouse Site:</i>				Townhouse:							
	Standard:			7	Standard:			10				
	Small Car:	25%		2	Small Car:			0				
	Disability (>=7 units):			1	Disability:			0				
					Visitor:							
					Standard:				6			
					Small Car:				1			
	Total Standard:				84	Total Standard:				82		
	Permitted S/C:				25%	21	Total Small Car:				36%	30
	Total Disability:				4	Total Disability:				4		
	Total Visitor:				0	Total Visitor:				7		
Overall Total:				<u>84</u>	Overall Total:				<u>120</u>			
Loading	Class	A	B	C	Class	A	B	C				
	Total	<u>0</u>	<u>1</u>	<u>0</u>	Total	<u>0</u>	<u>2</u>	<u>0</u>				
Bicycle <sup>6</sup>	Use		Class A	Class B	Class A		Class B					
	Retail:		1	0	<u>99</u>		<u>6</u>					
	Dwelling:		99	6								
	Townhouse:		8	0								
	Total:		<u>108</u>	<u>6</u>								
	Locker:		20%	22	Locker:		0%	0				
	Horizontal:		50%	54	Horizontal:		92%	91				
	Vertical:		30%	32	Vertical:		8%	8				
	End of Trip Facilities:				End of Trip Facilities:							
	Clothing Lockers		1		Clothing Lockers		0					

**Review Notes:**

**<sup>1</sup>Note on Site Size and Site Area:** The site area has been based on the provided survey.

**<sup>2</sup>Note Setbacks:** Approximately 6 ft. (1.83 m) of the site abuts a 10 ft. (3.1 m) partially undeveloped lane at the rear of the site. After decreasing the lane width from the ultimate centreline of the lane to the property line, non-residential uses requires a 5.17 ft. (1.6 m) rear yard/setback for the 6 ft. (1.83 m) portion and residential uses require 19.93 ft. (6.1 m) rear yard/setback. The non-residential setback is not compliant and confirmation of compliance with Rear Yard/Setback requirements has been requested through Standard Development Review Branch condition A.1.7.

**<sup>3</sup>Note on Height:** The Development Permit Board may permit an increase in height as per Section 4.3.2 of the C-3A District Schedule beyond the conditional approved height set out in the *Broadway- Arbutus C-3A and 200 Block W 10<sup>th</sup> Avenue (North Side) Guidelines* of 70 ft. (21.3 m). An interpolated height of 127.37 ft. (38.8 m) has been calculated to the top of trellis with an assumed geodetic elevation of 251.33 ft. (76.6 m) and an interpolated base grade of 123.63 ft. (37.7 m). Should the trellis structure be removed, height would then be calculated to the top-of-guard with an approximate height of 122.37 ft. (37.3 m).

**<sup>4</sup>Note on FSR and Floor Area:** This application is seeking a 10% additional density beyond the permitted 3.0 FSR through Heritage Amenity Shares to a maximum 3.3 FSR as per Section 4.7.1(b) of the C-3A District Schedule. However, the proposed floor area exceeds the maximum permitted floor area and confirmation of compliance with floor space ratio requirements has been requested through Standard Development Review Branch condition A.1.5.

**<sup>5</sup>Note on Parking:** This development application is proposing to satisfy the parking requirements for the rear adjacent site, 2106 W 8<sup>th</sup> Avenue (DP-2018-00490) which would be secured through an offsite parking agreement. Confirmation of compliance with parking requirements has been requested through Standard Development Review Branch condition A.1.8.

**<sup>6</sup>Note on Bicycle:** Bicycle parking shall be in accordance with Section(s) 6.2.1.2 and 6.2.5.1 of the 2018 Vancouver Parking By-law. A total 100 Class A bicycle spaces are required for this application and proposed Class A bicycle parking is deficient by one (1) space and does not comply with the required Class A bicycle types. A combined total of 108 spaces are required for both this application and 2106 W 8<sup>th</sup> Avenue (DP-2018-00490) and has been reflected in the above technical table. Confirmation of compliance with Section 6 of the Parking By-law has been requested through Standard Development Review Branch condition A.1.9.

• **Legal Description**

Lot: 11, 12, 13, 14  
 Block: 324  
 District Lot: 526

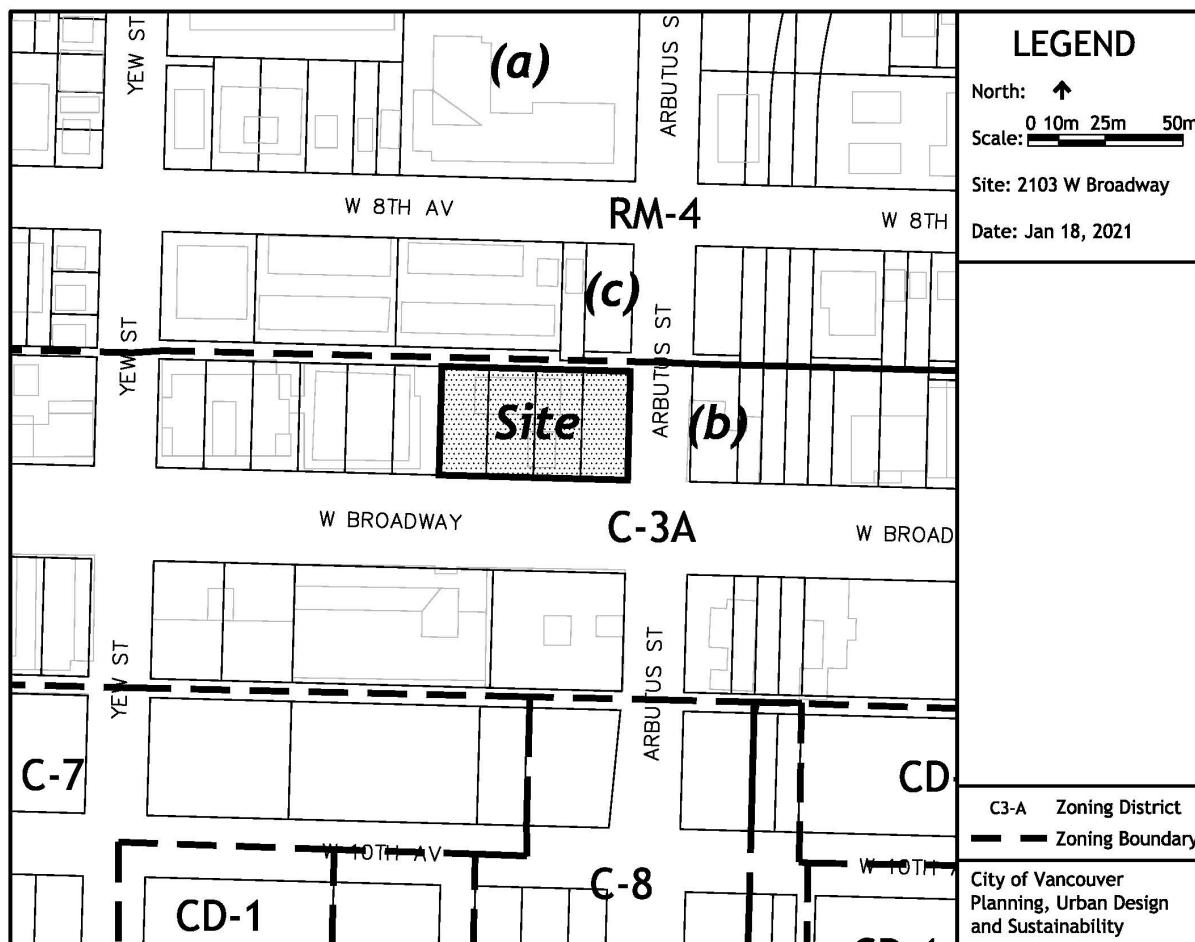
• **History of Application:**

18 06 01 Application Submitted  
 20 09 24 Complete DP submitted  
 20 11 25 Urban Design Panel  
 21 01 06 Development Permit Staff Committee

• **Site:** The site is located at the northwest corner of Arbutus St and W Broadway. An east-west lane extends the length of the north property line, but has never been paved to span the full distance between Yew St and Arbutus St. Subsequently, it has been encroached upon by the residents of 2124 and 2112 W 8<sup>th</sup> Ave, who have adopted it as additional green space. A number of mature trees are located within the lane.

• **Context:** Significant adjacent development includes:

- a) St. Augustine School;
- b) Future Arbutus Broadway Subway station and bus exchange;
- c) 2106 W 8th Avenue Development Permit application site



• **Background:**

Currently occupied by a gas station constructed in the mid-1960s, the site sits at the intersection of two important arterials in the west side of Vancouver: Arbutus St and W Broadway. The prominence, visibility, and high degree of accessibility of the site demands that any redevelopment is pursued with due consideration given its long-term impacts on the image of community, and the subsequent neighbourhood evolution which it may stimulate. It is, therefore, a site of noteworthy significance to the area, and made even more so by the upcoming addition of the Arbutus-Broadway subway station and transit interface directly across Arbutus St.

While the *C-3A District Schedule* and the *Arbutus C-3A and 200 Block W 10<sup>th</sup> Avenue (North Side) Guidelines* predate the announcement of the Broadway Subway, these documents provide for new development that is significantly higher performing both from the perspective of land economics, and urban design. Discretionary increases in density up to 3.0 FSR, and height up to an anticipated maximum of 21m (70ft) per the *Guidelines*, are provided for here as a means to sympathetically evolve this part of W Broadway away from a predominantly low-to-mid-scale office district, to a more vibrant and attractive mixed-use area with a stronger, high-quality, urban expression. Public utility and pedestrian enjoyment are prioritized as a means to attract and support local businesses. Contextual fit, particularly with neighbours to the north, is highlighted as critical to any proposal, and architectural excellence is a minimum condition of any discretionary development application.

With an overall prospective height of 30m (127ft), the development permit application represents a significant departure from a key element of the development parameters put forth by the current zoning documents: maximum height. The proponent is pursuing such a significant relaxation, in part, to compensate for floor area lost to enhanced setbacks from W Broadway and Arbutus St., and to accommodate repositioned massing from the podium to mitigate overshadowing of the properties to the north.

Staff have reviewed this proposal through the lens of both existing contextuality and potential for future growth, with the further expectation that the application would provide an enhanced corner plaza and public realm, and would achieve a superior architectural design standard as minimum conditions for the proposed discretionary increase in height. Considering the sensitive nature of the context, significant weight has been given to the results of public engagement, which revealed a mixed response. While feedback erred significantly toward support, a number of neighbours expressed concern about the additional height, misalignment with the approved *Guidelines*, and concerns related to increased density in the area. One nearby strata issued a letter of support for the proposal, and another submitted a letter of opposition. On November 25, 2020, the proposal was seen by the Urban Design Panel, receiving unanimous support without recommendations.

The proposal falls within the boundaries of the ongoing Broadway Community Plan but, being that it is being reviewed as a Development Permit application and not a Rezoning application, staff are permitted to process it under the provisions of adopted zoning.

• **Applicable By-laws and Guidelines:**

- *C-3A District Schedule* (2018, last amended 2020)
- *Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue (North Side) Guidelines* (2004, last amended 2019)
- *High-Density Housing for Families with Children Guidelines* (1992, last amended 2020)



• **Response to Applicable By-laws and Guidelines:**

**C-3A District Schedule**

The proponent seeks that the Development Permit Board exercise its authority to provide a relaxation to the base height of 9.2m (30ft) per Section 4.3 of the *District Schedule*. Staff recommend support of this relaxation, subject to provision of an enhanced public realm and plaza, and demonstration of compliance with the stipulations for discretionary height increases as outlined in Section 4.3 of the *Guidelines*.

In aspects of use and density, the proposal complies with the provisions of the *District Schedule*.

**Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue (North Side) Guidelines**

Approval of the proposal requires that the Development Permit Board exercise the aforementioned authority granted it by Section 4.3 of the *District Schedule* to approve a significant height relaxation well beyond the discretionary, and highly conditional limit anticipated in the *Guidelines*. New developments are expected to spur the evolution of the area as an attractive, vibrant, pedestrian-oriented, mixed-use area which unifies Broadway and Arbutus St. while interfacing sympathetically with the smaller-scale nature of the existing context. A maximum conditional development envelope up to 21m (70ft) for up to 50% of a frontage over 38m (125ft), and up to 16.8m (55ft) for up to 67% of the frontage, is expected for the site subject to the following key urban design performance criteria:

- a. overshadowing or overlook impacts to adjacent residential areas are demonstrably mitigated;
- b. a better scale relationship to adjacent buildings is created;
- c. intrusion on private views is minimized;
- d. on-site street level public open space is achieved;
- e. a slimmer building form results; and
- f. overall livability of the residential units is improved.

Notwithstanding the maximum height stipulated in the *Guidelines*, the subject application proposes an overall height of approximately 39m (127ft) for approximately 50% of the frontage, or 17m (57ft) over the expected maximum. The proponent cites better overall urban design performance, particularly as regards overshadowing of properties to the north, as grounds to entertain this relaxation. The podium of the building, representing the western 50% of the W Broadway frontage, is approximately 12m (38ft) high, whereas a part could have extended an additional 5m (17ft). The podium steps down two storeys from south to north to further reduce shadow impacts.

Being that the corner tower element continues to occupy the remaining 50% of the frontage, and is taller than anticipated, it is therefore not considered demonstrably slimmer than the *Guidelines* form. Whereas the anticipated form of development, results in a shadow that traces roughly to the curb line of Arbutus St. on the Spring and Fall equinoxes, the proposed tower results in a longer shadow with roughly the same breadth, terminating at near the centre line of the street.

A strong residential component above the street level is encouraged in order to grow the local resident population, and provide for successful businesses. Retail uses, intended to enliven the public realm, are generally anticipated to wrap the corner of W Broadway and Arbutus St. Staff have noted that provision of a high-performing, enhanced public realm and corner plaza, and excellent architectural expression, are minimum qualifiers for a discretionary development at the subject site. The applicant has responded by proposing a covered public plaza on to which a commercial unit fronts. Access to a residential lobby is located at the northwest side of the building off of a secondary plaza. While staff are generally satisfied with the approach to the public realm design, staff have prepared Recommended Conditions 1.1 and 1.2 which stipulate enhancements to the design of the soffit extending over the corner plaza along with other modifications to the design of the building intended to give the corner more prominence.

### ***High-Density Housing for Families with Children Guidelines***

The project generally complies with the provisions of the *Guidelines*. Proposed common amenities include a rooftop lap pool and adjacent outdoor dining area with garden, a workshop, a gym, and amenity room with kitchen. As no children's play area is provided in the proposal, nor confirmation that the development is within a ten-minute walk of a public playground, staff have prepared Standard Condition A.1.1.

- **Conclusion:**

The proposal at 2103 W Broadway represents a significant intervention at a high-profile and uniquely diverse intersection, within the highly discretionary C-3A district. While the proposed building form is consequential, particularly considering the lower form of the existing, older context, it serves to mark a burgeoning mixed-use urban neighbourhood, and reflects the potential evolution that may come to this part of W Broadway following the completion of the Broadway subway.

Staff recommend approval of this proposal subject to the outlined Recommended Conditions and those in Appendix A.

### **URBAN DESIGN PANEL**

The Urban Design Panel reviewed this application on November 25, 2020, and provided the following comments:

#### **EVALUATION: Support without Recommendations (7-0)**

- **Introduction:**

Development Planner, Kevin Spaans, provided an introduction and general overview of the regulatory framework, urban context, and the proposed development, as follows:

The subject site is at the junction of a number of different zones: sites directly fronting W Broadway, including the subject site, are zoned C-3A, with the area directly north zoned RM-4; properties south of W Broadway are zoned C-7, C-8, and CD-1; and, a strip M-1 designates the Arbutus Greenway. Those properties zoned C-3A are subclassified from other locations further east along the corridor as 'Broadway-Arbutus C-3A' sites. A gas station has occupied the property since the mid-1960s.

Much of the immediate C-3A context was built out to a mid-scale between the late-1960s and the late-1980s, with the exception of 2080 W Broadway to the southeast which, at eight storeys and constructed in 2012, is both the tallest and the newest building in the vicinity. With the addition of the Arbutus Broadway subway station and transit interchange directly across Arbutus St. there stands to be significant development pressure that may see the context evolve in the near future. Staff have reviewed this proposal through the lens of both existing contextuality and potential for future growth, and with the understanding that the application would provide an enhanced corner plaza and public realm in exchange for a discretionary increase in height.

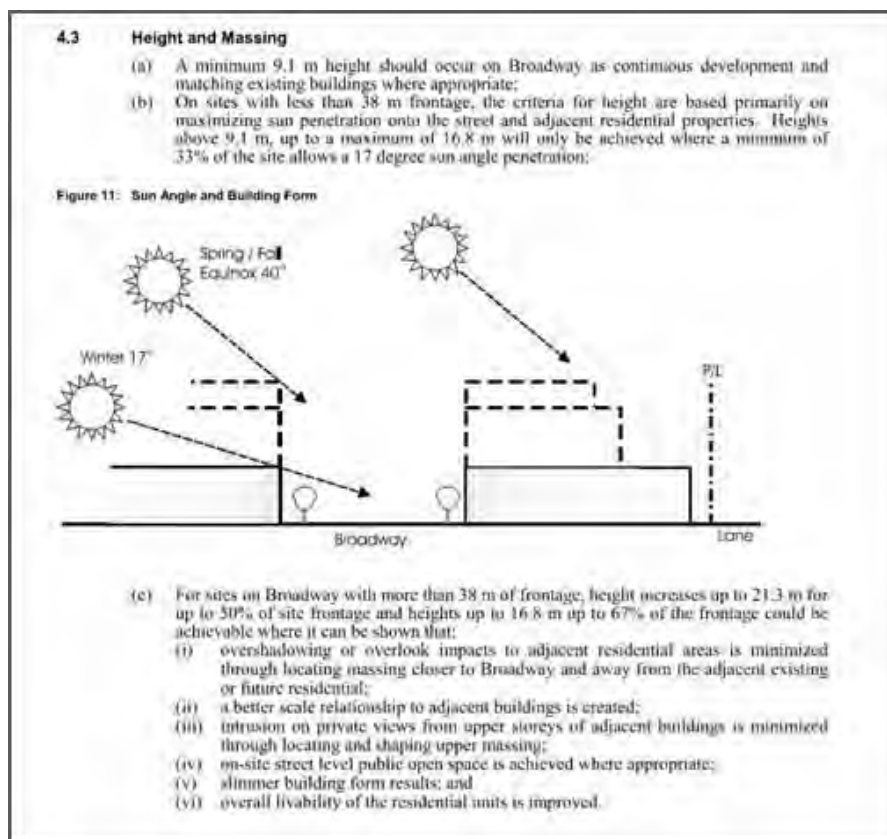
The application is governed by the *C-3A District Schedule* which anticipates a building with a discretionary density of 3.0 FSR and an unlimited but highly conditional height increase. As with all sites zoned C-3A, the primary limit to the form of development is the maximum achievable density. The *Broadway-Arbutus C-3A and 200 Block W 10<sup>th</sup> Avenue (North Side) Guidelines* provides the urban design framework against which applications are reviewed and discretion is provided. The *Guidelines* outline a series of objectives for development in the area, including: contributing to an attractive, vibrant area which unifies Broadway and Arbutus St; ensuring compatibility of city-serving retail, office and service uses with the surrounding neighbourhood; encouraging a strong residential component above

the street level; ensuring form and design that enhances the public and private realms, including consideration of sunlight access and views; and, provision of an enhanced pedestrian-friendly streetscape. The *Guidelines* also set out a framework for the provision of discretionary height relaxations, paramount of which being the quality of on-site street level public open space. Buildings within the area are generally anticipated to be approximately 21.5m (70ft) in height.

Proposed is an 11-storey strata residential building with a density of 3.0 FSR (proposed 3.0 FSR + 10% heritage bonus). The overall height of the building is approximately 36.8m (120ft) as put forward in the application. The main level is comprised of commercial retail units, a public plaza at the southeast corner, and a residential entrance facing Arbutus St and the lane. An application has also been submitted by the developer for a townhouse development directly to the north of the site, fronting Arbutus St, which relates formally to tower building. While this application is not under review by the Panel, information pertaining to that proposed building is provided for reference, and the Panel is asked to consider the relationship between the two sites when providing their analysis.

The proposal falls within the boundaries of the ongoing Broadway Community Plan but, being that it is being reviewed as a Development Permit application and not a Rezoning application, staff are permitted to process it under the provisions of adopted zoning.

**Advice from the Panel on this application is sought on the following:**



**Architectural Expression, Mass, and Height**

1. Please provide feedback on the overall form, massing, and architectural expression of the proposal with due consideration given to the following:
  - a. the intents of the *Design Guidelines*;
  - b. the relationship between the tower, the townhouse development, and the adjacent RM-4 neighbourhood.

2. To inform the provision of a discretionary height relaxation beyond that anticipated by the *District Schedule* and the *Design Guidelines*, please comment on the following:
  - a. the level of compliance with the provisions for discretionary height relaxations in the design guidelines (provided);
  - b. the quality of the public realm, with particular consideration given to the corner public plaza.

• **Applicant's Introductory Comments:**

The project development consultant, Brent Toderian, noted that throughout the design process the applicant team has embarked on serious engagement with the adjacent neighbours to the north who have the most potential to be impacted by the development. These neighbours have expressed a desire for a slimmer and taller building, and with their feedback, the applicant team has conceptualized the 11-storey building proposed.

Project architect, Walter Francl, reiterated that the site is across from the future Arbutus Broadway subway station. As a result, there are substantial enhanced setbacks required: 10ft off of Arbutus St, and 13ft off of W Broadway, plus an additional 5ft from the rear of the site.

Mr. Francl noted that the massing is located as far east as possible to minimize overlook issues and shadowing of the adjacent properties. Shadow studies were completed to demonstrate the impacts to daylighting of the existing residential units, and are provided in the review documents.

Balconies and screening devices contribute to the performance of the building as a sustainable development, with balconies providing enhanced solar shading. To mitigate thermal bridging as much as possible, the balconies are thermally broken from their adjacent slabs. Vertical screens provide for additional privacy at balconies and windows, as well as solar shading.

Material include limestone and slate for the exterior of the building with some other wood accent features on the soffits. This expression is carried consistently across all façades, so that the whole building reads as a cohesive expression.

The landscape architect, Joseph Fry, then presented the design logic for public and semi-public areas. For residents, there is large outdoor amenity deck above the podium, and a smaller one further up. At grade, there is a public plaza at the southeast corner with weather protection provided by the overhanging building. The applicant noted that this area is anticipated to be animated with well-used retail spaces such as a café. The plaza is supplemented with a larger sidewalk to accommodate increased pedestrian activity.

Along Arbutus St, there are proposed to be street trees, seating, and planting to create a sense of publicness the continuous through the lobby entrance. Mr. Fry noted that there is intended to be a strong a transparent indoor and outdoor relationship between the plazas and the residential lobby and amenity room.

Overall, there is a desire to see a significant increase in the number of trees on the site, with a potential for approximately 40 additional trees on and off the site.

Mr. Toderian noted that the applicant team is aiming for passive house targets for the building, and are looking to do so with a compact design approach. The window to wall ratio is 46 percent, as currently presented.

Staff and the applicant team then took questions from the Panel.

**Panel’s Consensus on Key Aspects Needing Improvement:**

Having reviewed the project, it was moved by **MR. DAVIES** and seconded by **MS. ENMAN** and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORTS** the project.

• **Related Commentary:**

The Panel expressed general support for the approach to massing and the discretionary increase in height. Panelists felt that the proposal demonstrated a strong public realm design, and was confident that issues of shadowing were sufficiently responded to enough to support the relaxations sought. Panelists felt that the location of the café was well-selected and will contribute to the activation of the plaza, however some felt that more could be done to open the commercial retail unit up to the plaza.

Panelists noted that more activation of the public plaza would be welcomed, as well as attempting to link together all the public spaces provided.

Panelists recognized that the applicant is meeting the intent of the *Guidelines* well, and that the design response is well done. The Panel further commended the applicant for their strong public engagement strategy.

The panelists felt that the relationship with the townhouses to the north was successful, and that the partial lane was well designed.

The Panel noted that the transparency of the amenity room at grade, and the detailing of the soffits and street seating are all very strong features.

Some panelists believed that some further design development could be explored to simplify the articulation of the tower, and strengthen the overall approach to the building massing. A panelist felt that the building design may be moderately improved if it was a slimmer, taller form.

- **Applicant’s Response:** The applicant team thanked the panel for their comments.

**ENGINEERING SERVICES**

The recommendations of Engineering Services are contained in the prior-to conditions noted in Appendix A attached to this report.

In order to comfortably and safety accommodate the significant pedestrian volumes expected around the perimeter of the site, and future geometric changes around the site, rights of way are sought along Arbutus St. and Broadway.

Separately from this permit, but contextually relevant, is the lane along the rear of the property. For some time, this lane has been used by the adjacent strata buildings at 2124 W 8<sup>th</sup>, and 2168 W 8<sup>th</sup>. Because of the Broadway Subway, associated changes to street use and geometry, and potential changes to land use, it is important that this existing City lane be opened to vehicle traffic. Doing so will allow for accommodation of loading, passenger, and service vehicles, eliminate the existing dead end condition, and allow for improved circulation.

As with other projects adjacent unimproved lanes, the construction of the lane is required as a condition of this development permit, however notification and communication with the two stratas with existing encroachments will be undertaken through a separate process lead by the City.

### **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

The recommended Crime Prevention Through Environmental Design (CPTED) conditions are contained in Appendix A, attached to this report.

### **LANDSCAPE**

The street trees indicated in the application materials do not reflect a coordinated design reviewed and approved by Engineering.

The recommended Landscape conditions are contained in Appendix A, attached to this report.

### **HERITAGE PLANNING**

The recommended Heritage Planning conditions are contained in Appendix A, attached to this report.

### **ENVIRONMENTAL PROTECTION BRANCH**

The recommended Environmental Protection Branch conditions are contained in Appendix A, attached to this report.

### **BUILDING REVIEW BRANCH**

This Development Application submission has not been fully reviewed for compliance with the Building By-law. The applicant is responsible for ensuring that the design of the building meets the Building By-law requirements. The options available to assure Building By-law compliance at an early stage of development should be considered by the applicant in consultation with Building Review Branch staff.

To ensure that the project does not conflict in any substantial manner with the Building By-law, the designer should know and take into account, at the Development Application stage, the Building By-law requirements which may affect the building design and internal layout. These would generally include: spatial separation, fire separation, exiting, access for physically disabled persons, type of construction materials used, fire fighting access and energy utilization requirements.

### **NOTIFICATION**

On October 20, 2020, 2,796 notification postcards were sent to neighbouring property owners advising them of the application, and offering additional information on the city's website. In addition, two site signs were installed on the property, one along W Broadway and one along West 8<sup>th</sup> Avenue. The signs were installed on October 20, 2020 offering information about the development with direction to the City's Development Permit Board website.

A virtual open house was held between Monday, October 26<sup>th</sup>, 2020 and Sunday, November 1<sup>st</sup>, 2020 on the Shape Your City website. Attendees were able to view the application drawings and a three dimensional model of the proposed development. There were five hundred and ten (510) visits to the website during the open house period and seven (7) questions were submitted. Staff responses to the questions are summarized below:

- There was interest in the proposed timeline for remediation of the existing gas station;

Staff noted that the applicants intend to complete the remediation concurrently with the excavation and it is anticipated that this will not add to the project time.

- Why the project includes a Heritage Density Bonus;

The applicants have applied to purchase Heritage Amenity Shares for the project. The application was submitted considering this request.

- Respondents requested clarification:
  - a. as to how the Development Permit application could proceed given the current Broadway Corridor Planning work currently being completed, and

Currently there is a moratorium regarding the processing of new rezoning application along the Broadway Corridor, however the City is processing Development Permit applications applied for using the existing district schedules. This application was submitted considering the existing C-3A District Schedule and regulations.

- b. of the height restriction on building west of Burrard Street;

Per the C-3A District Schedule (4.3.2), conditional increases in height beyond the maximum height may be permitted subject to the approval of the Director of Planning or the Development Permit Board, following their review of the proposal against the considerations outlined in sentences a through f, the Broadway-Arbutus C-3A Design Guidelines forming a part of those considerations.

- c. regarding the proposed density for the site given the location of the future Translink Station; and

The proposed density is consistent with the density regulations of the C-3A District Schedule.

- d. Regarding the proposed number of parking spaces given the adjacency to public transit.

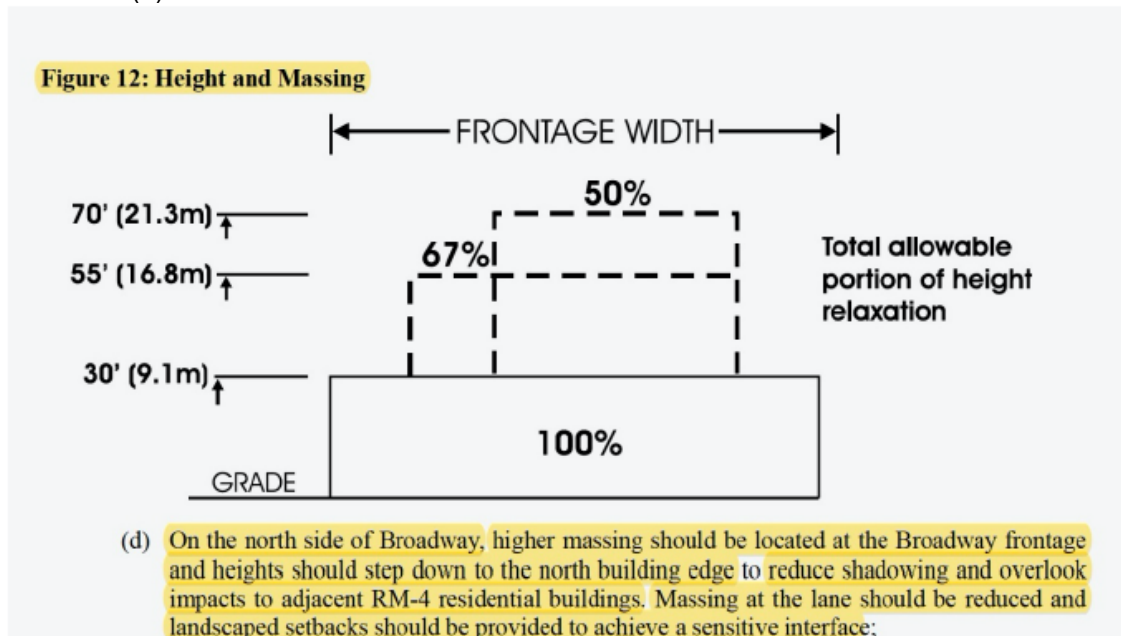
The City has policies which provide for reduced parking requirements for buildings with good access to transit and those which provide Transportation Demand Management measures that support walking, cycling and transit usage. Most developments in the City, outside of downtown, do not have maximum parking allowances and the provision of Transportation Demand Management measures is optional. These policies are intended to allow for a market based provision of parking in new buildings. The project in question is in compliance with the Parking By-law with respect to vehicle parking spaces, passenger pick-up/drop off spaces and bicycle parking.

**As of November 24, 2020**, a total of 119 comments were received from the Virtual Open House and notification. Eighty-seven (87) responses expressed support for the project, while 18 residents were opposed and 14 were mixed about the proposal, however provided feedback. Although respondents expressed support for the project, they also provided some feedback regarding the proposal. It is important to note that letters were received from two Stratas in the immediate vicinity surrounding the application. One letter was in support of the proposal and noted:

- the taller, slimmer building provides greater benefits to the community and decreases the shadow impacts to the neighbourhood, although the strata actively opposes the City's current height and massing guidelines for the Broadway Corridor as they will result in an acute detriment to the value of homes in the area;
- the proposal maintains the existing rear lane condition where there are a number of mature trees, provides open space and a safe area for children to play;
- opening the lane will result in increased traffic; and
- the engagement process utilized by the applicant was applauded as design elements were included to address concerns from strata members.

The second local strata opposes the application based on its non-compliance with the City of Vancouver's policies and guidelines which are currently applicable. The letter specifically outlines:

- that the proposed height and built form are contradictory to the Broadway Arbutus Policies and Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue (North Side) Guidelines, specifically Section 4.3(d) which illustrates and states:



- the height is problematic as the policies generally limit heights to a maximum of 55 feet, with consideration of height relaxations up to 70 feet;
  - o the additional height overshadows and creates overlook impacts to adjacent areas; and
  - o does not create a better scale relationship to the adjacent built form.

A summary of the notification comments is provided below and is divided into comments of support and opposition.

Comments of support for the project include:

- placing density adjacent to a new transit station was well received and many noted that additional density would be supported at this location given the proximity to the future transit station;
- provides much needed units and housing options in the City;
- consider the proposed building to be aesthetically pleasing;
- consider the proposed height and massing appropriate for the site as it minimizes the shadow impacts to the adjacent residents;
- considered the public realm and proposed ground oriented activation to be successful;
- maintaining the existing lane and trees is a benefit to the community; and
- pleased with the public consultation and co-ordination with the neighbourhood championed by the applicant.

Concerns identified through the notification and Staff responses are below:

**Existing Lane use:** Many responses acknowledged the benefits of maintaining the existing lane condition as it provides outdoor space to the existing strata as well as provides a buffer to the proposed development. It was noted that introducing vehicles within the lane will be detrimental to the existing adjacent residential developments to the north.



**Staff Response:** As noted by Engineering Services on page 13 of this Report, through a separate process, the City will pursue opening its lane to improve vehicle circulation within the area to accommodate the ongoing development within the area.

**Height and Existing Policies/Guidelines:** Respondents noted that proposed building height is too tall for the neighbourhood and recommend that the proposed development maintain a height between four (4) to nine (9) storeys. There are concerns that the proposed height is out of character for the neighbourhood and will influence the Broadway Corridor Planning process.

Also, concerns were identified regarding the proposed development not complying with the existing policy framework. The form and massing of the building is a significant departure from what was originally contemplated for the area which was a significantly lower building, as identified in the *Broadway Arbutus Policies* as well as the *Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue (North Side) Guidelines*, both adopted by Council in 2004.

**Staff Response:** As noted above, the C-3A District Schedule (4.3.2) permits conditional increases in height beyond the maximum, subject to the approval of the Director of Planning or the Development Permit Board following a review of the proposal against the provisions of the Broadway-Arbutus C-3A Design Guidelines. An assessment of the Design Guidelines is included on page 9 of this report.

This application is being assessed under the existing District Schedule and Design Guidelines for the area that were established before the Broadway Corridor Planning process began.

**Neighbourhood Context and Design considerations:** Residents noted that the proposed development detracts from current neighbourhood context, which was identified as beachy, quaint and full of charm. It was noted that the livability, quality of life and privacy of the neighbours will be impacted as there will be a reduction in the amount of sunlight, increase noise levels and obstructed views of existing residents. Design considerations identified by the public include:

- additional weather protection;
- additional storage and bicycle amenities;
- reduce the amount of parking provided given the proximity to transit;
- improve the plaza space and increase the amount of greenspace within the development;
- provide rental options; and
- include a children's play area.

**Staff Response:** On evaluation of the aforementioned considerations, and review of the application materials, staff have identified that the proposal substantially complies with all applicable policies, regulations, and guidelines, as follows:

- Weather protections: the applicant is proposing continuous weather protection along the commercial (W Broadway) frontage in accord with subsection 2.7 of the *Broadway-Arbutus C-3A and 2000 Block West 10<sup>th</sup> Avenue (North Side) Guidelines*;
- Additional storage and bicycle amenities: the storage provided is in keeping with that typically anticipated with similar developments in the city. Provisions for bicycles are governed by Section 6 of the *Parking Bylaw*.
- Parking: provisions for parking and loading are governed by the *Parking Bylaw*.
- Improved plaza space and landscape design: staff have evaluated the performance of the landscape design as being a fundamental component of the application, and will provide recommendations to the applicant accordingly;
- Housing type / tenure: the proposed strata dwelling use is approvable per the *District Schedule*;
- Children's play: staff have reviewed the application against the *High-Density Housing for Families with Children Guidelines* and have prepared conditions accordingly.

**Safety concerns for children walking to school:** Comments from the public were received noting some concern for the increase in traffic impacting the commute for children to and from school. Increased traffic and additional ridership on an already stressed transit system were also noted as concerns.

The St. Augustine Community, which includes the elementary school and parish, provided comments of support for the development and have noted that they have been heavily engaged with the Broadway Subway project and its partners.

**Staff Response:** The Rapid Transit Office has been liaising with the St. Augustine Community in regards to the upcoming changes to the transportation and mobility network occurring in the area. The office is aware of the proposed mitigation measures and will continue to discuss the upgrades as necessary throughout the process. The conditions of approval include significant improvements to the pedestrian realm around the site, including expanded sidewalks and improved lighting.

**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and concluded that with respect to the Zoning and Development By-law it requires decisions by both the Development Permit Board and the Director of Planning.

With respect to the decision by the Development Permit Board, the application requires the Development Permit Board to exercise discretionary authority as delegated to the Board by Council.

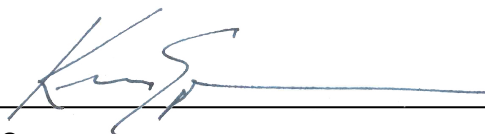
With respect to the Parking By-law, the Staff Committee has considered the approval sought by this application and concluded that it does not seek a relaxation of the By-law provisions.

The Staff committee supports this application with the conditions contained within this report.



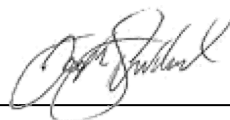
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J. Greer  
Chair, Development Permit Staff Committee



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K. Spaans  
Development Planner



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J. Smallwood  
Project Coordinator

Project Facilitator: J. Catarino

## DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development Permit.

### A.1 Standard Conditions

#### Urban Design

A.1.1 design development to provide a children's play area at the rooftop common amenity, or provision of confirmation that a public playground is located within a ten-minute walk of the development site;

A.1.2 provision of an architectural lighting and signage strategy, with particular attention given to the illumination of the corner plaza, the retail frontages, and the residential forecourt;

**Note to Applicant:** Building lighting and signage must be designed to integrate sympathetically with the heritage façade, and should provide for enhanced pedestrian experience of the public realm.

A.1.3 indication on the architectural plans of the following supplemental information:

i. confirmation that access to all common amenity areas is barrier free; and,

**Note to Applicant:** Also refer to Development Review Branch condition A.1.11.

ii. the intended location for commercial kitchen exhaust grilles;

**Note to Applicant:** To mitigate the effects of commercial kitchen odours on the adjacent public realm, and building and neighbouring residents, kitchen exhaust grilles must be located away from sidewalks, private balconies, and adjacent residential developments.

A.1.4 identification on the architectural and landscape drawings of any built features intended to create a bird-friendly design;

**Note to Applicant:** Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted.

#### Development Review Branch

A.1.5 compliance with Section 4.7 – *Floor Space Ratio* of the C-3A District Schedule;

**Note to Applicant:** Floor Space Ratio (FSR) shall not exceed 3.0 + 10% for Heritage Amenity Share Contribution for a maximum total of 3.3 FSR or approximately 75,900 ft<sup>2</sup> (7,053.90 m<sup>2</sup>). The proposed floor area, as per the provided FSR Overlays exceeds the permitted amount. Additionally, there are other areas which have not been considered which will result in additional increase in floor area. Refer to Standard Development Review Branch A.1.12 iii for additional information.

A.1.6 confirmation of compliance with Section 11.10 – *Dwelling Units* of the Zoning and Development By-law;

**Note to Applicant:** Ensure that all dwelling units meet the minimum dwelling unit size of 398 ft<sup>2</sup> (37 m<sup>2</sup>). Refer Standard Development Review Branch condition A.1.12 i for dwelling measurement requirements and additional required information.

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A.1.7 compliance with Section 4.6 – *Rear Yard and Setback* of the C-3A District Schedule;

**Note to Applicant:** A minimum rear yard of 5.17 (1.6 m). (3.1 m) shall be provided for portions of the building (approximately 6 ft. (1.83 m)) which do not abut the fully designated lane.

A.1.8 confirmation of compliance with Section 4 of the Parking By-law;

**Note to Applicant:** Three (3) disability spaces are required for dwelling portion of this application and one (1) disability space is required for the adjacent site for a total of four (4) required disability spaces. Consider re-labelling the disability space proposed for the retail portion as “townhouse” to comply with parking requirements, as no disability space is required for the retail portion. Any additional disability spaces beyond the required may only be counted as a single space. Furthermore, maximum 25% of the required parking space (approximately 21 spaces) may be small car spaces as per Section 4.1.8 of the Parking By-law. Any spaces beyond the 25% of the required are to meet standard size requirements.

A.1.9 confirmation of compliance with Section 6 of the Parking By-law;

**Note to Applicant:** Minimum 100 Class A bicycle spaces shall be provided for this site plus an additional 8 spaces for the adjacent site for a total of 108 Class A spaces, of which 20% shall be Class A locker spaces. Only 99 Class A spaces have been provided and none have been dedicated as Class A lockers. Ensure that minimum and maximum Class A bicycle space types and sizes are met in addition to all End-of-Trip Facility requirements. Consider providing a standard detail for all horizontal, vertical and locker spaces to confirm size requirements are satisfied.

A.1.10 compliance with the *Bulk Storage and In-Suite Storage – Multiple Family Residential Developments* Bulletin;

**Note to Applicant:** In-suite laundry may be located within in-suite storage, however the access route to the laundry and the area the laundry takes up may not be excluded from floor area. There are couple of units which do not comply to these regulations. Refer to two-bedroom unit at the northeast corner of the second floor for an example of a non-compliant in-suite storage unit.

A.1.11 provision of stair-free access to all amenity areas;

**Note to Applicant:** The “Residents’ Amenity Workshop” on the Mezzanine level is not accessible to all users.

A.1.12 submission of an updated drawing package which includes:

i. Revised Project Statistics which includes:

a. A full Dwelling Unit Summary of all dwelling units and the associated floor area of each dwelling unit.

**Note to Applicant:** Required dwelling unit area has not been provided and is required for the parking calculations. The summary is to include gross and net floor areas of all units. Note that dwelling unit areas are calculated from inside to inside face and are not to include any storage rooms being excluded from floor area. See also, Standard Development Review Branch condition A.1.6.

b. All applicable Sections from the Parking By-law for all Parking, Loading and Bicycle requirements.

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- c. FSR and floor area figures for all uses which are to be coordinated with the provided FSR Overlays.

**Note to Applicant:** The current proposed FSR and Floor Area does not correctly reflect that area proposed on the FSR Overlays.

- ii. Revised Roof Plan which is coordinated with the Elevation drawings and includes elevations of all top-of-planters, top-of-guard, top-of-roof, top-of-parapet, top-of-overrun, etc.

- iii. Revised FSR Overlays which:

- a. Includes the following into the computation of floor area:

- i. the stairs which access the “Residents’ Amenity Workshop” on the Mezzanine level.
- ii. the total cross sectional area of all stairs which access private roof decks on the Level 4.

**Note to Applicant:** Any roof access, which exceeds 4 ft. (1.2 m) in height, shall be included in FSR. It is recommended to verify that the proposed roof access complies with the Vancouver Building By-law as the current proposal does not appear to comply with current requirements. Should a proposal, which has a height under 4 ft. (1.2 m), be supported by the VBBL, then this condition may stand resolved.

- iii. The exterior stairs of the three-bedroom units on the eleventh level which access the roof.

**Note to Applicant:** Though these stairs are located outside of the building they are required for exiting requirements and an extension of the dwelling units that they are associated with.

- iv. The canopy structure located on the pool deck on level three and trellis structures located on the roof deck.

- v. **Note to Applicant:** There are no exclusions for these structures under the C-3A District Schedule.

- vi. All proposed balconies which exceeds 8% of the proposed residential floor area as per Section 4.7.6(a) of the C-3A District Schedule;

**Note to Applicant:** The proposed balcony area of 10% 7,341 ft<sup>2</sup> (691 m<sup>2</sup>) exceeds 8% of the proposed residential floor area. Note that the balcony exclusion may not be applied to area associated with Retail use.

- b. Are coordinated and reflect the applicable floor plans.

**Note to Applicant:** The current FSR Overlays do not visually represent the associated floor plans (ie. no walls, stairs, etc.).

- c. Correctly identify the floor area of all uses.
-

**Note to Applicant:** It is difficult to determine the areas of each use on the provided overlays.

- d. Prorates any shared areas/corridors that serve multiple uses.

**Note to Applicant:** The exit corridor from the elevator lobby and loading dock on the first storey includes a commercial bicycle room. Therefore, this corridor would serve both the Dwelling and Retail uses and is to be prorated between the uses which it serves.

- e. Correctly identifies and itemizes all areas excluded from FSR, including, but not limited to amenity, balcony, storage rooms, etc.

**Note to Applicant:** Ensure that the floor area dedicated to the “Residents’ Amenity Workshop” on the Mezzanine level is noted.

**Note to Applicant:** Refer to Standard Development Review Branch condition A.1.5.

- iv. revised Elevation drawings which:

- a. Identify all elevations for top-of-planters, top-of-guard, top-of-roof, top-of-parapet, top-of-overrun, etc.
- b. Include proposed grades at all corners of the building.
- c. Is coordinated with all floor plans and roof plans.

**Note to Applicant:** The trellis structure identified on the roof plan is not shown on the elevation drawings.

A.1.13 compliance with the *Floor Area Exclusions for Kitchen Exhaust Ducts and Shafts* Bulletin;

**Note to Applicant:** A vertical exhaust shaft is required to be provided from the retail unit to facilitate the potential for retail – limited food service, or restaurant uses.

A.1.14 provision of the following notations to be included on the submitted plans:

- i. *“The acoustical measures will be incorporated into the final design and construction, based on the consultant’s recommendations”;*
  - ii. *“Adequate and effective acoustical separation will be provided between the residential and non-residential portions of the building”;*
  - iii. *“The design of the bicycle spaces (including bicycle rooms, compounds, lockers and/or racks) regarding safety and security measures shall be in accordance with the relevant provisions of Section 6 of the Parking By-law”;*
  - iv. *“Mechanical equipment (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize noise impacts on the neighbourhood and comply with Noise By-law No. 6555”; and*
  - v. *“All proposed yards, setbacks and building dimensions are measured to the outside of cladding”.*
-

### Standard Landscape Conditions

A.1.15 design development to the landscape design as follows:

- i. provision of a revised design that respects the specified SRWs along W Broadway and Arbutus St. and that provides a public realm interface, that enhances, complements and activates the streetscape. Incorporation of built-in seating, plantings and trees are encouraged. Refer to Recommended Condition 1.3 a.
- ii. revisions to improve the expression to the lane by incorporation of vegetation to soften transition to lower density housing to the north. Avoid large bare wall segments. Consider providing a wire system with climbing vines to soften hard surfaces;
- iii. revisions to improve the graphic clarity of the landscape plans to accurately illustrate locations of all proposed plant material.

**Note to Applicant:** The hatches used to illustrate locations of plant material do not match the information in the legends.

A.1.16 provisions of revised arborist report and tree management plan coordinated with the final design;

A.1.17 provision of an Arborist Letter of Assurance, signed by the owner to verify that the arborist has been engaged to supervise work impacting tree retention;

**Not to Applicant:** The letter should specify the phases of the project and items of work that require arborist supervision.

A.1.18 provision of referenced larger-scale detail sections (minimum  $\frac{1}{2}$ "=1') for all typical landscape features and construction, including but not limited to trellis for vine support confirming low maintenance type, planters on structure with dimensioned depth of soil, fences, screens, furnishings etc.

**Note to Applicant:** Depth of growing medium for planting on structures should exceed the CSLA Standard for viability into the future.

A.1.19 provision of utility coordination as follows:

- i. provision of confirmed locations for utility connections, avoiding conflict with tree root zones; and

**Note to Applicant:** Relocation of trenching locations are required if in conflict with tree protection. Ensure new specimen trees are planted away from utility connections to avoid future conflict and to allow for satisfactory growing conditions into the future.

- ii. provision of the following note on plan:

*"Trenching for utility connections to be coordinated with Engineering Department to ensure safe root zones of retained trees. Methods of tree protection for street trees to be approved by Park Board".*

**Note to Applicant:** Methods of tree protection for street trees (as per Engineering/Park Board guidelines) to be shown on plan.

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### Crime Prevention Through Environmental Design (CPTED)

A.1.20 provisions for Crime Prevention Through Environmental Design (CPTED) including:

- i. having particular regard for public safety challenges in alcoves and intentional damage; and

**Note to Applicant:** Particular regard must be given to the real and perceived security of the east-west lane at all hours.

- ii. outdoor public realm, path, and common area lighting.

### Heritage

A.1.21 receipt of “Letter B”, noting City of Vancouver Heritage Amenity Shares in place of ‘donor site’, provided the density increase is approved by the Development Permit Board.

### A.2 Standard Engineering Conditions

A.2.1 provision of a Services Agreement to detail the on 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 is provided:

- i. provision of upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations;
- ii. Arbutus/W 8th entire intersection lighting upgrade to current COV standards and IESNA recommendations;
- iii. provision of new or replacement duct bank adjacent to the development site that meets current City’s standards. Duct banks are to consist of electrical and communication ducts and cables, and connected to existing electrical and communication infrastructure;
- iv. provision of lane lighting on standalone poles c/w underground ducts. The ducts should be connected to the existing COV SL infrastructure;
- v. provision of new pad mounted service cabinet/kiosk;
- vi. street improvements along Arbutus St adjacent to the site and appropriate transitions including the following. These dimensions are provided as offset distances from the inside (building side) edge of the SRW area:
  - a. minimum 3.0 wide broom finish saw-cut concrete sidewalk offset 1.0m from the inside edge of the SRW area;
  - b. front boulevard in the remaining space between the edge of the sidewalk and the back of the curb;
  - c. curb ramps;
  - d. removal of the existing driveway crossings and reconstruction of the boulevard, sidewalk, and curb to current standards; and
  - e. adjustments to all existing infrastructure to accommodate the proposed street improvements.

**Note to Applicant:** The current design for Arbutus St requires shifting of the curb line. The sidewalk location described above is intended to accommodate this future curb shift.

- vii. street improvements along W Broadway adjacent to the site and appropriate transitions including the following. These dimensions are provided as offset distances from the inside (building side) edge of the SRW area:
  - a. minimum 4.0m wide broom finish saw-cut concrete sidewalk offset 2.0m from the edge of the SRW area;
  - b. front boulevard in the remaining space between the edge of the sidewalk and the back of the curb;
  - c. curb ramps;
  - d. removal of the existing driveway crossings and reconstruction of the boulevard, sidewalk, and curb to current standards; and
  - e. adjustment to all existing infrastructure to accommodate the proposed street improvements.

**Note to Applicant:** The current understanding is that there will be an air vent for the Broadway Subway extension within the front boulevard on W Broadway in front of this site. The location specified for this sidewalk is to ensure that it will be clear of the likely location of this air vent and behind the bus stop which will be shifted to accommodate the air vent.

- viii. lane paving adjacent the site as per CoV "Higher-Zoned Laneway" specification;
  - ix. provision of a catch basin in the lane to capture laneway runoff;
  - x. provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the lane opening on Arbutus St adjacent to the site; and
  - xi. provision of bus stop amenities. The applicant is to pay all costs associated with installation of bus stop amenities including shelter, seating, litter bin, advertising panels, foundations, drainage, and electrical connection to the satisfaction of Engineering Services. Amenities will be supplied and installed by the City's street furniture contractor.
- A.2.2 delete the new tree and plantings proposed within the lane right of way near the lane entry;
- A.2.3 delete all the street trees proposed in the front boulevard on W Broadway and add a note that street tree placement is to be coordinated with the City at a future date;

**Note to Applicant:** The current understanding is that there will be an air vent for the Broadway Subway extension within the front boulevard on W Broadway in front of this site. The location of the existing bus stop may have to be shifted further westward in order to accommodate this air vent. Any new street tree placement should be determined at a later date when more specific details about the vent and bus stop location can be confirmed.

- A.2.4 delete or relocate the second row of trees, benches, and planters on W Broadway so that they are within the first 2.0m of the SRW area closest to the building;

**Note to Applicant:** The remainder of the SRW area is required to provide a public sidewalk and must be free of all encumbrances.

- A.2.5 provision of a 0.45m wide buffer of low groundcover in any planting bed proposed directly adjacent to a sidewalk;
-

A.2.6 delete the specialty paving and planter in the lane;

A.2.7 provision of the following note to Site Plan and Landscape Plan: "All existing street furniture in street right of way shall be protected during construction. Final location of proposed street furniture shall be confirmed with Street Furniture Coordinator. All removal, relocation or installation of street furniture shall be by the City's street furniture contractor, and coordinated with City of Vancouver Street Furniture Coordinator. Notification is required a minimum of 8 weeks prior to construction."

**Note to Applicant:** All costs associated with removal, relocation and installation of existing and new street furniture, including storage and re-location to or from a different site, shall be the responsibility of the developer.

A.2.8 delete proposed planting shown in boulevard along Arbutus. Refer to Landscape Plan L1.41:

**Note to Applicant:** Grass or low ground cover is acceptable in place of trees or other planting.

A.2.9 parking, loading, bicycle, and passenger loading spaces must be provided and maintained in accordance with the requirements of the Vancouver Parking By-Law;

**Note to Applicant:** Engineering seeks provision of 1 Class A passenger space, preferably at grade. The first Class A passenger space must be 4.0m width by 5.5m length. A shared access agreement will be required if located off-site.

A.2.10 provision of a Transportation Assessment and Management Study (TAMS) to review the following:

i. review of the loading design considering truck turning movements and show truck turning swaths as follows:

- a. largest anticipated loading vehicles;
- b. independent Class B Loading to and from the lane into the loading bays; and
- c. two-way flow between a Class B vehicle and a passenger vehicle the full length of the ramp/driveway access.

**Note to Applicant:** SU9 and P-TAC design vehicles to be used for the maneuvering analysis.

ii. design for a warning light to mitigate conflicts between two Class B loading vehicles on the main parkade ramp:

- a. details on the system and locations of lights, signs and detection devices to be shown on the plans.

**Note to Applicant:** For more information, please refer to the current TAMS Consultant Design Guidelines.

A.2.11 provision of improved access and design of bicycle parking and compliance with the Bicycle Parking Design Supplement:

i. provision of minimum 0.3m width and 1.8m length spaces for all Class B bicycle parking spaces;

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- ii. provision of minimum 10% bicycle parking lockers accommodating a maximum of one bicycle each;
- iii. provision of minimum 5% oversized bicycle parking spaces as per Bylaw;
- iv. provision of separated Class A bicycle parking spaces for the commercial and residential uses;
- v. provision of bicycle storage rooms to accommodate a maximum of 40 bicycles;

**Note to Applicant:** This number may be increased to 120 if the room is compartmentalized and providing independent access to each section within the bicycle storage room.

- vi. provision of automatic door openers for all doors providing access to Class A bicycle storage;
- vii. provision of design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances;
- viii. provision of end of trip facilities as per Bylaw. Please refer to section 6.5 of the parking Bylaw; and
- ix. provision of confirmation that commercial access to the commercial Class A bicycle parking space proposed in the residential elevator lobby.

**Note to Applicant:** Racks must be usable for all ages and abilities.

A.2.12 provision of improved access and design access and design of loading spaces and compliance with the Parking and Loading Design Supplement:

- i. provision of additional loading bay width for the second and subsequent loading spaces;
- ii. provision of Class B loading spaces as per the parking design stall guidelines; and

**Note to Applicant:** Additional width is required for both Class B loading spaces unless additional maneuvering aisle width is provided.

- iii. provision of residential loading operations that are independent of the residential solid waste room.

**Note to Applicant:** Explore redesigning the residential waste/rec room to allow the dock lift in proximity to the six riser staircase is proposed.

A.2.13 provision of improved access and design access and design of the parkade layout and compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services, including the following:

- i. improved interface of the parkade access and street/lane:
  - a. ramp slopes must not exceed 10% for the entire section of the ramp for Class B trucks.

**Note to Applicant:** A single plan showing the entire length of the main access ramp may assist in displaying this information.

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A.2.14 provision of the following information is required for drawing submission to facilitate a complete Transportation review:

- i. a complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and end-of-trip facilities, passenger loading and the number of spaces being provided;
- ii. dimensions of manoeuver aisles and the drive aisles at the parkade entrance and all gates;
- iii. section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates. These clearances must consider mechanical projections and built obstructions;

**Note to Applicant:** Section drawings of the parking ramp, all parking levels, overhead gates, and through the loading bays required to ensure minimum vertical clearances are met.

- iv. areas of minimum vertical clearances labelled on parking levels;
- v. design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances. The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings; and
- vi. indicate the stair-free access route from the Class A bicycle spaces to reach the outside. Stair ramps are not generally acceptable.

A.2.15 submission of a written clarification of garbage pick-up operations;

**Note to Applicant:** Submission of a written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed, then an on-site garbage bin staging area is to be provided adjacent the lane. Confirm if the adjacent property at 2106 W 8<sup>th</sup> is intended to share this garbage collection location. If this is the case an agreement will be needed.

A.2.16 arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the consolidation of Lots 11 to 14, All except the North 10 Feet Now Lane, Block 324, District Lot 526, Plan 590 to create a single parcel.

A.2.17 arrangements are to be made to the satisfaction of the GMES and the DLS for terminating the lease of the lane north of Lot 11 prior to issuance of an occupancy permit. The owner to be responsible for restoration of the lease area including any environmental contamination occurring during the term of the lease, as noted in Article 4 of the lease. Refer to Environmental Services for additional comments;

A.2.18 provision of a 3.0 metre offset distance measured from the property line for widened sidewalks along Arbutus St to be achieved through a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site. The SRW will be free of any encumbrance such as vents, structure, stairs, and walls at grade (and is to accommodate the underground parking structure within the SRW agreement).

A.2.19 provision of a 3.94 metre offset distance measured from the property line for widened sidewalks along W Broadway to be achieved through a building setback and surface statutory right of way (SRW) for public pedestrian use over a portion of the site. The SRW will be free of any

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encumbrance such as vents, structure, stairs, and walls at grade (and is to accommodate the underground parking structure within the SRW agreement).

- A.2.20 provision of a 1m x 1m corner cut SRW over the southeast corner of the site which is to be kept free of any structure above and below grade, and to be excluded from the surface SRW's noted in A 2.19 and A 2.20;

**Note to Applicant:** The SRW requirements on Broadway and Arbutus are based on the current design expectations for future road designs related to the Broadway Subway Project on these streets. The terms of all three SRW's requested will include the opportunity to reduce the SRW area upon completion of changes on Arbutus and Broadway.

- A.2.21 provision of a Statutory Right of Way for public use of the plaza proposed on the southeast corner of the site;

- A.2.22 provision of a Shared Access Agreement and a Parking Covenant for any parking spaces required at 2106 W 8<sup>th</sup> Avenue to be provided in the underground parking at 2103 W Broadway;

- A.2.23 provision of a Shared Use Loading Agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, for the Class B loading space between the commercial and residential uses and label the space as 'Residential and Commercial Loading';

- A.2.24 submission of letter confirming acknowledgement that this application falls within the area with potential impacts due to the Broadway Subway Project construction and that you have contacted the Rapid Transit Office for more detailed information;

**Note to Applicant:** The Broadway Subway construction will begin in 2020 with an anticipated completion date by 2025. During construction, street use (above and below grade) along Broadway, 8th and Arbutus will be highly restricted in order to facilitate Broadway Subway construction and maintaining movement along the corridor. Potential below grade/excavation and shoring restrictions, particularly along Broadway. Please contact the City of Vancouver Rapid Transit Office ([rapidtransitoffice@vancouver.ca](mailto:rapidtransitoffice@vancouver.ca)) for more information on impacts to access and street use for your project.

- A.2.25 provision of all utility services to be underground from the closest existing suitable service point for this "conditional" development. In addition, submission of a written confirmation from BC Hydro that all required electrical plant is provided for on the development property; and

**Note to Applicant:** BC Hydro service to the site shall be primary. All BC Hydro infrastructure (e.g., pad mounted transformer, vista switch and control kiosks) shall be located on the development property.

This proposed development is adjacent to existing BC Hydro electrical works, contact BC Hydro for project review and comment to ensure any potential impact or risks from your proposed development or construction will be assessed and addressed. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/HV-conductor-oil-filled-transformer-clearance-checklist-bulletin-2015-002-el.pdf>).

The review of third party utility service drawings (e.g., BC Hydro, Telus and Shaw) will not be initiated until all drawings have been received by Utilities Management Branch (UMB).

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at [umb@vancouver.ca](mailto:umb@vancouver.ca).

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A.2.26 submission of a letter confirmation construction dewatering is a Water Use Purpose under the Water Sustainability Act requiring a provincial Approval or License.

**Note to Applicant:** 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.

**A.3 Standard Licenses & Inspections (Environmental Protection Branch) Conditions:**

A.3.1 The property owner shall:

- i. Submit a Site Profile to Environmental Services;
  - ii. As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter and Section 85.1(2)(g) of the Land Title Act, if applicable; and
  - iii. If required by the Manager of Environmental Services and the Director of Legal Services, in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated therefrom on terms and conditions satisfactory to the Manager of Environmental Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this development, until a Certificate of Compliance for each of the on-site contamination and the dedicated lands, if any, have been issued by the Ministry of Environment and provided to the City.
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**B.1 Standard Notes to Applicant**

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been complied with on or before **(August 9, 2021)**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development Bylaw or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.3 Revised drawings will not be accepted unless they fulfill all conditions noted above. Further, written explanation describing point-by-point how conditions have been met, must accompany revised drawings. An appointment should be made with the Project Facilitator when the revised drawings are ready for submission.
- B.1.4 A new development application will be required for any significant changes other than those required by the above-noted conditions.
- B.1.5 Details of swimming pools/hot tubs to be submitted to the Environmental Health Division and Provincial Health Engineer prior to construction;

**B.2 Conditions of Development Permit:**

- B.2.1 All approved off-street vehicle parking, loading and unloading spaces, and bicycle parking spaces shall be provided in accordance with the relevant requirements of the Parking By-law prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
  - B.2.2 All landscaping and treatment of the open portions of the site shall be completed in accordance with the approved drawings prior to the issuance of any required occupancy permit or any use or occupancy of the proposed development not requiring an occupancy permit and thereafter permanently maintained in good condition.
  - B.2.3 Any phasing of the development, other than that specifically approved, that results in an interruption of continuous construction to completion of the development, will require application to amend the development to determine the interim treatment of the incomplete portions of the site to ensure that the phased development functions are as set out in the approved plans, all to the satisfaction of the Director of Planning.
  - B.2.4 The issuance of this permit does not warrant compliance with the relevant provisions of the Provincial Health and Community Care and Assisted Living Acts. The owner is responsible for obtaining any approvals required under the Health Acts. For more information on required approvals and how to obtain these, please contact Vancouver Coastal Health at 604-675-3800 or visit their offices located on the 12<sup>th</sup> floor of 601 W Broadway. Should compliance with the health Acts necessitate changes to this permit and/or approved plans, the owner is responsible for obtaining approval for the changes prior to commencement of any work under this permit. Additional fees may be required to change the plans.
  - B.2.5 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that substantial lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
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- B.2.6 Requires a Certificate of Compliance or Final Negative Determination from the Ministry of Environment prior to issuance of the occupancy permit.
  - B.2.7 Waste Discharge Permit may be required for any dewatering on the site.
  - B.2.8 A qualified environmental consultant must be available to identify, characterize and appropriately manage any environmental media of suspect quality which may be encountered during any subsurface work.
  - B.2.9 This site is affected by a Development Cost Levy By-law and levies will be required to be paid prior to issuance of Building Permits.**
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