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2538 BIRCH STREET (COMPLETE APPLICATION)  
DP-2021-00628 – CD-1 (708)

HS/LB/AM/AC/NC

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## DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

### Present:

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

### Also Present:

H. Shayan, Urban Design & Development Planning  
L. Berdahl, Development Services  
A. Maness, Landscape Planning  
A. Clarke, Housing Review  
N. Coffey, Development Services

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### APPLICANT:

IBI Group Architects,  
700-1285 West Pender Street,  
Vancouver, BC,  
V6E 4B1

### PROPERTY OWNER:

1061511 B.C. LTD., INC. NO. 1061511  
670 - 1665 WEST BROADWAY  
VANCOUVER, BC  
V6J 1X1

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## EXECUTIVE SUMMARY

### • Proposal:

To develop this site with a 28 storey mixed-use building with retail (main floor- 2nd floor), general office (3rd floor), and secured market rental housing (4<sup>th</sup> floor – 28th floor) containing a total of 258 dwelling units (200 market rental units & 58 MIRHPP units), all over 5 levels of underground parking, providing a total of 174 parking spaces having vehicular access from lane.

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

### • Issues:

- Neighbourhood fit through improved architectural expression of the tower

### • Urban Design Panel: Support with Recommendations (7/0)

**DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATION: APPROVE**

THAT the Board APPROVE Development Application No. DP-2021-00628 submitted, the plans and information forming a part thereof, thereby permitting to develop this site with a 28 storey mixed-use building with retail (main floor- 2nd floor), general office (3rd floor), and secured market rental housing (4<sup>th</sup> floor – 28th floor) containing a total of 258 dwelling units (200 market rental units & 58 MIRHPP units), all over 5 levels of underground parking, providing a total of 174 parking spaces having vehicular access from lane, subject to the following conditions and enactment of the CD-1 By-law (708) amendment and approval of form of development by Council:

**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 better reflect the residential scale and proportions through the design logic of the material and finish palette, which may be achieved by way of the following recommended design strategies:

- i. significant improvement of the material and colour palette presenting a more unified architectural concept that reads cohesively from multiple aspects; and

**Note to Applicant:** As a design strategy, stepped portions of the building can be further differentiated from the main massing by employing differing colours, textures and/or patterns of cladding.

- ii. consideration to rearrange the balconies at the north to better integrate with the proposed vertical elements.

**Note to Applicant:** The width of north facing balconies can be decreased from level 20 to the top. As the intent of the condition, this will provide more clarity to the design logic at all elevations.

**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**

	2538 Birch Street				Zone	CD-1		
	Permitted/Required				Proposed			
Site Size <sup>1</sup>					149.95	x	125.07	ft.
							18,761.5	ft <sup>2</sup>
Height <sup>2</sup>	Top of parapet		288.71	ft.	(IG) 155.26		272.03	ft.
FSR <sup>3</sup>					Commercial:			1.43
					Residential:			9.07
				10.55	Total:			10.50
Floor Area <sup>3</sup>					Commercial		26,831.00	ft <sup>2</sup>
					Dwelling		170,214.00	ft <sup>2</sup>
	Area:		197,933.83	ft <sup>2</sup>	Total:		197,045.00	ft <sup>2</sup>
Balcony:	Total:	12%	23,645.40	ft <sup>2</sup>	Total:	12%	22,682.00	ft <sup>2</sup>
Amenity	Total:	10%	19,704.50	ft <sup>2</sup>	Total:	2%	3,476.00	ft <sup>2</sup>
Dwelling Unit Type					Type		%	No.
					Studio		8%	21
					One Bedroom		55%	142
					Two Bedroom		29%	76
					Three Bedroom		7%	19
					Total:		100%	258
Parking <sup>4</sup>	Minimum required			137	Total Standard:			112
	Permitted S/C: 25%			34	Small Car:			49
	Disability:			13	Disability:			13
	Visitor:			13	Total provided:			187
					Visitor			13
Loading	Class	A	B	C	Class	A	B	C
Residential		0	1	0		0	1	0
Retail		0	2	0				
Office		1	1	0		1	2	0
	Total	1	4	0	Total	1	3	0
Bicycle <sup>5</sup>		Use	Class A	Class B	Class A			Class B
		Commercial:	24	6	<u>451</u>			<u>26</u>
		Residential:	439	12	Locker:		0%	0
		Total:	<u>463</u>	<u>18</u>	Horizontal:		40%	181
	O/S	5%	23		Vertical		22%	102
	Lockers	10%	46		Stacked:			168
	Vertical	30%	139		Vertical + Stacked:		58%	270
	Vrt + Stack	60%	278		Over Sized:		0%	0
Passenger Loading	Class	A	B	C	Class	A	B	C
	comm.	0	0	0		1	0	0
	res'd	2	0	0		2	0	0
	Total	2	0	0	Total	3	0	0

**Notes:**

1. **Note on Site Area:** This site is approximately 149.95 ft. wide and 125.07 ft. deep on the corner of West Broadway and Birch Streets (formerly 1295 West Broadway), with an open, fully paved lane at the rear for vehicular access.
2. **Note on Height:** The height of the building is below the maximum 288.71 feet at 272.03 feet as permitted in the CD-1 By-law. Height is measured from base surface to top of parapet. Standard condition A.1.12 seeks confirmation of compliance with Section 10.18.1 - Height of Building and Relaxation for the proposed roof top mechanical screening and elevator overrun.
3. **Note on Floor Area and FSR:** The proposed floor area is below the permitted 10.55 FSR at 10.50 FSR, however FSR overlays are not clear as to whether circulation (stairs/elevators) are included in the calculation. As well, shared circulation has not been pro-rated between uses. Standard condition A.1.10 seeks clarification. Condition A.1.11 seeks a revised data summary table to reflect revisions to the overlays.
4. **Note on Parking:** Parking is calculated per Section 4 of the Vancouver Parking By-law. The proposed parking exceeds the minimum requirements under Section 4.5.B1. Standard condition A.1.16 seeks compliance with section 4.1.8, number of small car spaces and confirmation that Section 4.14 - Electric Vehicle Charging requirements are met. The proposal is short one Class B commercial loading space; however, we can support 2 Class A commercial loading spaces in lieu. See standard condition A.1.17.
5. **Note on Bicycle Parking:** Standard condition A.1.18 seeks compliance with Section 6 of the Parking By-law with regard to bicycle room details. The required bicycle parking is to provide 5% oversized bicycle spaces and 10% Class A bicycle lockers. It is estimated that 23 oversized bicycle spaces and 46 lockers are required. Condition A.1.19 seeks compliance with Section 6.5 – End of Trip Facilities, of the Parking Bylaw. It is estimated that 34 clothing lockers are required.

• **Legal Description**

Lot: 1  
Block: 353  
District Lot: 526  
Plan: EPP81033

• **History of Application:**

July 7, 2021	Complete DP submission
September 29, 2021	Urban Design Panel
October 27, 2021	DPSC

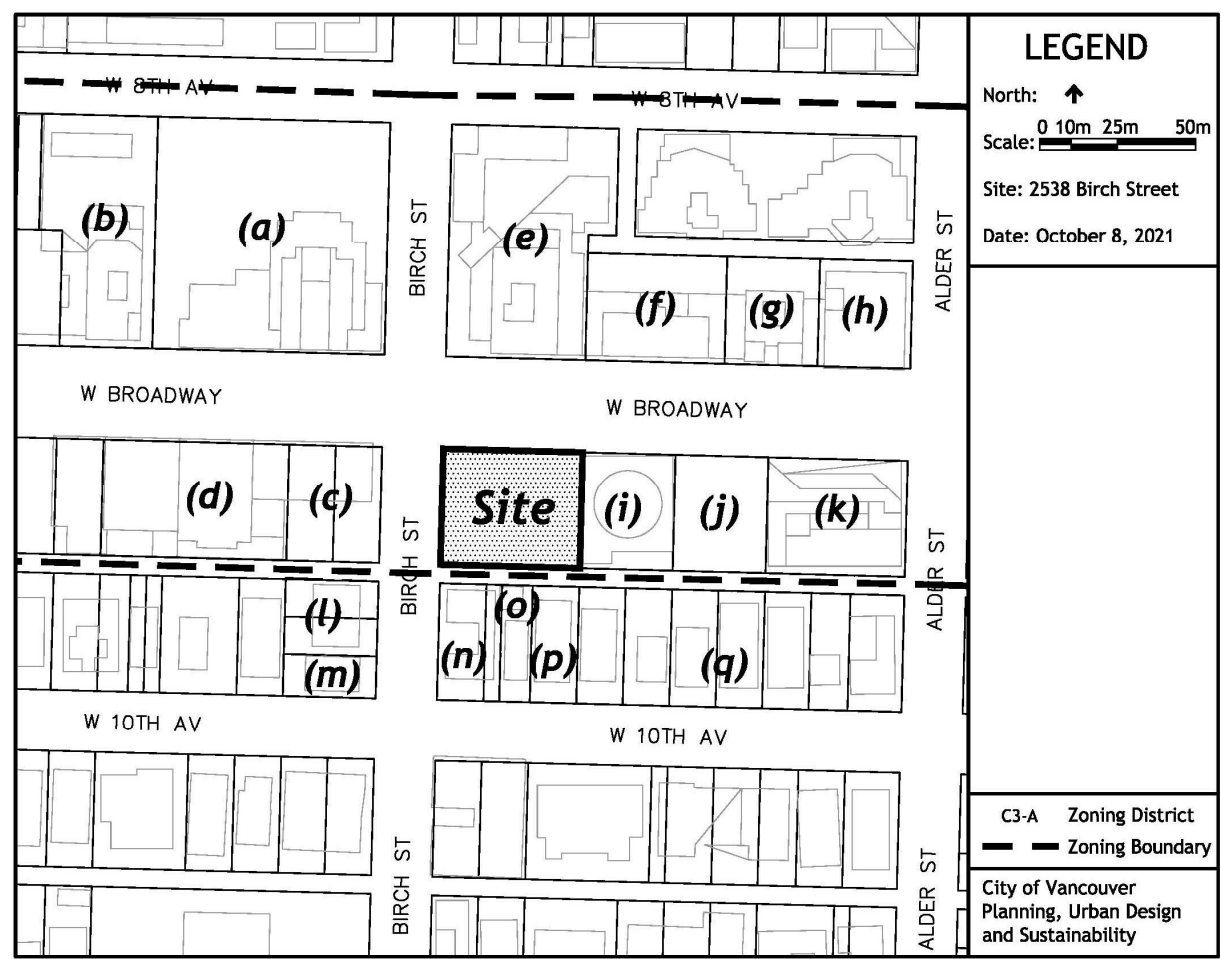
- **Site:** The site is located at the southeast corner of West Broadway and Birch Street in the Fairview community.

The site is comprised of one legal parcel with a frontage of 150 ft. along West Broadway and a depth of 125 ft. along Birch Street. The site is also within the study area of the Broadway Planning Program.

- **Context:** Significant adjacent development includes:

a) 1333 West Broadway	13-storey office building
b) 1355 West Broadway	11-storey residential with office / retail at podium
c) 1316 West Broadway,	2-storey commercial building
d) 1338 West Broadway	4-storey office building with retail at grade
e) 1285 West Broadway	8-storey office building
f) 1245 West Broadway	4-storey office building with retail at grade
g) 1235 West Broadway	9-storey residential with retail at grade
h) 1215 West Broadway	4-storey office building with retail at grade
i) 1268 West Broadway	13-storey residential with retail at grade
j) 1250 West Broadway	13-storey residential with retail at grade
k) 1212 West Broadway	6-storey office building with retail at grade
l) 2525 Birch Street	4-storey residential apartment
m) 2547 Birch Street	2-storey residential building
n) 2572 Birch Street	3-storey residential apartment
o) 1283, 1285 West 10th Ave.	2.5-storey residential building
p) 1275 West 10th Ave.	3-storey residential apartment
q) 1205-1265 West 10th Ave.	3 to 4-storey residential apartments

Figure 1: Site at 2538 Birch Street and significant adjacent development



• **Background:**

A development permit application was submitted on July 07, 2021 for the development of the subject site under approved CD-1 (708). The proposal includes a single lot and comprises of a 28-storey mixed-use building containing Retail (Level 1 and Level 2), General office (Level 3), and Secured Market Rental Housing (Level 4 to 28) over 5 levels of underground parking providing 174 parking stalls accessed from the lane. The proposal includes 258 dwelling units.

The retail lobby access is off both West Broadway and Birch Street, while the access to residential lobby is located at Birch Street. Three outdoor common amenities in addition to one indoor amenity at the rooftop are proposed. A corner plaza at the retail lobby and a wider setback along Birch Street contribute to the performance of the public realm.

The site is located in the Broadway Plan study area and complies with the Broadway Plan Interim Rezoning Policy (IRP), intended to support affordable neighbourhoods, work-live opportunities and indigenous peoples' culture and art.

The proposal was reviewed by the Urban Design Panel on September 29, 2021 and was supported with recommendations (7/0).

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

- CD-1(708) By-Law amendment approved by council on June 09, 2020
- Moderate Income Rental Housing Pilot Program : Application Process, Project Requirements and Available Incentives (2017, last amended 2019)
- Broadway Planning Program and Associated Interim Policies (2018)
- Central Broadway C-3A Urban Design Guidelines (Fairview slopes Sub-area) (1976, last amended 2004)
- Green Buildings Policy for Rezoning (2009, amended up to 2018)
- Housing Vancouver Strategy (2017)
- High-Density Housing for Families with Children Guidelines (1992)
- Public Art Policy and Procedures for Rezoned Developments (2008, last amended 2014)

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

***Introduction***

This proposal, as a development of a significant space at the strategic location of West Broadway, is generally compliant with all applicable By-laws, Guidelines and Rezoning conditions.

The Broadway millennium Line extension is intended to contribute to a city of neighbourhoods connected by convenient, viable transportation options that meet residents' needs as places to live, work, shop and play resulting in a vibrant community. This project site is strategically located to avail of these improved facilities and amenities as the network of communities become established over time.

This proposal will contribute to expanding the affordable housing options available for the future population increase anticipated in the area.

This DP application followed the CD-1 rezoning on January 16, 2018, through which Council approved a proposal for a 16-storey (with mezzanine) mixed-use tower with commercial use at grade and approximately 153 secured market rental units on this site under the Secured Market Rental Housing Policy, commonly known as Rental 100. The CD-1 (708), By-law No. 12179 was enacted on July 24, 2018.

Following is a summary of this application's compliance with relevant policies, plans, and guidelines:

***CD-1 (708) By-Law (pending amendment)***

Use, Density, and Height: The proposed uses, density, and height conform to the provisions of the CD-1 By-Law, and Council adopted Rezoning Conditions of Approval.

During the Public Hearing, staff provided responses to Council's questions mainly surrounding MIRHPP and its implications on the application, how the project complies with the Broadway Plan, potential impacts of the extra height on other applications and rational for recommending extra height due to Central Broadway C-3A Design Guidelines.

In addition, some concerns from neighbours were raised about building height, shadows, and precedence with Broadway Plan. It was indicated that the increased height has been limited to the slender tower element and the street wall and podium proportion has generally been kept as it was approved at the previous rezoning, which allowed for massing profile in C-3A Design Guidelines.

Staff also noted the analysis of form and shadowing effect on the surroundings and indicated that the shadow impact of the lower portion of the tower to the Broadway public realm at the fall/spring equinox is not significant so the neighbours can experience a rich, bright and sunny environment on West Broadway (refer to response to Rezoning Conditions table for detailed observation of how the applicant responded to the rezoning conditions).

A motion moved by one of the Councilors asked to refer the application to staff, as part of the ongoing Broadway Plan and related planning work. The purpose was to re-evaluate the impacts of increased density, height, floor space ratios (FSR), and associated Development Cost Levy (DCL) waivers and to report in detail the impact of this application on the surrounding housing affordability upon council adoption of the Broadway Plan. Council did not approve this motion.

***Applicant key responses to Rezoning (June 2020)***

1. Public art integrated into the building massing. Retail setback along Birch Street increased to 6'.
2. Massing above corner plaza removed, weather protection added.
3. Building stepping, materiality and balconies expression improved.

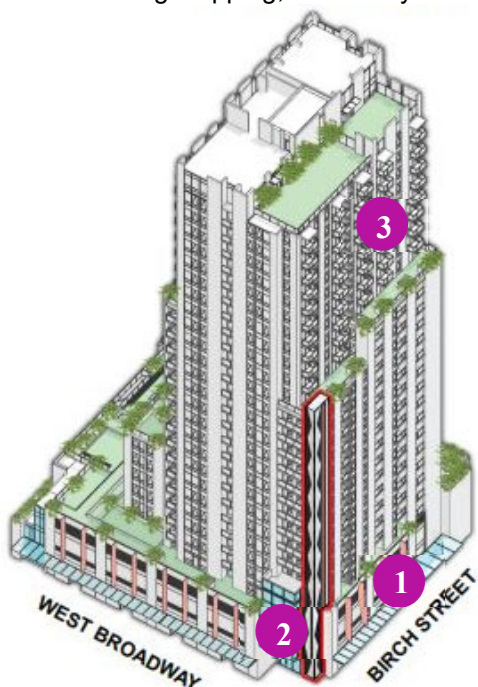


Figure 2: Rezoning Submission (June 2020)



Figure 3: DP submission (July 2021)





Figure 4: Rezoning Submission (June 2020)



Figure 5: DP submission (July 2021)

***Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements and Available Incentives (2017)***

On November 29, 2017, Council approved the application process, project requirements and incentives for the MIRHP Program, which is intended to deliver moderate-income rental housing for new buildings across the city, where 100% of the residential floor area is secured as rental housing and at least 20% of the residential floor area is permanently secured as moderate income units.

Staff determined that this application complies with the intent of the plan by providing 200 market rental units & 58 moderate income rental housing units.

***Broadway Planning Program and Associated Interim Policies (2018)***

The Broadway Planning program is a two-year process resulting in a comprehensive plan for the area along West Broadway. This plan is providing multiple public and stakeholder consultation opportunities in 2 phases. Parallel to this, the Emerging Directions for the overall study area have been presented to the public for feedback with focus on built form principles, housing, jobs and economy, streets and transportation, parks and open space, arts and cultures, community and social facilities, sustainability and a high level Public Benefit Strategy. It is also anticipated that the Broadway Plan will be presented to Council for consideration by the spring of 2022.

In addition, during the MIRHPP intake period, the applicant submitted an expression of interest package for staff's consideration on February 16, 2018. Staff responded on June 12, 2018 in a letter inviting the applicant into the MIRHP program. The staff invitation into the pilot program predates the Broadway Plan Interim Rezoning Policy, which was approved on June 20, 2018. To conclude, staff are confident that this proposal adheres to Policy 1 of the interim Rezoning Policy and the reason why it was presented for Council's consideration at public hearing.

While the Broadway Plan process is currently ongoing, staff are of the opinion that the proposal directly responds to many of the Broadway Plan Guiding Principles endorsed by Council on October 22, 2019 particularly in relation to:

- Foster a Robust and Diverse Economy

Application response:

This application proposes a mixed-use building including retail, commercial and office within the podium. The proposal would contribute to job creation and enhance the commercial experience along West Broadway.

- Support Affordable, Diverse, Equitable and Inclusive Complete Neighbourhoods

Application response:

Approximately 258 new rental units are proposed in the application. The applicant has proposed 22% of the residential floor area as secured moderate income units, exceeding the minimum of 20% required through the MIRHP Program.

- Support Reconciliation with First Nations and Urban Indigenous Peoples

Application response:

As part of the application's required public art contribution, the applicant has provided a preliminary public art proposal by local Indigenous artist, Debra Sparrow. The public art contribution is subject to Council's Public Art Policy, and will be secured as a condition of enactment.

***Central Broadway C-3A Urban Design Guidelines (Fairview slopes Sub-area) (1976, last amended 2004)***

The site is currently zoned CD-1 (Comprehensive Development), and within the C-3A zoning area that runs along West Broadway. The intent of the C-3A District Schedule and accompanying Design Guidelines is to provide a wide range of goods and services, maintain commercial activities while creating a pedestrian-oriented shopping district.

***Urban Design Performance Objectives:***

The overall objective of setting forth urban design guidelines as recommendations for new development is to improve upon the quality of life for the inhabitants in the Central Broadway Area.

New development should enhance the overall pattern of the Broadway Area and not jeopardize its distinctive features, both natural and man-made. These features can be summarized as below:

- Broadway as a City Sub-centre
- Nodes of Activity
- Community Links
- Broadway as East-West Arterial
- Existing physical Pattern
- Gateways to the Inner City
- City Reference Points
- Topography and Views
- Street Trees and Landscaping
- Lighting
- Significant Older Buildings

***Other Relevant Objectives:***

According to the project's location, this proposal is specifically governed by Fairview Slopes Sub-area under Central Broadway. The relevant urban design objectives in this area are summarized as below:

- Use and activity: new development is encouraged to accommodate various uses including residential, office, retail
- Street level: locating open areas off-street to benefit people from sun exposure and views
- Building Form:
  - Street wall height and length: should be determined in order to maximize sun penetration and views.
  - Views: building massing and stepping should be responded to maximize the views
  - Tallest buildings: are best allocated at the high point in topography (between Alder and Birch)
  - Materials and colour: encourage the use of natural tones and smooth texture finishes in compliance with the neighbourhoods character

The proposed form consists of a 2-storey podium and a slender tower of 26-storeys above, resulting in an overall building height of 282.78 ft. At the time of rezoning, Council approved this proposal with the podium component as provided, thereby achieving a similar effect of openness onto the West Broadway public realm. In addition, the proposed street wall height would increase the sense of building enclosure for this section of West Broadway.

Council also approved that the proposed width of the lowest component and the slender profile of the tower, generally conform to the C-3A Design Guidelines.

The tower is also limited by an overall floor plate average size, which in turn limits its impacts on the surrounding areas with respect to physical imposition and shadowing impacts. To compare with the Council-approved 16-storey market rental building, staff noted that the tower provides limited shadow impact on the north sidewalk during the fall/spring equinoxes. In addition, Council approved the proposed increase in height up to 27 storeys and noted that the overall east-west width of the tower has been shaped and minimized,

which in turn minimizes the overall amount of time the shadow lingers on neighbouring properties throughout the span of the day.

Staff feel that the massing and scale of the proposal is appropriate to the context and pedestrian nature of this block of West Broadway. However, for the project to more closely respond to the intents of C-3A Design Guidelines, and to ensure a higher level of neighbourliness, staff have conditioned further design development to strengthen the architectural and material expression of the tower.

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

The intent of these guidelines is to address key issues of the site, building, and unit design to achieve livability objectives for families with children. The guidelines provide direction on project planning, project design, and unit design and amenity areas.

In addition, the policy identifies the need for children's play areas, with the possibility for supervised play. Staff have determined that this proposal complies with this guideline in terms of achieving livability intents in family size units.

While the application generally adheres to the provisions of the Guidelines, staff have prepared a design consideration to provide indoor amenity space adjacent to outdoor amenity to be more functional for family activities.

### ***Public Art Policy and procedures for Rezoned Developments (2008, last amended 2014)***

Vancouver's Public Art Program works with artists, communities, city departments, and developers to commission extraordinary high quality public artwork that animate the vision and value of urban life through creating landmarks and distinctive elements in the built environment and providing a unique identity for individual developments and for the city as a whole.

In this application, the Public Art display is on the northwest corner elevation of the Broadway and Birch intersection. This tile mosaic artwork is designed by local Musqueam Artist, Debra Sparrow.

Staff also have reviewed the installation of the proposed Public Art and recommended approval as per Rezoning condition 7 and standard condition A.1.5.

### ***Response to Rezoning Conditions:***

Only conditions with remaining issues are included below.

*Rezoning Condition 1: Significant design improvements and contribution to the public realm along the West Broadway and Birch Street frontages on the ground plane, including the following:*

- (a) Design development to the proposed plaza located at the northwest corner of the subject site;*
- (b) An increase to the building setback from the Birch Street property line to a minimum of 6'-0", to enable patio life serving the adjacent commercial retail unit;*
- (c) Generous and continuous weather protection to the full width of building frontages along West Broadway and Birch Street.*

#### **Applicant Response:**

Building massing above the proposed plaza at the northwest corner has been removed to bring more natural light. The plaza has been re-designed to include a public realm bench complimentary to the public art installation as well as soft landscaping feature planting.

The building setback from the Birch Street property line has increased to 6'-0".

A glass canopy is provided along West Broadway and Birch Street at 10-12 ft. above sidewalk level.

**Staff Assessment:**

This condition has been successfully met through the proposal.

*Rezoning Condition 2: Design development to improve the livability of the proposed dwelling units with the following specific area of focus:*

- (a), (b) Sizing and configuration of all bedrooms to accommodate the appropriate furniture;*
- (c) Usable private open space for all residential units;*
- (d),(e) Minimum width for all livable areas;*
- (f) Adequate storage space for each dwelling unit;*
- (g) Minimum size for dwelling units where possible;*
- (h) Adequate daylight, ventilation, and external views for all habitable rooms.*

**Applicant Response:**

The unit's layout and the overall floor plans have been re-configured to address the livability conditions.

**Staff Assessment:**

This condition has been generally met through the proposal. Staff requested confirmation that all habitable rooms have access to adequate daylight – refer to recommended condition A.1.3.

*Rezoning Condition 3: Design development to the entry and arrival sequence of the residential component, including:*

- (a) A stronger visual denotation of the residential entry located off the Birch Street sidewalk, including a customization of the entry canopy and entryway;*
- (b) An increase in floor area of the internal lobby, to include a waiting area with seating that is visually connected with the public sidewalk on Birch Street.*

**Applicant Response:**

Public art is proposed to be installed on the residential entry wall located on Birch Street. A glass canopy is provided above the entry as well. The lobby area has increased. The hallway has widened by offsetting the cylindrical wall adjacent to parking ramp.

**Staff Assessment:**

This condition has been successfully met through the proposal.

## Form of Development

The proposed development is comprised of a slender point tower and an accompanying podium. The overall intent of coupling a tower form with a lower podium is a major urban design principle in the C-3A zoning, in order to lessen the “canyon” effect that would result from a continuously high street wall. The top portion of the tower tapers to form a visually legible finish to the building's composition.

The proposal at rezoning was reviewed and supported by the Urban Design Panel on July 10, 2019. The Panel did indicate concerns over the overall size and quality of the proposed plaza and recommended design improvements. Additionally, the Panel sought design development to strengthen the art in relations to the building and design development of the tower and podium integration.

The proposal responded to the comments and feedbacks from Panel and community at rezoning through the following positive design choices:

- The provision of a generously proportioned public realm at a location of high pedestrian activity at the corner of Birch Street and West Broadway
- Increasing the retail setback at Birch Street to 6' to maximize public interaction
- Removing the projected massing above the main entry canopy in order to increase sun light access

- Design modification to integrate the public art to the massing and emphasize the residential entry at Birch Street
- Emphasizing on vertical elements to better integrate the tower and the podium
- Revise the balconies expression to demonstrate more openness
- Provision of design and landscape refinements at outdoor amenities
- Improve the livability of the units in compliance with Rezoning conditions
- The use of high quality materials, attractive composition and thoughtful overall building massing

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 leaned towards support, a number of neighbours expressed concern about the height, shadowing impact, misalignment with the approved Guidelines, and concerns related to contextual fit.

Staff have reviewed this proposal through the lens of both existing conceptuality and potential for future growth, with the further expectation that the application would provide an active retail frontage, an enhanced corner plaza and public realm especially along West Broadway. In addition, Council has approved the proposed height and massing with special consideration of minimizing shadowing and view impact to the neighbours.

Staff view the visually interesting form and massing (particularly at the podium) and the integrated public art, as a positive addition to the neighbourhood. Refer to Urban Design Panel's commentary; an addition up-front condition seeks further design development to clarify and strengthen the design logic of the material and finish palette to better compliment the proposed building massing.

### **Public Realm & Landscape Rationale**

The application provides generous additions to the public realm, by proposing the small corner plaza at the corner of Birch Street and West Broadway and increasing the set back from property line to the building along Birch Street, which contributes to more publicly-accessible space on the development site. Additionally, the public art integration with the building enables the proposal to provide street animation at-grade contributing to a more pedestrian-friendly streetscape, which is highly desired in this area.

The application proposes extensive landscape strategies including a roof terrace located on Level 4, which will provide urban agricultural plots for residents. An additional condition seeks further design development to propose indoor amenity attached to the outdoor on this level. Outdoor space on Level 9 provides a lounge area with seating for residents. The roof terrace located on Level 28 provides access to the children's secure play area, gathering area, and adjacent indoor amenity spaces for the enjoyment of residents. Vine pocket planting has been proposed at the lane with architectural support on the building façade.

### **• Conclusion:**

The application generally meets the intent of the applicable policies and By-Laws and offers a new plane of public realm for circulation and place making. The proposed design represents high quality architectural and landscape design that is consistent with the intent of the Central Broadway C-3A Urban Design Guidelines, Broadway Planning Program and other policies and guidelines, and is commensurate with the visibility and uniqueness of this location.

The application conforms to the form of development in the 2021 approval in principle by the Development Permit Board and to the CD-1 zoning for the area, except as noted under the CD-1 (708) Amendment section of the Response to Applicable By-laws and Guidelines

This development proposal will provide desired affordable dwelling units and jobs space near a major transit hub. Staff consider the proposed building, in its massing and expression will be a positive contribution to the urban streetscape emerging along West Broadway. Therefore, staff recommend support of the proposed application subject of complying with the up-front and standard conditions.

## **URBAN DESIGN PANEL**

The Urban Design Panel reviewed this application on September 29, 2021, and provided the following comments:

### **EVALUATION: Support with Recommendations: (7/0 Support)**

Development planner, Hamid Shayan, began by noting this is a proposed Development Permit application after rezoning to develop a 28-storey mixed use building including 200 market rental and 58 Moderate Income Rental Housing units, all above 5-storey underground parking, located at the south east corner of West Broadway Street and Birch Street intersection.

This area of West Broadway is currently developed with two- to four-storey commercial buildings and mixed-use towers. A 13-storey mixed-use strata residential building is located to the east. Directly north and northwest are two office towers at 8 and 13-storeys respectively. The area to the south is zoned RM-3 and is currently developed with low-rise strata-titled condominiums and rental apartment buildings.

This is the second panel and the first one as part of the Development Permit. This presentation is aiming to highlight design modifications from rezoning to Development Permit subject of addressing the panel's previous recommendations and Urban Design Rezoning conditions

The proposed floor plans show the commercial lobby access is off both West Broadway and Birch Street, with vehicular access off the lane. The double height at grade offers retail and office uses located at the podium. The office lobby access is facing West Broadway.

Three open amenity spaces are proposed at 4th, 9th and 28th storeys. There is no setback from West Broadway while a 6' setback is proposed from Birch Street. to activate retail frontage.

The proposed application follows the Council approval for amendment of CD-1 (708) on June 2020, which approves the increase of density from 7.07 to 10.55 and the maximum building height from 171 feet to 282 feet under MIRHP program.

The proposal at rezoning was reviewed and supported by the Urban Design Panel on July 10, 2019. The Panel indicated concerns over the overall size and quality of the proposed plaza and recommended design improvements. Additionally, the Panel sought design development to strength the art in relation to the building and design development of the tower and podium integration.

The proposal responded to the comments and feedback from panel and community at rezoning as follows:

- Design refinements at the corner plaza by increasing the depth
- Increase the at-grade setback at Birch Street
- Some refinements on massing above the main entry canopy
- Design modification to integrate the public art to the massing and emphasize the residential entry at Birch Street
- Massing revisions to better integrate the tower and the podium
- Revise the balconies expression
- Provision of design and landscape refinements at outdoor amenities
- More materiality and detail refinements have been proposed in the Development Permit application

- With all the design refinements the drawings show there is a similar shadowing on the office building and pedestrian walkway at north side of West Broadway Street

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

**Public Realm**

1. Please provide feedback on the overall evolution of public realm interface between rezoning and Development Permit with particular consideration of:
  - a) improve how the building transitions to and interfaces with the ground plane;
  - b) the definition/articulation of the entry points for the different uses satisfactorily achieved; and
  - c) improve how the art integrates into the building.

**Overall Design Development and Materiality**

2. Please comment on the overall evolution of the proposed building design, architectural expression, and articulation of massing between rezoning and Development Permit.
3. Does the proposed materiality serve to enhance the overall design concept demonstrated at the time of the rezoning application?

**Quality of Outdoor Amenities**

4. Please comment if the proposal sufficiently established high quality open spaces for outdoor amenities with regard to spacing, layouts and furniture, adequate lighting, landscape, indoor privacy.

**• Applicant's Introductory Comments:**

- The applicant noted the building is now slender at three steps.
- The building is wrapped to have a 3D expression.
- The massing is enhanced by shifting balconies.
- The public art has been integrated in the massing.
- The public plaza has been enlarged along Birch Ave. The plaza gained approximately 200 sf with added benches. The applicant noted the space of the public art has been extended and they are working with Artist, Debra Sparrow.
- The amount of glazing along the lane has been increased. Along West Broadway, the retail frontage has been broken down. The office portion has introduced a vertical glass elevator.
- The floor plan becomes smaller and smaller to create articulation in the stepping of the pattern.
- Materials include a white beige brick at the top to make the tower feel lighter and at the lower portion a darker brick. The applicant noted they tried to respect all the buildings along West Broadway that use brick. A column comes down to the ground.
- There are increased setbacks on Birch Street, which allowed to incorporate the public art into the ground plain and widened the sidewalk.
- There will be passive seating and lots flexible space. The applicant noted they attempted to add at grade planting at the corner, however, limited with the parkade.
- There are three main amenity levels, which the applicant is trying make work well together.
- There is urban agriculture, a dog run and plenty of seating.
- There are various amenity spaces with a childrens play area.
- The project is proposing an artificial turf area that can be used all year long between adults and kids.
- The applicant is proposing a green roof infrastructure for rainwater management.



- Artist, Debra Sparrow, noted the public art is a reminder of the first peoples and the importance of the environment. This particular design creates a feeling of calming water, which is important for the life we live today.
- Ms. Sparrow noted this Art shows Vancouver is moving in right direction by being part of the process.
- Regarding sustainability, most of the windows are at balcony locations so there is a natural overhang.
- At the southwest façade, the railings have an extension. The project falls under the greens building policy Plan B. The applicant noted a lot of the focus at this stage has been around energy and design for low energy, passive design measure envelopes with high effectors procedures and window to wall ratio. As well as passive cooling, measures such as cross ventilation and operable windows.
- The project is beating teddy targets and low emission green targets.
- The design also considers future infrastructure so tenants can bring their own AC if they desire.
- 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. LONG** and was the decision of the Urban Design Panel:

THAT the Panel **SUPPORT** the project with the following recommendations to be reviewed by City Staff:

- Design development to the tower form to ensure significant development to the building stepping and massing strategy with respect to livability and form factor and to reduce complexity; and
  - Consider the provision of an indoor amenity space adjacent to the outdoor amenity space on level four.
- **Related Commentary:**
    - In general, the panel is supportive of the development from rezoning in terms of public realm and how the building interacts with the ground plain.
    - There were mixed reviews on the buildings massing and the stepping of the building.
    - Some noted design development with the evolution of the buildings massing.
    - There was some appreciation of the stepping of the building and how the integration and expansion onto Birch Street are more meaningful and powerful.
    - Some panelists noted there is a bit of an issue with the composition and stepping, it has a life of its own and feels foreign to the project.
    - From the quantity of outdoor amenity space, ensure an indoor amenity space is available.
    - A panelist noted having the child friendly amenity at the rooftop opposed to the podium is a bit concerning.
    - A panelist noted the public realm is relying too much on the buildings architecture to make it a nice space. The site in comparison to the other developments has too much concrete and trees. If this area of West Broadway Street wants to have a transit corridor needs to be further developed.
    - The banners and blank walls are a bit overkill as they are competing with the waterfall effect of the public art.
    - The panel recommended the use of high quality materiality in the building.
    - A panelist noted to consider breaking down a few of the balconies to improve livability.

## **ENGINEERING SERVICES**

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

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

The recommendations for Crime Prevention through Environmental Design are contained in the prior to conditions noted in Appendix A attached to this report.

## **LANDSCAPE**

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

## **ENVIRONMENTAL PROTECTION BRANCH**

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

## **HOUSING**

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

## **NOTIFICATION**

On August 23, 2021, the applicant confirmed installation of the development notification site sign. On August 23, 2021, staff sent 660 notification postcards to neighboring property owners advising them of the development application and posted information regarding the application on the Shape Your City website.

## **Summary of Public Comments**

Throughout the entire review period, the City received 54 survey comments, 12 in support of the application, 2 mixed and 40 opposed noting concerns/objections with the proposal. Of the supportive responses, neighbours indicated that they:

- Are in favour of the height & density.
- Provides the necessary demand for moderate-income homes.
- Believes the additional density will contribute to the growth of businesses of the south Granville community.
- A drastic increase in density along West Broadway is necessary for the many amenities in the area.
- Pleased with the design of stepping of the east & west facades.
- Happy to see a penthouse is completely devoted to common amenities.

Of the opposing responses, comments received included concerns that:

- The building height & density is far too large, which will have a negative impact on the neighbourhood.
- The previous 17 storeys and density should be retained.
- Sets a precedent for other towers in the area.
- Scale conflicts with the Central Broadway Design Guidelines & Plan.
- The development creates too much Shadowing, which has a deep negative impact for the Fairview Slopes neighborhood and beyond.
- Overshadows all the way to False Creek and to Yaletown/Downtown South, including several parks.
- The size of the units is too small for families with children.
- Neighboring dwelling units may have privacy concerns.
- There is zero school capacity left in this neighborhood and insufficient amenities to accommodate this development;
- Creates increased pressure on the existing affordable rental apartments in the area.
- Construction will create additional air pollution.
- The proposal will create too much traffic congestion.
- Scale conflicts with the Central Broadway Design Guidelines.

### Staff Response to Public Comments:

**Height, density and existing Policies/Guidelines:** Respondents noted that proposed building height and density is too tall for the neighbourhood and recommend that the proposed development maintain the previous 17 storeys. There are concerns that the proposed height is out of character for the neighbourhood and will influence the Broadway Corridor Planning process. In addition, concerns were identified regarding the proposed development not complying with the existing policy framework.

**Staff Response:** This application aligns with the approved CD-1 Amendment and in terms of height, density and Form of Development. Staff also have concluded the proposed stepping and massing revised the scale of the building to be more compatible with the adjacent context.

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

- Street wall continuity: the applicant is proposing 3 –storey street wall along the commercial (W. Broadway) frontage in accordance with subsection 3.1 of Central Broadway C-3A Guidelines, Fairview Slopes Sub-area
- Improved plaza space and retail frontage: staff have evaluated the performance of the at-grade open spaces as being a fundamental component of the application, and will provide recommendations to the applicant accordingly
- Weather protections: the applicant is proposing continuous weather protection along the commercial (W. Broadway & Birch St) frontage in accord with subsection 2.10 of Central Broadway C-3A Guidelines, Fairview Slopes Sub-area
- Parking: provision for parking and loading are governed by the Parking Bylaw

**Shadowing impact:** Comments from the public were received noting some concern for the increase in shadowing, which has a negative impact for the neighbourhood.

**Staff Response:** Staff have concluded the proposal provides similar shadowing as rezoning on the office building and pedestrian walkway at north side of West Broadway. There is also a condition included that the proposed amount of shadowing on the north side walkway at West Broadway will remain as demonstrated in the rezoning application, through future stages of design development and project approvals.

**Unit's livability:** Residents noted that the proposed unit's size is not adequate for families. Also they noted some concerns for privacy of adjacent units.

**Staff Response:** This application has been revised in a way to address all livability concerns from previous neighbours' notification feedback and urban design condition at Rezoning.

While staff recognize that the floor plate area restriction and required massing refinements are two factors, which limit the size of the units, they provided a condition to ensure the livability of all units maintained through future stages of design development. They give particular attention to adequate access to daylight, ventilation and views for all habitable rooms, the quality and functionality of private open spaces and privacy of neighbours.

In addition, in reference to High Density Housing Guidelines for Families and Children, a provision for an extra indoor amenity room has been requested.

**DEVELOPMENT PERMIT STAFF COMMITTEE COMMENTS:**

The Staff Committee has considered the approval sought by this application and has concluded that with respect to the CD-1 By-law pertaining to this site, 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.

The Staff Committee supports this proposal subject to the conditions contained in this report.



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J. Greer  
Chair, Development Permit Staff Committee



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H. Shayan  
Development Planner



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L. Berdahl  
Project Coordinator

Project Facilitator: Niall Coffey

## 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

- A.1.1 enactment of CD-1 By-Law (708) amendment and approval of the Form of Development;

### Urban Design Conditions

- A.1.2 design development to improve the interface between the building and the West Broadway public realm by way of the following design strategies:

- i. introducing landscaped recesses between discrete commercial retail units or elsewhere at the north side of the property; and
- ii. proposing various high quality and durable paving materials integral with the existing concrete paving.

- A.1.3 design consideration to provide an additional common indoor amenity room contiguous with the existing outdoor amenity space for residents at lower levels;

**Note to Applicant:** The amenity room should be no less than 400 square feet with a wheelchair accessible washroom, storage closet, and kitchenette. Refer to “High Density Housing Guidelines for Families with Children”. Some adjustments in unit's layout might be applicable.

- A.1.4 confirmation that the livability of all units is maintained through future stages of design development with following specific areas of focus:

- i. all habitable rooms comply with HAD requirement which is indicated in CD-1;

**Note to Applicant:** Refer to Rezoning condition 2. This can be achieved by increasing the size of windows in the units particularly located at the north. Some massing modifications such as reducing the width of vertical elements might be applied;

- ii. all units have usable private open spaces;

**Note to Applicant:** The future mechanical components such as AC units should not negatively impact the functionality and livability of the balconies and appearance of the building. In addition, consideration of strategies to minimize the overlook and noise impacts of the balconies to adjacent neighbours are encouraged;

- A.1.5 design development for all at-grade façades to maintain a high degree of architectural detail, variety, and quality, as proposed, through future stages of design development;

**Note to Applicant:** Particular attention should be given to ensuring that the building detailing presents as highly resolved when viewed from West Broadway and Birch Street public realms, and wherever pedestrians are in close proximity to the building face. Consideration should be given to the following recommendations from UDP:

- i. louvers at podium can be replaced by other durable materials;
- ii. paving materials to be integrated with the language of public art tiles; and
- iii. the blank brick wall to be minimized at the corner plaza.

- A.1.6 confirmation that the amount of shadowing on the north side walkway at West Broadway will not exceed the amount approved in the rezoning application;

**Note to Applicant:** An updated shadow study should be provided in all stage of approval process.

- A.1.7 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 entries;

**Note to Applicant:** Building lighting and signage must be designed to integrate sympathetically with the façade, and should provide for enhanced pedestrian experience of the public realm. Signage is a separate application and should be noted as “SHOWN FOR REFERENCE” in the drawings.

- A.1.8 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 Housing condition A.4.3.

- 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, building and neighbouring residents, kitchen exhaust grilles must be located away from sidewalks, private balconies, and adjacent residential developments.

- A.1.9 provision of 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 Conditions

- A.1.10 provision of detailed FSR overlays indicating all spaces and uses included or excluded from FSR calculations, including the following;

- i. shared access and circulation areas, including elevator, exit corridor, stairs etc., on Level 1, Level 2 and Level 3 are to be proportionately rated and included in the computation of corresponding area of each use;

**Note to Applicant:** Revise FSR overlays to indicate colour hatching and labelling to correspond with the FSR statistics table.

- ii. include floor areas of access and circulation areas, including elevator, exit corridor, stairs etc., and mechanical room on roof-top; and

**Note to Applicant:** Confirm stairway access to roof. Stairs as shown on Level 28 plan appear to be accessible to roof.

- iii. compliance with Planning By-law Administration Bulletin entitled, Bulk Storage and In-Suite storage – Multiple Family Residential Developments.

**Note to Applicant:** Some of the bulk storage room are located on exterior walls and propose windows.

- A.1.11 provision of updated data summary table including a clear breakdown per building, per unit, per floor showing (1) gross area, (2) each type of excluded area and (3) net area;

**Note to Applicant:** Summary information shall reflect information from the FSR overlays.

- A.1.12 confirmation of compliance with Section 10.18.1 – Height – Building, of the Zoning and Development By-law;

**Note to Applicant:** In order for proposed mechanical screening and elevator overrun to be excluded from height calculations, they cannot in total cover more than 10% of the roof area on which they are located as viewed from directly above.

- A.1.13 provision of notation/clarification of the uses of all rooms/spaces, noting proposed use of all rooms on all floors;

- A.1.14 provision of the following dimensions and additional information on the drawings:

- i. consistent and continuous dimension line hierarchy to be provided on the site plan, floor plans and overlays, in the following order:

- a. overall building width, depth, height;
- b. changes in building planes/projections;
- c. offset from gridlines; and
- d. any other specific building features, units, walls, etc., as needed.

- ii. setback dimensions to locate building corners in relation to property line corners;

**Note to Applicant:** Setback dimensions and gross building measurements are to be to the exterior face of the cladding.

- iii. dimensions for building floor heights, height envelop references and geodetic elevation references to top of parapet, guards, and roof deck accesses for all building and floors;

- iv. existing and proposed grade elevations at major building corners added to the site plan, main floor plan and elevations;

- v. section cut lines to ensure sections correspond correctly to floor plans; and

- vi. drawing scale on each drawing page.

- A.1.15 confirmation of compliance with Section 7 - Horizontal Angle of Daylight (HAD), of the Draft CD By-law;

**Note to Applicant:** Ensure all habitable rooms meet the HAD requirements. This will be reviewed in detail on next submission.

- A.1.16 compliance with Section 4 – Off-street Parking Spaces Regulations, of the Parking By-law, by providing the following:

- i. compliance with section 4.1.8 – Number of Small Car Spaces, of the Parking By-law;

**Note to Applicant:** The number of small car parking spaces on a site may not exceed 25% (34 spaces) of the total parking spaces required.

- ii. compliance with Section 4.14 - Electric Vehicle Charging Infrastructure Requirements, of the Parking By-law:
  - a. All parking spaces provided for residential use, excluding visitor parking spaces, shall be provided with an energized outlet capable of providing Level 2 charging or higher to the parking space; and
  - b. For parking spaces dedicated to commercial use, a minimum of one parking space for every ten parking spaces, plus one space for any additional parking spaces that number less than ten, shall be provided with an energized outlet capable of providing Level 2 charging or higher to the parking space.

A.1.17 compliance with section 5 – Off Street Loading Space, of the Parking By-law;

**Note to Applicant:** Required to provide 1 Class B loading space for residential, 2 Class B loading spaces for retail, and 1 Class A and 1 Class B for office. Staff will support provision of two Class A spaces in lieu of one Class B.

A.1.18 provision of details of bicycle rooms, in accordance with Section 6 of the Parking By-law, which demonstrates the following:

- i. provide a minimum of 5% oversized spaces as per 6.3.9;
- ii. provide a maximum of 30% vertical spaces as per 6.3.13; and
- iii. provide a minimum of 10 % of the spaces as lockers as per 6.3.13.A.

**Note to Applicant:** A breakdown of the types and sizes of bicycle spaces has not been provided. Provide the required 5% oversized bicycle spaces and 10% Class A bicycle lockers. It is estimated that a total of 463 Class A bicycle spaces are required, including 23 oversized bicycle spaces and 46 lockers.

A.1.19 compliance with Section 6.5 – End of Trip Facilities, of the Parking Bylaw;

**Note to Applicant:** Provide the required commercial bicycle clothing lockers. It is estimated that 34 clothing lockers are required.

### **Landscape Conditions**

A.1.20 provision of a Tree Management Plan, full size as part of the landscape plans and coordinated with arborist report, showing trees to be removed and retained trees with dimensioned tree barriers;

A.1.21 provision of approval from the Park Board for the proposed removal of City owned Tree #C01;

A.1.22 coordination for the provision of new street trees with Engineering and the Park Board; and

**Note to Applicant:** We understand the trees locations was confirmed by Engineering. This still needs to be finalized for the tree species. New street trees to be shown and confirmed on the Development Permit plans and on the Plant List. Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services.*"



*New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches deep. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".*

- A.1.23 provision on the landscape drawings of landscape features intended to create a bird friendly design.

**Note to Applicant:** Bird friendly plants should be included on the plant palette, enabling bird habitat conservation and bird habitat promotion. Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at:

<http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>

### **Crime Prevention Through Environmental Design (CPTED)**

- A.1.24 design development to incorporate CPTED measures including the following:

- i. ensure clear view lines and good lighting around building access points including elevator and entry entries and fire exits;
- ii. provide white walls in parking areas;
- iii. avoid deep alcoves and concealed spaces; and
- iv. reduce opportunities for graffiti around the building with graffiti deterrent paint, planting, murals or artworks on blank walls.

**Note to Applicant:** Measures should reflect the specific risks in the area.

### **A.2 Standard Engineering Conditions**

- A.2.1 provision of letter of credit as per offsite services agreement is required prior to issuance of the Development Permit;
- A.2.2 provision of a Latecomer Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for and only if the following works constitute excess and/or extended services:
- i. provision of improvements at the intersection of Birch Street and West Broadway including: Upgrades to the existing pedestrian signal to a full traffic signal with Accessible Pedestrian Signal (APS) and associated enabling works to modify or relocate existing infrastructure;
  - ii. provision of intersection lighting upgrades at West Broadway and Birch Streets to current City standards and IESNA recommendations; and
  - iii. provision of new pad mounted service cabinet/kiosk to be located on Birch Street should the detailed Electrical Design require the addition of one.
- A.2.3 provision of design elevations (DE's) interpolated between approved building grades are required along the property line at the following locations:
- i. middle of: entrances, stairs, pedestrian pathways, utility access; and

- ii. corners of: driveways, individual parking stalls, loading bays, plazas, retaining walls, planters, etc.

**Note to Applicant:** See building grade letter and attached PDF for more information.

- A.2.4 provision of an updated landscape and site plan to reflect the public realm changes including all of the off-site improvements sought for in the rezoning;

**Note to Applicant:** Where a design or detail is not available, make note of the improvement on the site and landscape plans. The updated plan is to note the following:

- i. all tree surrounds to be 4 piece exposed aggregate to match the new front boulevard treatment; and
- ii. add notes and callouts to the landscape plans stating that the required street improvements will be as per City issued geometric design. Update the plans to reflect the geometric design if available.

- A.2.5 provision of improved access and design of bicycle parking and compliance with the Bicycle Parking Design Supplement, including provision of the following:

- i. provision of minimum 5% Class A bicycle spaces to be provided as oversized;

**Note to Applicant:** Reference Section 6.3.9 of the Parking Bylaw.

- ii. provision of Class A bicycle spaces to be provided in a separate bicycle room or as standard sized bicycle lockers;

**Note to Applicant:** Bicycle spaces 1-5 need to be relocated into a storage room or provided as horizontal lockers within the parkade.

- iii. provision of minimum Class A bicycle locker dimensions;

**Note to Applicant:** Vertical bicycle lockers are not supported. Reference Section 6.3.19 of the Parking Bylaw for additional information.

- iv. automatic door openers for all doors providing access to Class A bicycle storage;
- v. design specifications for stacked bicycle racks including dimensions, vertical and aisle clearances; and

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

- vi. provision of minimum 0.6 m (2 ft) x 1.8 m (6 ft) dimensions for Class B bicycle spaces.

**Note to Applicant:** Updated plans to dimension, number and label Class B spaces.

- A.2.6 provision of improved access and design of loading spaces and compliance with the Parking and Loading Design Supplement, including provision of the following:

- i. convenient, internal, stair-free loading access to/from all site uses; and

**Note to Applicant:** Identify the commercial loading access from the loading dock to the 'potential loading corridor'.

- ii. improved interface of the loading access and lane by ensuring the following:
  - a. relocation of the existing power pole restricting access.

**Note to Applicant:** Confirm if this pole will be relocated or undergrounded.

- A.2.7 provision of improved 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 provision of the following:

- i. provision of minimum 4.0 m (13.1 ft) width for the first Class A passenger space and 2.9 m (9.5 ft) width each subsequent space; and

**Note to Applicant:** Update plans to provide minimum width for the first passenger space and widen the retail passenger space located on the P1 parking level adjacent the retail/office elevator.

- ii. improved interface of the parkade access and lane by ensuring the following:
  - a. relocation of the existing power pole restricting access to the parking ramp.

**Note to Applicant:** Confirm if this pole will be relocated or undergrounded.

- A.2.8 provision of the following information as part of the 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;

**Note to Applicant:** Include Class B bicycle spaces.

- ii. update plans to reflect the geometric design if available;
- iii. all types of loading spaces individually numbered, and labelled on the drawings;
- iv. dimensions for typical parking spaces;
- v. section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and raised security gates. These clearances must consider mechanical projections and built obstructions; and

**Note to Applicant:** Update Entrance Ramp Section A to dimension minimum clearance to the underside of a raised security gate and include an additional partial section to show minimum clearance to within the load court to the underside of a raised security gate.

- vi. update the site plan to include a note clarifying if power poles in the lane will be relocated or undergrounded.

**Note to Applicant:** The second power pole in the lane from Birch St is currently obstructing the main parking ramp and the third pole is obstructing loading access.

- A.2.9 provision and maintenance of parking, loading, passenger, bicycle and end-of-trip facilities in accordance with the requirements of the Vancouver Parking By-Law;

**Note to Applicant:** The Broadway Subway construction has begun and is expected to complete by end of 2025. During construction, street use in the vicinity of the Project (mostly along West Broadway, but may include intercepting north-south streets such as Hemlock Street) will be highly restricted in order to facilitate Broadway Subway construction and maintaining movement along the corridor. This will also include underground encroachment into City street right-of-way (e.g. soil anchors for shoring) and plans may be subject to review and approval by the Broadway Subway Project. We are providing advance notice to any future development to bare this in mind during planning for any construction activities within the area.

- A.2.10 provision of a canopy application for all new canopies that encroach onto City property is required;

**Note to Applicant:** Canopies must be fully demountable and drained to the buildings internal drainage systems. Please submit a copy of the site and elevation drawings of the proposed canopy for review.

- A.2.11 make arrangements to the satisfaction of the appropriate utility companies (Hydro, Telus etc) for the relocation of the wood pole and guy wires in the lane;

**Note to Applicant:** Confirmation that the wood pole and guy wires can be relocated is required.

- A.2.12 provision of a draft version of the final Rainwater Management Plan (RWMP) to be submitted to clearly indicate how the onsite system achieves the following:

i. General

- a. Provide a post-development site map detailing the different surface types and how rainwater will be directed or retained in each area. Include the following:
- all routing of water throughout the site;
  - buildings, patios and walkway locations;
  - underground parking extents;
  - location of any proposed detention tank, water quality treatment and flow control system with connections to the sewer system;
  - area and depth of landscaping to support the claim of absorbent landscaping as a rainwater capture method.
  - area measurements for all the different land use surface types within the site limits; and
  - delineated catchments to demonstrate best management practices (detention tank(s), green infrastructure, etc.) are appropriately sized.

**Note to Applicant:** Claimed Hard Areas directed to landscaping within each catchment shall be supported with at least conceptual routing (flow arrows and/or hatching the claimed areas)

**Note to Applicant:** Configuration/arrangement of RWM system shall be shown as part of the Development Permit submission.

ii. Water Quality Target

- a. Provide information on how the water quality requirement will be achieved on this site, as water quality treatment is required for the first 24 mm (~70% annual average rainfall) of all rainfall from the site that is not captured in Tier 1 or Tier 2 practices and 48 mm (~90% annual average rainfall) of treatment is required for high traffic areas. For the Development Permit submission, the following should be included for review for all proprietary devices:
  - product Name and Manufacturer/Supplier;
  - total area and % Impervious being treated;
  - treatment flow rate;
  - supporting calculations to demonstrate adequate sizing system based on the contributing drainage area;
  - include discussion of the specified treatment device's % TSS removal efficiency certification by TAPE or ETV; and
  - location of device in drawing or figure in the report.

**Note to Applicant:** Please clarify proposed water quality treatment unit discrepancy between report text and DWG IRMP-3 detail "Flow Control Arrangement". Online or Offline configuration shall be shown and be incorporated as part of the unit sizing consideration.

iii. Volume Reduction

- a. Prioritize methods of capture by Tier 1 and 2 with only Tier 3 as a last resort to meet the 24mm Volume Reduction requirement. Please elaborate on why green roof is only proposed for ~9% of the total roof area.

**Note to Applicant:** Previous comments included direction for green roofs on all available flat rooftops including commonly accessible and useable spaces yet the % of green roof coverage actually reduced compared to the preliminary design at RZ and capture from Passive irrigation is no longer considered. There appears to be abundant opportunities for green roof substitution or inclusion on site (artificial turf, rubber surfacing play space, around open dining space).

**Note to Applicant:** Proposal of grading hardscapes into appropriately sized adjacent landscaping is encouraged and areas routed to landscaping are included in the total capture by the Tier 1 or 2 practice.

- b. Calculate the detention tank volume equal the greater of either the pre-development peak flow storage volume or the amount of the 24 mm rainfall not captured in Tier 1 & Tier 2 practices.

**Note to Applicant:** Best efforts shall be made to utilize most or all rainwater detention storage by restricting the proposed target release rate to be below the pre development peak flow rate if the detention tank volume is greater than the pre-development peak flow storage volume.

iv. Release Rate

- a. Use appropriate runoff coefficients for different surface types and ensure consistency in % imperviousness estimates for all relevant calculations.

**Note to Applicant:** Runoff coefficients for landscaping on slab should be increased to reflect the increased runoff potential for these areas compared to landscaping over native soil. Currently the runoff coefficient for post-development landscaped areas on slab is equal to landscaping over native soil.

- b. Provide detailed drawings of all proposed rainwater management systems including but not limited to, dimensions, inverts, stage-storage-discharge characteristics, design criteria and all assumptions.

**Note to Applicant:** While the details may not be available or finalized until the subsequent Building Permit Application, relevant information should be included in the RWMP for the mechanical design considerations such as maximum effective head above orifice invert, orifice size, expected footprint, etc. This may mitigate the need for a pumping system for rainwater management purposes which should be avoided with best efforts.

**Note to Applicant:** As it is acknowledged that not all design components are advanced fully at this stage, placeholders will be accepted in this resubmission with the expectation the final RWMP will include all relevant details.

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

- A.2.13 registration of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services prior to the issuance of the Development Permit;

**Note to Applicant:** The legal agreement restricts the issuance of a building permit until the final Rainwater Management Plan (RWMP) and Operations & Maintenance (O&M) Manual have been accepted by the City. The approved documents shall be attached to the Agreement as schedules and be registered on the property's title. The rainwater management system shall be inspected as necessary during and after construction. A Registered Professional is to inform the City by letter bearing their professional seal whether the system has been so constructed as per the accepted rainwater management plan and if not, sealed final design drawings showing the details of the modified system must be provided.

- A.2.14 provision of a final RWMP, which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services and the City Engineer **prior to the issuance of any building permit;**

- A.2.15 provision of a final standalone Operations and Maintenance (O&M) Manual to the satisfaction of the General Manager of Engineering Services and the City Engineer **prior to the issuance of any building permit;**

**Notes to Applicant:** The O&M Maintenance Manual shall be a separate document and is not necessary prior to be provided and accepted prior to Development Permit issuance. Included Operation and Maintenance prepared by Creus Engineering Ltd dated June 29th, 2021 was not reviewed at this time. Comments may be provided for the O&M Manual in advance if requested and included in the subsequent submission at Development Permit application stage. The O&M Maintenance Manual shall include but not be limited to the following components:

- i. site plan showing proposed conditions from the Final Rainwater Management Plan;
  - ii. phasing considerations (i.e. early stage requirements immediately following construction, and on-going requirements once the site is established);
  - iii. a table or schedule that describes the level of effort and frequency of tasks required to maintain optimal performance for each individual component of the system and indicate which activities would require occupancy of the public right-of-way;
  - iv. contact information for any proprietary systems to be located on-site;
  - v. checklists to assist non-technical persons in assessing operation and maintenance performance and requirements (including pictures where appropriate); and
  - vi. description of how access to each of the proposed rainwater management features would be achieved with all necessary maintenance vehicles and equipment.
- A.2.16 provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary;
- A.2.17 provision of written confirmation that all required electrical plants will be provided within private property;

**Note to Applicant:** BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features

**Note to Applicant:** Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

- i. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan <https://vancouver.ca/files/cov/engineering-design-manual.PDF>; and
- ii. All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

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

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

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

- A.3.1 submit a Site Disclosure Statement to Environmental Services;
- A.3.2 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

- A.3.3 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 Climate Change Strategy and provided to the City;

#### **A.4 Housing Conditions**

- A.4.1 confirmation that at least 22% of the residential floor area, that is counted in the calculation of the dwelling unit area per the CD-1 By-law, is secured as moderate income units, subject to the conditions secured in the enacted Housing Agreement;

- A.4.2 confirmation that there is a minimum of 2.3 sq. m (24.7 sq. ft.) of bulk storage for each dwelling unit, either in the unit or below-grade;

**Note to Applicant:** Include a summary of the storage area per unit including the below grade storage units.

- A.4.3 confirmation that the indoor amenity room washroom is accessible and the washroom is equipped with baby change table;

- A.4.4 confirmation that the unit mix continues to be not less than 35% family units (two or more bedrooms and be designed to be suitable for families with children) for each of the market rental units, and moderate income rental units;

**Note to Applicant:** The unit mix proposed at Development Permit application is acceptable. Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning, provided that the family unit mix for each of the market rental units and below-market units does not go lower than 35% and the family units are designed to be suitable for families with children.

- A.4.5 design development to the children's play area to include nearby outdoor seating for caregivers to be able to watch their children, as per the High Density Housing for Families with Children Guidelines;

- A.4.6 provision of a DCL waiver rent roll and unit size confirmation form indicating the agreed maximum average initial monthly rents for the units secured at moderate income rates, prior to Development Permit issuance, and again prior to issuance of an Occupancy Permit, to the satisfaction of the General Manager of Planning, Urban Design or Sustainability and the Director of Legal Services; and

**Note to Applicant:** Prior to Development Permit issuance, a DCL waiver form will be sent to you; this will need to be completed, including the rent roll, and the unit size confirmation form.

- A.4.7 provision of a final rent roll for the moderate income units, to be appended to the housing agreement for monitoring purposes, prior to Development Permit issuance.



**B.1 Standard Notes to Applicant**

- B.1.1 It should be noted that if conditions 1.0 and 2.0 have not been responded to on or before **(May 15, 2022)**, this Development Application may be refused, unless 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.2 Conditions of Development Permit:**

- B.2.1 All new buildings in the development will meet the requirements of the Green Buildings Policy for Rezoning (amended May 2, 2018), including all requirements for either Low Emissions or Near Zero Emissions Buildings. These requirements are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

**Note to Applicant:** The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of the permit process. For more detail on what must be submitted at the building permit stage for Low Emissions Green Buildings, refer to section B.2) of the most recent bulletin titled *Green Buildings Policy for Rezoning – Process and Requirements* (amended June 14, 2019 or later).

- B.2.2 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 Bylaw 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 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.2.4 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.2.5 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 West 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.2.6 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.
- B.2.7 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.**