

October 2, 2018

Tom Pappajohn
Jameson Development Corp
670-1665 W Broadway
Vancouver, BC V6J 1X1

Dear Mr. Pappajohn:

RE: Rezoning Enquiry – 1296 W Broadway

Thank you for your letter of enquiry for 1296 W Broadway, which the City received in full on July 9, 2018. Staff have reviewed the proposal and have the following commentary and advice.

Proposal

The enquiry proposes to rezone 1296 W Broadway from CD-1(708) to a new CD-1 to construct a 26-storey mixed-use building with a two storey podium with 258 secured rental units under the *Moderate Income Rental Housing Pilot Program (MIRHPP)*. This 1,743 sq.m (18,762 sq.ft.) site is located on the southeast corner of West Broadway and Birch Street and is currently developed with a one-storey commercial building with surface parking. The proposal includes a total gross floor area of 18,112 sq.m (194,956 sq. ft.), a density of 10.39 FSR, and an approximate height of 77.85 m (255.42 ft.). 151 vehicle parking spaces and 224 bicycle spaces are proposed in four levels of underground parking accessed from the rear lane.

Applicable Policy and Guidelines

Staff reviewed the enquiry based on the following policies:

- *Moderate Income Rental Housing Pilot Program (MIRHPP) (2017)*
- *Housing Vancouver Strategy (2017)*
- *Rental Incentive Guidelines (2013, last amended 2018)*
- *High-Density Housing for Families with Children Guidelines (1992)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *Community Amenity Contributions – Through Rezoning (1999, last amended 2017)*
- *Green Buildings Policy for Rezoning (2010, last amended 2017)*
- *Central Broadway C-3A Urban Design Guidelines (Fairview Slopes Sub-area) (1976, last amended 2004)*
- *Central Area Plan: Goals and Land Use Policy (1991)*
- *Greenest City Action Plan (2011)*
- *Policy on Consideration of Rezoning Applications and Heritage Revitalization Agreements during the Broadway Planning Process (2018)*

Staff Advice

The *Moderate Income Rental Housing Pilot Program* (MIRHPP) allows for consideration of redevelopment of a limited number of CD-1 zoned sites, with supportable height and density varying depending on the site. Projects must provide a secured and enhanced level of affordability, noting that applicants will be expected to demonstrate their ability to maximize the level of affordability in the project. The proposed mixed-use development at this site is generally consistent with MIRHPP and eligible for consideration.

Staff are supportive in principle of the enquiry, pending a successful resolution of the following advice noted below. We recommend scheduling an in-person meeting to discuss the following comments with staff prior to submitting a revised enquiry. Staff acknowledge that revisions may result in a commensurate reduction in density and unit count.

Form of Development

- It is anticipated that the Broadway planning process will provide further direction on height and density for this area. The process is expected to take two years and there is currently no policy direction on height and density. As a result, a proforma is requested at the enquiry stage to clarify rationale for the proposed height and density in the proposal. The intent of the pro-forma is to provide staff with a more fulsome understanding of the relationship between the proposed form and the amount of moderate income rental units proposed on this site. Once a pro-forma has been received and assessed, there may be further staff comment on the proposed height and built form.
- A high level of architectural design is expected on sites that redevelop along the Broadway corridor. Further consideration and resolution of the exterior finishes, built form and public realm is encouraged as the plans for the proposal are more fully developed. In particular, tapering of the building form at the highest storeys is encouraged. Although a maximum floorplate for a tower is typically 6,500 sq.ft. (not including balconies), an averaging of the 6,500 sq.ft. floorplate between the third storey to the top storey can be considered for this building design. A general guideline that reflects the proposed form is: floorplates between the 7th to 16th storeys may be greater than 6,500 sq.ft.; floorplates between the 17th and 20th storey may be approximately 6,500 sq.ft. and the floorplate above the 20th storey should be less than 6,500 sq.ft.
- Explore opportunities to provide open space at the ground level on top of the parking slab. The Greenest City Action Plan includes a target for all Vancouver residents to live within a five-minute walk of a park, greenway or other green space by 2020. This site has been identified as located within a park-deficient area. Options to consider include open space at the northwest corner of the site adjacent to the sidewalk on Birch Street. Alternatively, an open space on the eastern portion of the site could be explored.
- Encourage the addition of a “flex room” to be provided into the family-sized units (i.e. 2 and 3 bedroom units), incorporated within one of the required bedrooms which could be physically subdivided by sliding glass partitions.

Note these flex rooms when subdivided, will not be required to be equipped with an exterior window, on the condition that borrowed light from the other subdivided portion is achievable. Staff are available for further clarification on the “flex rooms” concept and this item can be discussed at an in-person meeting to review the comments in this letter.

- Encourage a minimum unit size of 700 sq.ft. for 2 bedroom units and 900 sq.ft. for 3 bedroom units.
- Consider providing an indoor and outdoor amenity space in the form of an added 27th storey with setbacks to take advantage of the access to sunlight, views and open space provided on the rooftop.
- Provide an in-depth shadow analysis in preparation for discussions with the public about shadow impacts.

Engineering

- Provide vehicle parking, bicycle parking and loading, as per bylaw requirements. Refer to the following links for additional design guidance:
 - Bicycle Parking; <http://vancouver.ca/files/cov/parking-bicycles-design-supplement.pdf>
 - Parking Space Guidelines: <http://vancouver.ca/files/cov/parking-loading-design-guidelines-stall-appendix-A.pdf>
 - Parking and Loading Guidelines: <http://vancouver.ca/files/cov/parking-loading-design-guidelines-supplement.PDF>
 - Shared Vehicles: <http://bylaws.vancouver.ca/bulletin/S008.pdf>

Note that changes to the Parking By-law were approved by City Council on July 25, 2018. Development Permit applications received after January 1, 2019 will be subject to new requirements for vehicle parking, bicycle parking, pick-up-drop-off spaces, and transportation demand management. For more information: <https://council.vancouver.ca/20180724/documents/p10.pdf>

- After the first 10 ft. from the property line, the maximum parking ramp slope permitted is 12.5%. Alternatively, up to 15% slope may be acceptable with 7.5% - 10% transition ramps.
- Additional width will be required for the second and subsequent Class B loading spaces.
- Provide the following improvements:
 - Building setbacks/ Statutory Right-of-Way's (SRWs) to achieve 5.5 m from back of existing curb for widened sidewalks along Birch Street. The SRW will be free of any encumbrances at-grade. Setbacks less than 2 ft. do not require a SRW.
 - Public realm improvements along the site frontages such as, but not limited to: sidewalks, curb and gutter, lighting, curb ramps, lane crossings, and street trees.

- Provision of funding towards off-site improvements to be determined following review of the rezoning application such as, but not necessarily limited to:
 - the conversion of the pedestrian signal at W Broadway and Birch Street from a pedestrian signal to a full signal; and
 - minor signal modifications to the pedestrian signal at W Broadway and Birch Street including LED lighting, a UPS unit and an accessible pedestrian signal and curb bulges.
- Provide a Transportation Assessment and Management Study. The TAMS should also include maneuvering and turning swath assessment of the proposed loading configuration. For additional information, refer to: <http://vancouver.ca/files/cov/TAMS-consultant-design-guidelines.pdf>
- Provision of convenient, internal, stair-free loading access to/from all site uses.
- Bicycle parking is shown on level P2. All bicycle parking must be provided on the P1 level or at-grade. Alternatively a dedicated bicycle access elevator may be provided.
- There are no Public Bike Share requirements for this site.
- City building grades will be required at the time of submission, however, due to wait times, it is advised that the applicant apply for them now.
- Further analysis is required to determine if sewers capacity is sufficient to service the proposed development. Sewers upgrade may be required and will be evaluated during the rezoning application process.
- Provide adequate water service to meet the fire flow demands of the project. It is anticipated the development shall be serviced by the 300mm water main on W Broadway. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading.
- Note that Engineering Services has recently revised the submission requirements for rezoning applications. Further information will be provided with the rezoning application submission checklist. All rezoning application submissions must now provide Water Demand Calculations, including average day and peak hour domestic water demands, fire flow calculations based on the Fire Underwriter's Survey document, Water Supply for Public Fire Protection, and building sprinkler demands based on the NFPA 13/14 (sealed by a qualified Engineer).
- This application falls within the area with potential impacts from the Broadway Millennium Line construction. From 2019 to 2025, street-use along W Broadway will be significantly restricted. Note there may be additional requirements and/or limitations on encroachments on W Broadway including underground soil anchors. Please contact the Rapid Transit Office for additional information.

Housing

- Confirm the total amount of net residential floor area dedicated to moderate income rental units is at least 20%. Identify the moderate income rental units on the floor plans.
- Design development to unit mix to more closely align with MIRHPP Unit Mix Guidelines.
- Design development to bring the unit types between the market and moderate income rental units into closer alignment. In particular, more 1 and 3 bedrooms should be proposed as moderate income rental units.
- Applicant will be required to register a Housing Agreement to secure:
 - 100% of the residential floor area as rental housing in perpetuity; and
 - 20% of the residential floor area to be made available to moderate income households earning between \$30,000 and \$80,000/year, meaning that starting rents must fall within the ranges noted in “Section 2a: Affordability in the Moderate Income Rental Units” of the [“Moderate Income Rental Housing Pilot Program: Application Process, Project Requirements And Available Incentives: Admin Bulletin”](#) and capped at the Residential Tenancy Act annual allowable increase, regardless of turnover
- Building should be designed in accordance with *High-Density Housing for Families with Children Guidelines* (<http://guidelines.vancouver.ca/H004.pdf>), including common outdoor and indoor amenity areas commensurate with the number of units proposed.

Sustainability

The *Green Buildings Policy for Rezoning* (amended in 2017) requires that rezoning applications satisfy either the near-zero emissions buildings or low emissions green buildings conditions within the policy. The requirements are mandatory for all rezoning applications received on or after May 1, 2017. The amended *Green Buildings Policy for Rezoning* can be found here at <http://guidelines.vancouver.ca/G015.pdf> and submission requirements can be found at http://bylaws.vancouver.ca/Bulletin/G002_2017April28.pdf.

For submission requirements for near-zero emissions buildings, refer to page 4. For submission requirements for low emission green buildings, refer to page 17 and for information on Integrated Rainwater Management Plans, refer to page 15. Further information on rainwater management submission requirements can be found in Appendix I of the following Council report: <https://council.vancouver.ca/20180711/documents/cfsc1.pdf>

More information and resources on this policy may be found at: <http://vancouver.ca/home-property-development/zero-emissions-buildings.aspx>.

Acoustic Requirements

The City is in the process of reviewing its acoustic requirements.

Public Consultation

Following resolution of the above-noted recommendations in a revised enquiry, a pre-application open house is required.

Rezoning Application Fees

The 2018 rezoning application fee to create a new CD-1 District on a site of this size at this location is \$177,002 per Schedule 2, Section 3(b) of the Zoning and Development Fee By-law.

Sign By-law Amendment Fees

The 2018 Sign By-law amendment application fee to initiate an amendment to Schedule A only to assign a new Comprehensive Development District to a Sign District Schedule is \$600, as per Schedule 1, Section 1.5 of the Sign Fee By-law.

Public Benefits

Development Cost Levy (DCL)

DCLs can be waived on construction of for-profit, secured, affordable rental housing, subject to meeting the DCL By-law definition and requirements of for-profit affordable rental housing. Please refer to the *Rental Incentive Guidelines* (2012, last updated 2018) for information on current rent level, unit sizes, and construction cost requirements. Note that the DCL By-law was recently amended to include both full and partial DCL waiver options for three-bedroom units. Staff strongly recommend that the applicant seeks the DCL waiver as a means to increase the affordability of the project. <http://vancouver.ca/files/cov/rental-incentive-guidelines.pdf>

Note there is a new Citywide Utility DCL to address the need for upgraded water, sewer, and drainage infrastructure as the city continues to grow. The proposed Citywide Utility DCL will apply to new developments on a square foot basis and will be in addition to the Citywide DCL. The proposed new rates become effective on September 30, 2018. The Vancouver Charter provides protection to in-stream applications (building permit, development permit and rezoning applications) that result in building permit issuance within one year of bylaw adoption. More information can be found at <http://vancouver.ca/home-property-development/proposed-utility-dcl.aspx>

Community Area Contribution (CAC)

It is anticipated that this site, as a MIRHPP proposal, will provide secure and enhanced affordability and therefore will not be required to undergo a negotiated CAC process. Prior to submission of a formal application, a proforma will be required in order for staff to better understand the financial feasibility of these pilot projects and the relationship between the proposed height and density.

Public Art Program

The *Public Art Policy and Procedures for Rezoned Developments* requires rezoning applications having a floor area of 9,290 m² (100,000 sq. ft.) or greater to contribute public art or provide 80 per cent cash in lieu as a condition of rezoning. Public art budgets are based on a formula (2016) of \$21.31 per m² (\$1.98 per sq. ft.) for all areas contributing to the total FSR calculation. Developers may fulfill the public art commitment in one of two ways:

Option A — Artwork is commissioned by the developer. An experienced public art consultant must be engaged to coordinate the public art process – ideally before application stage.

Consultants are responsible for the preparation of art plans and the coordination of artist selection and artwork fabrication, installation, and documentation. The Public Art Committee reviews and approves the Public Art Plan.

Option B — For developers not wanting to directly commission the artwork, 80 per cent of the required art budget is paid to the City as a contribution to the Signature Projects Fund. These contributions are pooled with contributions from the City, philanthropists, and other agencies to commission artworks of major significance at key city sites.

For more information:

<http://vancouver.ca/parks-recreation-culture/property-developers.aspx>

<http://vancouver.ca/files/cov/public-art-policy-and-procedures-for-rezoned-developments.pdf>

Next Steps

In summary, staff are supportive in principle of a MIRHPP project at this location, subject to the advice outlined above. We recommend scheduling an in-person meeting to discuss comments prior to submitting a revised drawing package. Review of a revised drawing package which incorporates staff advice will be required prior to proceeding with a pre-application open house.

Please note that City policies are subject to change over time. This letter does not guarantee that the advice contained within will not change. Please contact the Rezoning Planner to confirm your project or conditions related to your project have not changed. Otherwise, further revisions may be required prior to submitting a rezoning application.

Staff look forward to working with you on this project. Please do not hesitate to contact me if you have questions regarding the staff advice.

Sincerely,

A handwritten signature in cursive script that reads "Lisa King".

Lisa King, Planner
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cc: Karen Hoese, Assistant Director, Rezoning Centre
Yardley McNeill, Senior Planner, Rezoning Centre