

## SUMMARY AND RECOMMENDATION

**1 REZONING:** a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street

**Summary:** To rezone a) 1262-1290 Burrard Street from DD (Downtown District) to CD-1 (Comprehensive Development) District to permit a mixed-use building with retail, service and office uses. A floor area of 19,715.4 m<sup>2</sup> (212,222 sq. ft.) and a maximum height of 55.5 m (182 ft.) are proposed.

To rezone b) 1229-1281 Hornby Street from DD (Downtown District) to CD-1 (Comprehensive Development) District to permit a mixed-use development including two residential towers connected by a podium, with market strata and rental residential units and office, retail and service uses. A floor area of 67,430 m<sup>2</sup> (725,837 sq. ft.) and a maximum height of 167.6 m (550 ft.) are proposed.

**Applicant:** Jim Pattison Developments Ltd. and Reliance Properties Ltd.

**Referral:** This item was referred to Public Hearing at the Regular Council Meeting of November 19, 2013.

**Recommended Approval:** By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Jim Pattison Developments Ltd. and Reliance Properties Ltd. on behalf of Reliance Properties (Burrard) Ltd., Reliance Properties Ltd., 0785687 B.C. Ltd. and Rattenbury Enterprises Ltd.:
- (i) to rezone 1262-1290 Burrard Street [015-480-038, Lot 13, Block 100, DL 541, Plan 210; 015-480-097, North ½ of Lot 14, Block 100, DL 541, Plan 210; 011-182-547, Lot 11, Block 100, DL 541, Plan 210; 011-182-571; Lot 12, Block 100, DL 541, Plan 210; 015-480-836, Lot A (Reference Plan 241) of Lots 14 and 15, Block 100, DL 541, Plan 210; 015-480-861, Lot B (Reference Plan 66) of Lots 15 and 16, Block 100, DL 541, Plan 210; 015-480-143, Lot 17, Block 100, DL 541, Plan 210; 015-480-178, Lot 18, Block 100, DL 541, Plan 210; 015-480-216, Lot 19, Block 100, DL 541, Plan 210] from Downtown District (DD) to CD-1 (Comprehensive Development) District to permit a building containing retail, service and office uses, with a floor area of 19,715.4 m<sup>2</sup> (212,222 sq. ft.) and a maximum height of 55.5 m (182 ft.); and
  - (ii) to rezone 1229-1281 Hornby Street [015-480-429, Lot 33, Block 100, DL 541, Plan 210; 003-741-788, Lot 31, Block 100, DL 541, Plan 210; 003-741-818, Lot 32, Block 100, DL 541, Plan 210, 015-480-372, Lot 30, Block 100, DL 541, Plan 210; 008-897-565, Lot 29, Block 100, DL 541, Plan 210; 015-480-348, Lot 28, Block 100, DL 541, Plan 210; 015-480-305, Lot 27, Block 100, DL 541, Plan 210; 007-718-390, Lot 26, Block 100, DL 541, Plan 210; 025-841-572, Lot E, Block 100, DL 541, Gp1 NWD, Plan BCP9288; 014-994-836, Lot A, Block 100, DL 541, Plan 1072; 014-994-852, Lot B, Block 100, DL 541, Plan 1072; 014-994-887, Lot

*C, Block 100, DL 541, Plan 1072, 015-480-224, Lot 22, Block 100, DL 541, Plan 210; 015-480-259, Lot 23, Block 100, DL 541, Plan 210J* from Downtown District (DD) to CD-1 (Comprehensive Development) District to permit a mixed-use development comprised of two residential towers connected by a podium and containing market strata and rental residential units, and office, retail, and service uses, with a floor area of 67,430 m<sup>2</sup> (725,837 sq. ft.) and a maximum height of 167.6 m (550 ft.),

generally as presented in Appendices A1 and A2 of the Policy Report dated November 8, 2013, entitled “CD-1 Rezoning – a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street”, be approved subject to the following conditions:

**For a) 1262-1290 Burrard Street**

#### **CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by IBI/HB Architects and Bing Thom Architects, and stamped “Received City Planning Department, March 13, 2013”, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

#### **Urban Design – Public Realm**

1. Design development to provide an enhanced public realm treatment, with emphasis on pedestrian movement, that contributes to the lane and midblock pedestrian connection(s) including the provision of the enhanced visual and green wall landscape treatment of the blank wall with the adjacent property to the north.

Note to applicant: High quality public realm treatments that balance the needs of pedestrians and vehicular movements should be provided. Material treatments should consider variations of concrete finishes with limited accent pavers and a design approach that minimizes the use of bollards. Other public realm features, such as landscaping, seating opportunities, patio spaces need to be considered. Location of ventilation grates in key public realm areas are to be avoided. Features that are on City streets and lanes require a separate application to Engineering.

2. Design development to the Burrard/Drake corner plaza area to further strengthen the pedestrian amenity of the plaza including the provision of public seating and landscaping treatments.

Note to applicant: The plaza design needs to be considered as an extension of the public realm, rather than as an opportunity for vehicle

display. Location of ventilation grates in key public realm areas are to be avoided.

3. Design development to ensure a seamless transition from the public to private realm.

Note to applicant: High quality, special paving is encouraged on private property, the strategy should anticipate a seamless and compatible material transition from standard paving on city sidewalks. Special paving on private property should be constructed to ensure long term stability and respect the principles of universal design. Location of ventilation grates in key public realm areas are to be avoided.

4. Design development and provision of a conceptual lighting strategy and implementation plan to enhance the proposed public realm environment.

#### Urban Design - Tower B - Commercial Building - Burrard Street Site

5. Design development to maintain and further refine the high quality materials indicated for the office tower (curved non-faceted curtain wall with both fritted and highly transparent glazing) and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.
6. Design development to confirm and demonstrate the role and purpose of the enclosed bridge connection as a key component in delivering the building(s) energy performance requirements.

Note to applicant: In order to transfer energy between the two development sites, other locations such as a below grade should be also considered. If the enclosed elevated bridge connection between Tower A and Tower C is pursued, design development is required to enhance its architectural expression combined with a high degree of transparency.

7. Design development to ensure service equipment including window washing infrastructure, cell tower and antennae elements do not incur into the public view cone.
8. Design development to enhance and maintain the green roof treatments.
9. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.
10. Provision of a conceptual signage strategy to ensure a well-conceived and disciplined approach to announcing tenancy.

Note to applicant: The strategy should confirm general signage hierarchy, location and type. Back lit box signs are not supported.

## **Sustainability**

11. Identification on the plans and elevations of the built elements contributing to the buildings' sustainability performance as required by the Green Buildings Policy for Rezoning for LEED® Gold including six optimize energy performance points, one water efficiency point, and one storm water point.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project is also required under the policy.

12. Confirmation that the proposed buildings will achieve a maximum energy use intensity of 115 kWhr/m<sup>2</sup>/year for the residential portion and 122 kWhr/m<sup>2</sup>/year for the office portion of the development.

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

13. Design development to respond to CPTED principles, having particular regards for:
  - (a) theft in the underground parking;
  - (b) residential break and enter;
  - (c) mail theft; and
  - (d) mischief in alcove and vandalism, such as graffiti.

Note to applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

## **Landscape**

14. Design development of the public realm landscape treatment to provide high-quality and welcoming outdoor open spaces with substantial greenery and amenities around the perimeter and into the interior of the block to benefit the pedestrian experience.
15. Provision of a high-efficiency (drip) irrigation system for all planted rooftops, at common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.
16. Maximize green roof plantings on structures.
17. Provision of maximum growing medium depth (to exceed BCLNA standards) for all landscaped planters on structures to maximize rooting potential of trees, shrubs and other plant material.

18. Utilities to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
19. Proposed plantings consistent with the City of Vancouver Waterwise Planting Guidelines.
20. Provision of a legal survey.
21. Provision of a fully labelled landscape plan, sections and details at the development permit submission stage.
22. Illustration of all trees with their root ball circumference located with dashed lines on the P1 plan with note saying "Proposed tree above: refer to Ground Floor Plan and Landscape Plan and Section". The section should detail how the parkade roof slab is depressed/angled back to accommodate 3 to 4 feet of tree soil depth. The info must be on the architectural drawings as well as the landscape drawings.
23. New street trees to be provided adjacent to the development site and illustrated on the landscape plan, to be confirmed prior to issuance of the building permit.

Note to applicant: Provide a notation on the Landscape Plan, "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311".

Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Cabot Lyford, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

## **Engineering**

24. Clarification if canopies are proposed over public property and, if so, a canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as a rigid roof-like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56 mm in thickness (VBBL section 1A.9.8).
25. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to applicant: Pick up operations should not rely on bins being stored on the street or lane for pick-up – bins are to be returned to storage areas immediately after emptying.

## Public property landscape comments

26. Provision of smooth broom finish concrete saw cut sidewalk on all surrounding street frontages on City property. Patterning and widths as per the Downtown South “Hornby Slopes” design guidelines for the area.

Note to applicant: The widths should be expanded to 5.5 metres adjacent the grocery store and residential area.

27. Provision of pedestrian scale lighting as per the Downtown South “Hornby Slopes” design guidelines for the area.
28. Provision of street furnishings consistent with the Downtown South “Hornby Slopes” design guidelines.
29. Please place the following note on the landscape plans: “A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details.”
30. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The following items are required to meet provisions of the Parking By-law and the parking and loading design supplement:

- a) Provision of a loading and operations plan covering the Toyota and Scion vehicle dealerships and all associated service center facilities prior to the issuance of a development permit.

Note to applicant: The plans must provide a detailed explanation of the on-site vehicle service center operations, vehicle deliveries, parts deliveries, the size of delivery vehicles used, and details and confirmation that new vehicles are stored off-site and brought to the dealership only for new vehicle preparation and customer pick-up.

- b) Provision of redesigned parking and loading access and circulation on both sites to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The work must include improved loading and better separation of the parking ramp points of access within the site.

- c) Provision of truck turning movement diagrams for all loading spaces.
- d) Provide written acceptance that the maximum size truck that will serve the buildings on either site is a tractor-trailer with dimensions

not to exceed a WB-12 design vehicle, and this truck size limit will form the basis for any loading management plans.

- e) Provision of an updated Transportation Study to address any changes made to the parking, loading and access as the building design evolves through the development permit stage.
- f) Clarification of the number of class A bicycle spaces proposed on each level is required.
- g) Provision of all class B bicycle spaces to be provided on-site. Should there be a desire to supply additional class B bicycle spaces on public property a separate application to the City Engineer is required and those approved spaces on public property do not apply toward the required on-site bicycle parking.

**Notes to Applicant:**

- On pages RZ4.01, 02 and 04 some of the representations of the property lines appear to have been misplotted.
- The application does not appear to provide adequate loading to meet the parking by-law requirements.

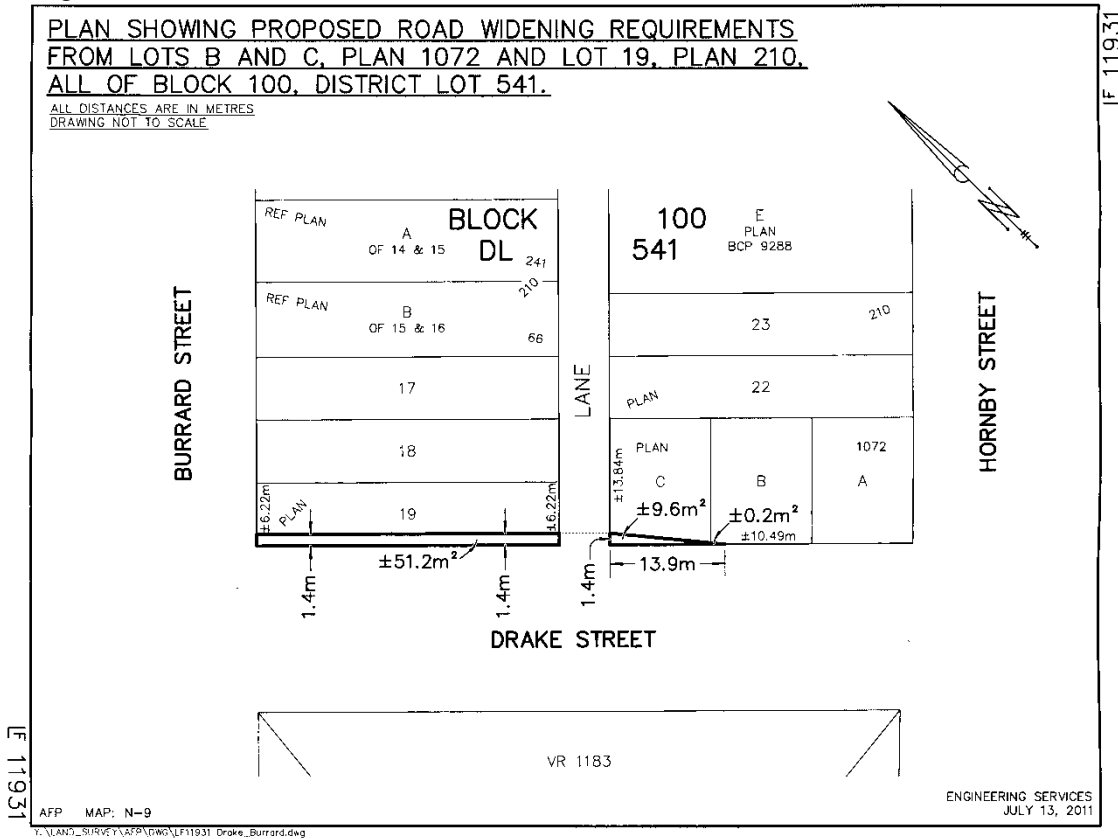
**CONDITIONS OF BY-LAW ENACTMENT**

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

**Engineering**

1. Consolidation of Lots 11 to 13, N1/2 of 14, A (Reference Plan 241) of Lots 14 and 15, B (Reference Plan 66) of Lots 15 and 16, and Lots 17 to 19, all of Block 100, DL 541, Plan 210 to create a single parcel.
2. Provision of surface statutory rights of way for public access and road purposes over the southwesterly 1.4 metres of the site from Burrard St. to the lane, adjacent to Drake St; and over the southwesterly part of the site defined by a point measured 1.4 metres along the existing northwesterly property line from Drake street, and a point measured 13.9 metres along the southwesterly property line from the lane (see Figure 1).

Figure 1



3. Provision of a separate application to General Manager of Engineering Services, to the attention of the City Surveyor, for the proposed bridge over the lane west of Hornby Street and north of Drake Street which connects the two buildings. The application is to include drawings that detail the bridge location and elevation above the lane and must clearly indicate that the bridge will be fully demountable and not be required for any code or by-law compliance needs. Written confirmations accepting the proposal from all affected utility companies is required.

Note to applicant: For an example of a typical bridge agreement please see Land Title Office registered agreement BB453624-629.

4. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

Size: A station with a size of 28 m x 4 m or 13 m x 7.5 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property while still clearly visible to the public with 24/7 public access.

Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or



broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

5. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The Services Agreement is to include a provision for delivery of the necessary works for each phase of the development to ensure proper building operations.
  - (a) Provision of modifications to the lane radii at the Drake Street and Davie Street lane entries to the block. A review of the turning radii of the largest trucks expected to serve the site is required with modification of the turning radii to accommodate the vehicles is required. Work to include all utility relocations and infrastructure adjustments necessary to achieve the desired radii including wood poles and utility facilities within the lane right of way where required.
  - (b) Provision of improvements to the intersection of Drake Street and Burrard Street to accommodate two-way traffic flow on Drake Street. Works shall include but are not limited to the conversion of the existing signal to a full traffic signal, the installation of countdown timers, curb and pavement adjustments to accommodate two-way traffic on Drake Street and traffic calming along the lane south of Burnaby Street west of Burrard Street.
  - (c) Provision of improvements to the intersection of Drake Street and Hornby Street. Works may include but are not limited to the installation of countdown timers and audible signals, and adjustments to accommodate two-way traffic on Drake Street.
  - (d) Provision of a review of the existing street lighting surrounding the site to determine if they meet current lighting standards and upgrading of the lighting should it not meet standards.

- (e) Provision of Burrard Street ceremonial treatments and standard commercial sidewalk treatments adjacent the Burrard Street site.
  - (f) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. 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. The developer is responsible for 100% of any water system upgrading that may be required.
  - (g) Provision of adequate sewer service to meet the drainage demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including gross floor area and expected fixture counts determined by the applicants' mechanical consultant to determine if sewer system upgrading is required. 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. The developer is responsible for 100% of any sewer system upgrading that may be required.
  - (h) Provision of relocated wood poles in the lane east of Burrard Street between Davie and Drake Streets to accommodate all vehicular operations and access to and from the lane. Should pole relocation result in elimination of lane lighting then provision of lane lighting is also required.
6. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

#### **Public Art**

7. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form

and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

### **Soils Agreement**

8. If applicable:
  - (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (b) As required by the Manager of Environmental Planning 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
  - (c) If required by the Manager of Environmental Planning 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 from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and the 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 rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

### **Community Amenity Contribution (CAC)**

9. Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$15,815,550 which the developer has offered to the City, to be allocated as follows:
  - \$7 million towards the funding of the future Qmunity Centre;
  - \$4 million towards public realm improvements including the Comox-Helmcken Greenway and improved bicycle/pedestrian facilities over the Burrard Bridge and/or connections to improved bicycle/pedestrian facilities over the Granville Bridge; and
  - \$2 million towards the completion of cultural facilities; and
  - \$2,815,550 contribution towards park acquisition in Downtown South.

**For b) 1229-1281 Hornby Street**

### **CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by IBI/HB Architects and Bing Thom Architects, and stamped "Received City Planning Department, March 13, 2013", provided that

the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

#### **Urban Design – Public Realm**

1. Design development to provide an enhanced public realm treatment, with emphasis on pedestrian movement, that contributes to the lane and midblock pedestrian connection(s) including the provision of the enhanced visual and green wall landscape treatment of the blank wall with the adjacent property to the north.

Note to applicant: High quality public realm treatments that balance the needs of pedestrians and vehicular movements should be provided. Material treatments should consider variations of concrete finishes with limited accent pavers and a design approach that minimizes the use of bollards. Other public realm features, such as landscaping, seating opportunities, patio spaces need to be considered. Location of ventilation grates in key public realm areas are to be avoided. Features that are on City streets and lanes require a separate application to Engineering.

2. Design development to ensure a seamless transition from the public to private realm.

Note to Applicant: High quality, special paving is encouraged on private property. The strategy should anticipate a seamless and compatible material transition from standard paving on city sidewalks. Special paving on private property should be constructed to ensure long term stability and respect the principles of universal design. Location of ventilation grates in key public realm areas are to be avoided.

3. Design development and provision of a conceptual lighting strategy and implementation plan to enhance the proposed public realm environment.

#### **Urban Design – Hornby Street Site – Mixed-Use Buildings**

4. Design development to maintain and further refine the high quality materials indicated for the residential towers and podium (integrated white concrete grid, fritted and transparent glazing, horizontal and vertical fins, thermally enhanced slab construction, glazed balustrades) and to maintain the level of detailing implied and necessary to accomplish and construct the proposed design aesthetic with exceptional detailing necessary to accomplish and construct the proposed design aesthetic with exceptional detailing.

5. Design development to the upper portion of the building (tower in sub-area A) to further refine and enhance its architectural contribution to the city skyline and the public view cone.
6. Design development to ensure service equipment including window washing infrastructure, cell tower and antennae elements do not incur into the public view cone(s).
7. Design development to the covered breezeway connection to enhance its function as a pedestrian connection by minimizing the amount of loading and parking access provided directly off the breezeway, through the relocation of loading and parking access to the lane.

Note to applicant: In addition, enhanced soffit and lighting treatments should be provided.

8. Design development to confirm and demonstrate the role and purpose of the enclosed bridge connection as a key component in delivering the building(s) energy performance requirements.

Note to applicant: In order to transfer energy between the two development sites, other locations such as a below grade should be also considered. If the enclosed elevated bridge connection between the tower in sub-area A and the tower on the Burrard Street site is pursued, design development is required to enhance its architectural expression combined with a high degree of transparency.

9. Design development to the ground-oriented storefront, display and weather protection systems to ensure variety and pedestrian interest in the expression of tenant frontages.
10. Provision of a conceptual signage strategy to ensure a well-conceived and disciplined approach to announcing tenancy.

Note to applicant: The strategy should confirm general signage hierarchy, location and type. Back lit box signs are not supported.

11. Design development to provide a 1.8 m (6 ft.) public realm setback along the Hornby Street frontage.

Note to applicant: The Downtown South Guidelines for the Hornby slopes calls for a 1.8 m (6 ft.) enhanced public realm setback. Building mass should be setback above the required setback so that the building mass does not overwhelm the public realm. Consideration can be given to accommodate the slanting glass feature of the podium.

### **Sustainability**

12. Identification on the plans and elevations of the built elements contributing to the buildings' sustainability performance as required by the Green Buildings Policy for Rezoning for LEED® Gold including six optimize

energy performance points, one water efficiency point, and one storm water point.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project is also required under the policy.

13. Confirmation that the proposed buildings will achieve a maximum energy use intensity of 115 kWhr/m<sup>2</sup>/year for the residential portion and 122 kWhr/m<sup>2</sup>/year for the office portion of the development.

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

14. Design development to respond to CPTED principles, having particular regards for:
  - a) theft in the underground parking;
  - b) residential break and enter;
  - c) mail theft; and
  - d) mischief in alcove and vandalism, such as graffiti.

Note to applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

#### **Landscape**

15. Design development of the public realm landscape treatment to provide high-quality and welcoming outdoor open spaces with substantial greenery and amenities around the perimeter and into the interior of the block to benefit the pedestrian experience.
16. Provision of a high-efficiency (drip) irrigation system for all planted rooftops, at common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.
17. Provision of opportunities and infrastructure to support urban agriculture on common amenity roof decks.

Note to applicant: This includes garden plots, social gathering space, on-site composting, tool storage, hose bibs and potting benches which support urban agricultural activity in accordance with the "Urban Agriculture Guidelines for the Private Realm." Consideration should be given to a rainwater collection system to assist with irrigation.

18. Maximize green roof plantings on structures.

19. Provision of maximum growing medium depth (to exceed BCLNA standards) for all landscaped planters on structures to maximize rooting potential of trees, shrubs and other plant material.
20. Utilities to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.
21. Proposed plantings consistent with the *City of Vancouver Waterwise Planting Guidelines*.
22. Provision of a legal survey.
23. Provision of a fully labelled landscape plan, sections and details at the development permit submission stage.
24. Illustration of all trees with their root ball circumference located with dashed lines on the P1 plan with note saying "Proposed tree above: refer to Ground Floor Plan and Landscape Plan and Section". The section should detail how the parkade roof slab is depressed/ angled back to accommodate 3 to 4 feet of tree soil depth. The info must be on the architectural drawings as well as the landscape drawings.
25. New street trees to be provided adjacent to the development site and illustrated on the landscape plan, to be confirmed prior to issuance of the building permit.

Note to applicant: Provide a notation on the landscape plan, "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311".

Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Cabot Lyford, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

## **Engineering**

26. Clarification if any of the proposed car share vehicles are being used to meet the parking by-law requirements; if so, arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for a standard car share agreement are required.

Note to applicant: A letter of intent from a car share company indicating they are agreeable to supplying the stated number of car share vehicles at occupancy is required.

27. Clarification if canopies are proposed over public property and if so a canopy application is required. Canopies must be fully demountable and drained to the buildings internal drainage system. Canopies are defined as

a rigid roof-like structure supported entirely from a building and where the canopy deck is constructed of wired or laminated safety glass or metal not less than 0.56mm in thickness (VBBL section 1A.9.8).

28. Confirmation that there is adequate garbage storage and recycling space for the grocery store is required.
29. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

Note to applicant: Pick up operations should not rely on bins being stored on the street or lane for pick-up – bins are to be returned to storage areas immediately after emptying.

30. Provision of a standard concrete boulevard crossing at the Hornby Street access.

Note to applicant: A crossing application is required.

#### Public property landscape comments

31. Provision of smooth broom finish concrete saw cut sidewalk on all surrounding street frontages on City property. Patterning and widths as per the Downtown South “Hornby Slopes” design guidelines for the area.

Note to applicant: The widths should be expanded to 5.5 metres adjacent the grocery store and residential area.

32. Provision of pedestrian scale lighting as per the Downtown South “Hornby Slopes” design guidelines for the area.
33. Provision of street furnishings consistent with the Downtown South “Hornby Slopes” design guidelines.

34. Please place the following note on the landscape plans: “A landscape plan is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive “For Construction” approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details.”

35. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The following items are required to meet provisions of the parking by-law and the parking and loading design supplement:

- a) Provision of a loading and operations plan covering the Toyota and Scion vehicle dealerships and all associated service center facilities prior to the issuance of a development permit.



Note to applicant: The plans must provide a detailed explanation of the on-site vehicle service center operations, vehicle deliveries, parts deliveries, the size of delivery vehicles used, and details and confirmation that new vehicles are stored off-site and brought to the dealership only for new vehicle prep & customer pick-up.

- b) Provision of a loading management plan to the satisfaction of the General Manager of Engineering Services for the proposed grocery store use prior to issuance of a development permit. The loading management plan must address but not be limited to a timetable for truck delivery, truck routing, and loading management practices and procedures.

Note to applicant: A Class C (semi-trailer) truck proposed by the applicant is not required based upon the loading requirements for a 1,669 m<sup>2</sup> grocery store in the Parking By-Law.

- c) Provision of redesigned parking and loading access and circulation on both sites to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The work must include improved loading and better separation of the parking ramp points of access within the site.

- d) Provision of truck turning movement diagrams for all loading spaces.
- e) Provide written acceptance that the maximum size truck that will serve the buildings on either site is a tractor-trailer with dimensions not to exceed a WB-12 design vehicle, and this truck size limit will form the basis for any loading management plans.
- f) Provision of an updated transportation study to address any changes made to the parking, loading and access as the building design evolves through the development permit stage.
- g) Provision of Class A bicycle storage as per the Parking By-law. The applicant has proposed that bicycle storage for Towers A and C be divided between 5 parking levels with the bulk of the storage on the P1 Mezzanine. In order to make this work effectively the applicant will need to provide a dedicated bicycle elevator for each tower with direct access to the street, lane or interior mews.
- h) Clarification of the number of class A bicycle spaces proposed on each level is required.
- i) Provision of all class B bicycle spaces to be provided on-site. Should there be a desire to supply additional class B bicycle spaces on public property a separate application to the City Engineer is required and those approved spaces on public property do not apply toward the required on-site bicycle parking.

## Notes to Applicant

- On page R Z1.00 the legal description for some of the Hornby Street Lots is incorrect: only Lots A, B and C are under Plan 1072: the legal description for Lot E must include Plan BCP9288, and that for Lots 22,23, and 26 to 33 must include Plan 210.
- On pages RZ4.01, 02 and 04 some of the representations of the property lines appear to have been misplotted.
- The application does not appear to provide adequate loading to meet the parking by-law requirements.

## Heritage

36. Provision of an "as-built" set of drawings with photo analysis of the existing houses at 1241 and 1253 Hornby Street for archival records.
37. Provision of a letter, signed by the property owner, which states that an application to demolish the houses at 1243 and 1251 Street will not be submitted until necessary for construction of the new development.
38. Provision of a letter, signed by the property owner, which states that they will seek opportunities to allow for relocation, or salvage and/or deconstruction of the houses at 1243 and 1251 Hornby Street.

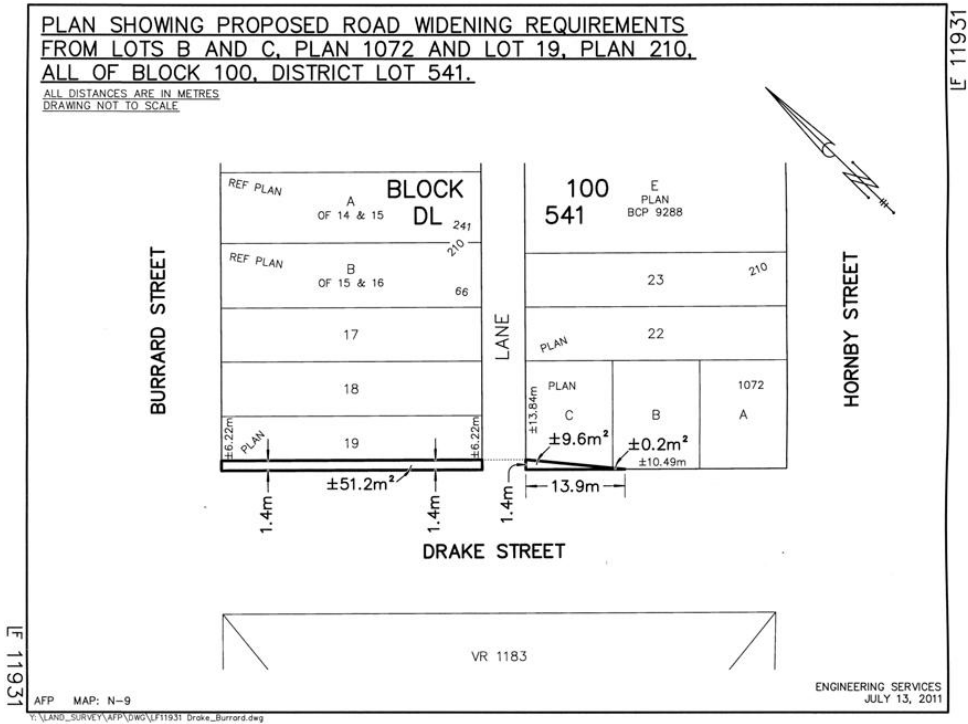
## CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Consolidation of Lots 22, 23, and 26 to 33, Plan 210; Lots A, B, and C, Plan 1072; and Lot E, Plan BCP9288; all of Block 100, DL 541 to create a single parcel.
2. Provision of surface statutory rights of way for public access and road purposes over the southwesterly 1.4 metres of the site from Burrard St. to the lane, adjacent to Drake St; and over the southwesterly part of the site defined by a point measured 1.4 metres along the existing northwesterly property line from Drake Street, and a point measured 13.9 metres along the southwesterly property line from the lane (see Diagram 1)

Diagram 1



3. Provision of a separate application to General Manager of Engineering Services, to the attention of the City Surveyor, for the proposed bridge over the lane west of Hornby Street and north of Drake Street which connects the two buildings. The application is to include drawings that detail the bridge location and elevation above the lane and must clearly indicate that the bridge will be fully demountable and not be required for any code or by-law compliance needs. Written confirmations accepting the proposal from all affected utility companies is required.

Note to applicant: For an example of a typical bridge agreement please see Land Title Office registered agreement BB453624-629.

4. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

Size: A station with a size of 28 m x 4 m or 13 m x 7.5 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property while still clearly visible to the public with 24/7 public access.

Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

5. Release of Easement & Indemnity Agreement 421528M (for a commercial crossing) prior to building occupancy. Arrangements are to be made prior to zoning enactment with discharge prior to building occupancy. (A simple letter of undertaking to discharge will address this condition for enactment).
6. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided. The Services Agreement is to include a provision for delivery of the necessary works for each phase of the development to ensure proper building operations.
  - (a) Provision of modifications to the lane radii at the Drake Street and Davie Street lane entries to the block. A review of the turning radii of the largest trucks expected to serve the site is required with modification of the turning radii to accommodate the vehicles is required. Work to include all utility relocations and infrastructure adjustments necessary to achieve the desired radii including wood poles and utility facilities within the lane right of way where required.
  - (b) Provision of improvements to the intersection of Drake Street and Burrard Street to accommodate two-way traffic flow on Drake Street. Works shall include but are not limited to the conversion of the existing signal to a full traffic signal, the installation of countdown timers, curb and pavement adjustments to accommodate two-way traffic on Drake Street and traffic calming along the lane south of Burnaby Street west of Burrard Street.
  - (c) Provision of improvements to the intersection of Drake Street and Hornby Street. Works may include but are not limited to the installation of countdown timers and audible signals, and adjustments to accommodate two-way traffic on Drake Street.

- (d) Provision of a review of the existing street lighting surrounding the site to determine if they meet current lighting standards and upgrading of the lighting should it not meet standards.
  - (e) Provision of Downtown South sidewalk treatments adjacent the Hornby Street site.
  - (f) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. 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. The developer is responsible for 100% of any water system upgrading that may be required.
  - (g) Provision of adequate sewer service to meet the drainage demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including gross floor area and expected fixture counts determined by the applicants' mechanical consultant to determine if sewer system upgrading is required. 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. The developer is responsible for 100% of any sewer system upgrading that may be required.
  - (h) Provision of relocated wood poles in the lane east of Burrard between Davie Street and Drake Street to accommodate all vehicular operations and access to and from the lane. Should pole relocation result in elimination of lane lighting then provision of lane lighting is also required.
7. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

## Housing Agreement

8. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement securing 87 residential units, with a minimum total net area of 4,578.7 m<sup>2</sup> (49,286 sq. ft.), and related parking and other amenity space, for 60 years or the life of the building, whichever is greater, as rental housing, and subject to the following additional conditions in respect of those units:
  - (a) that all such units will be contained within a separate air space parcel;
  - (b) that such air space parcel may not be subdivided by deposit of a strata plan;
  - (c) that none of such units may be separately sold;
  - (d) that none of such units will be rented for less than one month at a time;
  - (e) that the number of units may be varied at the discretion of the Managing Director of Social Development to provide for more family units; and
  - (f) on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

Note to applicant: This condition to be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

## Heritage Density Transfer

9. Secure the purchase and transfer of 9,823.25 m<sup>2</sup> (105,740 sq. ft.) of heritage density (which has a value of \$6,873,100) from a suitable donor site.

Note to applicant: Given the stipulated value that the City attributes to transferable heritage density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot.

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owners of the subject site, also referred to as the receiver site, and the owner(s) of the donor site(s), and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Note to applicant: In the event that Letter "B" submitted following rezoning and prior to enactment does not effect the transfer of the full amount of 9,823.25 m<sup>2</sup> (105,740 sq. ft.) of heritage density referred to in the Letter "A" and submitted prior to rezoning Public Hearing, then a cash

payment in lieu (valued at \$65.00 per square foot of un-transferred heritage density) must be made prior to enactment, subject to the applicant being required to purchase a minimum of 6,478.9 m<sup>2</sup> (69,740 sq. ft.) of heritage density as a condition of development.

### **Public Art**

10. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

### **Soils Agreement**

11. If applicable:
  - (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (b) As required by the Manager of Environmental Planning 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
  - (c) If required by the Manager of Environmental Planning 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 from the site on terms and conditions satisfactory to the Manager of Environmental Planning, the General Manager of Engineering Services and the 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 rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

### **Community Amenity Contribution (CAC)**

12. Deliver, prior to enactment of the rezoning by-law, the Community Amenity Contribution of \$15,815,550 which the developer has offered to the City, to be allocated as follows:
  - \$7 million towards the funding of the future Qmunity Centre;
  - \$4 million towards public realm improvements including the Comox-Helmcken Greenway and improved bicycle/pedestrian facilities over the Burrard Bridge and/or connections to improved bicycle/pedestrian facilities over the Granville Bridge; and

- \$2 million towards the completion of cultural facilities; and
- \$2,815,550 contribution towards park acquisition in Downtown South.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for these CD-1s in accordance with Schedule B to the Sign By-law [assigned Schedule “B” (DD)], generally as set out in Appendix C of the Policy Report dated November 8, 2013, entitled “CD-1 Rezoning – a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street”, be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated November 8, 2013, entitled “CD-1 Rezoning – a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street”.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated November 8, 2013, entitled “CD-1 Rezoning – a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street”.
- E. THAT, subject to approval in principle of the rezoning application contemplated in Recommendation A(ii) and the Housing Agreement described in section (c) of Appendix B2 of the Policy Report dated November 8, 2013, entitled “CD-1 Rezoning – a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the CD-1 By-law contemplated by the same report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- F. THAT Recommendations A through E be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant(s) or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any by-law rezoning the properties, and any costs



incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the applicants.; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

**(RZ a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street)**