



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: January 10, 2017  
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Meeting Date: January 24, 2017

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: CD-1 Rezoning: (i) 1380-1382 Hornby Street and (ii) 801 Pacific Street

**RECOMMENDATION**

- A. THAT the application by IBI Group and ACDF Architecture, on behalf of Hornby BT Holdings Limited and Pacific BT Holdings Limited (Grosvenor Pacific), to:
- (i) amend CD-1 (435) for 1380 Hornby Street [*PID: 026-006-359, Lot A, Block 111, District Lot 541, Group 1, New Westminster District Plan BCP 12494*] and to rezone 1382 Hornby Street [*Lots A and B (see 410809L) of Lots 18 and 19, Block 111, District Lot 541, Plan 210, PIDs: 015-472-507 and 015-472-566 respectively*] from DD (Downtown) District to the amended CD-1 (435) in order to permit the development of a 39-storey residential development with floor space ratio of 16.4 and height of 114.3 m (375 ft.) and to relocate the heritage building known as the "Leslie House" within the consolidated site; and
  - (ii) rezone 801 Pacific Street [*Lots 20 and 21, Block 111, District Lot 541, Plan 210, PIDs: 005-989-621 and 009-812-067 respectively*] from DD (Downtown) District to CD-1 (Comprehensive Development) District in order to permit the development of a seven-story cultural facility (the "Amenity Building", as herein defined) with floor space ratio of 3.51 and height of 26 m (85.3 ft.);

be referred to a Public Hearing, together with:

- (iii) plans for 1380-1382 Hornby Street prepared by IBI Group and ACDF Architecture, received December 21, 2015;
- (iv) plans for 801 Pacific Street prepared by ACDF Architecture, received October 4, 2016;

- (v) draft CD-1 By-law provisions, generally as presented in Appendices A1 and A2; and
- (vi) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve, subject to conditions contained in Appendices B1 and B2;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-laws generally in accordance with Appendices A1 and A2 for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, amendments to Heritage Designation By-law No. 8879 to ensure the protection of the Leslie House, which is currently located at 1380 Hornby Street:
- (i) on its proposed interim location at 801 Pacific Street for the duration of construction work at the proposed consolidated rezoning site at 1380-1382 Hornby Street; and
  - (ii) on its permanent location at 1380-1382 Hornby Street;

be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law generally in accordance with Appendix C for consideration at Public Hearing.

- C. THAT, subject to enactment of the amended Heritage Designation By-law, Heritage Revitalization Agreement By-law No. 8878 be repealed.
- D. THAT, if the application is referred to a Public Hearing, a consequential amendment to Schedule E of the Zoning and Development By-law regarding building lines, generally as presented in Appendix C, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law generally as set out in Appendix C for consideration at the Public Hearing.

- E. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for the CD-1 for 801 Pacific Street in accordance with Schedule B to the Sign By-law [assigned Schedule "B" DD], generally as set out in Appendix C, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law generally as set out in Appendix C for consideration at the Public Hearing.

- F. THAT, subject to enactment of the CD-1 By-law for 801 Pacific Street, the Noise Control By-law be amended to include the CD-1 for 801 Pacific Street in Schedule A, generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law for 801 Pacific Street.

- G. THAT, subject to enactment of the CD-1 By-law for 801 Pacific Street, the Parking By-law be amended to include the CD-1 for 801 Pacific Street in Schedule C and to provide parking regulations generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law for 801 Pacific Street.

- H. THAT A through G be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and 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 a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; 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.

### ***REPORT SUMMARY***

This report evaluates a rezoning application that includes two sites: 1380-1382 Hornby Street (referred to as the "Hornby Street Site" in this report) and 801 Pacific Street (referred to as the "Pacific Street Site"). On the Hornby Street Site, the application proposes to develop a 39-storey market residential tower while relocating the heritage Leslie House within the site. On the Pacific Street Site, the application proposes to develop a seven-storey, stand-alone cultural Amenity Building that, once complete, would be transferred to City ownership.

This report recommends that the Community Amenity Contribution (CAC) offered for the rezoning of the Hornby Street Site be allocated in part to the cost of delivering the cultural Amenity Building proposed for the Pacific Street Site as an in-kind CAC. The remaining CAC is recommended as cash contribution towards achieving Downtown South and city-wide public benefits.

Staff have assessed the application and support the uses and form of development proposed, subject to design development and to other conditions outlined in Appendices B1 and B2. Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it along with the conditions of approval outlined in Appendices B1 and B2, subject to the Public Hearing.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Relevant Council policies for this site include:

- *Downtown Official Development Plan (1975)*
- *CD-1 (435) By-law No. 9116, enacted October 4, 2005*
- *Heritage Designation By-law No. 8879, enacted June 22, 2004*
- *Heritage Revitalization Agreement By-law No. 8878, enacted June 22, 2004*
- *Downtown South Goals and Policies (1991/1993)*
- *Downtown South Guidelines (1991; last amended 2004)*
- On October 28, 2008, Council endorsed consideration of site-specific rezonings in the Downtown South up to the height limits imposed by the approved view corridors (see Council Policy Report titled "Potential Benefit Capacity in Downtown")
- *Heritage Policies and Guidelines (1986, last amended 2002)*
- *Cultural Plan: Strategic Directions 2014-2018*
- *High Density Housing for Families with Children Guidelines (1992)*
- *Family Room: Housing Mix Policy for Rezoning Projects (2016)*
- *Green Buildings Policy for Rezoning (2010; last amended 2016)*
- *Vancouver Neighbourhood Energy Strategy (2012)*
- *Neighbourhood Energy Connectivity Standards - Design Guidelines (2014)*
- *Zero Emission Building Plan (2016)*
- *Downtown South Public Benefits Strategy (2007 - 2021) (2007)*
- *Community Amenity Contributions - Through Rezoning (1999; last amended 2016)*
- *Financing Growth Policies (2003)*
- *Public Art Policy and Procedures for Rezoned Developments (2014)*
- *Transportation 2040*

## **REPORT**

### **Background/Context**

#### **1. Site and Context (refer to Figure 1)**

The application contains two sites which are owned by Grosvenor Pacific's subsidiaries:

- Hornby Street Site – The site at 1380-1382 Hornby Street has a combined area of 1,394 m<sup>2</sup> (15,005 sq. ft.) and is located at northeast corner of Hornby and Pacific streets. Site dimensions are 38.1 m (125 ft.) along Hornby Street and 36.6 m (120 ft.) along Pacific Street.

Fronting Hornby Street and located mid-site is Leslie House, an "A" listed building on the Vancouver Heritage Register. Built circa 1881, it is one of the oldest surviving buildings in Vancouver and may be the oldest house in the city.

In 2005, 1380 Hornby Street was rezoned from DD (Downtown) District to CD-1 (Comprehensive Development) District (435) to permit the development of a 16-storey hotel. While the hotel proposal did not proceed, Leslie House was designated as protected heritage property as part of that rezoning by Heritage Designation By-law No. 8879 and a Heritage Revitalization Agreement (HRA) was registered on title to 1380 Hornby for the

rehabilitation and ongoing conservation of Leslie House. The HRA was further supplemented by a Heritage Restoration Covenant as a condition of further changes to the hotel proposal. Bonus density associated with the cost of designation and conservation was provided as a part of the rezoning.

The south portion of the Hornby Street Site (1382 Hornby Street) is zoned DD (Downtown) District and is vacant.

- Pacific Street Site – Directly across the lane from the Hornby Street Site, 801 Pacific Street has a site area of 557.7 m<sup>2</sup> (6,003 sq. ft.) and is located at the northwest corner of Howe and Pacific streets. Site dimensions are 15.2 m (50 ft.) along Howe Street and 36.6 m (120 ft.) along Pacific Street. This site is zoned DD (Downtown) District and is vacant.

The subject sites are located in the Hornby Slopes area of the Downtown South neighbourhood, between the Burrard and Granville bridgeheads. The surrounding area consists of residential high-rise and mid-rise buildings. Significant surrounding developments, including those approved but yet to be constructed, are noted in Figure 1.

## *Strategic Analysis*

### 1. Proposal

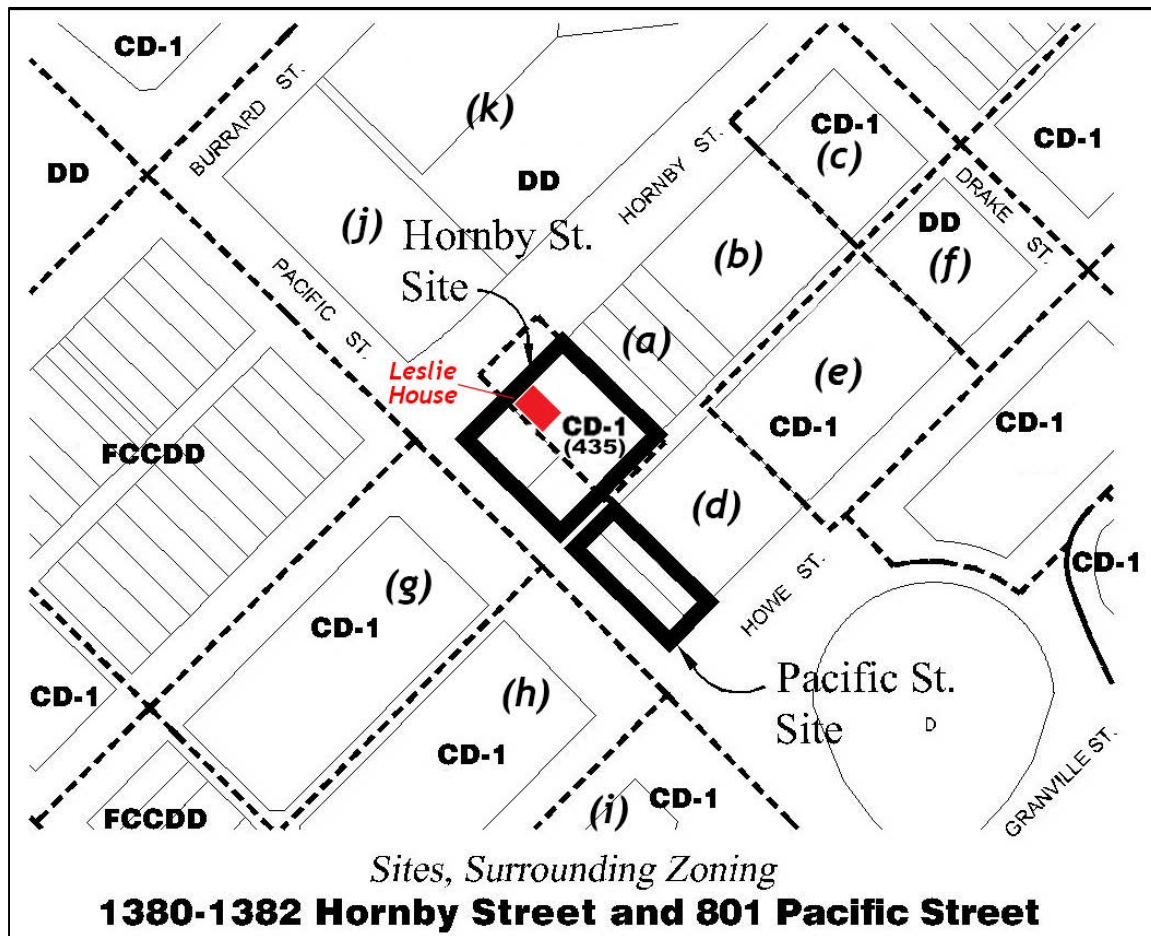
#### Hornby Street Site

On this site, the application proposes a residential development having a total floor area of 22,834.5 m<sup>2</sup> (245,797 sq. ft.), comprised of a 39-storey residential tower with three two-level townhouses at grade along Hornby Street, over eight underground levels for vehicle and bicycle parking, and mechanical and storage areas. Access to underground parking and loading is located off the lane. A total of 213 strata units are proposed – 65% of which contain two or three bedrooms. Residential lobby and amenity areas, including an outdoor children's play area, are provided on levels 1 to 3.

Based on public feedback and comments from the Urban Design Panel, staff have recommended that the tower design be adjusted to reduce impacts on the neighbouring building to the north and to improve its architectural expression. The applicant has responded by sculpting the tower, which would result in a floor plate that responds better to view preservation and reduces overlook, as well as in a façade with significantly more architectural delineation.

Leslie House is proposed to be relocated to the southeast corner of the site, so that it fronts Pacific Street and flanks the lane. The total floor area of Leslie House is 126.5 m<sup>2</sup> (1,362 sq. ft.) and its proposed use is commercial, which includes retail, service or office uses. During the construction of the tower, Leslie House is proposed to be temporarily located on the Pacific Street Site, as discussed below under section 3.

Figure 1 - Site and Surrounding Zoning



Surrounding developments include:

- (a) "Pacific Terrace" (1360 Hornby Street), a 10-storey market rental building with a rooftop garden at Level 3;
- (b) "Hornby Court" (1330 Hornby Street), an 11-storey market strata building with retail at grade;
- (c) "Salt" (1308 Hornby Street), a 31-storey market strata building with commercial uses at grade;
- (d) "Portofino/Executive Hotel", an 18-storey residential and hotel building;
- (e) 1335 Howe Street, presently the Quality Inn but proposed to be redeveloped under CD-1 (643) with a 40-storey market strata and rental building with commercial uses at grade;
- (f) "Viva Tower" residential rental building (17 storeys) with a commercial podium containing office and retail;
- (g) "Pacific Promenade" (888 Pacific Street), a 18-storey market strata building;
- (h) "Pomaria" (1455 Howe Street), a 30-storey market strata building with general office live-work at grade;
- (i) "Vancouver House", 52-storey market strata building (under construction);
- (j) "Kilborn Building" (1380 Burrard Street), a seven-storey office building; and
- (k) "Anchor Point" (1330 Burrard Street), a nine-storey market strata complex.

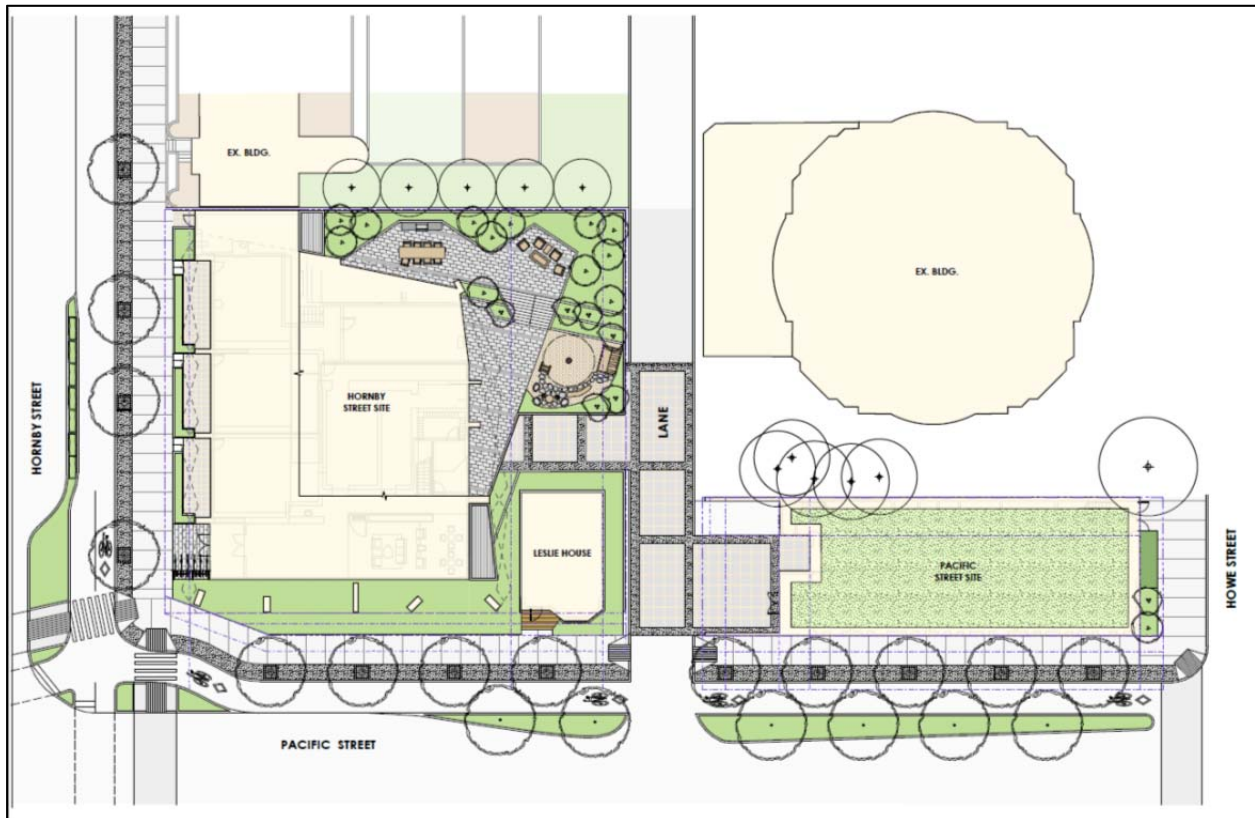
### Pacific Street Site

On this site, the application proposes a seven-storey cultural facility (the “Amenity Building”), with a total floor area of 1,955.5 m<sup>2</sup> (21,050 sq. ft.). The proposed building program includes:

- Level 1 – presentation/exhibition and community space;
- Levels 2 to 7 – production/rehearsal/programming/ancillary space; and
- P1 – bicycle spaces, mechanical, electrical and storage.

The cultural Amenity Building is proposed as an in-kind CAC offered as part of the tower proposal at the Hornby Street Site. Upon completion, the applicant would transfer the land and building to City ownership for a nominal amount (\$10.00) as further described in Appendices B1 and B2.

Figure 2 – Proposed Site Plan



## 2. Land Use

The proposed land uses on both sites are supportable. When a subject site is rezoned from *Downtown Official Development Plan (DODP)* to a Comprehensive Development (CD-1) District, the DODP would no longer apply to the site. However, the DODP land use and urban design intents are applied where possible in creating the new CD-1.

In this case, both sites are contained within the Hornby Slopes area (DODP Area N) of Downtown South, where applicable land use policy endorses high-density residential development, with limited commercial uses (up to 2,500 sq. ft.) on corner sites, while permitting a wide range of compatible non-residential uses to serve the needs of residents, workers and visitors. The application is evaluated against these land use intents of the DODP's Area N.

#### Hornby Street Site

The northerly portion of the site is zoned CD-1 (435) where the permitted land uses include hotel and restaurant only, with a maximum permitted density of 6.67. The southerly portion of the site is zoned DODP (Area N). The proposed residential development is consistent with the intent of the DODP. The proposed commercial uses within Leslie House are supportable and would help animate the pedestrian experience.

#### Pacific Street Site

Under the existing zoning DODP Area N, the proposed cultural use is permitted but its density is limited to 1.0 FSR, while the overall density for all uses is 5.0 FSR. The intent of the density cap on non-residential uses is so that, under zoning, the majority of the density is allocated towards residential use. In this case, the application proposes significantly more non-residential floor area than would be permitted under zoning. The narrow site, flanking Pacific Street, is not particularly suitable for residential use, so consideration of increased density in another use is acceptable. Further, as discussed in detail in the next section, there is a significant need for cultural facilities in the area. Therefore rezoning to achieve the proposed density of 3.51 FSR for the cultural use is supported.

### **3. Proposed Cultural Facility and Its Operational Structure**

The proposed cultural Amenity Building aligns with several key objectives in the City's *Culture Plan: Strategic Directions, 2014-2018*, including:

- working with cultural organizations to secure, enhance and develop affordable, sustainable, cultural spaces;
- increasing participation and community engagement in arts and culture; and
- encouraging shared services.

After the applicant put forward the Pacific Street Site as a potential location for a community amenity, the B.C. Artscape Society ("BC Artscape") was brought in to review the viability of the site to accommodate a stand-alone cultural facility. This included mapping local cultural assets, as well as consulting with residents, businesses, artists, social service providers and cultural organizations. In addition, a feasibility study considering cultural use, function, design, operational sustainability, and costing was completed. In summary there was community support for:

- creating a sense of place and cohesion through a neighbourhood arts destination that would be a place for the community to come together;
- anchoring affordable space for professional artists to animate, enrich and provide community access to arts programming; and
- a community cultural hub providing shared space to a range of local cultural non-profits groups and artists which would fulfill an unmet community need.



The feasibility study concluded that a multi-tenant hub would be able to make efficient use of the proposed floor areas by providing shared space, and that it would be operationally viable. This amenity space will serve the Vancouver non-profit arts and cultural community, engage the local residents and operate on a cost-recovery basis.

Building on these results, staff will work with BC Artscape to further develop this unique amenity space. As a Vancouver-based non-profit affiliated with Artscape Toronto, BC Artscape was established in 2014 specifically to work on developing and managing multi-tenant shared non-profit cultural spaces. Funded by the City of Vancouver, Vancity Community Foundation and the J.W. McConnell Family Foundation, BC Artscape has an independent Board, president and staff. Should the rezoning of the site be approved for the Amenity Building, staff will, in a subsequent report, seek Council approval of the final space plans and lease terms.

#### 4. Conservation and Protection of Leslie House

The conservation and ongoing protection and maintenance of Leslie House are important public objectives. The application proposes that the house be temporarily relocated to the Pacific Street Site to enable excavation and construction of the underground levels of the tower on the Hornby Street Site. Once the underground levels are completed on the Hornby Street Site, the house would be relocated to its final location where it would front Pacific Street by the lane and be fully conserved, in accordance with an approved conservation plan, prior to issuance of an occupancy permit for the tower. A concrete-block rear addition to the house, which was not part of its original construction and has no heritage value, will be removed prior to moving the house from the Hornby Street Site to the Pacific Street Site.

A new Heritage Restoration Covenant replacing the existing one would be registered on title, containing conditions related to all aspects of the heritage conservation and the ongoing protection and maintenance of Leslie House, as outlined in Appendix B1. For instance, the restoration covenant will ensure that the heritage rehabilitation is complete to the satisfaction of the Director of Planning prior to occupancy of the tower on the Hornby Street Site and will provide for ongoing conservation. It will also include the condition that the future residential strata be legally responsible for the maintenance and upkeep of Leslie House.

A draft conservation plan is contained in Appendix G, which outlines the scope of work necessary to conserve Leslie House as well as the Statement of Significance (SOS). The existing HRA which was registered on title as part of the 2005 rezoning will be discharged from title to the Hornby Street Site, as it would become obsolete if the current rezoning application is approved. The associated HRA By-law will also be repealed.

Recommendation B of this report provides that Leslie House remain legally protected through an amendment to the Heritage Designation By-law No. 8879 throughout the construction process and beyond, at its current location (until construction of the tower commences), at the temporary location (during the construction of the tower's underground levels) and at the final location on the Hornby Street Site.

The proposed new siting for the Leslie House is at southeast corner of the Hornby Street Site, facing Pacific Street and adjacent to the rear lane (see Figure 2). The house's original and current location along Hornby Street is of some historical significance. Prior to application, staff explored with the applicant the possibility of keeping the house in-situ as part of the

redevelopment of the consolidated Hornby Street Site. The challenges of an in-situ approach are that the existing and new buildings along Hornby Street would have resulted in the Leslie House appearing significantly out of scale with its surroundings and partially hidden when viewed from an oblique angle. After reviewing various relocation options, staff have determined that relocating the house to the proposed Pacific Street location is the optimum urban design response since the house would remain prominently visible from the public realm. Further design development conditions to increase the prominence of the house through increased setbacks of surrounding buildings and through compatible landscaping are contained in Appendix B1.

Figure 3 – Perspective from Pacific Street looking northwest



The Vancouver Heritage Commission reviewed the application as it relates to the preservation of the Leslie House. The Commission suggested exploring the possibility of relocating the house to the Pacific Street Site. Given that the program for the proposed cultural Amenity Building occupies all of the Pacific Street Site, it was concluded that Leslie House could not also be accommodated there. See the Commission's meeting minutes in Appendix E.

## 5. Form of Development (refer to drawings in Appendix H)

Figure 3 shows a perspective of the proposal from Pacific Street, with the proposed cultural Amenity Building on the Pacific Street Site in the foreground and the proposed tower on the Hornby Street Site in the background. Leslie House is in the middle ground between the two proposed buildings and behind the street trees.

### Hornby Street Site

This consolidated site is currently partially zoned CD-1 (435) and partially zoned DD and is within the DODP's Area N (part of Downtown South). In Area N, a floor space ratio (FSR) of 5.0 and a height of 91.4 m (300 ft.) can be considered. The CD-1(435) permits 6.67 FSR and height up to 56.7 m (186 ft.). Under Council's policy report "*Potential Benefit Capacity in Downtown*", an increase in height beyond the 91.4 m (300 ft.) can be considered through rezoning on sites within Downtown South. This rezoning policy recognizes that supplementary height and development potential could result in the achievement of additional public amenities for the neighbourhood.

*Density* – The application proposes an increase in height and density to 114.3 m (375 ft.) and 16.4 FSR. While the proposed density is significantly higher than that permitted under the existing zoning, the density is comparable to other Downtown South developments that have sought increased densities through the same rezoning policy. See Figure 4 for comparable development stats.

Figure 4: Neighbourhood Developments Approved Through Rezoning

Address and Name	Height (ft.)	Year Built /Approved	FSR	Floor Plate (sq. ft.)
1351 Continental Street (Maddox)	300	2014	7.03	5,980
1308 Hornby Street (Salt)	309	2014	12.44	5,085
1289 Hornby Street (Burrard Gateway A)	526	2013	18.37	9,140
1290 Burrard Street (Burrard Gateway B)	184	2013	7.16	12,158
1281 Hornby Street (Burrard Gateway C)	360	2013	15.34	7,189
1400 Howe Street (Vancouver House)	493	2013	10.56	5,159 to 11,625
1265 Howe Street (Tate On Howe)	375	2012	9.15	6,840
1335 Howe Street	378	2016	12.05	6,509
1380-1382 Hornby Street (Subject Rezoning)	375 (proposed)		16.40 (proposed)	6,500 (proposed)

*Built Form "Fit"* – The proposed tower fits the general intent for urban design in Downtown South which calls for slender towers separated by lower-scale podiums. The site is uniquely located at the corner of a wide ceremonial street –Pacific Street– and Hornby Street. Both of these streets have enhanced public realm features in the form of deep building setbacks, wide sidewalks and dedicated bicycle space. The height and form of the tower are mitigated by the surrounding open spaces resulting from the generous public realm. Nonetheless, to ensure that the public realm is not overwhelmed by the building's massing, the typical floor plate of the tower is not to exceed 603.9 m<sup>2</sup> (6,500 sq. ft.) in area, excluding open balconies. This provision will guarantee a degree of physical slenderness to the tower form.

The remaining context for the block face along Hornby Street includes two large mid-block properties with streetwall-type buildings of 10 and 11 storeys in height, directly to the north of the subject site. At the north end of the block by Drake Street is a 31-storey tower known as "Salt". With the proposed tower on the south end of the block, the resulting built form for the entire block face ensures a significant amount of sky exposure to the public realm at grade. The two mid-rise streetwall buildings essentially serve as an expansive podium separating the two tower elements at the block ends.

*Height* – There are no view cones limiting the proposed tower height, however the proposed height is capped at 114.3 m (375 ft.) based on consideration of the skyline as seen from the Granville and Burrard bridgeheads. From these vantage points, the intent is to emphasize the prominence of taller developments at Vancouver House (1400 Howe Street) and Burrard Gateway (1289 Hornby Street).

*Shadowing* – Shadow impacts on the street, including sidewalks, and on neighbouring private open spaces would be increased with the tower proposal, however, no public parks are affected by the increase in height and density (refer to Urban Design Analysis in Appendix D).

*Views and Privacy* – No public views are affected by the application. Privacy for and views from neighbouring private developments have been considered. The proposed shaping and location of the tower floor plate ensures a minimum 24 m (80 ft.) distance from the closest neighbouring towers, including from the approved tower to be built at 1335 Howe Street. Through the rezoning process, a thorough analysis was conducted by the applicant to examine the impacts of this proposal on the private views from the living rooms of the residential units in the building directly to the north (1360 Hornby Street). The analysis has resulted in a design condition (in Appendix B1) to further refine the tower floor plate to address the views from this building. Appendix I shows the applicant's design response to reshape the tower floor plate.

*Public Realm Interface* – The application proposes entry to the building's main lobby along Hornby Street, as well as individual front entries to townhouse units. A design condition to provide an additional 1.8 m (6 ft.) setback from Hornby Street is included in Appendix B1. The intent of this setback is to provide an attractive space as a transition from the public sidewalk to the typical residential frontages.

Along Pacific Street, an enhanced setback (secured through two statutory rights-of-way) has been provided to accommodate several transportation and public realm initiatives, including vehicular traffic improvements and a new protected bike lane. As well, in accordance with the Pacific Street "Great Street" treatment approved by Council, large street trees and a more comfortable pedestrian sidewalk are provided.

*Urban Design Panel Review* – The application was reviewed and supported by the Urban Design Panel (UDP) on April 6th, 2016 (see minutes in Appendix E).

In summary, the proposal's tower height and density are greater than what could occur under the existing zoning. However, a review of its effect indicates that the proposed height and massing can be accommodated given the unique site location and block configuration. The review also indicates that, subject to design conditions, the effect on views and shadowing from the tower will not unduly harm the liveability and environmental quality of the neighbourhood. The form of development is considered to be acceptable in this context and it is recommended, subject to Public Hearing, that the form of development be approved subject to conditions which seek additional design development at the development permit stage (See conditions in Appendix B1).

A more in-depth analysis on the Form of Development and its impacts can be found in Appendix D - Urban Design Analysis. Drawings can be found in Appendix H and development statistics can be found in Appendix K1. Appendix I shows the applicant's response to staff design conditions.

#### *Pacific Street Site*

*Height and Density* – The proposed height and density of this cultural Amenity Building are 26 m (85 ft.) and 3.51 FSR, respectively. Under the DODP's Area N, the permitted height is 91.4 m (300 ft.) and permitted density is 5.0 FSR. However, for such a small site and based on the urban design intent of Downtown South, the achievable height and density would be approximately what are proposed in this application.

*Setbacks and Public Realm Interface* – The proposed building includes a 2.9 m (9.5 ft.) street dedication and a 1.3 m (4.2 ft.) statutory right-of-way along Pacific Street frontage, for a total building setback of 4.2 m (13.8 ft.). This setback is to accommodate the same transportation and public realm infrastructure as that proposed for the Hornby Street Site, including the a protected bike lane and the enhanced public realm features of the "Great Street" treatment.

The proposed building also includes the minimum required setbacks facing Howe Street, the lane and the shared property line with the building to the north (the "Portofino/Executive Hotel"). Passive House standards are targeted in accordance with the *Zero Emission Buildings Plan*. Meeting these standards may require extra wall thickness, however any further reduction in functional, leasable floor areas on this very constrained site could impede the intended cultural uses. After taking into consideration the site context, including the building's interface with the public realm and the neighbours to the north and west, staff have included design conditions to ensure that the minimum building setbacks are achieved at the lower levels while allowing small, incremental relaxations on upper-level setbacks (refer to Appendix B2).

In conclusion, the proposed form of development for the cultural Amenity Building is considered acceptable and it is recommended that, subject to Public Hearing, the form of development be approved subject to conditions which seek additional design development and a review with the Urban Design Panel at the development permit stage (see conditions in Appendix B2).

A more in-depth analysis on the Form of Development and its impacts can be found in Appendix D - Urban Design Analysis. Drawings can be found in Appendix H and development statistics can be found in Appendix K2.

## 6. Transportation and Parking

### Hornby Street Site

Under the Parking By-law, the residential development proposed for this site requires a minimum of 165 vehicle parking spaces, one Class B loading space and 265 Class A bicycle spaces. The application meets these requirements in proposing 229 vehicle parking spaces in eight underground levels and one Class B loading space off the lane. For bicycles, 266 Class A spaces are proposed located at grade and in the underground, including below P1. The underground spaces would be accessed via elevator. Typically bicycle spaces are to not be lower than P1. Given the constraints of this site, staff support the proposed underground locations and elevator access in this instance, subject to refinements as noted in the recommended conditions of approval (Appendix B1).

### Pacific Street Site

For the 1,955.5 m<sup>2</sup> (21,049 sq. ft.) of non-residential use proposed on this site, the Parking By-law would require a minimum of 12 vehicle parking spaces and a maximum of 15. In addition, one Class B loading and 41 Class A bicycle spaces would be required. Due to the small size and limited width of the site, provision of vehicle parking on site is challenged. To facilitate development of this cultural Amenity Building, the proposal is to provide one (1) parking space off the lane for a car share vehicle, as well as to provide additional bicycle spaces beyond the by-law requirement. Staff support this proposal and recommend amendments to Parking By-law to permit this parking arrangement (see Appendix C).

The application proposes one Class B loading bay, which is in accordance with the Parking By-law. The proposed 41 bicycle parking spaces include substitutions for vehicle parking as well as required bicycle parking for this site in compliance with the Parking By-law.

### Neighbourhood Transportation and Street Widening Requirement

The subject sites are well served by sustainable modes of transportation, including a major transit corridor on Granville Street, the Yaletown-Roundhouse Canada Line station within approximately 850 metres walking distance of the sites, and a protected bicycle lane on Hornby Street, part of the City's All Ages and Abilities bike network.

In addition, a protected bicycle lane is planned for the north side of Pacific Street. As part of this application, two statutory rights-of-way (SRWs) required to achieve the protected bike lane and an expanded pedestrian realm would be secured along the southerly portion of the Hornby Street Site while a dedication with the same width as the SRWs would be secured along the southerly portion of the Pacific Street Site. The Council-approved "Great Street" treatment, which includes large trees such as Scarlett Maples, would be achieved along Pacific Street as part of these improvements.

There is a 3.65 m (12 ft.) building line setback on Pacific Street which was historically secured for road widening. Staff have reviewed this existing building line and found that it is no longer needed on the Hornby Street Site now that two separate SRWs would be secured for public access purposes through the rezoning. Appendix C contains the recommended amendment to

Schedule E of the Zoning and Development By-law to release the building line requirement for the Hornby Street Site.

The building line requirement for the Pacific Street Site would remain. A 2.9 m (9.5 ft.) dedication would be achieved through the rezoning of this site, for the purpose of the protected bike lane planned along Pacific Street. An additional 1.3 m (4.3 ft.) SRW will be secured for expansion of the public realm, including the "Great Street" treatment along Pacific Street.

Engineering conditions of approval are set out in Appendices B1 and B2.

## 7. Environmental Sustainability

### Hornby Street Site

The *Green Buildings Policy for Rezoning* (amended by Council on November 29, 2016) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements will be mandatory for all rezoning applications received on or after May 1, 2017. Applications received prior to May 1, 2017 may choose to meet this updated version of the policy or the preceding version.

This application has opted to satisfy the preceding version of the *Green Buildings Policy for Rezoning*, which require rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the *Green Buildings Policy for Rezoning*, indicating that the project could attain the required LEED® points and energy efficiency and, therefore, would be eligible for a LEED® Gold rating.

Of note is that the applicant proposes triple-glazing curtain walls in combination with thermally broken concrete slabs as design strategies to achieve the energy performance targets. This approach of focusing on superior building envelope design as means to reduce energy consumption is not yet common in conventional high-rise residential development in Vancouver and the applicant is to be commended for demonstrating leadership in this regard.

As a heritage building, Leslie House is not required to achieve LEED®Gold. However, reasonable design efforts shall be made to improve green performance where appropriate, while respecting heritage aspirations and promoting heritage retention. Conditions to demonstrate sustainability features in the conservation plan at Development Permit stage are included in Appendix B1.

The *Greenest City Action Plan* seeks to reduce citywide greenhouse gas emissions by 33 per cent or 1,110,000 tonnes of CO<sup>2</sup> per year by 2020. Neighbourhood Energy Systems (NES) are targeted to deliver 11 per cent of this reduction by more efficiently delivering thermal energy to connected buildings while also incorporating low carbon energy sources into the NES network. In October, 2012, Council adopted the *Vancouver Neighbourhood Energy Strategy* which identified the Downtown as a target area for NES development. The City is working with utility partners on expanding downtown NES and converting them to low carbon energy by 2020. Increasing the amount of connected floor area, such as those proposed in the

rezoning application on this site, will effectively improve the business case for the fuel switch and associated GHG reductions.

Conditions related to sustainability and NES are set out in Appendix B1.

#### *Pacific Street Site*

The proposed cultural Amenity Building is pursuing Passive House (PH) standards, in accordance with the recently adopted *Zero Emission Building Plan*. If the rezoning is approved by Council and the building is subsequently certified Passive House, this cultural Amenity Building would be one of the first concrete, non-residential buildings in BC to achieve PH standards. As discussed in the Density, Height and Form of Development section of this report, due to the extra wall thickness associated with Passive House standards, staff have recommended a slight relaxation on upper level setbacks.

There will be no requirement to connect the building to NES if it is designed to be certified Passive House. A PH building of this size will have an insignificant heating load, making it not economic to connect to NES.

Conditions regarding *Zero Emission Building Plan* are contained in Appendix B2.

#### **PUBLIC INPUT**

**Public Notification** – The rezoning application was submitted on December 21, 2015. A rezoning information sign was installed on the site on January 28, 2016. A total of 12,250 notifications were distributed within the neighbouring area on or about February 4, 2016. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)). A community open house was held from 5:00-8:00 pm on February 24, 2016, at the Holiday Inn, 1110 Howe Street. Staff, the applicant team, and a total of approximately 63 people attended the Open House.

With the submission of the addendum to add the Pacific Street Site to the application, the existing site sign was updated and a new site sign was installed on the Pacific Street Site on October 7, 2016. A total of 8,956 notifications were distributed within the neighbouring area on or about October 7, 2016. The City's rezoning webpage was also updated to include the proposal for the Pacific Street Site. A second community open house was held from 5:00-8:00 pm on October 26, 2016, at the Holiday Inn, 1110 Howe Street. Staff, the applicant team, and a total of approximately 43 people attended the Open House.

In the time between the original application notification of 2015 and the application addendum notification of 2016, staff transitioned to a new mailing system with Canada Post. This resulted in a lower number of postcards being sent out in 2016, even though the notification boundary remained the same, as the new mailing system reduces the duplication of recipients.

**Public Comments on Rezoning Application, December 21, 2015** – In response to the December 21, 2015 rezoning application, the City received a total of 36 written responses, including open house comment sheets, online survey responses and email correspondence.



Figure 5: Public Notification Summary

Total notifications	12250
Open House attendees	63
Comment Sheets	11
Other Feedback	25

Overall, there was support for the proposed tower and the relocation of Leslie House. A few people expressed concerns with regards to:

- the height of the tower and its shadowing and view impact;
- that not enough three-bedroom units are provided;
- traffic in the area in general; and
- the affordability of the proposed units.

Staff have assessed the proposed form of development and concluded that the urban design impacts, including the height and density of the proposed development, are reasonable subject to the conditions of approval contained in Appendix B1.

Further, staff have had extensive discussion with the property owner of the building to the north, who was concerned about view blockage and overlook impacts of the proposed tower. Staff subsequently requested design revisions to the tower floor plate to reduce these impacts. The applicant has responded by reshaping the tower to open up the southerly view angle for this neighbouring building. See illustrative design changes contained in Appendix I.

With the proposed design response, the applicant is also proposing to increase the number of three-bedroom units from 40 to 58. As a result, three-bedroom units would be 27% of the total 213 units, exceeding the minimum 10% required for residential strata housing projects as recently approved by Council.

With regards to traffic concern, staff expect the additional vehicular traffic generated by this application to have minimal impact on the local road network.

**Public Comments on Application Addendum, October 4, 2016** – In response to the addendum to add the Pacific Street Site to the application, the City received a total of 11 written responses.

There was a general level of support for the cultural Amenity Building proposal, with respondents commenting that the design was beautiful and that it would add value and increase community cohesion in this growing neighbourhood.

At the second open house staff heard a few residents express concerns regarding community amenities in the area. One issue raised was that, due to the area growing, there was a need for more general recreational facilities (such as gyms or swimming pools), not a facility that

served only artists. Another comment was a desire to see something more like a “neighbourhood house” where residents, particularly seniors, could gather and socialize.

With the partnership with BC Artscape, there is an opportunity for the proposed cultural Amenity Building to respond to community needs. The intent for the facility is to establish a community advisory committee, which would include local residents as well as artists. Once this committee is established, assessment of the social, cultural and creative needs of the community would be conducted and it would form the basis of any recommendations for space programming.

At a higher level, with regard to recreation and meeting space facilities in the downtown peninsula, Parks staff will be launching a City-wide Parks and Recreation Services Master Plan in the coming months. This plan will help set service targets for parks and recreation amenities and facilities, and will provide a strategy for achieving the targets. While staff will be approaching the process as a City-wide strategy, there will be a separate focus on the downtown peninsula, recognizing the significant impacts that growth has had and will continue to have on area parks and recreation facilities.

Parks staff are also currently developing an Aquatics Strategy, VanSplash, to guide the next 10 years of aquatics services in the city. Staff recently closed the preliminary public survey after hearing from over 4,500 people. Staff plan to report back with a consultation summary at the end of this year, with draft preliminary directions anticipated in the spring 2017.

Lastly, staff from Community Services are also monitoring community needs, such as childcare, in the Downtown South.

With all these initiatives, there are opportunities for these interested and concerned residents to be informed and engaged. A more detailed summary of public comments on this application is provided in Appendix F.

### ***PUBLIC BENEFITS***

In response to City policies that address changes in land use and density, this application, if approved, can be expected to realize the following public benefits.

#### **Required Public Benefits**

**Development Cost Levies (DCL)** – Development Cost Levies collected from development help pay for facilities made necessary by growth including parks, childcare facilities, replacement (social/non-profit) housing and various engineering infrastructure. The subject sites are in the Downtown South DCL District, where the rate for residential and commercial uses developed at a density greater than 1.2 FSR is \$205.44/m<sup>2</sup> (\$19.09/sq. ft.). It is anticipated that the total proposed floor area of 22,834.5 m<sup>2</sup> (245,797 sq. ft.) for the tower and Leslie House will generate DCLs of approximately \$4,691,120. The proposed cultural Amenity Building is also subject to the same commercial-residential DCL rate. If approved, based on 1,955.5 m<sup>2</sup> (21,050 sq. ft.) of total floor area, the cultural Amenity Building would pay approximately \$401,738 in DCLs.

DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12 months from the date of DCL By-law rate amendment provided that it has been submitted prior to the adoption of such DCL By-law rate adjustment. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

**Public Art Program** – The *Public Art Policy and Procedures for Rezoned Developments* requires rezoning proposals having a floor area of 9,290.0 m<sup>2</sup> (100,000 sq. ft.) or greater to contribute public art or provide 80% cash in lieu as a condition of rezoning. Public art budgets are based on a formula (effective September 30, 2016) of \$21.31 per m<sup>2</sup> (\$1.98 per sq. ft.) for all areas contributing to the total FSR calculation. It is anticipated that the total proposed floor area of 22,834.5 m<sup>2</sup> (245,797 sq. ft.) for the tower and Leslie House will generate a public art budget of approximately \$486,603. With 1955.5 m<sup>2</sup> (21,050 sq. ft.) proposed floor area for the cultural Amenity Building, a public art budget of approximately \$41,672 is anticipated. The Public Art rate is finalized at the development permit stage and is subject to Council approval of periodic adjustments to address inflation.

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. 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 which must be completed prior to issuance of the Development Permit.
- Option B – For developers not wanting to directly commission the artwork, 80% 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.

#### Offered Public Benefits

*Community Amenity Contribution (CAC)* – In the context of the City's *Financing Growth Policy*, an offer of a community amenity contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. Such a CAC is typically made through the provision of either on-site amenities or a cash contribution towards other public benefits. The CAC takes into consideration community needs, area deficiencies and the impact of the proposed development on City services.

#### *In-kind Contribution (\$15,700,000)*

As part of the CAC for this rezoning, the applicant has offered to build the cultural Amenity Building on the Pacific Street Site. The cultural Amenity Building will be built to a “warm shell” specification for commercial buildings reflecting the proposed use and ready for final fit out (i.e. tenant improvements). The “warm shell” specification includes:

- a minimally finished interior,
- base building HVAC system ready for distribution,
- base building electrical system, plumbing and washrooms,
- base interior and exterior lighting,
- all building envelope details required to conform to the City's *Zero Emissions Building Plan* including the roof,
- installation of one freight elevator to service the building and all required components,
- basement bicycle parking area with the provision of one end-of-trip facility (i.e. shower), and
- all necessary structural elements required to support the building as well as all required life safety systems.

The cultural Amenity Building is to be constructed on the Pacific Street Site by or on behalf of the applicant to the satisfaction of both the Director of Facilities Planning and Development and of the Managing Director of Cultural Services. The cultural Amenity Building and the Pacific Street Site are valued at a total cost of \$15,700,000. Conditions to secure the satisfactory delivery of the facility are outlined in Appendices B1 and B2.

It is estimated that, with an additional \$3,000,000 worth of tenant improvement and start-up expenses, the total cost of the finished cultural Amenity Building would be \$18,700,000.

Should Council approve this rezoning, staff will subsequently seek Council approval of a long-term lease with a non-profit operator, such as BC Artscape, which will oversee tenant recruitment and facility management. It is anticipated that the non-profit operator would make the \$3,000,000 capital contribution required to cover tenant improvement and start-up expenses.

Further, the proposed lease would be for a nominal total rent, with the chosen operator fully responsible for all facility operating costs and long-term recapitalization of interior building systems. The City would be responsible for the long-term recapitalization of the building exterior. This is consistent with approaches taken with other City-owned facilities and the nominal rent would help to ensure the facility serves locally-based artists and non-profit arts groups.

#### Cash Contribution (\$24,525,000)

In addition to the proposed in-kind contribution, the applicant has offered a cash CAC contribution of \$24,525,000 to be allocated as follows:

#### *Downtown South Public Benefits Strategy -*

- childcare – \$9,500,000 for the construction of a 69-space childcare facility, including elevator access and underground parking, in and around Downtown South
- social housing – \$8,500,000 contribution towards two prospective social housing projects in Downtown South
- active transportation – \$2,025,000 for active transportation in and around Downtown South

#### *Strategic and city-wide public benefits -*

- Park and Open Space - \$4,500,000 contribution towards the Vancouver Art Gallery Plaza project

With both in-kind and cash contributions, the total CAC package is valued at \$40,225,000. See Appendices J1 and J2 for a summary of all of the public benefits for this application.

*Phased Approach to Cash CAC Payment* – The *Community Amenity Contributions - Through Rezoning* policy currently requires full payment of any cash CAC prior to rezoning enactment. In this case, given the scale of the cash CAC being offered and associated financing implications, staff are recommending a phased approach to CAC payment, as outlined in Appendix B1.

This approach would constitute a waiver by Council of the current requirements of the *Community Amenity Contributions - Through Rezoning* policy. If approved by Council, a cash CAC totaling \$24,525,000 is payable under the following conditions:

- \$20,000,000 must be paid in cash prior to enactment of the zoning by-law; and
- \$4,525,000 would become payable on or before eighteen (18) months following enactment of the zoning by-law and secured by a Letter of Credit.

Real Estate Services staff have reviewed the applicant's development pro forma for this rezoning application and have concluded that the CAC offered by the property owner is appropriate, and recommend that the offer be accepted.

#### *Implications/Related Issues/Risk (if applicable)*

##### *Financial*

As noted in the section on Public Benefits, the applicant has offered a total CAC package of \$40,225,000, comprised of:

##### *On-site Cultural Facility (\$15,700,000 including land and "warm shell" building):*

- The applicant is to transfer to the City the Pacific Street Site in fee simple with a fully constructed 21,050 sq. ft., seven-storey cultural Amenity Building, built to the City's specifications;
- Subject to Council approval, the City will enter into a 60-year nominal lease with a non-profit operator, who would be responsible for all facility operating costs and long term recapitalization of interior building systems; the City would be responsible for the long-term recapitalization of the building exterior; and
- The non-profit operator is expected to contribute \$3,000,000 in capital improvement to the facility.

##### *Cash CAC (\$24,525,000):*

- \$9,500,000 for the construction of a 69-space childcare facility in and around Downtown South;
- \$8,500,000 contribution towards two prospective social housing projects in Downtown South; and
- \$2,025,000 for active transportation priorities in and around Downtown South; and
- \$4,500,000 contribution towards the Vancouver Art Gallery plaza project.

Subject to Council approval, \$20,000,000 of the cash CAC would be paid prior to enactment, with the remainder \$4,525,000 to be paid within 18 months of the date of enactment and secured by a Letter of Credit.

Approval and timing of specific capital projects will be brought forward as part of the Capital Plan and Budget processes.

For the market residential component, if the rezoning application is approved, the applicant will be required to provide new public art on-site, or make a cash contribution to the City for off-site public art, at an estimated value of \$486,603. The site is subject to the Downtown South DCL and it is anticipated that the applicant will pay \$4,691,120 in DCLs.

For the Cultural Amenity Building, the \$41,672 public art levy and \$401,738 DCLs will be covered as part of the in-kind CAC value of \$15,700,000.

### *CONCLUSION*

Staff assessment of this rezoning application has concluded that the proposed land uses, density and height are supported, and that the public benefits of this project would make a significant contribution towards the City's *Cultural Plan*, the achievement of the *Downtown South Public Benefits Strategy* as well as the completion of Vancouver Art Gallery Plaza, a key city-wide project. Further, as part of the application, a significant heritage resource on site would be conserved and protected for the long term.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to a Public Hearing, together with draft CD-1 provisions generally as set out in Appendices A1 and A2. Further, it is recommended that, subject to the Public Hearing, the application including the form of development, as shown in the plans in Appendix H, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendices B1 and B2.

\* \* \* \* \*

1380-1382 Hornby Street  
DRAFT AMENDMENT TO CD-1 (435) BY-LAW No.9116

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Strike entire CD-1 (435) and replace it with the following:

**“Zoning District Plan Amendment**

1.1 This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-(\_\_\_\_) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

**Uses**

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (435).

2.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio and Arts and Culture Indoor Event;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
- (c) Office Uses, limited to General Office and Health Care Office;
- (d) Retail Uses, limited to Retail Store;
- (e) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, and Restaurant - Class 1; and
- (f) Accessory Use customarily ancillary to any use permitted by this section.

**Conditions of Use**

3.1 The design and lay-out of at least 25% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

3.2 All commercial uses must be carried on wholly within an enclosed building except for:

- (a) Restaurant;
- (b) Retail Store; and

- (c) Display of flowers, plants, fruits, and vegetables, in conjunction with a permitted use.

### Density

- 4.1 Computation of floor space ratio must assume that the site consists of 1,394 m<sup>2</sup> [15,005 sq. ft.], being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses combined must not exceed 16.4, which must include the use of 128 m<sup>2</sup> of area located above grade that is limited to mechanical space.
- 4.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
  - (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
    - (i) the total area of all such exclusions must not exceed 12 % of the residential floor area; and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing; those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
  - (d) all residential storage area above or below base surface, except that:
    - (i) if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit there will be no exclusion for any of the residential storage area above base surface for that unit; and
    - (ii) the above grade storage area shall be no greater than 502 m<sup>2</sup>.
- 4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
  - (a) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum permitted floor area of 929 m<sup>2</sup>; and



- (b) unenclosed outdoor areas underneath tower building overhangs, provided they are at grade level, except that they must remain unenclosed for the life of the building.

4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any use other than that which justified the exclusion.

### Building Height

5.1 The building height, measured above base surface, must not exceed 114.6 m, measured to the top of the roof deck of the uppermost habitable floor, except that the Director of Planning may permit a decorative roof and enclosure treatments that enhance the appearance of the building to extend up to 4.6 m above this height.

5.2 Despite the provisions of section 5.1 of this by-law and of section 10.11 of the Zoning and Development By-law, the Director of Planning may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms, or for access and infrastructure required to maintain green roofs, urban agriculture, or roof-mounted energy technologies including solar panels and wind turbines, if the Director of Planning first considers:

- (a) their siting and sizing in relation to views, overlook, shadowing, and noise impacts; and
- (b) all applicable policies and guidelines adopted by Council;

and the Director of Planning must not permit any structure above a maximum height of 123.8 m.

### Horizontal Angle of Daylight

6.1 Each habitable room must have at least one window on an exterior wall of a building.

6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of the unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any site adjoining CD-1 (\_\_\_).

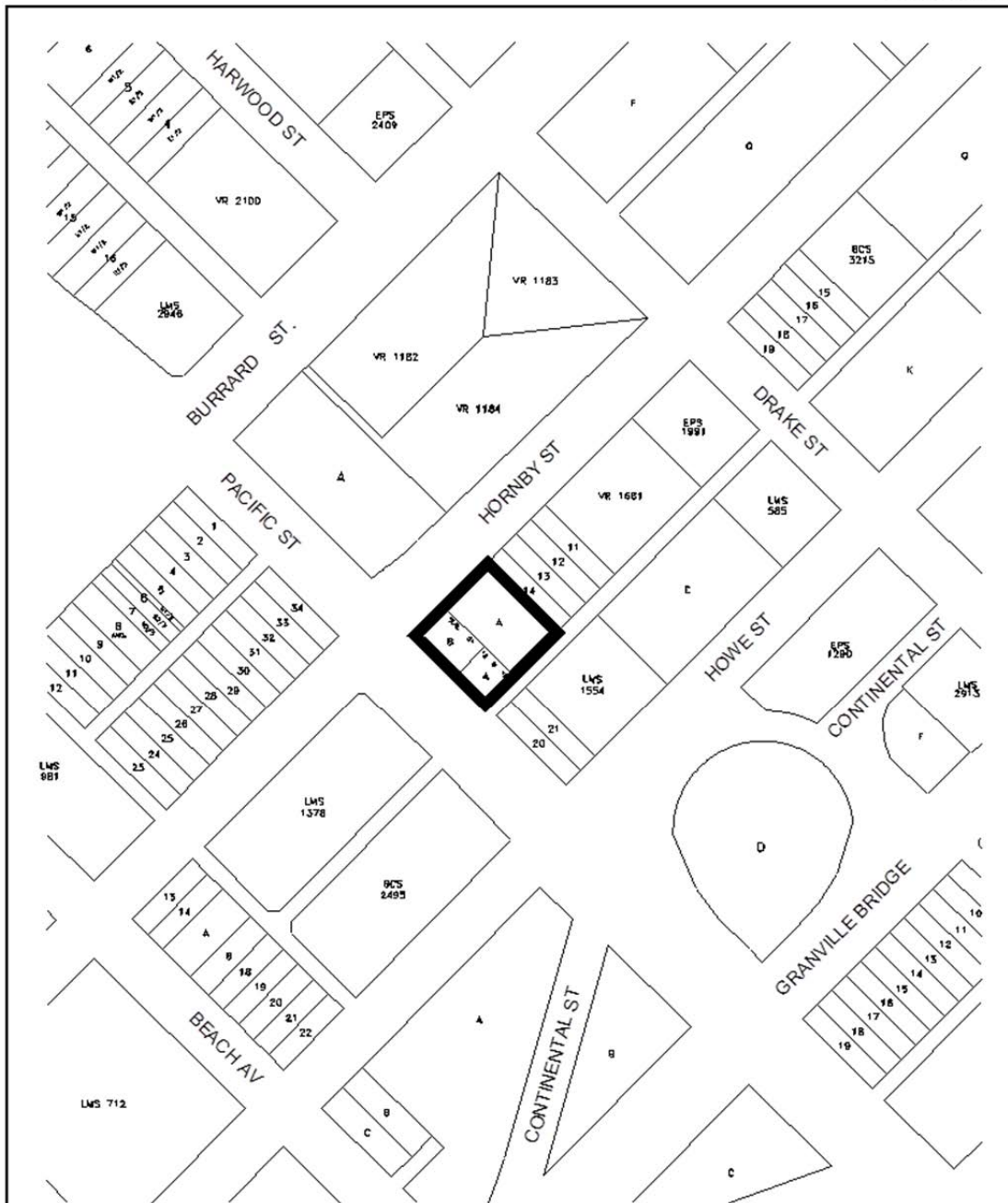
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10 % or less of the total floor area of the dwelling unit, or
    - (ii) 9.3 m<sup>2</sup>.

### Acoustics

- 7.1 All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

**Schedule A**



The properties outlined in black (  ) are rezoned:  
From **CD-1 & DD** to **CD-1**

**RZ- 1380-1382 Hornby Street**

map: 1 of 1

scale: NTS



**City of Vancouver**

date: 2016-10-25

\* \* \* \* \*

801 Pacific Street  
PROPOSED CD-1 PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**Zoning District Plan Amendment**

- 1.2 This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-(\_\_\_\_) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

*[Schedule A is a map that will be prepared for the draft by-law, and that will be posted prior to the Public Hearing.]*

**Definitions**

- 2.1 Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

**School - Arts** means the use of premises for training or instruction in drama, music, painting, dance or visual, performing, literary or interdisciplinary arts.

**Uses**

- 3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (\_\_\_\_).
- 3.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Cultural and Recreational Uses, limited to Artist Studio, Arts and Culture Indoor Event, Community Centre or Neighbourhood House, Hall, Library, Museum or Archives, and Theatre;
  - (b) Office Uses, limited to General Office;
  - (c) Service Uses, limited to Photofinishing or Photography Studio, Production or Rehearsal Studio and School - Arts; and
  - (d) Accessory Use customarily ancillary to any use permitted by this section.

## Density

- 4.1 Computation of floor space ratio must assume that the site consists of 557.7 m<sup>2</sup> [6,003 sq. ft.], being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses combined must not exceed 3.51.
- 4.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
  - (a) open balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8% of the total floor area;
  - (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing; those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
  - (d) for exterior walls, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 203 mm.
- 4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
  - (a) covered outdoor areas located at grade; and
  - (b) amenity areas, except that the exclusion must not exceed, in aggregate, the lesser of 20 % of the permitted floor area or 929 m<sup>2</sup>.
- 4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any use other than that which justified the exclusion.

## Building Height

- 5.1 The building height, measured above base surface, must not exceed 26.0 m, measured to top of roof parapet.

\* \* \* \* \*

1380-1382 Hornby Street  
DRAFT CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

**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 Group in conjunction with ACDF Architecture, and stamped "Received City Planning Department, December 21, 2015", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

**Urban Design**

- 1. Significant design development to the proposed tower's shape and location, in order to improve the livability for the neighbouring development located immediately due north (1360 Hornby), including:
  - (i) The preservation of private views from south-facing dwelling units located immediately north of the subject site, for as many dwelling units as possible; and
  - (ii) Ensuring that the proposed outdoor amenity area located on Level 2 does not result in a higher party wall than the existing wall at 1360 Hornby, while also avoiding an overlook opportunity into 1360 Hornby's existing outdoor amenity.

Note to Applicant: The tower should be located and shaped in plan so that the accumulated horizontal expanse of view for the neighbouring dwelling units is equal to or better than what resulted from the previously Council-approved CD-1(435).

- 2. Significant design development to achieve an improved integration of the Leslie House with the overall design, including:
  - (i) establishing a legible transition in scale between the proposed tower and the Leslie House, as viewed from the Pacific Street sidewalk;
  - (ii) achieving a more commodious immediate context for the Leslie House, including a backdrop of open space, landscaping, open sightlines and perimeter plantings, to lessen the appearance of being sited in a constricted area;

- (iii) establishing a layered landscaping response against the rear service lane, involving a finer grain of short, brick masonry retaining walls to help delineate the area around the Leslie House.
- 3. Design development to the street-level interface against the Hornby Street sidewalk within the required 1.8 m (6 ft.) building setback, in order to meet the design objectives in the *Downtown South Design Guidelines*, including:
  - (i) provision of a 0.6 m (2 ft.) increase to the public sidewalk width, as measured from the Hornby property line;
  - (ii) provision of the remaining 1.2 m (4 ft.) setback to be landscaped minimum 60% soft landscaping providing soil depths of minimum 1.1 m (3.5 ft.); and
  - (iii) any retaining wall located at the edge of the 0.6 m (2 ft.) sidewalk widening should be no more than 0.3 m (1 ft.) in height above the adjacent sidewalk grade.
- 4. Design development to achieve a more neighbourly interface with the service lane and the existing terrace of the neighbouring property immediately north, including:
  - (i) a minimum 0.6 m (2 ft.) setback from the rear property line, to be landscaped with soft foundation plantings where possible;
  - (ii) elevation treatment with a more textured cladding material, such as stone or brick masonry; and
  - (iii) a minimization in height of the lane-facing rear elevation, to no more than what is required to achieve the minimum required height of the loading bays.
- 5. Confirmation of the following:
  - (i) triple-glazing to be employed as the typical cladding system for the north and south elevations;
  - (ii) the maximum area of the tower floorplate, excluding exterior balconies, does not exceed 603.8 m<sup>2</sup> (6,500 sq. ft.); and
  - (iii) a window-cleaning system that does not require equipment that is permanently visible from any public vantage point.
- 6. Design development to further articulate the exterior balcony expression on the tower component.

Note to Applicant: This condition responds to comments heard from the Urban Design Panel that the architectural expression could be mistaken for an office building.

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

7. Design development to respond to CPTED principles, having particular regard for:
- (i) theft in the underground parking;
  - (ii) residential break and enter;
  - (iii) mail theft; and
  - (iv) mischief in alcoves 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.

#### Sustainability

8. Confirmation that the application is on track to meeting the *Green Buildings Policy for Rezoning* including a minimum of LEED® Gold rating, with 1 point for water efficiency and 1 point for stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The design strategy, along with the LEED checklist must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration from the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

9. Provision of a detailed Sustainability Design Strategy specific to Leslie House as part of the Development Permit application that articulates how the best green building performance outcome can be achieved within the guidance of Federal Government's *Standards and Guidelines for the Conservation of Historic Places in Canada* and the *Building Resilience: Practical Guidelines for the Retrofit and Rehabilitation of Buildings in Canada*.

Note to Applicant: In 2016, the Federal Provincial Territorial Ministers of Culture and Heritage in Canada (FPTMCHC) published a document entitled, *Building Resilience: Practical Guidelines for the Retrofit and Rehabilitation of Buildings in Canada* which is intended to serve as a "sustainable building



toolkit” for “existing and traditionally constructed buildings as well as formally recognized heritage places.” It is strongly recommended this document be used to inform the Sustainability Design Strategy for Leslie House in conjunction with the Standards and Guidelines for the Conservation of Historic Places in Canada.

## Heritage

10. Provision of a revised Leslie House Conservation Plan as part of the Development Permit application to include the following:
  - (i) The Sustainability Design Strategy for Leslie House as required in condition 9 of this Appendix B1, section (b), and to rationalize the proposed sustainability measures from the heritage conservation prospective.
  - (ii) Development of detailed conservation procedures for the building’s interior to accommodate approved adaptive re-use while minimizing impact on historic materials and finishes.
  - (iii) Development of the Interpretation Plan with all its components (plaques photos, artifacts). The content of the Interpretation Plan, as well as the design development of all its components, is to be integrated with the development permit application documentation and completed prior to the issuance of the permit. The installation of the Interpretation Plan and its components is to be completed before occupancy of the tower and public access to it ensured at that time.

Note to Applicant: the purpose of the Interpretation Plan is to present the importance of the historic place for the community, to provide information about its history and evolution, as well as to explain the circumstances resulting with its new location.

## Landscape

11. Explore opportunities for planting at the lane.

Note to Applicant: Except at points of access, consider the addition of climbing vine systems at the base of the wall in between the parking garage entrance and the loading area. (Refer to urban design condition for landscape treatment to the perimeter of the Leslie House.)

12. Provide a second row of smaller shade trees within the private property planters adjacent to Hornby Street.

Note to Applicant: Provide trees wherever possible. Planter areas accommodating any trees will need to be a minimum inside dimension of 1.0 m (3 ft.) to accommodate trees.

13. Design development to improve the pedestrian experience adjacent to Pacific Street by:
- (i) deleting the water feature in its entirety; and
  - (ii) providing additional layered planting and permanent street furniture consistent with the *Downtown South Guidelines* and the Pacific Street "Great Street" treatment.

Note to Applicant: Please note that the "Great Street" treatment for Pacific Street has specific tree species and tree spacing requirements for the public realm. The private realm landscape treatment should be compatible with the public realm treatment.

14. Integrate grades, retaining walls, walkways and structural design with the architecture to ensure adequate soil volumes.

Note to Applicant: Soil depths should exceed BCLNA Landscape Standard. Angle the corner of the underground slab downward (approximately 1.2 m/4 ft. horizontally and 1.0 m/3.3 ft. vertically) to maximize contiguous soil volumes in order to avoid raised planters above grade at the perimeter of the building. Wherever possible, planted landscapes on slab should be designed to maximize soil depths.

15. Design development to location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad-mounted transformers, "Vista" junctions, underground venting, etc.) visible to the public realm. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

16. At the time of Development Permit application:

- (i) provision of a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm;

Note to Applicant: In tree areas, the sections should illustrate, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- (iii) application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture;
- (iv) provision of high efficiency irrigation for all planted areas and hose bibs for urban agriculture areas (where applicable);

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify how the irrigation is to be designed and constructed.

- (v) provision of enlarged detailed elevations for all vertical landscape structures and features (i.e. green walls, trellis);
- (vi) provision of an outdoor Lighting Plan; and

Note to Applicant: Consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

- (vii) consideration to explore design options that respect the City's *Bird Friendly Design Guidelines*;

Note to Applicant: refer  
<http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>

## Engineering

- 17. Correction of the legal descriptions on page A0.1 to read "Lots A & B (See 410809L), Both of Lots 18 and 19, Plan 210, and Lot A, Plan BCP12494; All of Block 111, District Lot 541".
- 18. Correction of Section 1 on pages A6.1 and A6.2, as it incorrectly shows P1 within the proposed volumetric SRW area.
- 19. Provision of City building grades on the site plan and corresponding design grades at all entries along the property lines clearly indicating building grades are met.

Note: First risers for all stairs are to be 1'-0" behind the property line.

- 20. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note; 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.

21. Clarify garbage storage and pick-up space. Please show containers and totters on plans for recycling and garbage needs and refer to the Engineering garbage and recycling storage facility design supplement for recommended dimensions and quantities of bins.
22. Provide automatic door openers on the doors providing access to the bicycle room(s) and note on plans.
23. Provision of streetscape treatment on Hornby Street in accordance with the Downtown South Guidelines for the Hornby Slopes neighbourhood, including sidewalk and stamps, tree grates and surrounds, benches and bike racks etc. In addition saw-cut joints should be used rather than trowelled tool lines for the sidewalk pattern. Notes should be added to the landscape plan.
24. Provision of changes to the material legend for concrete sidewalks to include DTS stamp treatment and saw-cut joints, instead of the more general COV standard.
25. Provision of CIP light broom-finish sidewalks with saw-cut joints on Pacific Street and a sod grass boulevard with no tree grates between the sidewalk and bike lane. Note: Downtown South Guidelines do not apply to Pacific Street.
26. Deletion of the proposed specialty lane treatment and provision of a separate application to the City Engineer for specialty treatments in the lane.

Note to Applicant: Approvals of the lane treatments to be fully approved within the DP process and reflected on the plans. Early application is recommended.

27. Confirmation of the need for a vista switch or pad mounted transformer and clearly locate and dimension it on the plans.
28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.
  - (i) Number and dimension all types of parking and loading spaces on the drawings. Show the loading throat for the Class B loading space.
  - (ii) All Class A bicycle spaces must be located on the P1 parking level or at grade. Should Class A bicycle parking be provided below P1 then provision of an adequately sized elevator for use by bicycles is to be provided.
  - (iii) Provision minimum vertical clearance for the main ramp, security gates, and loading bays.

Note to Applicant: A section drawing is required showing elevations, and vertical clearances. The minimum vertical clearance should be noted on plans. 2.3 m of vertical clearance is required for access and maneuvering to all disability spaces. 3.8 m of vertical clearance is required for Class B loading spaces and maneuvering.

- (iv) Provision of 6 Class B bicycle spaces located full on private property when the racks are occupied.

Note to Applicant: The bike rack orientation shown on the landscape plan does not accommodate 6 bicycles. Bicycles locked to the rack shall not encroach over the PL. Ensure that bicycles parked on the rack will not interfere with doors.

- (v) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (vi) Provision of a minimum 1'-0" grass strip between any sidewalk and any adjacent planting.

- 29. Provision of a parking ramp design to the satisfaction of the General Manager of Engineering Services. The following is required:

- (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bay, within the parking levels and at all entrances. This is to calculate the slope and crossfall. The slope must not exceed 10% for the first 20' from the property line. The slope must not exceed 12.5% after the first 20' from the property line. 15% slopes may be acceptable if a 7.5% to 10% transition ramp is provided at the bottom for at least 4m in length. The design elevations shown on drawings A2.4 and A2.5 do not meet these design requirements.

- (ii) Provide a 9' x 9' corner cuts at the top and bottom of the parking ramps to enable two vehicles to pass each other unobstructed. Corner cuts are required at the top and bottom of ramps to provide adequate radii for continuous two-way traffic flow where 200 or more vehicles are being served. Corner cuts are required on the ramps from grade to P3.

Note to Applicant: Please provide the best design solution, which may include a cut and mirrors, to be refined at the Development Permit stage.

- (iii) Provision of a minimum 0.3 m (1 ft.) setback from the drive aisle for all columns.

### Neighbourhood Energy Utility

30. The proposed approach to site heating and cooling, developed in collaboration with the City and the City-designated NES Utility Provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
31. The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with Neighbourhood Energy to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

32. Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (including but not limited to gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.
33. Provide for 21 m<sup>2</sup> (226 sq. ft.) of adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy System, as outlined in the Neighbourhood Energy Connectivity Standards Design Guidelines, at development permit.
34. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

### 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, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services, the General Manager of Community Services, the General Manager of Real Estate and Facilities Management, and 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 A and B (See 410809L), Both of Lots 18 and 19, Plan 210, and Lot A, Plan BCP12494; All of Block 111, District Lot 541 to create a single parcel.
2. Provision of a volumetric statutory right of way agreement for public access, with or without vehicles, bicycles and pedestrians as if dedicated street over the southerly 3.0 m (10 ft.) of the site and a 3.0 m (10 ft.) (Hornby Street) by a 8.0 m (26 ft.) (Pacific Street) corner cut additional to the said southerly 3.0 m (10 ft.) portion, all to accommodate the future bicycle lane and future sidewalk along the north side of Pacific Street.

Note to Applicant: The construction of a sacrificial slab is required to protect the parking structure that is proposed below the volumetric right of way area.

3. Provision of a statutory right-of-way (SRW) for public pedestrian use of an expanded sidewalk over the 1.3 m (4 ft.) wide portion of the site directly adjacent and parallel to the northerly boundary of the volumetric statutory right of way noted above. The required SRW agreement must accommodate an underground parking structure and a small corner of the building from Level 3 to the roof within the SRW area.
4. Provision of a Services Agreement to detail the on-site 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.
  - (i) Provision of a concrete public bike share (PBS) station pad, mid-block on Hornby Street, including all curb, street infrastructure and utility adjustments to accommodate the installation of the pad. Should a final location and/or design not be available at occupancy of the building then delivery of a cash payment equal to the cost of construction of the PBS pad would be required.
  - (ii) Provision of a cast-in-place (CIP) concrete median and deletion of all planters proposed for the median separating the travel lane and bike lane on Hornby Street.
  - (iii) Provision of CIP concrete islands at the intersection of Hornby and Pacific streets that will form a protected intersection for bicycles including all curbs, street infrastructure and utility adjustments to accommodate the installation of the concrete islands. An approved geometric design will be provided by the City.
  - (iv) Provision of new or improved street and pedestrian lighting adjacent to the site, to current standards.

- (v) Provision of a separated bicycle facility on Pacific Street adjacent the site to tie into the bicycle facility proposed for the 801 Pacific Street site to the east. Work to include construction of the separated bicycle facility, curb adjustments, sidewalk adjustments and adjustments to all infrastructure impacted by the new street design.
- (vi) Upgrading of the existing traffic signal at the intersection of Hornby and Pacific streets to accommodate the proposed geometric changes or provision of funding for the traffic signal upgrade should other nearby street works impact the completion of the upgrade by building occupancy.
- (vii) Provision of a standard commercial concrete lane entry on the north side of Pacific Street at the lane east of Hornby Street, including provision of new curb returns on both sides of the lane entry.

Note to Applicant: The lane is shown as 4.95 m wide on the landscape plan. The laneway width must be maintained at 20 ft. (6.1 m).

- (viii) Provision of streetscape treatment in accordance with the *Downtown South Guidelines* for the Hornby Slopes neighbourhood, including concrete sidewalk, leaf stamps, tree grates, surrounds, benches and bike racks.
- (ix) 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 applicant's 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.

Note to Applicant: The development should tie storm and sanitary sewer connections to the existing 375 mm diameter storm sewer and 250 mm diameter sanitary sewer in the Lane east of Hornby Street and north of Pacific Street.

5. 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.

### Neighbourhood Energy Utility

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to the City-designated Neighbourhood Energy System (NES), if and when the opportunity is available and in accordance with the City's *Neighbourhood Energy Strategy* and may include but are not limited to agreements which:
  - (i) require buildings within the development to connect to the City-designated Neighbourhood Energy System at such time that a system becomes available;
  - (ii) grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling NES connection and operation; and
  - (iii) grant use of and access to suitable space required for the purposes of an energy transfer station as established in the *Neighbourhood Energy Connectivity Standards Design Guidelines*, to the satisfaction of the General Manager of Engineering Services.

#### Note to Applicant:

- a. A City-designated NES utility provider has been identified, and the Owner will be prohibited from entering into any third party energy supply contract for thermal energy services, other than conventional electricity and natural gas connections, unless otherwise approved by the General Manager of Engineering Services.
- b. The Development will be required to connect to a NES prior to occupancy if the General Manager of Engineering Services deems a connection is available and appropriate at the time of development permit issuance. If connection to a NES is not available at that time, the agreement will provide for future connection.
- c. At the building permit stage, the applicant will be required to submit final detailed drawings, signed and sealed by a professional engineer where necessary, for review by Engineering Services to confirm final room dimensions and technical information.

### Heritage (Leslie House)

7. Discharge of the current Heritage Revitalization Agreement notice No BW307521 from title to Lot A, Block 111, District Lot 541, Group 1 NWD Plan BCP12494.
8. Discharge of the existing Heritage Restoration Covenant registered in the Land Title Office under No. BB882568 from title to Lot A, Block 111, District Lot 541, Group 1 NWD Plan BCP12494.
9. Enter into a Heritage Restoration Covenant to be initially registered on title to the parcels comprising both the Hornby Street Site and the Pacific Street Site to, among other things:
  - (i) rehabilitate and conserve Leslie House in accordance with the proposal and the approved Conservation Plan;
  - (ii) secure the conservation and protection of Leslie House in perpetuity, on its current location, during construction on its temporary location on the Pacific Street Site and secure ongoing protection on its final location on the Hornby Street Site after completion of the rehabilitation;
  - (iii) allow the City to place a commemorative plaque on Leslie House; and
  - (iv) ensure the future obligation of maintenance and upkeep of the house is the collective responsibility of the strata.

The Heritage Restoration Covenant is to be completed and registered in the Land Title Office to the satisfaction of both the Director of Planning and the Director of Legal Services.

10. Enactment of the by-law to amend Heritage Designation By-law No. 8879.
11. Repeal of Heritage Revitalization Agreement By-law No. 8878.

### Cultural Facility (at 801 Pacific Street)

12. Delivery of the Pacific Street Site (the "Amenity Lands") and the cultural facility (the "Amenity Building") are subject to the following terms and conditions:
  - (i) Delivery of the Amenity Lands and the Amenity Building to the City prior to issuance of any Occupancy Permit for the Hornby Street Site (1380-1382 Hornby Street). The Amenity Building is to be built to a "warm shell" specification for commercial buildings reflecting the proposed use and ready for final fit out (i.e. tenant improvements). The "warm shell" specification includes:
    - a. a minimally finished interior;
    - b. base building HVAC system ready for distribution;
    - c. base building electrical system, plumbing and washrooms;

- d. base interior and exterior lighting;
  - e. all building envelope details required to conform to the City's *Zero Emissions Building Plan* including the roof;
  - f. installation of one freight elevator to service the building and all required components;
  - g. basement bicycle parking area with the provision of one end-of-trip facility (i.e. shower); and
  - h. all necessary structural elements required to support the building as well as all required life safety systems.
- (ii) The Amenity Building improvements, valued at \$10,050,000, shall be secured by a Letter of Credit in the same amount (inclusive of the environmental remediation estimate of \$58,000), issued to the City of Vancouver and to the satisfaction of the General Manager of Real Estate and Facilities Management and Director of Legal Services, due prior to enactment of the rezoning bylaw. The Letter of Credit shall be held by the City of Vancouver until such time as the completed Amenity Building is delivered, free and clear of all deficiencies and legal encumbrances.
- (iii) The building program for the Amenity Building shall generally consist of the following:
- a. 21,050 sq. ft. of gross floor area, 7 levels, built to a design and building specification appropriate for this type of amenity and to the satisfaction of the Director of Facilities Planning and Development and the Managing Director of Cultural Services;
  - b. Preliminary building design work and programming input from BC Artscape indicates a building design that accommodates the following uses:
    - Level 1 – presentation/exhibition and community space;
    - Levels 2 to 7 – production/rehearsal/programming/ancillary space;
    - P1 – bicycle spaces and mechanical/electrical rooms/storage;
  - c. One (1) Car Share Vehicle and car share vehicle space and minimum 39 Class A Bicycle Spaces and six (6) Class B Bicycle Spaces; and
  - d. Built to "*Zero Emissions Building Plan*" standards, or alternative building standards as required by the Director of Facilities Planning and Development.
- (iv) Registration of an Option to Purchase against title to the Amenity Lands in favor of the City of Vancouver prior to rezoning enactment for a purchase price of \$10.00 which is not exercisable by the City until the earlier of substantial completion of the Amenity Building and five (5)

years following zoning bylaw enactment for the Hornby Street Site (1380-1382 Hornby Street).

- (v) The Option to Purchase will require that the Amenity Lands be transferred to the City in a condition that meets numeric standards applicable to commercial land use, and will require the Developer to deliver a Certificate of Compliance for the Amenity Lands which confirms that such commercial numeric standards have been met, a separate certificate of compliance for any off site contamination which may have migrated from the Amenity Lands onto any other property, including onto any lands dedicated to the City and any City roads or other City property, and an Indemnity Agreement signed by the Developer and its parent company which indemnifies the City of Vancouver from all future on and off-site environmental liability and costs in relation to the Amenity Lands. The Indemnity applies to all contaminants on the Amenity Lands at the time the Amenity Lands are transferred to the City and to those contaminants which have migrated from the Amenity Lands prior to the date of transfer of the Amenity Lands to the City and any contaminants existing on the Amenity Lands as at the date of transfer to the City which thereafter migrate onto any other lands. Developer will not be responsible for any contaminants which are brought onto the Amenity Lands by any party other than the Developer (or someone for whom the Developer is responsible) following the date of transfer of the Amenity Lands to the City. For greater clarity, the deemed land value for the Amenity Lands is \$5,650,000.

#### Community Amenity Contribution (CAC)

- 13. Pay to the City the cash component of the Community Amenity Contribution of \$24,525,000 which the applicant has offered to the City and is allocated as follows:
  - (i) \$4,500,000 to complete the Vancouver Art Gallery plaza project;
  - (ii) \$9,500,000 budgeted for the construction cost of a 69-space childcare facility, including elevator access and underground parking, in and around Downtown South;
  - (iii) \$8,500,000 to complement funding already committed for a couple of social housing projects in Downtown South; and
  - (iv) \$2,025,000 to implement Council active transportation priorities in Downtown South.
  
- 14. Payment of the CAC is to be made as outlined below, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services:
  - (i) \$20,000,000 must be paid in cash prior to enactment of the by-law to amend CD-1 (435); and

- (ii) The balance of \$4,525,000 payable on or before eighteen (18) months following enactment of the amended CD-1 (435), and secured by a Letter of Credit in the same amount issued to the City of Vancouver and to the satisfaction of the General Manager of Real Estate and Facilities Management and Director of Legal Services, due prior to enactment of the rezoning bylaw. The Letter of Credit shall be held by the City of Vancouver until such time as the remaining cash CAC balance is paid in full.

#### Public Art

- 15. Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of 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). Please note a Civic Program Contribution of 10 per cent of the proposed public art budget is to be attributed towards the Public Art Program prior to Development Permit (DP) issuance. Please contact the Public Art Program regarding public art options.

Note to Applicant: Please call 311 to be directed to the Public Art Program Manager to discuss your application.

#### Environmental Contamination

- 16. If applicable:
  - (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering 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 rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

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 registered charges pursuant to 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.

\* \* \* \* \*

801 Pacific Street  
DRAFT CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

**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 Group in conjunction with ACDF Architecture, and stamped "Received City Planning Department, October 4, 2016", provided that the General Manager of Planning, Urban Design and Sustainability 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, Urban Design and Sustainability, who shall have particular regard to the following:

**Urban Design**

- 1. Design Development to ensure that no portion of the building, either at grade or above, is within the 1.3 m (4.3 ft.) Statutory Right-of-Way (required by Engineering Condition #2 By-law enactment) from the south (Pacific Street-facing) property line.

Note to Applicant: The intent of this condition is to ensure there is sufficient volumetric space within the public realm, for large mature street tree growth (as specified by Council-adopted policy of "Great Street" treatment for Pacific Boulevard). Furthermore, the public sidewalk along Pacific Boulevard should not have any building elements located directly above.

- 2. Design Development to retain the minimum 1.8 m (6 ft.) setback from the Howe Street property line for the first and second storeys, while reducing the setback to zero for the third storeys and above.

Note to Applicant: The intention is for a visually-interesting building form to be located above the portion of public sidewalk that located within the Howe Street SRW, but located at a substantial height of at least 7.6 m (25 ft.).

- 3. Design Development to reduce the minimum setback from the north property line to 2.4 m (8 ft.) minimum, for all portions of the building on the fourth storey and above.

Note to Applicant: The portion of the building facing north that contains the exit stair and access to the stair (located between gridlines 4 and 5.5 based on the application drawing set dated September 28, 2016), may have a reduced setback of minimum 1.2 m (4 ft.)

4. Design development to retain a strong level of transparency to the exterior for all gallery, administrative and work spaces so that:
  - (i) a high level of full-spectrum natural light penetrates into the interior spaces while also meeting the Passive House requirements (see conditions under Sustainability); and
  - (ii) an activated and engaging frontage at street-level is presented for the public sidewalk along Howe and Pacific Streets.

Note to Applicant: Sightlines from the administrative office spaces to the exterior should also be provided as part of this condition.

5. Design Development to the north-facing elevation, to ensure a good level of transparent glazing and a variety of materials and secondary forms, in order to provide visual amenity to the south-facing hotel rooms located in the neighbouring building due north.

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

6. Design development to respond to CPTED principles, having particular regards for:
  - (i) break and enter;
  - (ii) mail theft; and
  - (iii) mischief in alcoves 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.

#### Landscape

7. Integration of grades, retaining walls, walkways and structural design with the architecture to ensure adequate soil volumes;

Note to Applicant: Soil depths should exceed BCLNA Landscape Standard. To avoid raised planters above grade, at the perimeter of the building angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Wherever possible, planted landscapes on slab should be designed to maximize soil depths.

8. Design development to location of utilities;

Note to Applicant: Avoid the awkward placement of utilities (pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping



9. At time of development permit:

- (i) provision of a detailed Landscape Plan illustrating soft and hard landscaping;

Note to Applicant: The plans should be at 1/8": 1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through tree protection zones, all proposed common open spaces and semi-private patio areas;

Note to Applicant: In tree protection areas, the sections should illustrate and dimension the limit of excavation, the slab design and location, the soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

- (iii) application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture;
- (iv) provision of high efficiency irrigation for all planted areas and hose bibs for urban agriculture areas (where applicable);

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed.

- (v) provision of an outdoor Lighting Plan;

Note to Applicant: consider "CPTED" principles and avoid any lighting that can cause glare to residential uses.

- (vi) consideration to explore design options that respect the *City of Vancouver, Bird Friendly Design Guidelines*;

Note to Applicant: refer to <http://council.vancouver.ca/20150120/documents/rr1attachmentB.pdf>

- (vii) provision of an arborist report to comment on any necessary tree work and a consent letter from the north neighbour on the tree care strategy;
- (viii) provision of a letter of assurance for arborist supervision;

Note to Applicant: Arborist supervision is typically necessary when any work is required within a minimum root protection zone of a retained tree. The arborist should discuss the details of any supervision requirements within the arborist report, particularly if the plans depict any work that encroaches into a tree protection zone. The letter must be signed by the owner, the contractor and the arborist.

### Sustainability

10. Confirmation that the application is on track to meeting the *Zero Emission Building Plan*, which requires that the building be Certified to the Passive House (PH) standard or alternate zero emission building standard, and use only low carbon fuel sources, in lieu of certifying to LEED® Gold unless it is deemed unviable by Real Estate and Facilities Management, in collaboration with Sustainability.

Note to Applicant: If pursuing Passive House, as part of the Development Permit application, an updated letter must be submitted from the PH designer/consultant confirming that the preliminary building design meets all the design criteria necessary for PH certification, that a recognized PH certifier has been identified and retained for the project, and highlighting the key design strategies and/or challenges for certification.

Note to Applicant: If pursuing Passive House, as part of the Building Permit application, a letter must be submitted from a recognized PH certifier confirming the building design meets all the design criteria necessary for PH certification, and provide detail of the as-designed PH criteria.

### Engineering

11. Deletion from the Landscape Concept Plan of the note "New curb alignment as approved by city arborist. See civil drawings for absolute dimensions".
12. Deletion of the proposed specialty lane treatment and provision of a separate application to the City Engineer for specialty treatments in the lane. Note: approvals of the lane treatments to be fully approved within the DP process and reflected on the plans. Early application is recommended.
13. Confirmation that the wood pole in the lane is to be relocated or eliminated for access to loading and parking, if so confirmation from all the utilities that are connected to the pole that relocation is possible.

14. Compliance with the Parking and Loading Design Supplement, and Bicycle Parking Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
- (i) Provide minimum dimensions for the proposed car share space. 2.9m width and 5.5 m length are required.
  - (ii) Indicate the proposed Class B loading space on the drawings including dimensions.  
  
Note to Applicant: The Class B loading space should be dimensioned, and clear of any door or panel swing.
  - (iii) Provide a section through the loading space indicating vertical clearance. Note that 3.8m of clearance is required.
  - (iv) Provision of design elevations on both sides, front and back of the loading bay, and at all entrances and indicate cross slope.  
  
Note to Applicant: There appears to be an opportunity to provide a higher proportion of horizontal bicycle parking spaces by providing horizontal spaces along the south wall, and vertical spaces opposite.
15. Provision of 6 Class B bicycle parking spaces on the site.
16. Provision of an updated statistic table reflecting the required parking/loading/bicycle requirements and all of the relaxations sought.
17. Provision of a landscaping materials legend which should include concrete sidewalks with DTS stamp treatment and saw cut joints, and concrete sidewalks with saw cut joints instead of the more general COV standard concrete note.
18. Provision of a minimum 1'-0" grass strip between any sidewalk and any adjacent planting.
19. Updating of the landscape plan to reflect the street improvements sought by this rezoning.
20. Provision of a storm water discharge profile for the site that remains the same or better post development.

Note to Applicant: The development should tie storm and sanitary sewer connections to the existing 375mm dia. storm sewer and 250mm dia. sanitary sewer in the Lane east of Hornby Street and north of Pacific Street."

## CONDITIONS OF BY-LAW ENACTMENT

- (a) THAT, 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, Urban Design and Sustainability, the General Manager of Engineering Services, the General Manager of Community Services, the General Manager of Real Estate and Facilities Management, and 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 20 and 21, Block 111, DL 541, Plan 210 to create a single parcel and subdivision of that site to result in the dedication of the southerly 2.9 m (9.5 ft.) for road purposes;
2. Provision of a statutory right of way for public pedestrian use of an expanded sidewalk over a 1.3 m (4.3 ft.) wide portion of the site directly adjacent and parallel to the portion of the site to be dedicated.
3. Enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 1 Shared Vehicle(s) and the provision and maintenance of 1 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
  - (i) provide 1 Shared Vehicle(s) to the development for a minimum period of three years;
  - (ii) enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
  - (iii) provide and maintain the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;
  - (iv) make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
  - (v) provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle;
  - (vi) registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and

- (vii) provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: Shared vehicle spaces are required to be a minimum clear width of 2.9 m (9.5 ft.), and no column encroachment is allowed for enclosed parking spaces.

- 4. Provision of a Services Agreement to detail the on-site 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.
  - (i) Provision of separated bicycle facility on Pacific Street adjacent the site to tie into the bicycle facility proposed for 1382 Hornby site to the west. Work to include construction of the separated bicycle facility, curb adjustments, sidewalk adjustments and adjustments to all infrastructure impacted by the new street design.
  - (ii) Provision of a traffic signal upgrade to the signal at Howe Street and Pacific Street to accommodate the bicycle facility on Pacific Street. Work is expected to impact a minimum of 2 of the intersection signal poles.
  - (iii) Provision of improved street lighting on Howe St and Pacific Street and pedestrian lighting on Pacific St adjacent to the site.
  - (iv) Provision of streetscape treatment on Howe Street in accordance with the Downtown South Guidelines for the Hornby Slopes neighbourhood, including sidewalk and stamps, sod grass boulevard with specified tree grates and surrounds, benches and bike racks etc. In addition saw cut joints should be used rather than troweled tool lines for the sidewalk pattern.
  - (v) Provision of Pacific Street "Great Street" sidewalk treatments adjacent the Pacific Street frontage of the site should the bicycle facility design be able to accommodate the great street design otherwise standard commercial sidewalk treatments with saw cut joints on Pacific Street and a sod grass boulevard between the sidewalk and bike lane will apply. Note: tree grates are not required in the boulevard area.

Note to Applicant: Downtown South Guidelines do not apply to Pacific Street.
  - (vi) 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.

5. 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.

#### Heritage (Leslie House)

6. Enter into a Heritage Restoration Covenant to be initially registered on title to the parcels comprising both the Hornby Street Site and the Pacific Street Site to, among other things:
  - (i) rehabilitate and conserve Leslie House in accordance with the proposal and the approved Conservation Plan;
  - (ii) secure the conservation and protection of Leslie House in perpetuity, on its current location, during construction on its temporary location on the Pacific Street Site and secure ongoing protection on its final location on the Hornby Street Site after completion of the rehabilitation;
  - (iii) allow the City to place a commemorative plaque on Leslie House; and
  - (iv) ensure the future obligation of maintenance and upkeep of the house is the collective responsibility of the strata.

The Heritage Restoration Covenant is to be completed and registered in the Land Title Office to the satisfaction of both the Director of Planning and the Director of Legal Services.

## Cultural Facility on Site

7. Delivery of the Pacific Street Site (the “Amenity Lands”) and the cultural facility (the “Amenity Building”) are subject to the following terms and conditions:
- (i) Delivery of the Amenity Lands and the Amenity Building to the City prior to issuance of any Occupancy Permit for the Hornby Street Site (1380-1382 Hornby Street). The Amenity Building is to be built to a “warm shell” specification for commercial buildings reflecting the proposed use and ready for final fit out (i.e. tenant improvements). The “warm shell” specification includes:
    - a. a minimally finished interior;
    - b. base building HVAC system ready for distribution;
    - c. base building electrical system, plumbing and washrooms;
    - d. base interior and exterior lighting;
    - e. all building envelope details required to conform to the City’s *Zero Emissions Building Plan* including the roof;
    - f. installation of one freight elevator to service the building and all required components;
    - g. basement bicycle parking area with the provision of one end-of-trip facility (i.e. shower); and
    - h. all necessary structural elements required to support the building as well as all required life safety systems.
  - (ii) The Amenity Building improvements, valued at \$10,050,000, shall be secured by a Letter of Credit in the same amount (inclusive of the environmental remediation estimate of \$58,000), issued to the City of Vancouver and to the satisfaction of the General Manager of Real Estate and Facilities Management and Director of Legal Services, due prior to enactment of the rezoning bylaw. The Letter of Credit shall be held by the City of Vancouver until such time as the completed Amenity Building is delivered, free and clear of all deficiencies and legal encumbrances.
  - (iii) The building program for the Amenity Building shall generally consist of the following:
    - a. 21,050 sq. ft. of gross floor area, 7 levels, built to a design and building specification appropriate for this type of amenity and to the satisfaction of the Director of Facilities Planning and Development and the Managing Director of Cultural Services;
    - b. Preliminary building design work and programming input from BC Artscape indicates a building design that accommodates the following uses:
      - Level 1 – presentation/exhibition and community space;

- Levels 2 to 7 – production/rehearsal/programming/ancillary space; and
  - P1 – bicycle spaces and mechanical/electrical rooms/storage;
- c. One (1) Car Share Vehicle and car share vehicle space and minimum 39 Class A Bicycle Spaces and six (6) Class B Bicycle Spaces; and
- d. Built to “*Zero Emissions Building Plan*” standards, or alternative building standards as required by the Director of Facilities Planning and Development.
- (iv) Registration of an Option to Purchase against title to the Amenity Lands in favor of the City of Vancouver prior to rezoning enactment for a purchase price of \$10.00 which is not exercisable by the City until the earlier of substantial completion of the Amenity Building and five (5) years following zoning bylaw enactment for the Hornby Street Site (1380-1382 Hornby Street).
- (v) The Option to Purchase will require that the Amenity Lands be transferred to the City in a condition that meets numeric standards applicable to commercial land use, and will require the Developer to deliver a Certificate of Compliance for the Amenity Lands which confirms that such commercial numeric standards have been met, a separate certificate of compliance for any off site contamination which may have migrated from the Amenity Lands onto any other property, including onto any lands dedicated to the City and any City roads or other City property, and an Indemnity Agreement signed by the Developer and its parent company which indemnifies the City of Vancouver from all future on and off-site environmental liability and costs in relation to the Amenity Lands. The Indemnity applies to all contaminants on the Amenity Lands at the time the Amenity Lands are transferred to the City and to those contaminants which have migrated from the Amenity Lands prior to the date of transfer of the Amenity Lands to the City and any contaminants existing on the Amenity Lands as at the date of transfer to the City which thereafter migrate onto any other lands. Developer will not be responsible for any contaminants which are brought onto the Amenity Lands by any party other than the Developer (or someone for whom the Developer is responsible) following the date of transfer of the Amenity Lands to the City. For greater clarity, the deemed land value for the Amenity Lands is \$5,650,000.

#### Public Art

8. Execute an agreement satisfactory to the Director of Legal Services and the Managing Director of 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). Please note a Civic Program Contribution of 10 percent of the proposed public art budget is to be attributed towards the Public Art Program prior to Development Permit (DE) issuance. Please contact the Public Art Program regarding public art options.

Note to Applicant: Please call 311 to be directed to the Public Art Program Manager to discuss your application.

### Environmental Contamination

9. If applicable:
- (i) Submit a site profile to Environmental Services (Environmental Protection);
  - (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering 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 rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

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 registered charges pursuant to 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.

\* \* \* \* \*

1380-1382 Hornby and 801 Pacific Street  
CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENT REGARDING BUILDING LINES

A By-law to amend  
Zoning and Development By-law No. 3575  
Regarding Building Lines

In Part II of Schedule E, Council strikes out the entire paragraph under the heading “Pacific Street, north side, between Howe Street and Thurlow Street”, and substitutes:

“A building line on the north side of Pacific Street which building line is more particularly described as follows:

Commencing at a point in the northerly limit of Pacific Street 60.1 feet distant west from the westerly limit of Howe Street; thence westerly in a straight line to a point 4.7 feet perpendicularly distant north of the northerly limit of Pacific Street and to a point on the westerly limit of Lot 20, Block 111, District Lot 541, Plan 210; commencing again at a point in the westerly limit of Burrard Street 18.05 feet northerly of the northerly limit of Pacific Street; thence westerly in a straight line to the southwesterly corner of the west one-half of Lot 16, Block 13, District Lot 185, Plan 92.”

DRAFT AMENDMENT TO HERITAGE DESIGNATION BY-LAW No. 8879

Delete Section 1 and replace with the following:

“1. Council considers that the real property described as:

(a)	Structure and exterior envelope of the improvements and exterior building materials and lounge area	1380 Hornby Street Vancouver, BC	Parcel Identifier: 026-006-359 Lot A, Block 111, District Lot 541, Group 1, New Westminster District Plan BCP12494
(b)	Structure and exterior envelope of the improvements and exterior building materials and lounge area	801 Pacific Street (for the duration of construction of a tower on 1380-1382 Hornby Street)	Parcel Identifier: 005-989-621 Lot 20, Block 111, District Lot 541, Plan 210  Parcel Identifier: 009-812-067 Lot 21, Block 111, District Lot 541, Plan 210

has heritage value or character, and that its designation as protected heritage property is necessary or desirable to ensure its protection when currently located at 1380 Hornby Street, on its proposed interim location at 801 Pacific Street for the duration of construction work at 1380-1382 Hornby Street, and on its permanent location at the proposed consolidated rezoning site at 1380-1382 Hornby Street.”

**DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 6510**

Amend Schedule E (Comprehensive Development Areas) by adding the following:

“801 Pacific Street[CD-1#] [By-law #] B (DD)”

**DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW No. 6555**

Amend Schedule A (Activity Zone) by adding the following:

“[CD-1#] [By-law #] 801 Pacific Street”

**DRAFT AMENDMENTS TO THE PARKING BY-LAW No. 6059**

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking requirements
801 Pacific Street	( )	( )	<p>Parking, loading and bicycle spaces in accordance with by-law requirements on <i>[date of enactment of CD-1 By-law]</i>, except for the following:</p> <p>1.1 Shared vehicles with shared vehicle parking spaces may be substituted for required parking spaces at a 1:5 ratio;</p> <p>1.2 For each five Class A bicycle parking spaces provided in addition to the required number of bicycle spaces, the number of required vehicle parking spaces may be reduced by 1; and</p> <p>1.3 Sections 1.1 and 1.2 would result in one (1) vehicle parking space to be provided on the site, to be used by a car share vehicle.</p>

1380-1380 Hornby Street and 801 Pacific Street  
URBAN DESIGN ANALYSIS

Hornby Street Site

*Maximum Tower Height Limit* – The maximum building height of 114.3 m (375ft.) was set by staff based on view studies of the resulting skyline as seen from the vantage points of the midpoints of the Burrard and Granville bridges. When seen from these two viewpoints, the intention is for this tower to be visually subservient to both the Vancouver House (1412 Granville) and Burrard Gateway (1252 Burrard Street) developments, which are sites for which policy permits increased heights to establish visual punctuations within an overall framework (illustrations D.1 and D.2).

Illustration D.1 View from Burrard Bridge

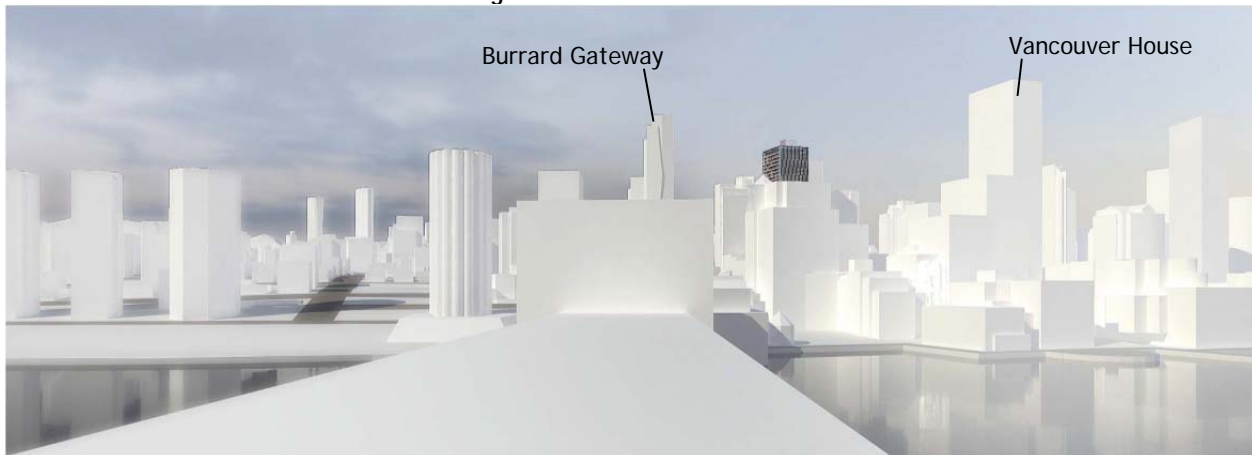


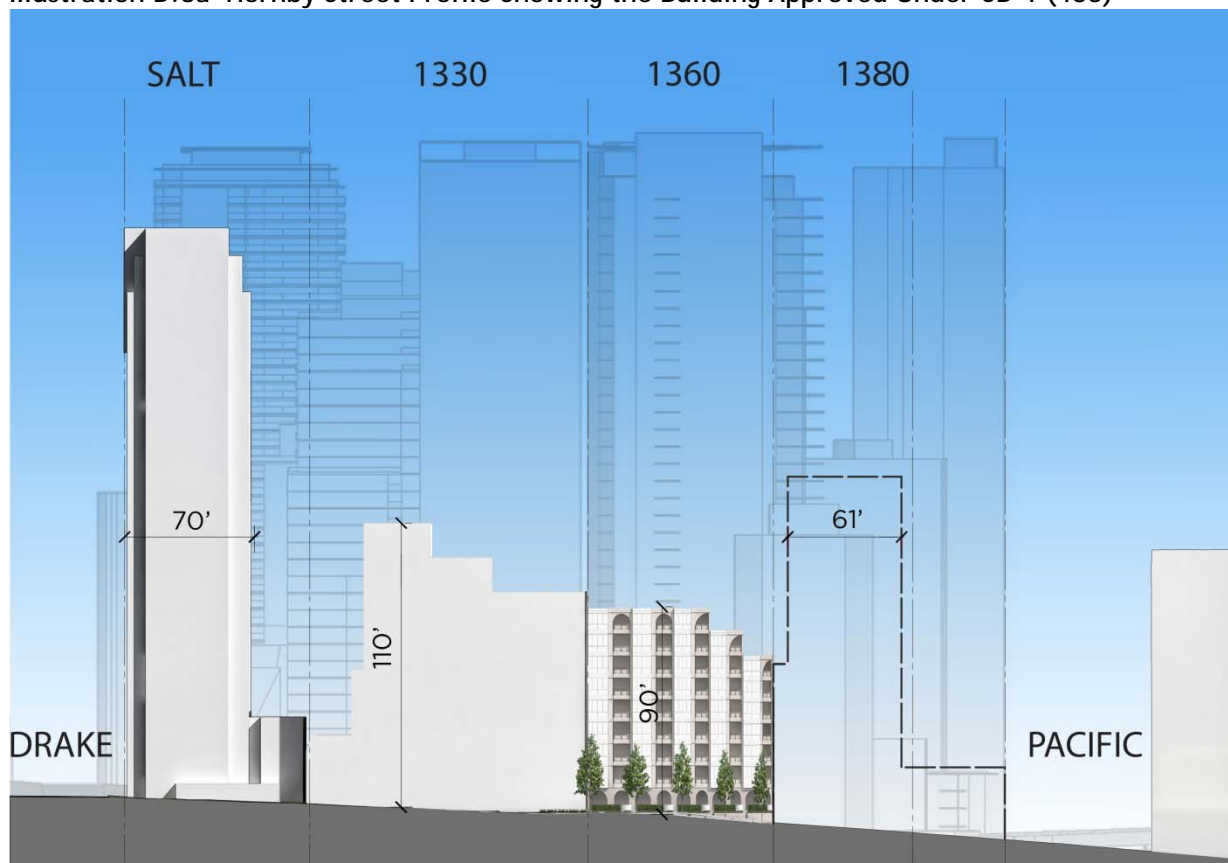
Illustration D.2 View from Granville Bridge



**Built-Form Impact on Public Realm and 1335 Howe Street** – In order to analyze the impact of the proposed building on the Hornby Street public realm, it is important to first understand what is currently permitted on the site. The site is composed of two subareas – the northern component has a frontage of 75 ft. while the southern component has only 50 ft. of frontage.

Under the current CD-1 (435) zoning for the northern component, a 52.8 m (173 ft.) 16-storey tower is permitted. The remaining southernmost 50 ft. of frontage is currently zoned DD (subarea N), which permits a building of up to 5.0FSR. Given the adjacency of this site with the CD-1 (435) tower site, this component would not likely be able to achieve atypical building form permitted under zoning, due to its potential impact on the livability of the dwelling units in the tower of the north component. The maximum achievable height of this sub-site would therefore be approximately 4-storeys and 45 ft. The resulting streetscape profile the Hornby Street blockface is shown in Illustration D.3a.

Illustration D.3a Hornby Street Profile Showing the Building Approved Under CD-1 (435)

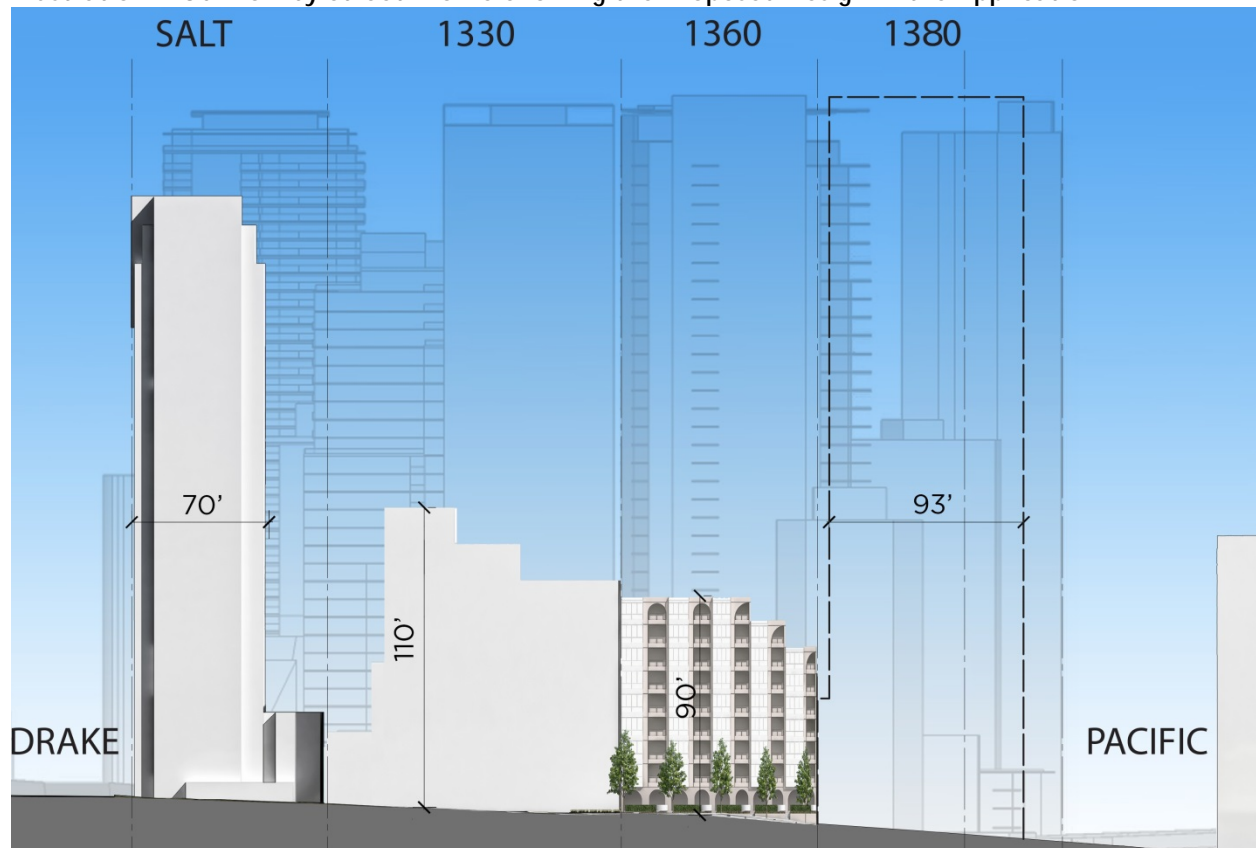


This rezoning application proposes to consolidate the two components into a single site, while also choosing to waive the permitted zoning rights of CD-1 (435) for a taller tower scheme. While the proposal site is still relatively small, with only 125 ft. of frontage, it should be noted here that in this subarea of the Downtown ODP, there is no minimum frontage

requirement for the development of a tower or the attainment of a maximum building height of 300 ft.. Instead, what limits the viability of a tower are the urban design parameters that are consistently administered by staff

The site is on a street corner, where unobstructed views and openness are naturally-occurring due to the lack of buildings located on the roadways and sidewalks. As such, towers located on corner sites have more adjacent open space compared to when they are placed on mid-block sites, and the overall sense of physical enclosure on the public realm is relatively less in comparison. Furthermore, the remaining existing buildings on the east side of 1300 block Hornby Street are lower-scaled buildings of 10 and 11 storeys, with the only other tower located at the furthest extreme on the north end of the block. With the completion of this building, the resulting streetscape would have a tower located at extreme ends of the street block, with the existing mid-block buildings sandwiched between (illustration D.3b). Overall, the resulting block profile follows the general intention of the Vancouver South DD zoning, which is a maximum of two towers per city block face. This intention is predicated on the idea that the remaining non-tower buildings help to achieve an overall sense of openness to the surrounding public realm.

Illustration D.3b Hornby Street Profile Showing the Proposed Design in the Application



The proposal conforms to general urban design principles for towers in Downtown South, the intent of which is the containment of the tower's overall bulk. A maximum 6500 s.f.

floorplate is conformed to, resulting in a relatively slender profile when viewed from all aspects of the surrounding neighbourhood. Furthermore, the tower floorplate has been strategically shaped so that the windows of any room are no closer than 80 ft. to the nearest tower, which is located across the service lane at 1335 Howe Street. (See figures 4-6 Appendix H). These two design parameters are general urban design requirements for all towers located in the downtown area, which results in an overall wide spacing between towers to allow the penetration of natural light and a sense of openness for the public realm and for private residences.

*Impacts on Existing Neighboring Building Due North (1360 Hornby)* – A concern received by staff during the consultation process is the impact of the proposed building to the existing development located due north at 1360 Hornby. This development has an atypical layout of apartment suites, where many of the dwelling units do not face southeast toward the lane but instead are oriented southwest towards the subject site. Furthermore, concerns of any negative impacts on an existing second-storey outdoor amenity space on 1360 Hornby were also stated.

In this particular case, staff have noted that the property at 1380 Hornby is currently zoned CD-1 (435), which permits a building mass that does obstruct the horizontal views of the neighbouring suites to a particular degree. Although the proposed building is taller than that approved under CD-1 (435) (114.6 m and 52.8 m respectively), the added height does not directly affect the horizontal expanse of private views of the dwelling units in 1360 Hornby. Instead, it is the location and shape of the tower's floorplate that would directly affect these views. Condition (b)1 in Appendix B1 seeks to insure that the proposed tower would not introduce a net overall negative impact on the residents of 1360 Hornby, with respect to horizontal views as well as to their existing outdoor amenity courtyard, in comparison with the building form that has already been adopted by Council under CD-1 (435).

Illustration D.4, D.5 and D.6 demonstrate how further design development to the podium height and tower floorplate configuration would satisfy this condition. With respect to the interface with the existing courtyard of 1360 Hornby, the result is considered much more neighbourly than the approved building form under CD-1 (435). With respect to the horizontal views from the living rooms of the south-facing dwelling units, the overall impact is considered slightly improved in comparison.

Illustration D.4 Comparison of Direct Interface with Outdoor Courtyard of 1360 Hornby Street

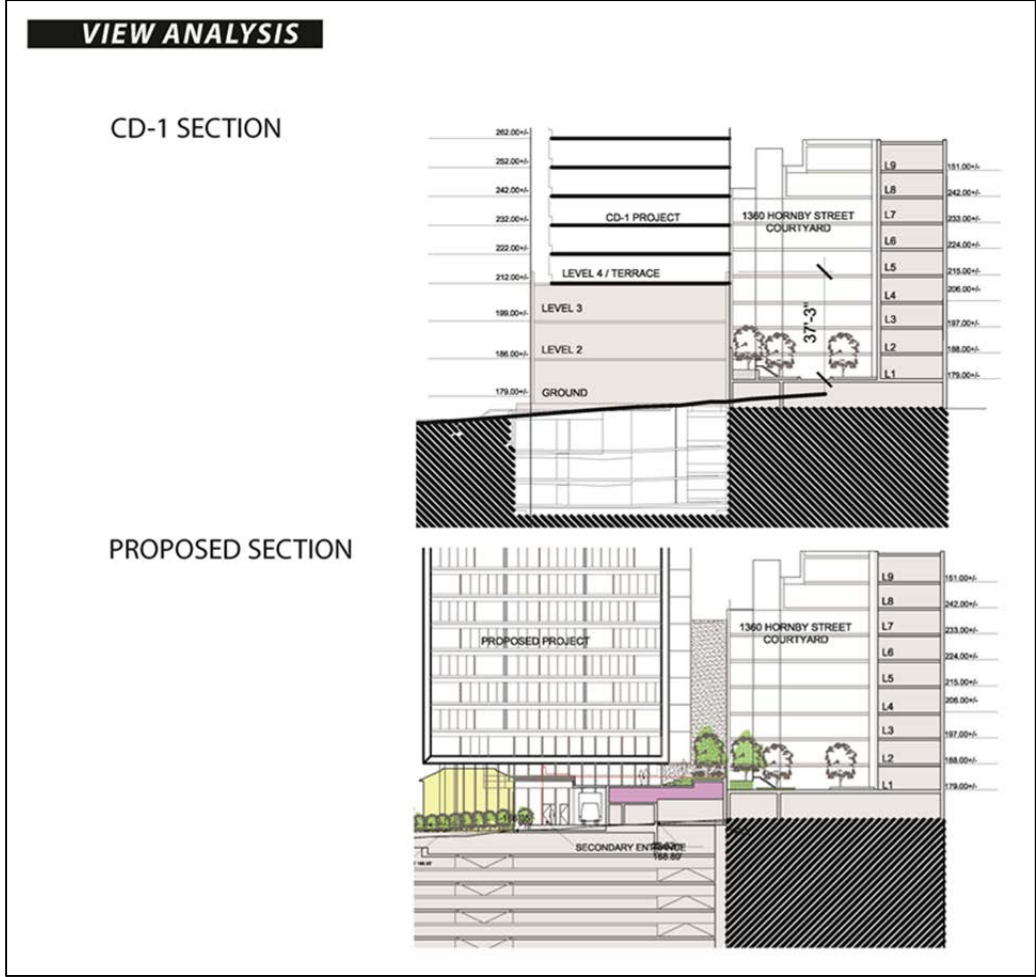




Illustration D.5 – Comparative View Analysis from Dwelling Units at 1360 Hornby St. (Levels 1 – 5)

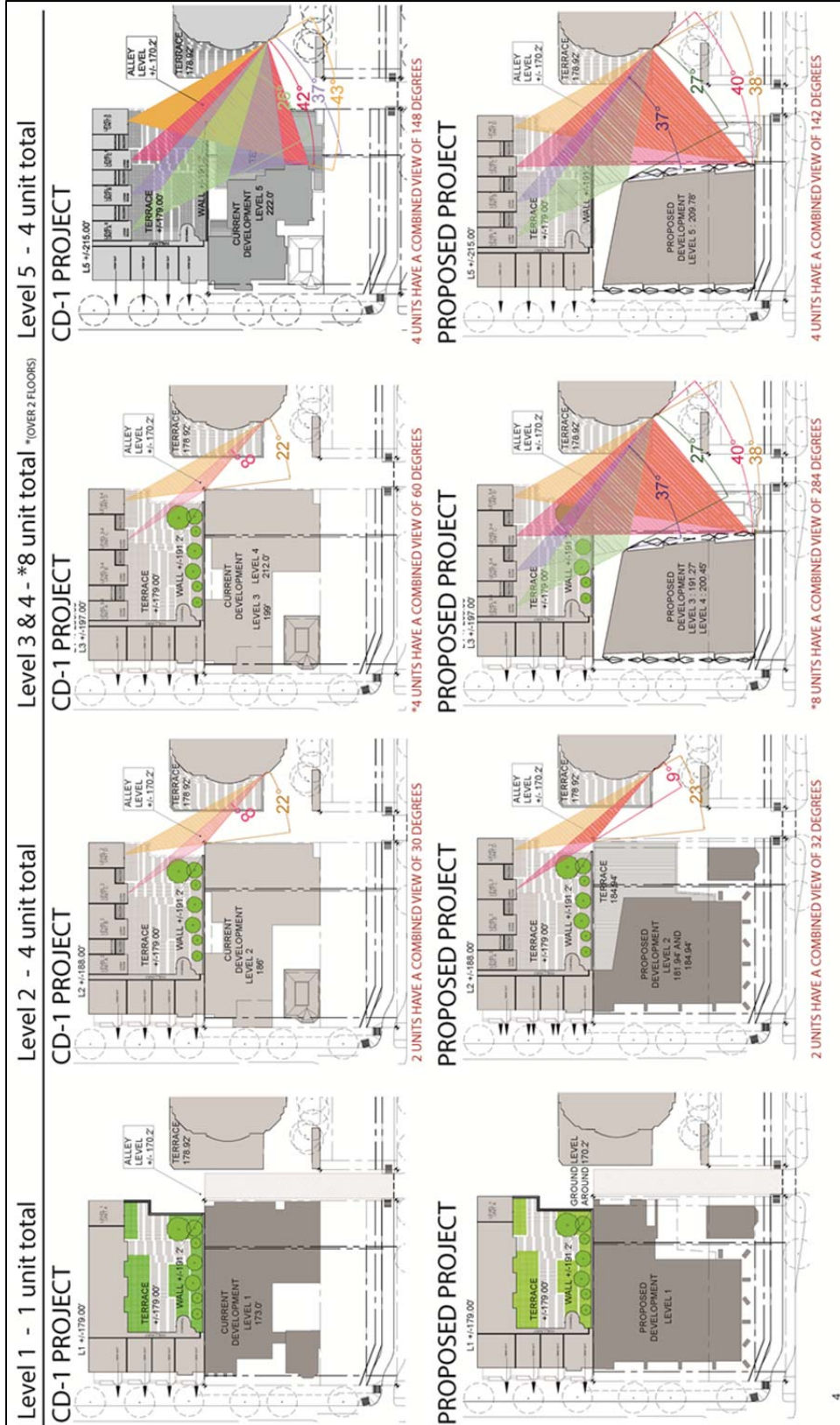
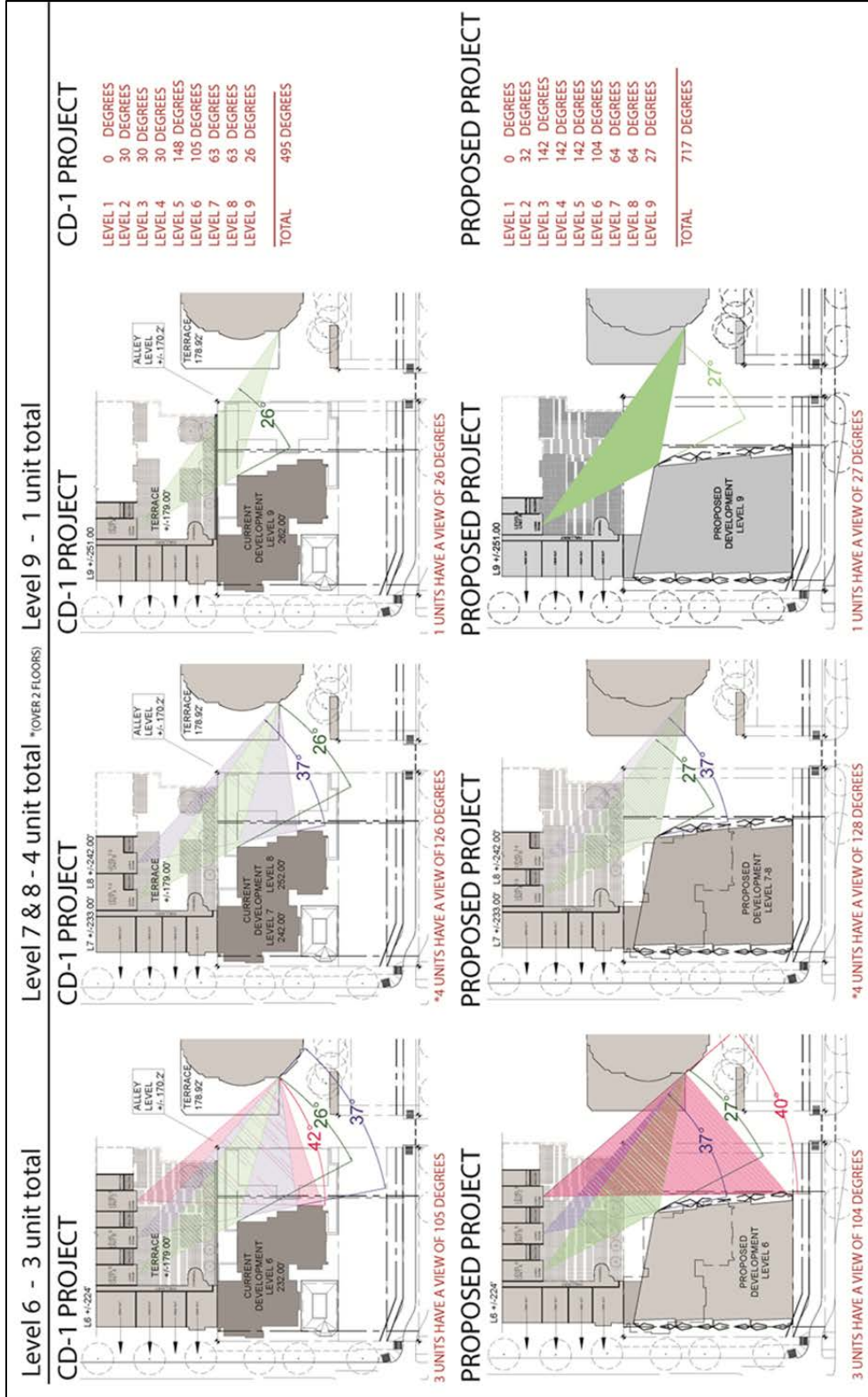


Illustration D.6 – Comparative View Analysis from Dwelling Units at 1360 Hornby St. (Levels 6 – 9)



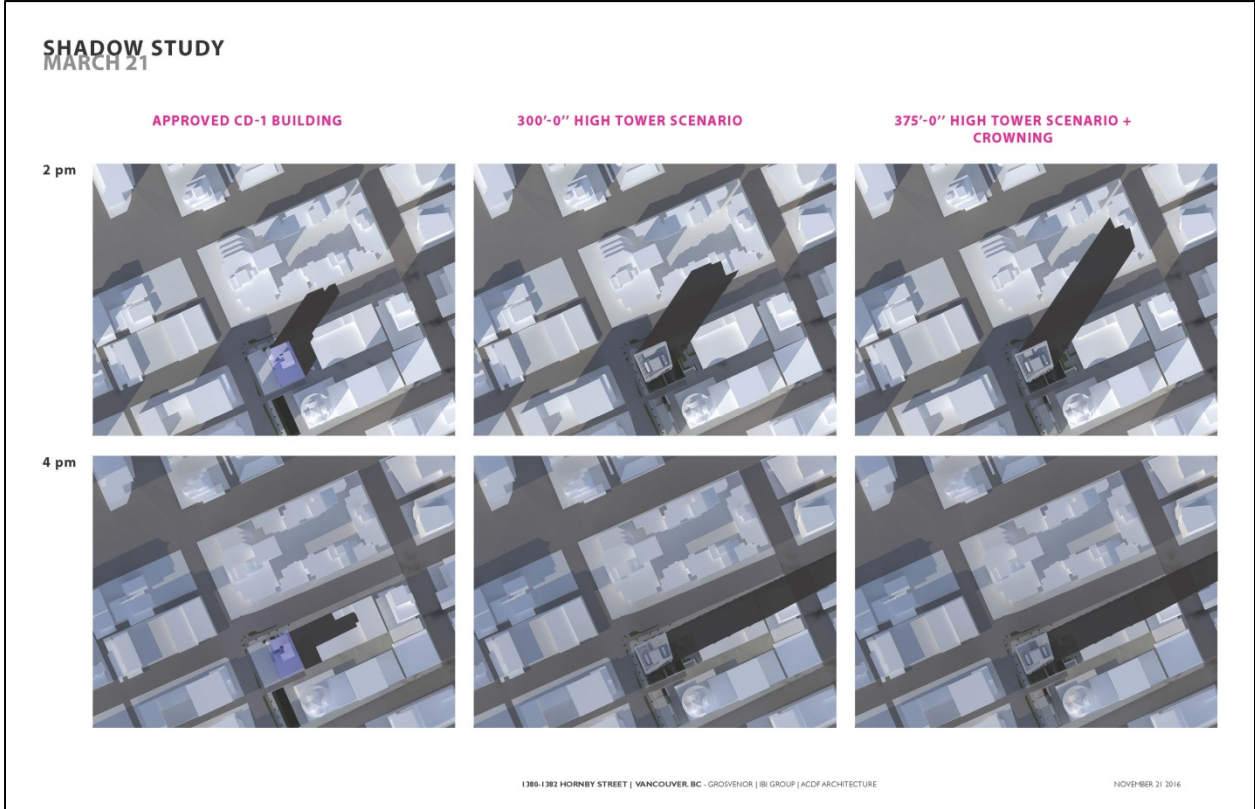
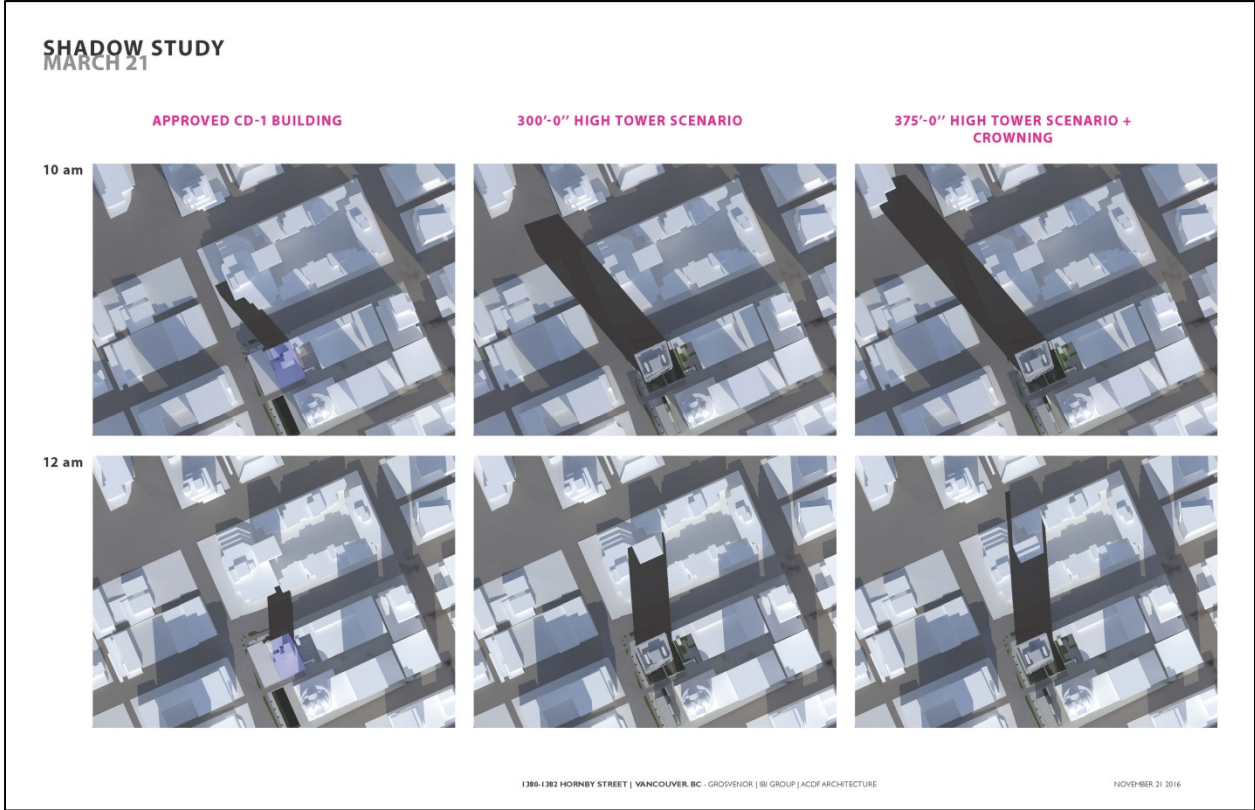
*Shadow Impacts* – The effect of the proposed form of development through shadow diagrams at the times of 10 am, noon, 2pm and 4pm at spring and fall Equinox have been assessed. In these diagrams, the black shadow represents the building approved under CD-1 (435), a hypothetical tower with a 6500 s.f. floorplate that could be built under current zoning up to 300 ft. and the proposal at 375 ft..

When examining the effect at these standard times, there is a significant impact to the semi-private and private open space of residential properties immediately to the north of the site, similar to what could be expected under the existing zoning. However, the incremental height proposed in the rezoning does not create an undue impact. More importantly, there is no effect on public parks from the proposed form of development. The effect on some of the public open spaces that are unpaved portions adjacent to the on- and off- ramps to the Burrard Bridge, are considered negligible.

In conclusion, the proposed tower on the Hornby Street site fits within the framework of the existing zoning and Downtown South urban design criteria.



Illustration D.7 – Shadow Studies





While a 6 ft. setback has been required by staff along the Howe street property line for sidewalk-widening, condition B2.2 will permit the building to project past this setback for the Level 3 and above, in order to maximize the useable floor area of the cultural spaces. At this particular locale, staff note that the public realm is atypical, with the Granville Bridge on-ramp located due east. a unique architectural response in the form of a cantilevered structure hovering high above the public sidewalk is recommended.

In terms of the architecture, design refinement is anticipated, during the Development Permit phase, in order to present an engaging interface with the public realm at street level, and also to cater to the specific needs of the cultural use (see conditions B2.4)

In conclusion, this relatively small infill fits within the framework of the existing zoning with the exception of the proposed size of the Institutional Use. The proposed form of development is supported in this neighbourhood context.

1380-1382 Hornby Street and 801 Pacific Street  
ADDITIONAL INFORMATION

Urban Design Panel (UDP) – Minutes

The UDP reviewed the rezoning proposal for the Hornby Street Site on April 6, 2016, and it was supported (5-1).

- **Introduction:** Rezoning Planner Karen Hoese introduced the rezoning project for 1380 Hornby Street. The site is located at the intersection of Hornby and Pacific Street and it is currently split zoned. The northern part of the site is zoned CD-1, and the portion facing Pacific Street is zoned DD (downtown district). The CD-1 portion was rezoned in 2004 to allow for a hotel use with an FSR of 6.7 and a height of 173 ft., while also ensuring for the preservation of the historical Leslie House, which was located on Hornby Street. The hotel has not been built and the restoration on the building has not been completed but the Leslie House was designated as an “A” category building on the Vancouver Heritage Register and is now protected under the Heritage Revitalization Agreement.

The rest of the site is in the downtown district, which is regulated by the Downtown Official Development Plan. It is located in sub area N of the Downtown Official Development Plan, also called the Hornby-Slopes Sub Area, which endorses residential high density development with commercial uses. Under the existing zoning there is a maximum of 5.0 FSR and a maximum height of 300 ft. that can be considered subject to urban design performance.

In 2008 as part of the downtown benefit capacity study, Council endorsed the consideration of rezoning applications in parts of downtown south, including this particular sub area that allows for additional height and density up to the underside of the view cones in the area, subject to the provision of public benefits. This particular proposal is for a 39 storey residential building with a floor space ratio of 16.25 and a height of 375 ft. The application also includes the relocation of the Leslie House from the Hornby portion of the site around the corner to face Pacific Street adjacent to the lane. As with all rezonings, the Green Building Policy applies, which requires LEED Gold with an emphasis on optimized energy performance.

Development Planner Paul Cheng introduced the proposal. The site measures 125 x 120 ft., a relatively small site. While there are no minimum frontage requirements in this subarea of the downtown zoning, the applicable Design Guidelines do delineate an overall tower floorplate as a function of the site frontage and the proposed tower height (for example taller/slender or shorter/fatter) and to also to guarantee wide separations between towers. Under the downtown zoning, this site would likely qualify for a much smaller floorplate of approximately only 3000 square ft. at a height of 300 ft.

However, it was decided by Council that rezoning applications in this area for additional density and height should be considered, in order to support public objectives. The staff has advised a few context-specific design parameters for this proposal to be considered in application form:

1. A maximum height of 375 ft. (dictated from the Burrard bridge view at the midpoint, as a smaller counterpoint to support the visual prominence of Vancouver House and Burrard Gateway).
  2. A maximum floorplate of 6500 square ft. (not including exterior balconies), to ensure a minimum standard of slenderness.
  3. A minimum 80 ft. distancing from any other nearby towers.
- There are several design considerations and constraints. The relationship with the neighbour to the north is such that the building has units oriented to the south. Further constraints were placed on this site through requirements from Engineering's requirement for a setback from the Pacific Street property line with a Statutory Right of Way, to accommodate a bike lane, and a left-turn bay. Finally, planning stipulated a minimum 12 ft. wide sidewalk, as per the policy for Pacific Street.
  - Another constraint is the rezoning application proposes to take on the responsibilities of the previous CD-1, which is to retain and restore the Leslie House. However, in this application, the proposed location of the Leslie House is facing Pacific Street instead. The applicant had been required to explore retaining the location of the house against Hornby, since one of the historically-significant elements of the house was as a mid-block house on Hornby. The hotel was 12 stories and 173 ft.
  - Advice from the Panel on this application is sought on the following:
    1. Given the proposal for a building height and density that is greater than the allowances under downtown zoning, is the proposed height and floorplate size an appropriate urban design response for this site? Specifically, with respect to:
      - a. The pedestrian's experience along Hornby Street, Pacific Street and further afield.
      - b. The impact with skyline as seen from the midpoint of Burrard bridge in relation to Vancouver House and Burrard Gateway.
    2. In comparison to the approved building form in the Council-adopted CD-1 for the north part of this site, does the building propose an undue increased negative impact on the direct neighbour to the north?

The current CD-1 allows a 16-storey tower that in some places sits tighter to the north property line. The applicant has provided an extensive view impact comparison study.
    3. Please provide commentary on the proposed architectural expression as a residential tower project. There are inset balconies, corten steel, materials, tinted glass, not typical of Vancouver. As well provide feedback on the proposed location and site of the heritage building.
    4. Is the proposed siting of the Leslie House an appropriate resolution, given its historical significance?



5. Please provide commentary on the proposal's response to the public realm, including the proposed landscaping and the site's interface of these spaces with the public sidewalk and street.
  6. Please provide commentary on the proposed sustainability strategy.
- **Applicant's Introductory Comments:** The applicant introduced the project by noting that the building was pushed north. A 6500 square ft. floorplate is planned. The building plan is shaped to open up views to the south, for the neighbouring south-facing dwelling units, and more openness in the courtyard.

The applicant elaborated on the detailed architectural design. Landscape features include streetscapes and amenity towards the lane and building. There is a double row of trees, a bike lane and a wide sidewalk on Pacific Street. There is a water feature for reflected light, and planting is as an interface. There is a simple landscape to correspond with the Leslie House, and space to walk around house. The lane is being improved for the project. The lobby entrance is on the corner to help animate the corner. The amenity space opens into a courtyard and the applicant is evolving those features as the development permit is pursued. There is a lower deck to avoid privacy problems.

The site located across the lane to the east may house a social amenity, such as a 70 ft. tall building for social housing. The Leslie House is slated to be a gallery, café or a restaurant, but the plan is not yet resolved. Grosvenor will take over the responsibility of the house. The enclosed loading bay is a drop off space and is next to the parkade entry.

The sustainability is achieved with glass, window wall and curtain wall. The project is considering triple glazing at R-10. Close to 30% reduction of energy is proposed. The balconies proposed will be wrapped with insulation. There is a triple glazing curtain wall system on the trim.

- **Panel's Consensus on Key Aspects Needing Improvement:**
  - The Leslie House is not integrated with the tower or connected to the street and it looks dwarfed
  - The tower could be taller and slimmer considering the context
  - The expression could be simplified on the façade but some texture within the framework is needed
  - Concern that the ground plane is disjointed from the site. It would help the siting of the Leslie House if the townhouses were considered for a more integrated composition
  - There were concerns that the water feature did not integrate the elements of the ground floor
  - Harvested rainwater should be used for the water feature
- **Related Commentary:** The panel expressed support for the height, density and floor plate. Overall, the size of the building is supported. The solution for form is supportable. The building adds variety to the skyline, a sub skyline. The tower might get washed out of the skyline, so it should be taller. The shape is better for the neighbours to the north in

order to enhance their views. The view impacts on of the neighbor were addressed and supportable. However, one panelist thought the view of the tower from the neighbouring property could be overwhelming.

A panelist felt it did not architecturally read as a typical Vancouver tower, rather more like a Montreal tower, but different shapes and sizes was commended. A panelist thought a Canadian design from a designer outside of Vancouver deserves credit. The expression is defensible, and does not affect the skyline.

The base is well done well detailed, but coming up the slope from Hornby the ground floor it is compressed and could be taller. The architectural expression is beautiful but the panel recommends integrating the ideas more. The top is simplistic, but the ground plane feels disjointed. One panelist mentioned expression should be addressed at the base of the building in terms of the appearance of too much luxury. A panelist mentioned it had a restrained and elegant building expression.

The siting of Leslie House is not currently part of the compositional elements, and maybe it could be incorporated into the building with a gesture more sympathetic to it, and become a stronger part of the composition. The plinth and court yard are well done, but the house is isolated. A panelist thought the Leslie House could be inside the lobby of the tower as a museum piece because right now it is an anomaly, orphaned, and the walkways need to capture more of the garden expression.

There was general agreement that improvements were needed for the public realm. The landscaping should be revised to better integrate the Leslie House. The water feature breaks the sections of the streetscape, and needs to be improved. The bike routes were well integrated. The bike lane and street trees are supported. A panelist suggested the water feature could be grass instead to provide an area to walk around the Leslie House because the separated water feature does not integrate the house with the street very well. The water fountain is not inviting, and the wall of the loading dock was an abrupt backdrop for the Leslie House.

Sustainability wise triple glazing is welcomed. Rain water could be harvested and used in the amenity spaces and water features. Insulated slabs and balcony orientation were all approved. Stormwater and land irrigation were recommended. The triple glazing, works well, but could be a secondary strategy for sustainability. Overall, the panel felt the sustainability needs were met as required at this stage.

- **Applicant's Response:** The applicant team thanked the panel for their comments. The relationships with the direct environment and public realm need to be improved. There are good suggestions to bringing in the Leslie House with the tower. The backdrop and loading space improvements are also welcomed.

## Vancouver Heritage Commission (VHC) – Minutes

On April 4, 2016, VHC reviewed the proposed relocation of Leslie House within the Hornby Street Site, as a part of the conservation strategy and discussed whether there was support for the Conservation Plan as presented.

MOVED by Commissioner Norfolk  
SECONDED by Commissioner Maust

THAT the Vancouver Heritage Commission reserves its support for the Rezoning Application for 1380 -1382 Hornby Street, including reservation of support for the relocation, and restoration of the Leslie House noting the following:

- while the Commission acknowledges careful consideration that has been given to the relocation of the Leslie House, including the rationale for facing the Leslie House to a prominent Pacific Boulevard front location, the Commission requests that the application be brought back once the full Rezoning Application is resolved, including the analysis of the Community Amenity Contribution package and after further consideration is given to relocating the Leslies House to the lot east of the lane;

FURTHER THAT while the Commission acknowledges the heritage rationale for the simple, quiet, straightforward design approach presented for the proposed adjacent tower, the Commission encourages further design development to ensure that the tower is modern and distinguishable;

FURTHER THAT the Commission supports the conservation plan subject to the document being corrected for accuracy;

FURTHER THAT the Commission support the concept of including a reference to an addition that was present in 1897; and

FURTHER THAT the Commission requests that the application be brought back at the development permit stage with additional details concerning the conservation of the interior elements of the Leslie House.

CARRIED UNANIMOUSLY

\* \* \* \* \*

1380-1382 Hornby Street and 801 Pacific Street  
Public Consultation Summary

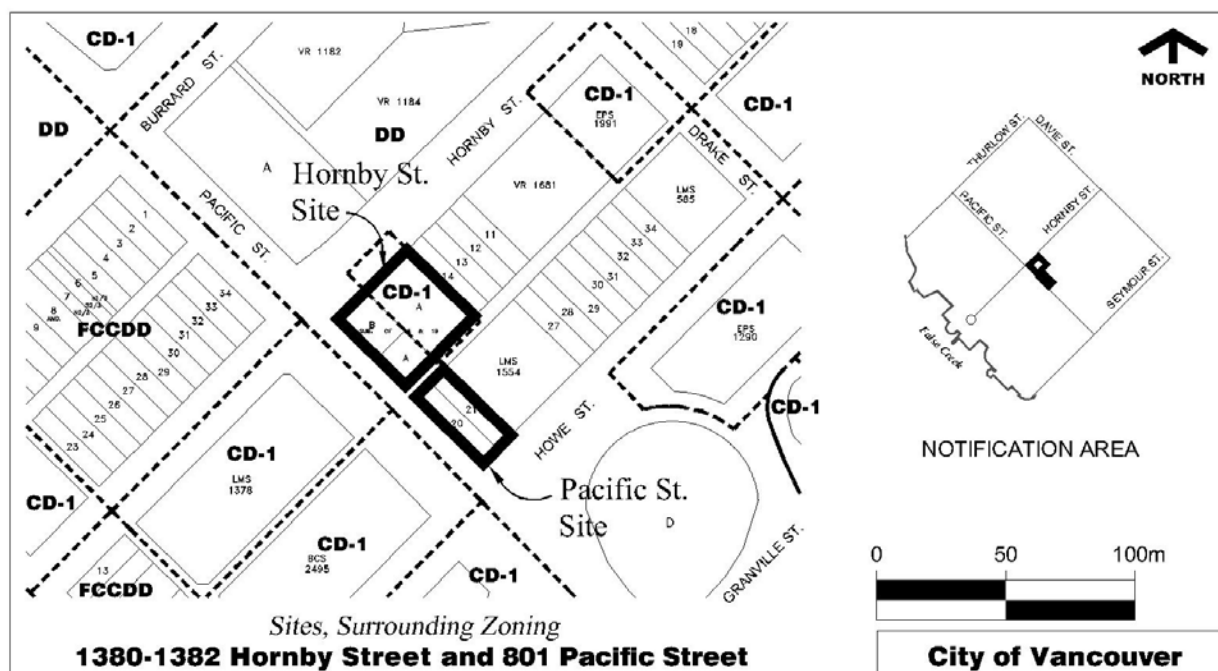
Public Notification

Rezoning Application: December 21, 2015

A rezoning information sign was installed on the site on January 28, 2016. A total of 12,250 notifications were distributed within the neighbouring area on or about February 4, 2016. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).

Rezoning Application Addendum: October 5, 2016

A rezoning application addendum information sign was installed on the site on October 7, 2016. A total of 8,956 notifications were distributed within the neighbouring area on or about October 7, 2016. While the notification boundary remained the same, the number of notification postcards distributed decreased as Staff used a new mailing system mailing that reduces duplication of recipients. Notification and application addendum information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage ([vancouver.ca/rezapps](http://vancouver.ca/rezapps)).



*Discrepancy Between Numbers of Notifications Sent in 2015 and 2016* – In the time between the original application notification of 2015 and the application addendum notification of 2016, staff transitioned to a new mailing system with Canada Post. This resulted in a lower number of postcards being sent out in 2016, even though the notification boundary remained the same, as the new mailing system reduces the duplication of recipients. Previously, Staff used Canada Post’s “Precision Targeter Admail” for unaddressed notifications to rental tenants

in the notification boundary, in addition to an addressed mailing to owner/occupiers. While this was the best available method at the time, there were difficulties delivering to large rental buildings and residents with “No Junk Mail” stickers. Residents in owner-occupied units within the notification boundary would receive both an unaddressed notification postcard through the “Precision Targeter Admail” as a resident, and an addressed postcard as an owner/occupiers. The new “Postal Code Targeting” system more reliably delivers to tenants and bypasses the “No Junk Mail” stickers. As a result of this enhanced delivery, Staff are able to remove residents of owner-occupied units from the addressed mailing to owners, since they will reliably receive the unaddressed notification postcard through the new “Postal Code Targeting” system. This elimination of duplicate recipients accounts for the change in notification postcards delivered between the December 2015 notification and the October 2016 notification.

### Public Consultation

#### February 24, 2016 Community Open House

A community open house was held from 5:00-8:00 pm on February 24, 2016, at the Holiday Inn, 1110 Howe Street. Staff, the applicant team, and a total of approximately 63 people attended the Open House.

#### October 26, 2016 Community Open House





A community open house was held from 5:00-8:00 pm on October 26, 2016, at the Holiday Inn, 1110 Howe Street. Staff, the applicant team, and a total of approximately 43 people attended the Open House.

### Public Response

#### Rezoning Application: December 21, 2015

Public responses to this proposal have been submitted to the City as follows:

- In response to the February 24, 2016 open house, a total of 11 comment sheets were received from the public.
- A total of 25 letters, e-mails, online comment forms, and other feedback were received from the public.

Total notifications		12250
Open House attendees		63
Comment Sheets		11
Other Feedback		25

Below is a summary of all feedback received from the public by topic, and ordered by frequency:

- Heritage Retention: The preservation of the Leslie House building was praised by respondents, who noted that the relocation, while not necessarily ideal, was a good compromise.
- General Support: Some respondents stated that they support the proposal, and that they believed it would benefit the area.
- Increased Density: Some respondents supported the addition of housing units and density at the site, noting the need for more homes.
- Building Design: The architectural design of the tower was praised by some respondents, who felt it was an interesting addition to the city.
- Height: Some respondents felt the tower was too tall, and would be out of scale for the area.
- Shadowing: Some respondents felt that the development would reduce light access, particularly to residents of the tower across Pacific Street.
- Unit Mix: Some respondents expressed that a greater number of family-size units, particularly with three bedrooms, is needed to meet demand.
- Views: Concerns were raised about the impact the development would have on views from adjacent buildings. Some respondents suggested that the form of the tower could be changed to have less impact on views.
- Traffic: The potential for increased traffic congestion with the arrival of new residents was a concern for some respondents. Pacific Boulevard in particular was noted as being congested.
- Affordability: Some respondents raised concerns about whether or not the proposed units would be affordable to Vancouverites. It was suggested that action be taken to ensure all the units be occupied, and not used for short-term rentals or kept empty as investments.

The following miscellaneous comments were received from the public:



- The number of vehicle parking spaces should be increased
- The number of vehicle parking spaces should be decreased
- The tower should be higher to accommodate more density
- The design of the tower is too blocky, and should be more carved

Staff have also discussed with the property owner of the building directly to the north of the site in order to identify ways to mitigate view and privacy concerns.

Rezoning Application Addendum: October 5, 2016

Public responses to the application addendum have been submitted to the City as follows:

- In response to the October 26, 2016 open house, a total of 9 comment sheets were received from the public.
- A total of 2 e-mails, online comment forms, and other feedback were received from the public.

Total notifications		8986
Open House attendees		43
Comment Sheets		9
Other Feedback		2

Below is a summary of all feedback received from the public by topic, and ordered by frequency:

- Building Design: Respondents praised the design of the proposed cultural facility as appealing. The uniqueness of the building design from its surroundings and the use of contrasting panels were highlighted.
- Value to the Neighbourhood: Respondents generally supported the presence of a cultural facility on the site, stating that it would be good for the neighbourhood.
- Community Space: Respondents felt that community spaces were very much needed in the area, with a particular emphasis on arts and culture facilities and artist studios.
- Integration of Leslie House: Some respondents noted that the preservation of Leslie House was important. They liked how the proposed cultural facility responds to the presence of the heritage building, but felt the residential tower could be better integrated.
- Lighting: Some respondents suggested that lighting be included in the plans for the cultural facility as a design feature to increase the prominence of the building. Specific suggestions included linear bands of LED lights and spot lighting similar to the Vancouver Art Gallery off-site space on West Georgia Street.

The following miscellaneous comments were received from the public:

- The neighbourhood has enough cultural facilities, and this proposed building would duplicate services offered at the Roundhouse Community Centre. Instead, it was suggested that fitness facilities be provided to meet community needs.

- The building should be taller, at least 60 storeys, in order to provide more housing supply to relieve the housing crisis. It was suggested that parking be limited to discourage driving.
- The bike lane will benefit the area.
- The number of parking spaces provided is appropriate.
- The utilities should be removed from the alley and buried underground.
- There should be measures to prevent foreign investors from purchasing units and leaving them empty, as this contributes to housing unaffordability.

\* \* \* \* \*



1380-1382 Hornby Street  
Draft Leslie House Heritage Conservation Plan (including Statement of Significance)

7 January 2016

Prepared for Grosvenor Americas with ACDF Architecture / IBI Group



Leslie House, 1906; photo courtesy Richard Roy from HouseHistorian.blogspot

## 1.0 INTRODUCTION

The Leslie House is one of the oldest houses in Vancouver, dating from c.1888. It is best known as the Yellow House, part of Umberto Menghi's former Il Giardino restaurant. The small lane house at the rear of the site was donated by Umberto to the Vancouver Heritage Foundation and was moved off site to a new home at Mole Hill in August 2002.

As part of a 2004 rezoning for a proposed hotel development on a portion of the current site, the Leslie House was approved to be retained and rehabilitated through a Development Permit. It was designated and a Heritage Revitalization Agreement and Restoration Covenant put in place, but the hotel project never proceeded, although some of the conservation work was done to the front façade of the house.

## 2.0 HERITAGE BACKGROUND

### 2.1 Heritage Status

The Leslie House is listed on the Vancouver Heritage Register in the "A" category and is protected through Heritage Designation and a Heritage Revitalization Agreement linked to the previous rezoning. Parts of the interior are also designated. It is listed on the Canadian Register of Historic Places (see Statement of Significance).

## 2.2 Historical Description

Built c. 1888, it is one of the oldest surviving buildings in Vancouver. According to an account of its history written by Betty Funke, "The House that Leslie Built (Heritage West, spring 1981), George Leslie, a plasterer, came from North Sydney Cape Breton and built this house around 1888 (city records show a water connection in 1895, although it is believed that the house predates that date).

The house was sold to Wilhemina Meilicke, an interior designer, in 1947 who made changes to the interior and rear elevation. It was sold to Mano Herendy who used it as a fashion atelier in 1967 and then to Umberto Menghi in 1972 and was used as a restaurant until 2013. It is now vacant.

The Leslie House remains the sole wood frame heritage house east of Burrard and south of Helmcken in what was once the western part of the Yaletown area. At the end of the 19<sup>th</sup> century this area had many houses of similar character. The nearest collection of wooden heritage houses, dating from the Edwardian era (a decade later than Leslie House), are preserved at 1035 Pacific Street as part of the Pacific Heights Housing Co-operative.

## 2.3 Architectural Description

The building is a good example of the Queen Anne style of Victorian architecture of which few examples remain in Vancouver. This two-storey building has a hipped roof and a prominent two-storey bay window facing the street. A polygonal front porch has slender turned columns, open fretwork and decorative brackets. A partial shingled mansard roof covers the porch and supports a railing around the upper deck (accessible from a door on the upper floor).

The windows are wooden double hung sash with a partially glazed front door. Traditional casings frame the window openings and there is a prominently profiled lintel moulding over the upper door. Wooden channel siding covers the front and south elevations while the north wall is clad in wooden shingles. The trim and sash are painted grey and the siding is golden yellow. The rear of the original building, as evidenced from fire insurance maps, was removed when the current concrete rear addition was added.

The interior of the building includes some notable features in the stair hall and main room on the ground floor. The door casings are deeply carved and feature unusual radius corners. The wide baseboards are finely detailed. The staircase balustrade and newel post are also of interest and largely intact. There are moulded plaster cornices in the main floor front room and there is a corner fireplace with multicoloured glazed tiles around the hearth opening. There is also a fine window at the upper winders of the staircase with coloured and patterned glass.

## 2.4 Statement of Significance

The SOS (attached) was filed with the Canadian Register of Historic Places in 2008. It describes the heritage value of the Leslie House with respect to its history as one of the oldest buildings remaining in downtown Vancouver, and notes in the character defining-elements its "small setback and yard at the back, 25 wide lot frontage and its orientation to the street".

## 3.0 ZONING BACKGROUND

### 3.1 The 2004 Rezoning (application 2002030)

At a public hearing on 20 April 2004, Council approved a CD-1 rezoning of the site at that time (Lots 15,16 and 17) for a hotel based on plans submitted by Christopher Bozyk Architect. The Leslie House was to be used as a lounge for the hotel and for offices related to the hotel use. The Leslie House occupies Lot 17 of the site as it was comprised in the 2004 hotel project; the southern part of the then Il Giardino restaurant, under different ownership, was not part of the 2004 application.

As part of this approval, the house was to be temporarily relocated off site to a COV owned site under the Granville Bridge and then moved back once the underground parking for the hotel was completed. This was never done.

### 3.2 Heritage Bylaw By-law #8879

The Heritage Bylaw protects the "Structure and exterior envelope of the improvements and exterior building materials and interior lounge area" of 1380 Hornby Street (Legal Description - Parcel Identifier: 015-472-264, Lot 17, Block 111, DL 541, Plan 210).

### 3.3 Heritage Revitalization Agreement #70092v4

The HRA, registered on 31 March 2004, was between Alessandro Holdings Ltd. and the City of Vancouver and pertains to 1380 Hornby Street, Lot 17, Block 11, DL 541, Plan 210. Section D of the HRA states "The Owner is desirous of converting the Heritage House to a lounge and offices to serve a hotel tower to be constructed on the lands." Further in D (10) "The owner agrees that the 1,396.3 square meters (15.030 square feet) of floor area included in the CD-1 rezoning of the Lands ... is full and fair compensation..."

### 3.4 Heritage Restoration Covenant #112350v2

This covenant is linked to DE411668 as it relates to the hotel proposal and the Leslie House is to be converted " into a lounge and offices to serve expanded restaurant areas..."; it also outlines the terms of conservation work to be done.

### 3.5 Development Permit DE408825

In 2005, subsequent to the rezoning approval, Christopher Bozyk Architect obtained a Development Permit for the project which included the rehabilitation of the Leslie House including painting it in approved colours. This DE has expired. Nonetheless some of the rehabilitation work was completed to the Leslie House including replacing the front bay window, repairing the porch and its fretwork and painting the façade in the approved colours.

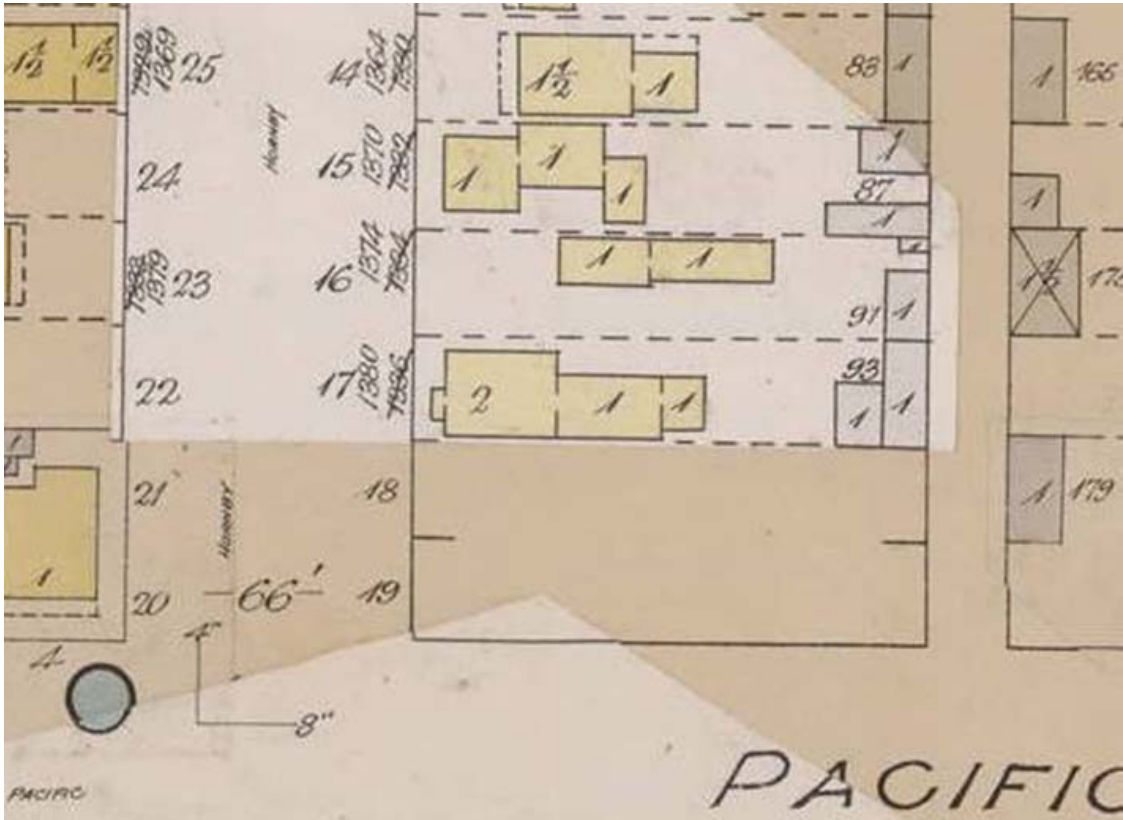
### 3.6 The 2015 Proposed Rezoning

The current rezoning proposal is for a larger site than the current CD-1 zoning and for a different range of uses. Although the final use for the Leslie House has not been confirmed, some possibilities include: office space, a café, gallery/cultural space or an amenity space for the tower. As part of this proposal, the house (minus its later rear additions) would be temporarily relocated to accommodate construction of the tower.

## 4.0 CONSERVATION PLAN

### 4.1 Condition and Changes Over Time

The exterior of the house is largely original, although there have been some changes over time. The major change was the removal of the historic single-storey rear wings shown in the plan below at some time prior to the current concrete two storey additions (part of the former restaurant). Painted wooden shingles cover the north elevation atop the original wooden channel siding. Some of conservation work approved in the 2004 rezoning scheme was done to the west (Hornby) façade, including the replacement of the French doors in the front bay with a fixed sash window (although this is not the double hung sash specified), repairs to the porch and painting in the approved colour scheme. The south elevation was altered with a passageway to connect it to the Il Giardino restaurant (now demolished). Changes have been made to the main floor including opening up the wall between what was originally the parlour and dining room, with some of the historic detailing being retained.



Fire Insurance Map 1897 (corrected to 1901) showing Lot 17, the current site of the Leslie House, with a two-storey house and one storey rear wings



Leslie House 1975 with French doors in the bay.

Leslie House, 2014

4.3 Building Condition: Exterior



January 2016; note windows have been boarded for security



South elevation, 2015; original channel siding is shown on historic part of Leslie House, plus recent repair to entry to former Il Giardino restaurant. Concrete additions replace the original single story wing





East Elevation, 2016



North Elevation, 2016; wooden shingles cover the original channel siding; coloured glass window can be seen in this view.



Details of the front porch as previously conserved



#### 4.4 Building Condition: Interior

The following features of the interior will be conserved:

- foyer casings, baseboards and plaster mouldings
- staircase balustrade and newel post, upper stair baseboards and landing window
- main room baseboards, casings, fireplace and plaster mouldings.



Staircase and newel post



Coloured glass window in upper stairhall



Door casing with radius detailing



Main floor fireplace and crown moulding



#### 4.5 Proposed Conservation Strategy

The conservation approach for the Leslie House is that of a relocation and rehabilitation of the remaining historic wooden building, to accommodate a range of possible use including office, café, gallery/cultural space or building. The exterior of the building's front and flanking side elevations, with largely original historic material, will be conserved consistent with their Victorian era design, noting that much of the work on the Hornby façade has already been completed to a high standard as part of the previous Conservation Plan and COV approvals of the hotel proposal. At that time the adjacent restaurant buildings flanking the Leslie House precluded any work to the side elevations of the house. This included the current cedar shingle roof, front porch repairs, replacement of the previous French doors in the main bay with a sash window and painting the façade in the previously approved heritage colour scheme.

The later concrete block rear wings have no heritage value and will be demolished. As no historic material remains of the rear elevation, this will be detailed as a largely glazed modern façade, being both compatible with and distinguishable from the historic building. It will give daylight into the building and views out to the new green-walled, landscaped area behind.

#### 4.6 Proposed Relocation

With the recent demolition of the later restaurant buildings to the north and south, the Leslie House is isolated in the centre of the Hornby frontage of the site. The old siding can be seen on its side elevations, painted yellow, as a legacy of the house's separation prior to the Il Giardino additions.

At present the Leslie House is dwarfed by the scale of the buildings to the north and across the lane. To give it more prominence and to relate to the pattern of heritage houses found further west at 1035 Pacific Street, buildings, it is proposed to relocate the Leslie House to the southeast corner of the site, adjacent to the lane. This location will give it more visibility, as both the main façade and its flanking elevations will be visible. Its setting and prominence along Pacific Street will be further enhanced by positioning Leslie House proud of the building envelope at grade. In addition landscaping will enhance its visual prominence and heritage character including a vertical green wall behind.. The character-defining elements noted in the SOS "small setback and yard at back, 25' wide lot frontage and orientation to the street" will be maintained in the relocated building as well as "its historic relationship to the Central Business District, the Burrard Bridge and Granville Street Bridge.

#### 4.7 Sequencing of Conservation

##### Stage 1: Stabilization *in situ*

The heritage house, with its concrete rear additions, will remain *in situ* until approvals are in place for project to move forward. This will entail the following (items marked *done* have already be completed):

- removal of all surface conduits, piping etc. (*done*)
- making good of gutters and rain water leaders (*done*)
- plywood hoarding of all window/door openings, painted BM VC-23 Edwardian Pewter (*done*)
- removal of framed opening on south side (former connection to Il Giardino) and patching with wooden channel siding (*done*)
- painting of the north, east and south side to match the west (Hornby) façade; siding is Benjamin Moore VC-9 Strathcona Gold; trim is BM VC-23 Edwardian Pewter; sash is BM VC-35 Black (*to be completed when weather improves*)
- installation of security fence surrounding the building (*done*)
- removal and storage of cast iron fireplace grate to prevent theft (*done*)

##### Stage 2: Moving and Relocation

It is proposed to temporarily relocate the house off site to accommodate construction of the tower. The building is to be inspected for its condition and documented in detail before the work starts. Sewer, water, gas, electric and telephone are to be disconnected. The moving strategy is to be

confirmed by the structural engineer.

- interior bracing of east (rear) wall of heritage house prior to removal of concrete additions;
- remove concrete additions
- removal of brick chimney; salvage bricks
- exposed east end of house closed up with wood framing and temporary cladding
- asbestos and hazardous materials removal
- house is moved for temporary storage; with front porch remaining attached
- hoarding and security fencing to be installed

### Stage 3: Final Conservation Work

The final conservation work will be done once the building is returned to the site and positioned in its new location on its new foundation. The standard of conservation of the front façade, done in the past decade, will be continued on to the remaining exterior elevations.

- house is returned to site and placed on a new permanent foundation
- final gutter and rain water leader systems installed
- front elevation to remain in current form and colour scheme, except for replacement of central bay window sash with double hung operating wood sash
- new window or door openings are proposed for the lane side and rear elevations
- interior elements retained, staircase balustrade, and mouldings and casings, fireplace insert are cleaned and repaired and painted
- layout of interior rooms to dependent on the final use of the building

### 4.8 Conservation Procedures / Outline Specifications

The outline specification for conservation procedures, consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada* includes:

- 4.3 Guidelines for Buildings
- 4.5 Guidelines for Materials

The work to be undertaken on the Leslie House as part of its rehabilitation will include:

#### Exterior

- decorative cresting added to wood shingle roof
- wood soffits repaired
- gutters and downspouts replaced
- siding repaired and repainted; shingles removed to expose channel siding beneath
- window and door casings repaired and repainted
- double hung window sash replicated where missing in bay window
- new windows added to lane and rear façade
- all painting as per colour scheme below

#### Interior

- mouldings, casing and trim repaired and repainted
- staircase balustrade repaired and repainted
- coloured glass stairwell window repaired and protected with exterior storm sash
- flooring repaired and refinished to original appearance
- sprinkler system new lighting with replicated period light fixtures

### 4.9 Proposed Colour Scheme



## 5.0 IMPACT OF CONSERVATION APPROACH

### 5.1 Context

In the immediate context of the Leslie House were flanking single storey buildings which formed part of the former Umberto restaurant complex; these have recently been demolished. The adjacent building to the north is a high-rise apartment building (stepping up from seven to nine storeys). Across the lane is a vacant lot (previously an old residence converted to a restaurant) as well as a 19 storey high rise to the north, immediately opposite the rear of the Leslie House site. Across Hornby Street is the Anchor Point complex with seven and eight storey buildings.

#### Proposed Relocation

With the demolition of the later restaurant buildings to the north and south, the Leslie House is isolated in the centre of the Hornby frontage of the site. To give it more prominence, it is proposed to relocate the Leslie House to southeast corner of the site, adjacent to the lane and 10 feet proud of the building envelope at grade.. This location will give it more visibility, as both the main façade and its flanking elevations will be visible. Its setting will be complemented by modern landscaping which will enhance its visual prominence and heritage character.

#### Proposed Rehabilitation and Use

Part of the heritage value of the Leslie House is that it is an early example of the adaptive reuse of an historic house to commercial use (interior design studio and fashion atelier, then restaurant). As part of this proposal, it is proposed to rehabilitate the house to accommodate a variety of potential uses

including office, café, gallery/cultural use or building amenity. In this way the house can have uses that will allow access to its interior as well as to showcase its Queen Ann style architecture.

The impact of the proposed glazed rear facade on the Heritage Building has been considered with respect to two sources:

- Federal Standards and Guidelines for the Conservation of Historic Places in Canada
- Compatibility / Distinguishability criteria established “Modernism in Context”

From the Standards and Guidelines:

The Standards and Guidelines discuss the recommended practice for dealing with changes and additions to historic places. There are three main criteria:

- *Conserve the heritage value and character-defining elements when creating any new additions to a historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.*
- *Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.*
- *Not Recommended: Creating a false historical appearance ... based on insufficient physical or documentary evidence*

The effect of the Leslie House building will be generally positive for the following reasons (with respect to the SOS and its character-defining elements):

- the street fronting location in what was once part of historic Yaletown is maintained
- moving the heritage building towards the lane gives it higher visibility while retaining an historic front/side relationship
- the small domestic scale of the building is respected
- the longstanding tradition of adaptive re use is maintained
- the architectural features of the building are retained and rehabilitated
- the new rear glazing will be a clearly distinguishable modern element on a façade which is newly exposed, having been previously altered with the later concrete restaurant additions.

## 6.0 INTERPRETATION PLAN

Establish an Interpretation Plan with various devices (plaques, photos, artifacts) which tell the story of the building and its evolution.

## 7.0 MAINTENANCE PLAN

For the long-term protection of the heritage building a Maintenance Plan is recommended to be adopted by the building owner or party responsible for the heritage features of the rehabilitated building. The Maintenance Plan should include provisions for:

- Copy of the Maintenance Plan and this Conservation Report to be incorporated into the terms of reference for the management and maintenance contract for the building
- Cyclical maintenance procedures are adopted as outlined below
- Record drawings and photos of the building to be kept by the management / maintenance contractor
- Records of all maintenance procedures to be kept by owner
- Maintenance is not subject to a Heritage Alteration Permit, unless change in paint colour or material is contemplated
- All other changes to the building are subject to a Heritage Alteration Permit

### Annual Maintenance

- Gutter and rainwater leader cleaning and flushing out; repair where necessary for good operation
- Vegetation and landscaping at building face is controlled

- Roof is maintained
- Perimeter drainage is in good working order

**Five-Year Maintenance Cycle**

- Inspect wooden siding surfaces for repainting as required
- Inspect wood windows and doors for repainting as required

**Ten-Year Maintenance Cycle**

- Inspect roof, gutters and rain water leaders for condition; repair or replace as required
- Inspect window sash, frames and sills for condition and repair as needed

**Twenty-Year Cycle**

- Inspect roof for condition and life span

**8.0 SIGNAGE CONCEPT**

To be developed as part of Interpretive Plan at time of Development Application.

**9.0 STRUCTURAL ENGINEERING REPORT**

A structural report will be submitted at time of Development Application.

**10.0 CODE COMPLIANCE PROGRAM**

A code report will be submitted at time of Development Application.

**11.0 REFERENCES**

City of Vancouver      *Vancouver Heritage Resource Inventory Phase II form*

Funke, Betty. "The House that Leslie Built", *Heritage West*, Spring 1981.

Johnstone, James. HouseHistorian.blogspot

Kalman, Hal / Phillips, Ron and Ward, Robin. *Exploring Vancouver - the essential architectural guide*. Vancouver: UBC Press, 1993.

*Standards and Guidelines for the Conservation of Historic Places in Canada*, second edition.

## STATEMENT OF SIGNIFICANCE

Listed on Canadian Register of Historic Places 2008/12/12

### Description of Historic Place

The Leslie House is a two-storey, wood frame building, located at 1380 Hornby Street in Vancouver's Downtown South neighbourhood.

### Heritage Value

The heritage value of the Leslie House resides largely in its historic, cultural and architectural significance. Built in 1888, the Leslie House is one of the earliest surviving examples of single family housing in the downtown Vancouver. Its longevity as a rare survivor makes it an asset to the community.

It is architecturally significant as a rare example of a 'cottage' version of a Queen Anne style Victorian house, a style familiar to Vancouver in the 1890s and 1900s. This style began in Britain in the 1860s, making its way to Victoria in the 1880s and then traveling south into the United States where it was modified to be somewhat more flamboyant, before it came back to Vancouver and Victoria, where it was further modified to include some Italianate elements. It represents this style through its hipped roof, irregularly projecting gables, an octagonal tower projecting from the front corner, and the decorative surface treatment, such as turned spindle work and ornamental balustrade details of the open front porch and upper balcony.

*(Source: City of Vancouver Heritage Conservation Program)*

### Character-Defining Elements

The character-defining elements of the Leslie House are:

#### Siting and Context:

- Small set-back with yard at the back
- 25' wide lot
- Orientation to the street

#### Architectural Qualities:

- Cottage Queen Anne Victoria style
- Simple massing
- Elaborate detailing
- Use of wood material

#### Architectural Elements:

- Off-centre front door and covered porch, with decorative spindles, balustrades and fretwork
- Open balcony above front porch, with decorative spindles and balustrades
- Hipped roof
- Corner tower projection
- Horizontal wooden siding

#### General:

- Its historic relationship to the central business district, the Burrard Bridge and the Granville Street Bridge.

\* \* \* \* \*

1380-1382 Hornby Street and 801 Pacific Street  
FORM OF DEVELOPMENT

Figure 1: 1380-1382 Hornby Street Level 1 Floor Plan

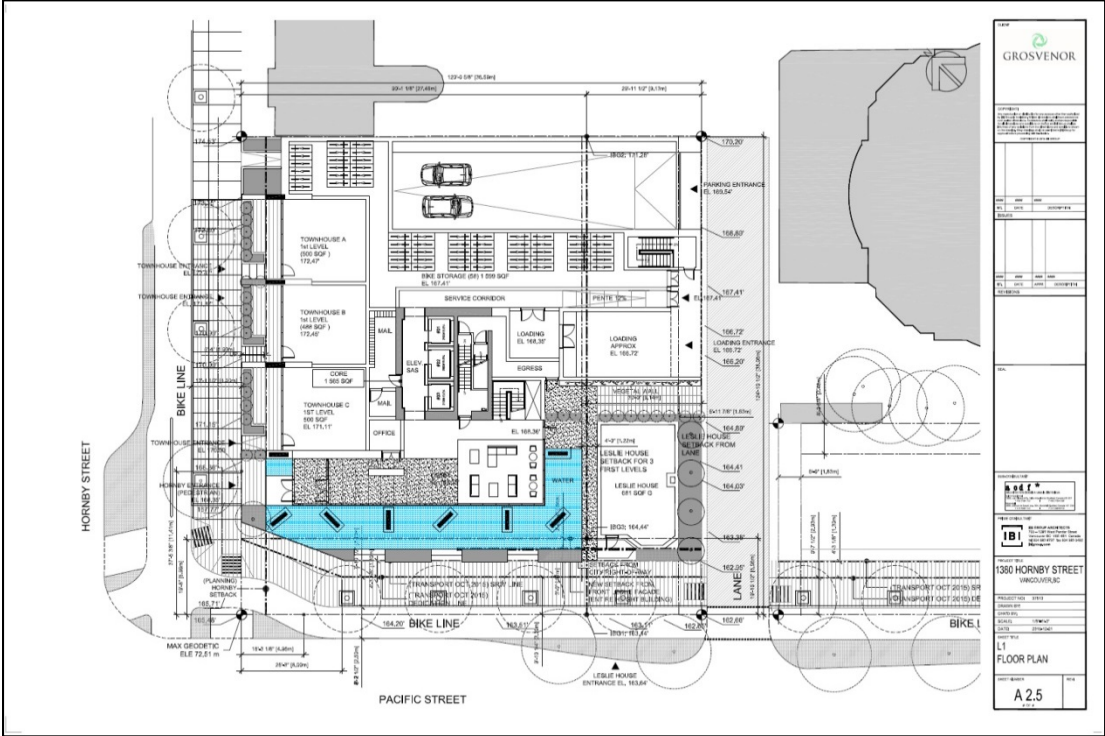


Figure 2: 1380-1382 Hornby Street Level 2 Floor Plan

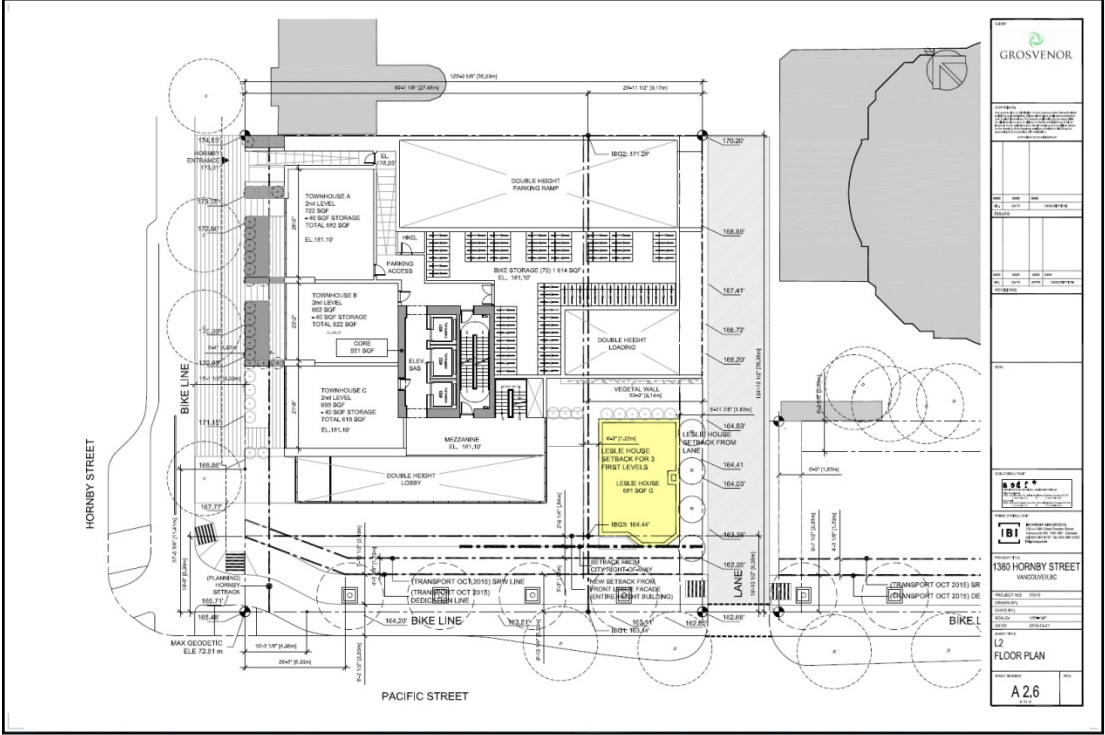


Figure 3: 1380-1382 Hornby Street Level 3 Floor Plan

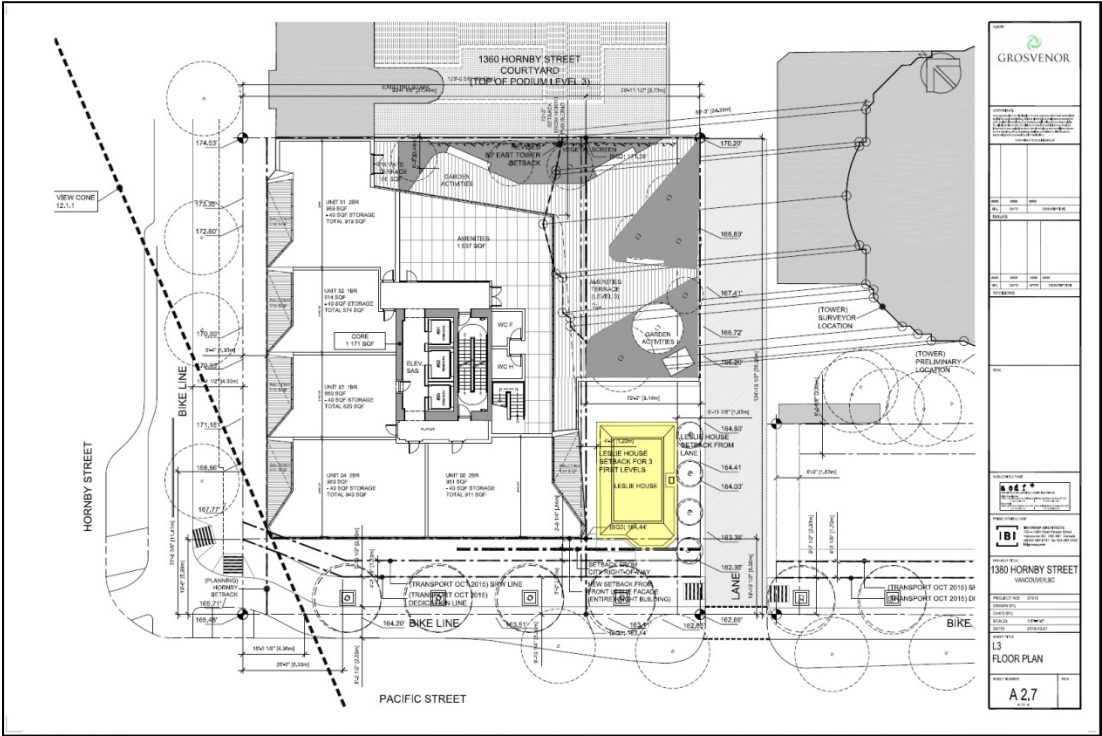


Figure 4: 1380-1382 Hornby Street Level 4 - 7 Floor Plans

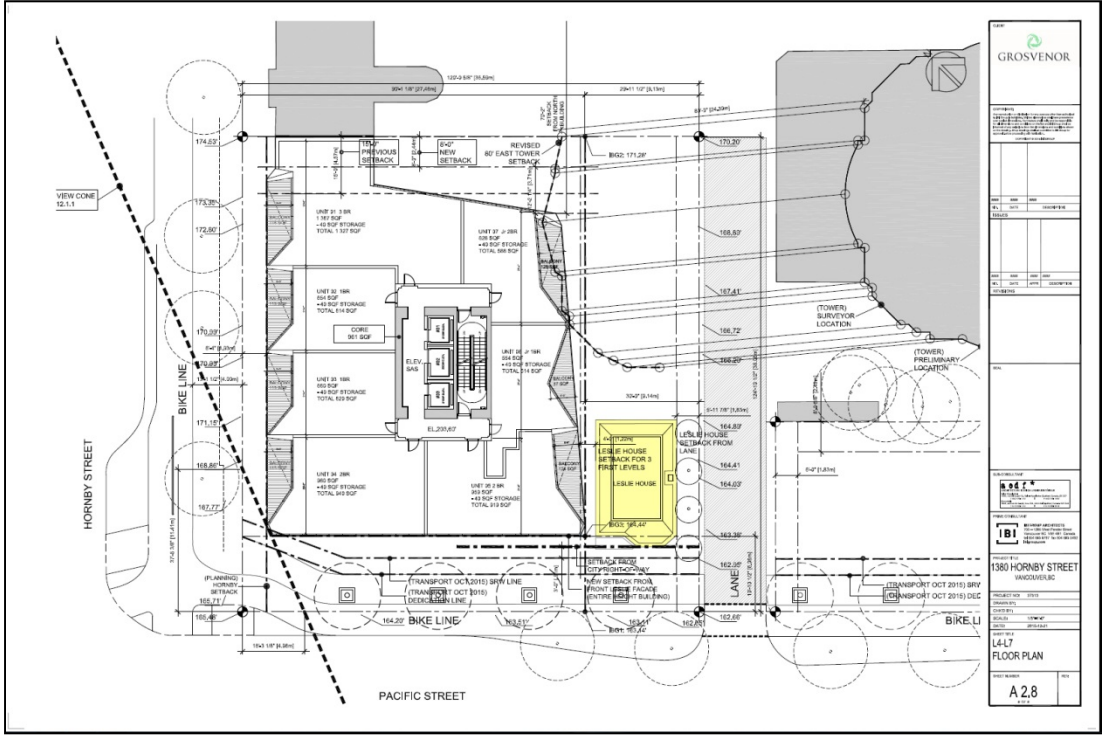




Figure 5: 1380-1382 Hornby Street Level 8 - 19 Floor Plans

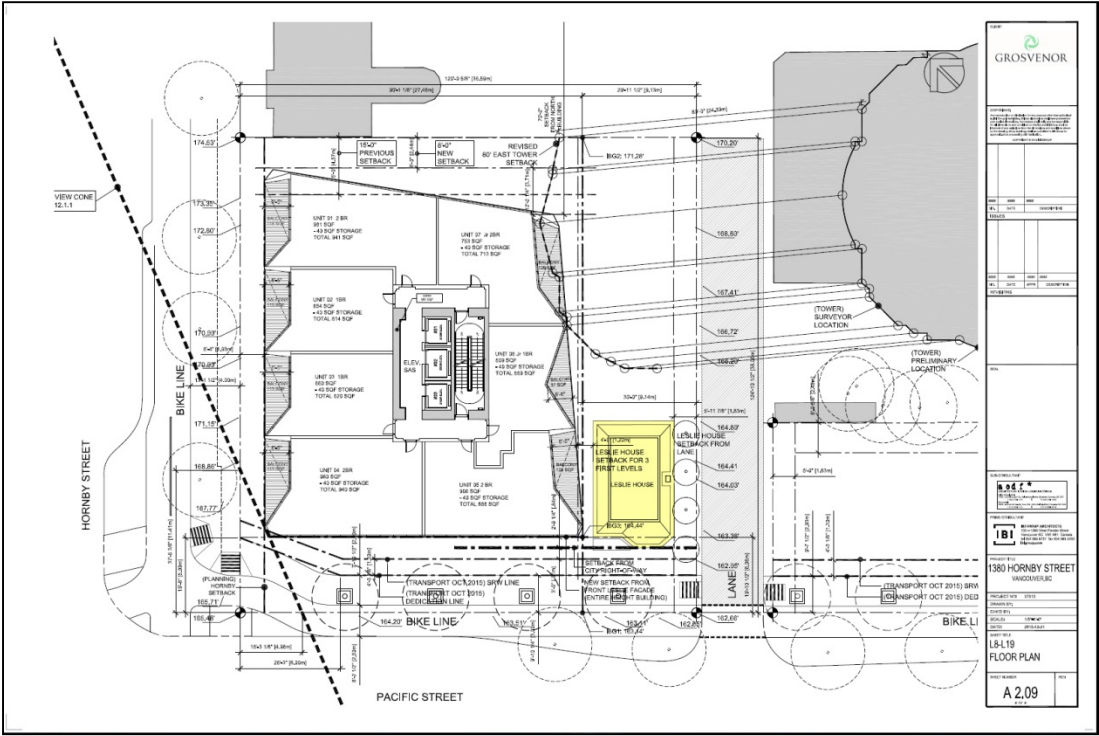


Figure 6: 1380-1382 Hornby Street Level 20 - 31 Floor Plans

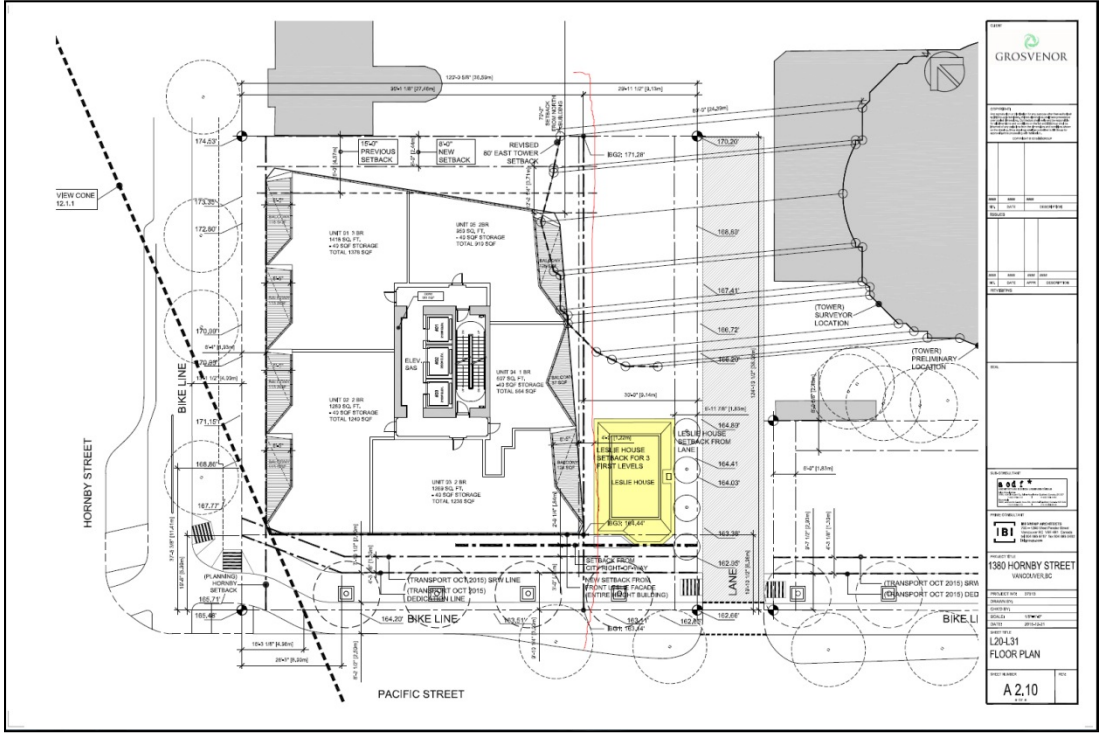


Figure 7: 1380-1382 Hornby Street Building Sections

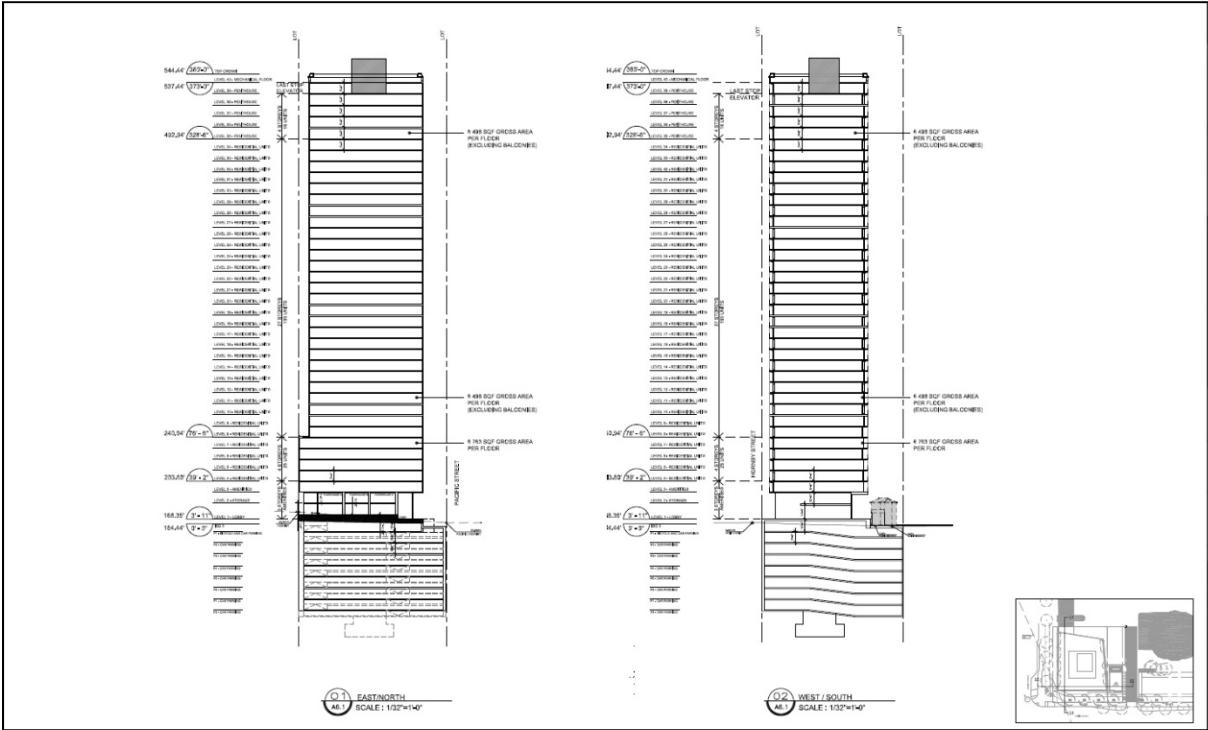


Figure 8: 1380-1382 Hornby Street West and South Elevations

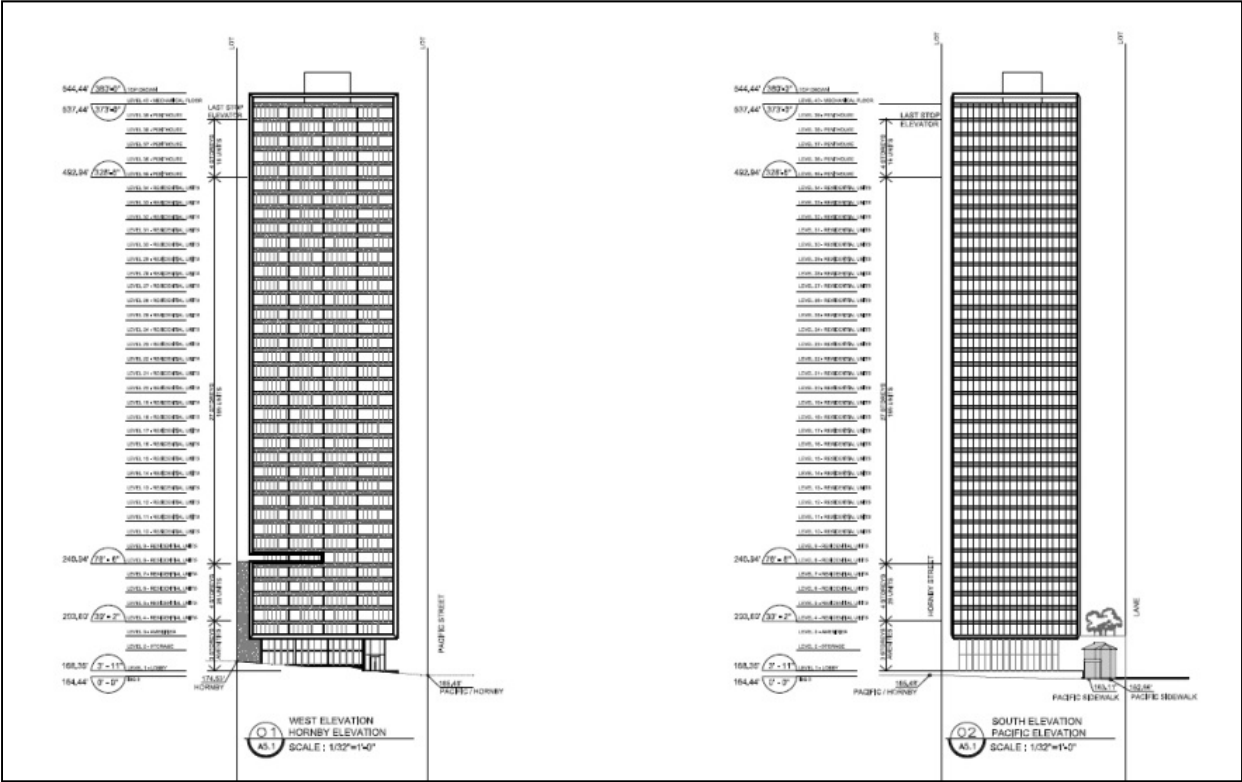


Figure 9: 1380-1382 Hornby Street North and East Elevations

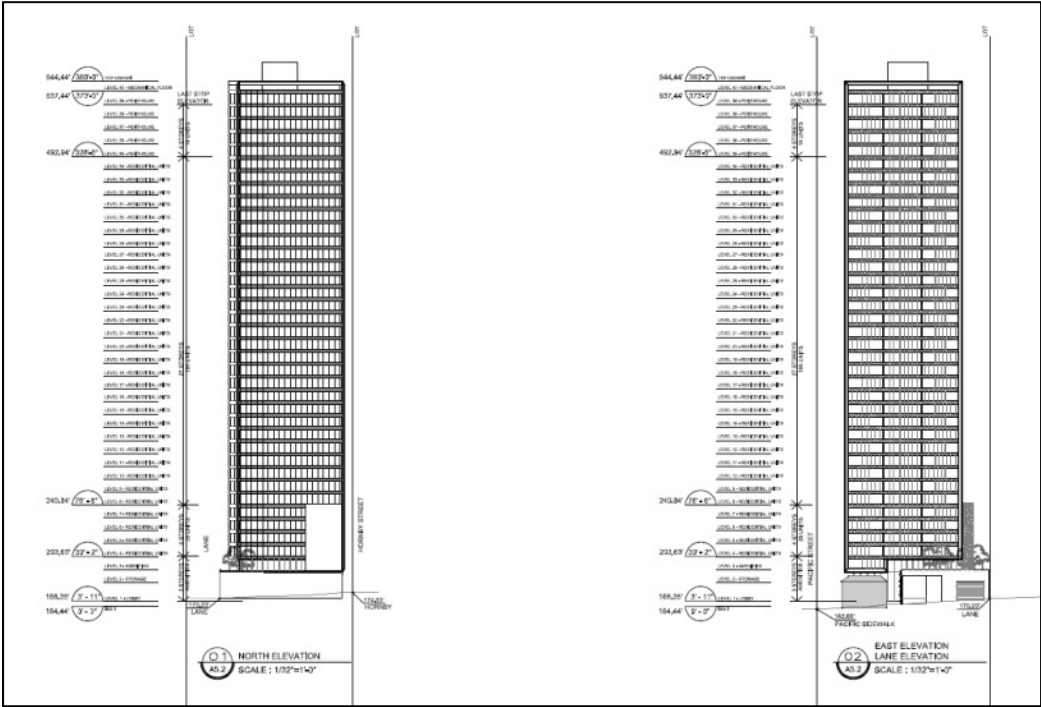


Figure 10: 1380-1382 Hornby Street Perspective (looking east)





Figure 11: 1380-1382 Hornby Street Perspective (looking north)







Figure 13: 801 Pacific Street Level 2 Floor Plans

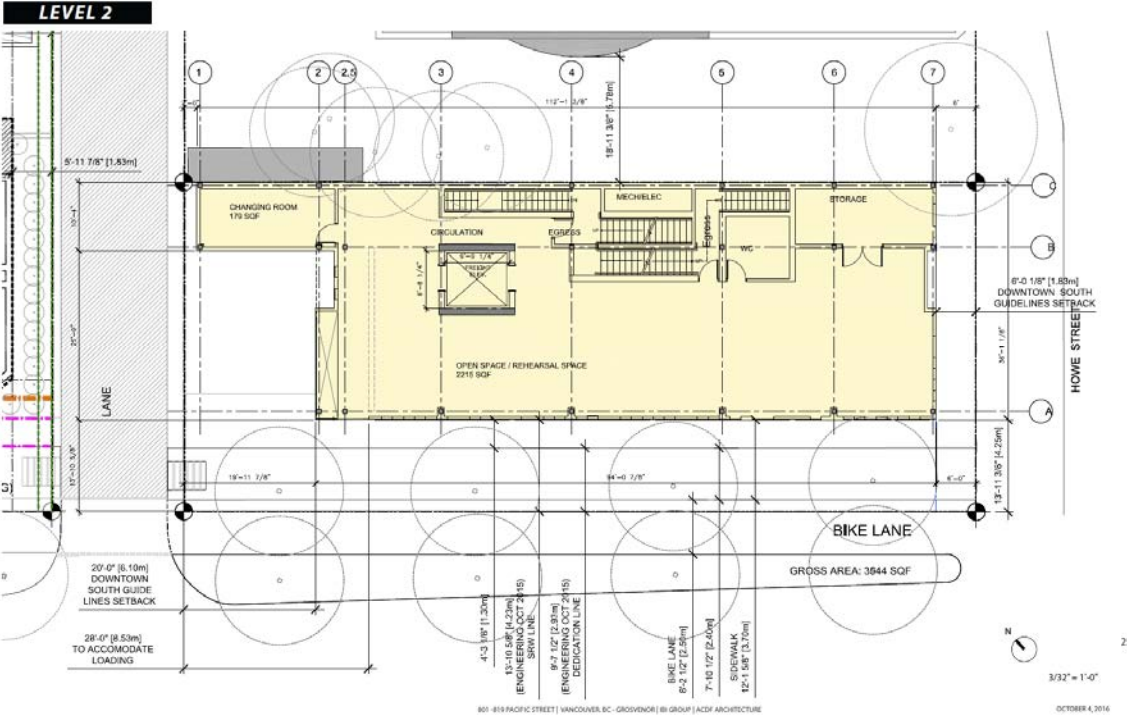


Figure 14: 801 Pacific Street Level 3 Floor Plans

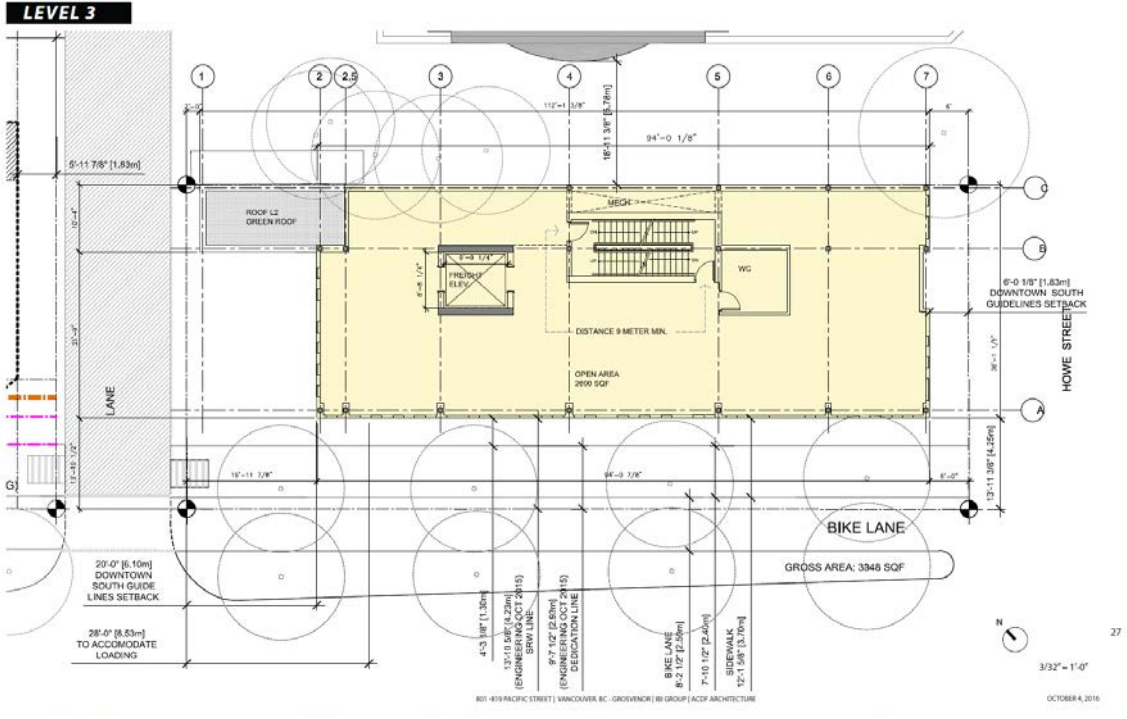




Figure 17: 801 Pacific Street Level 6 Floor Plans

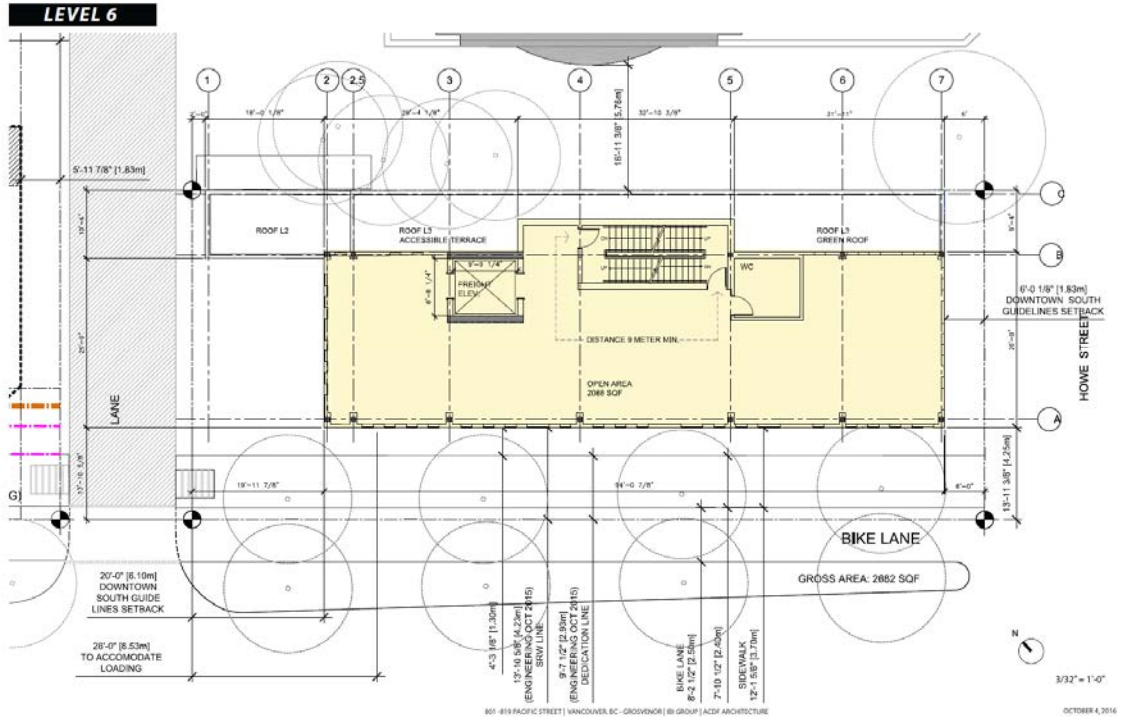


Figure 18: 801 Pacific Street Level 7 Floor Plans

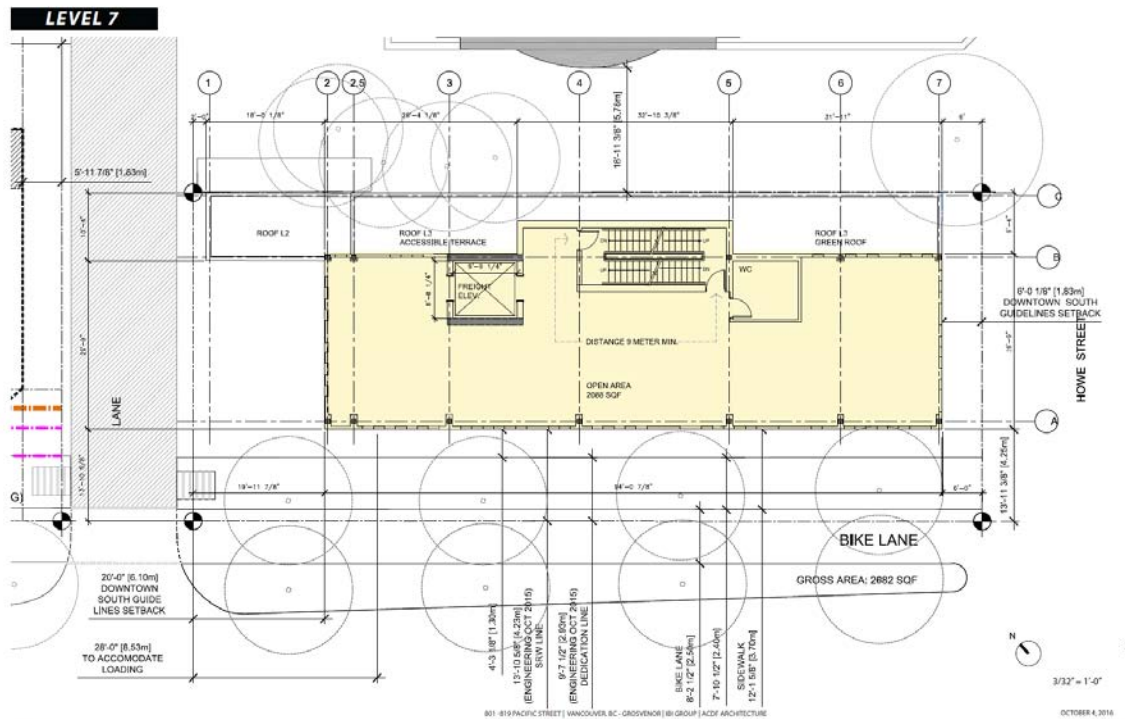




Figure 19: 801 Pacific Street Section

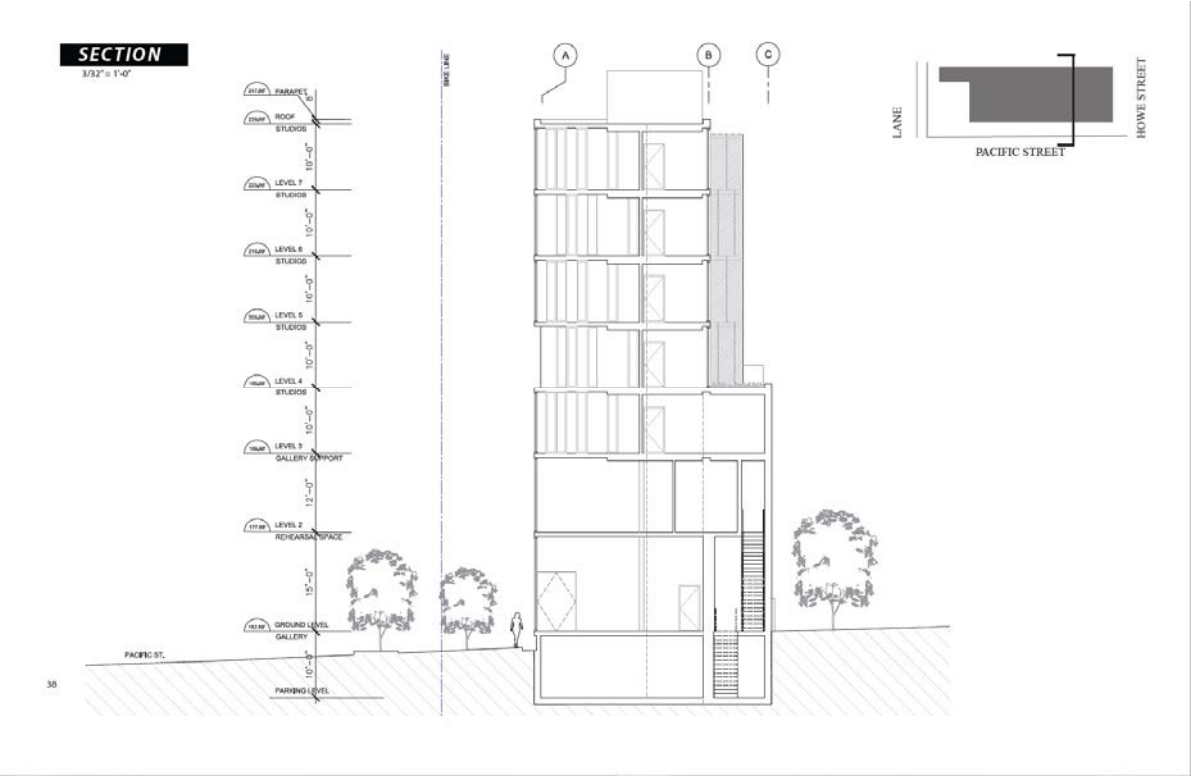


Figure 20: 801 Pacific Street East Elevation

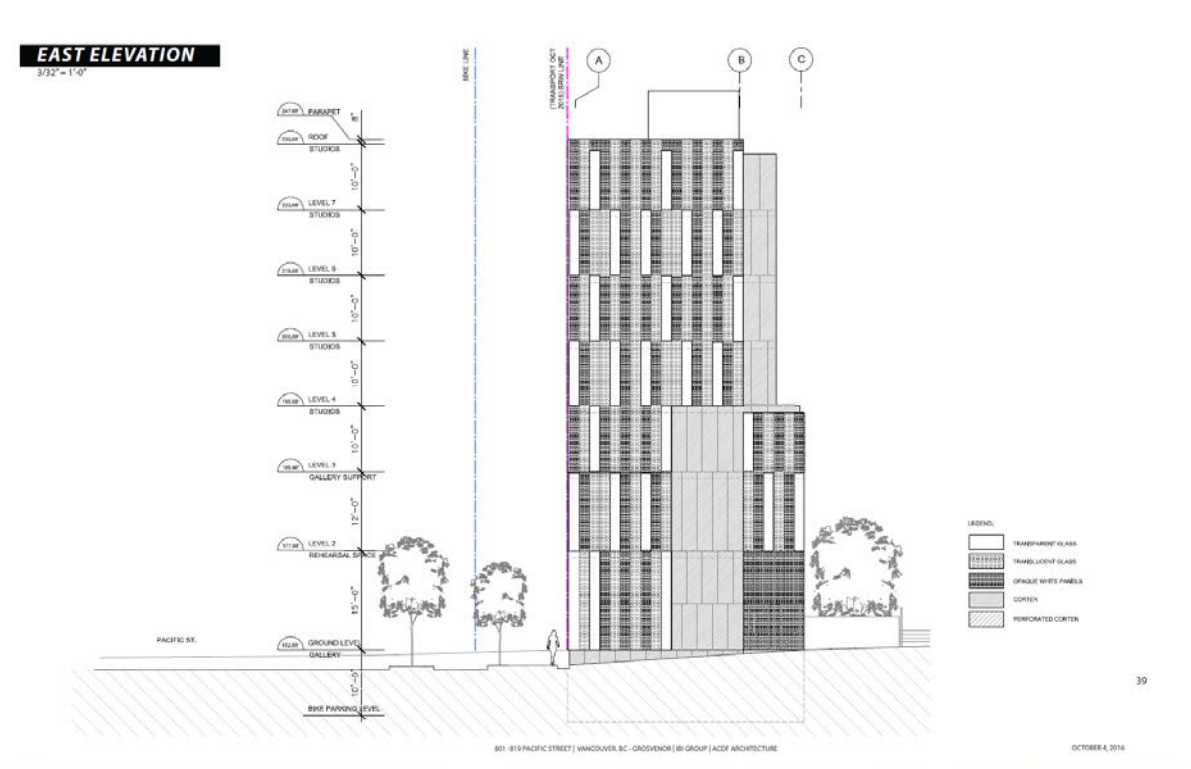


Figure 21: 801 Pacific Street West Elevation

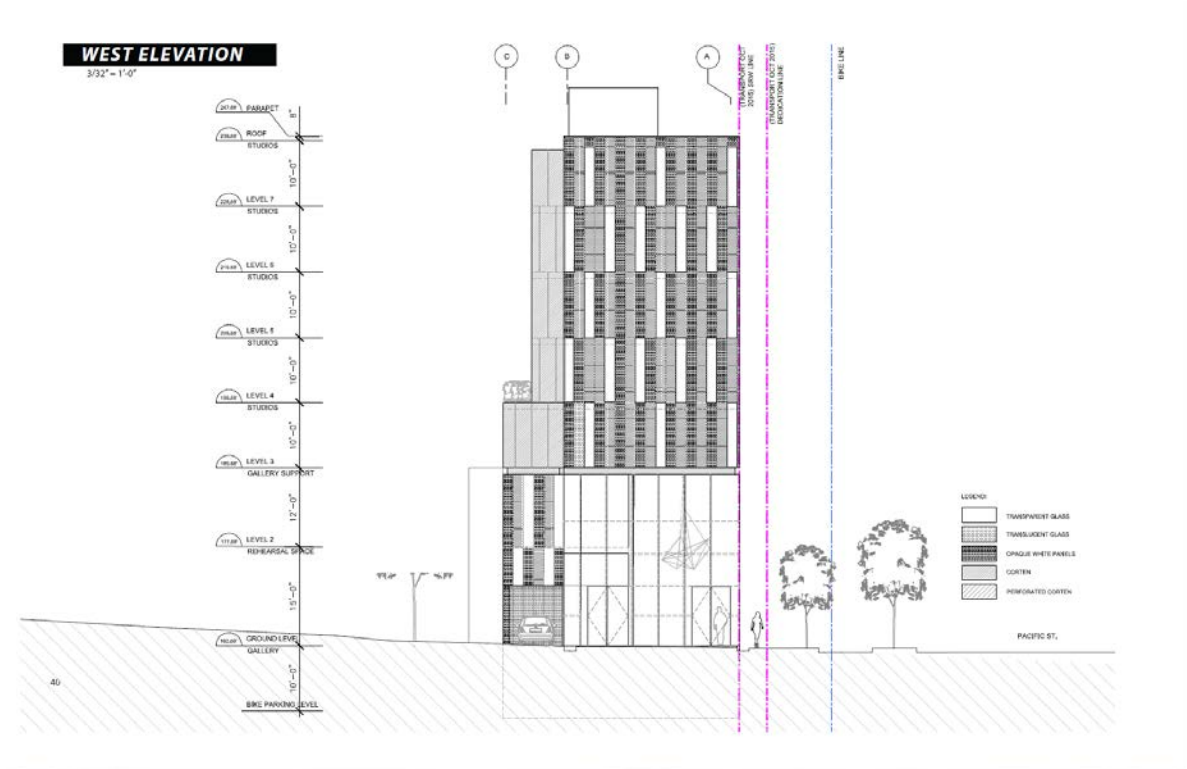


Figure 22: 801 Pacific Street North Elevation

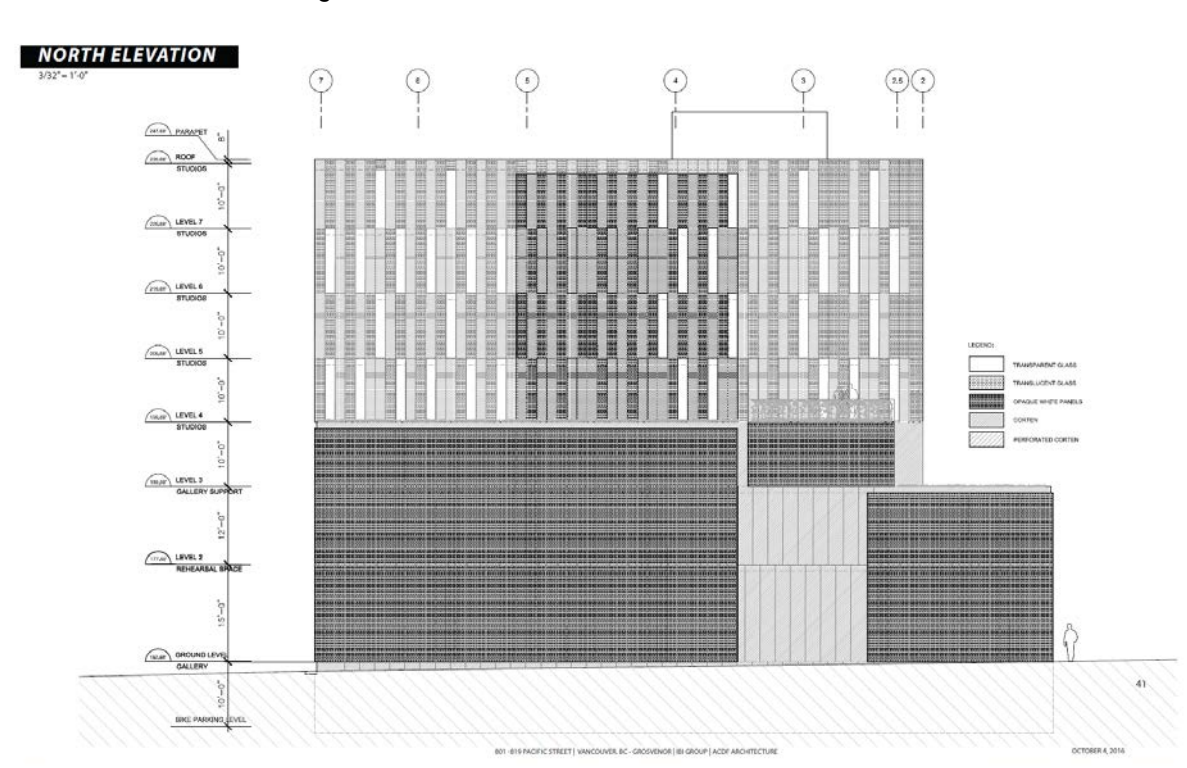


Figure 23: 801 Pacific Street South Elevation

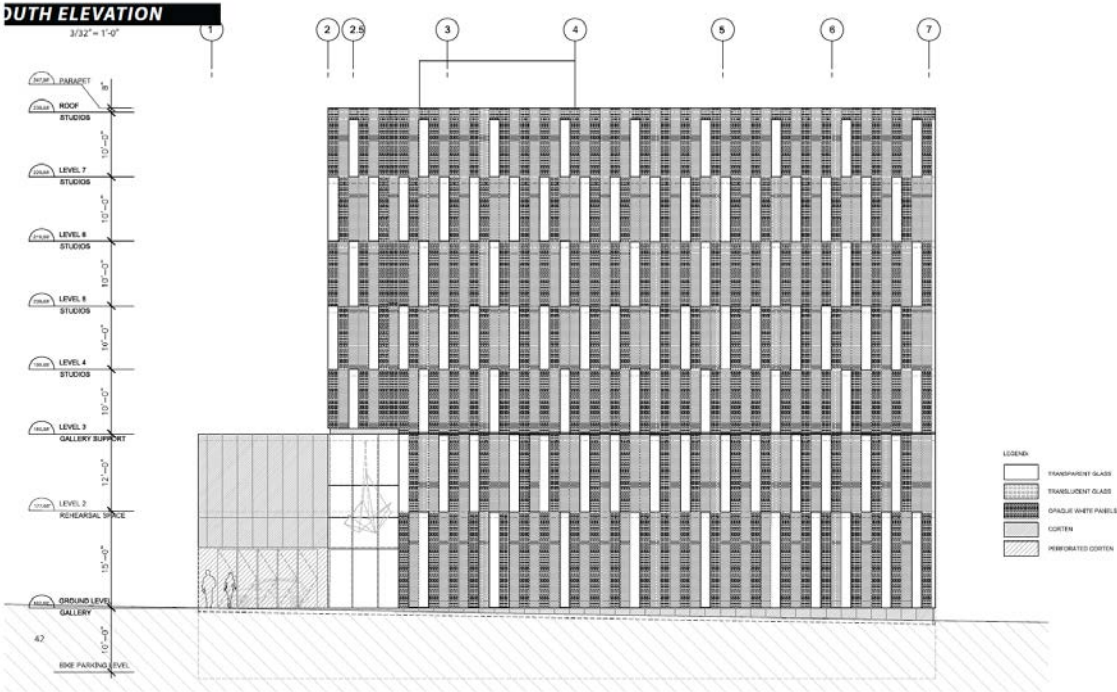


Figure 24: 801 Pacific Street Perspective (looking east)





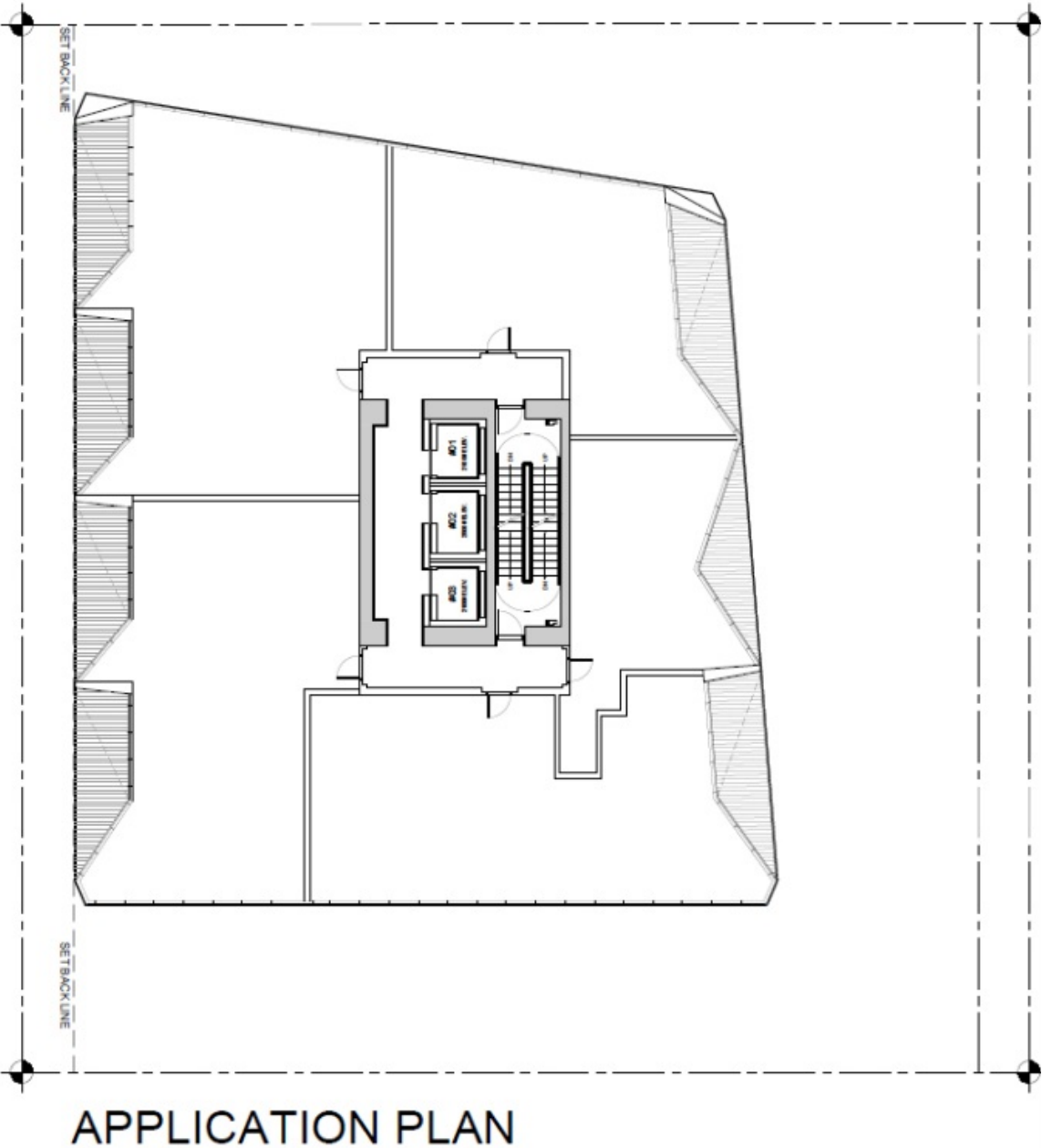
Figure 25: 801 Pacific Street Perspective (looking west)

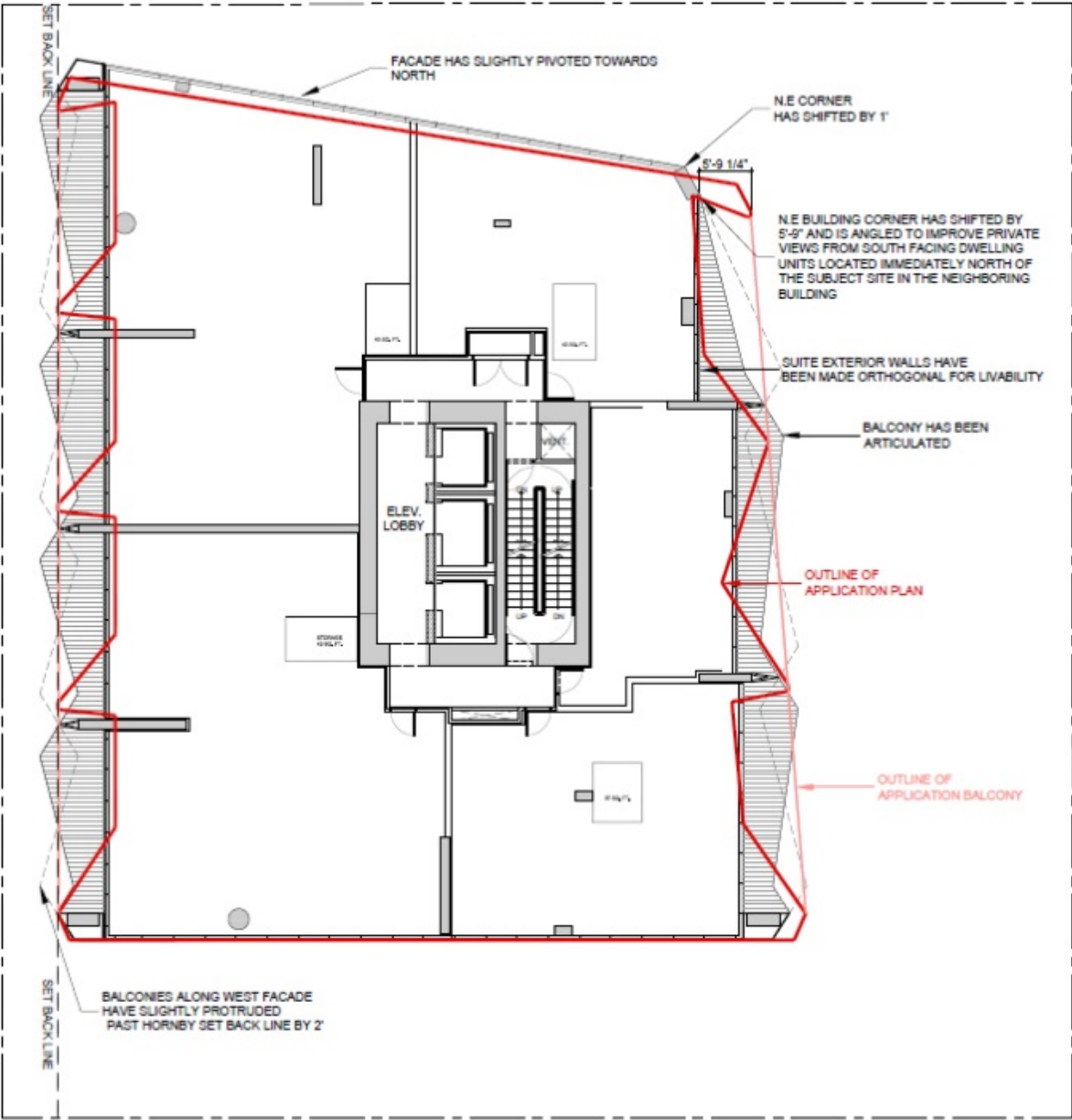


1380-1382 Hornby Street  
ILLUSTRATIVE DRAWINGS SHOWING PROPOSED DESIGN REVISIONS

The following floor plans are provided for information only and illustrate changes to the tower proposal in response to public feedback and staff recommendation to reshape tower floor plate to reduce impact to neighbours.

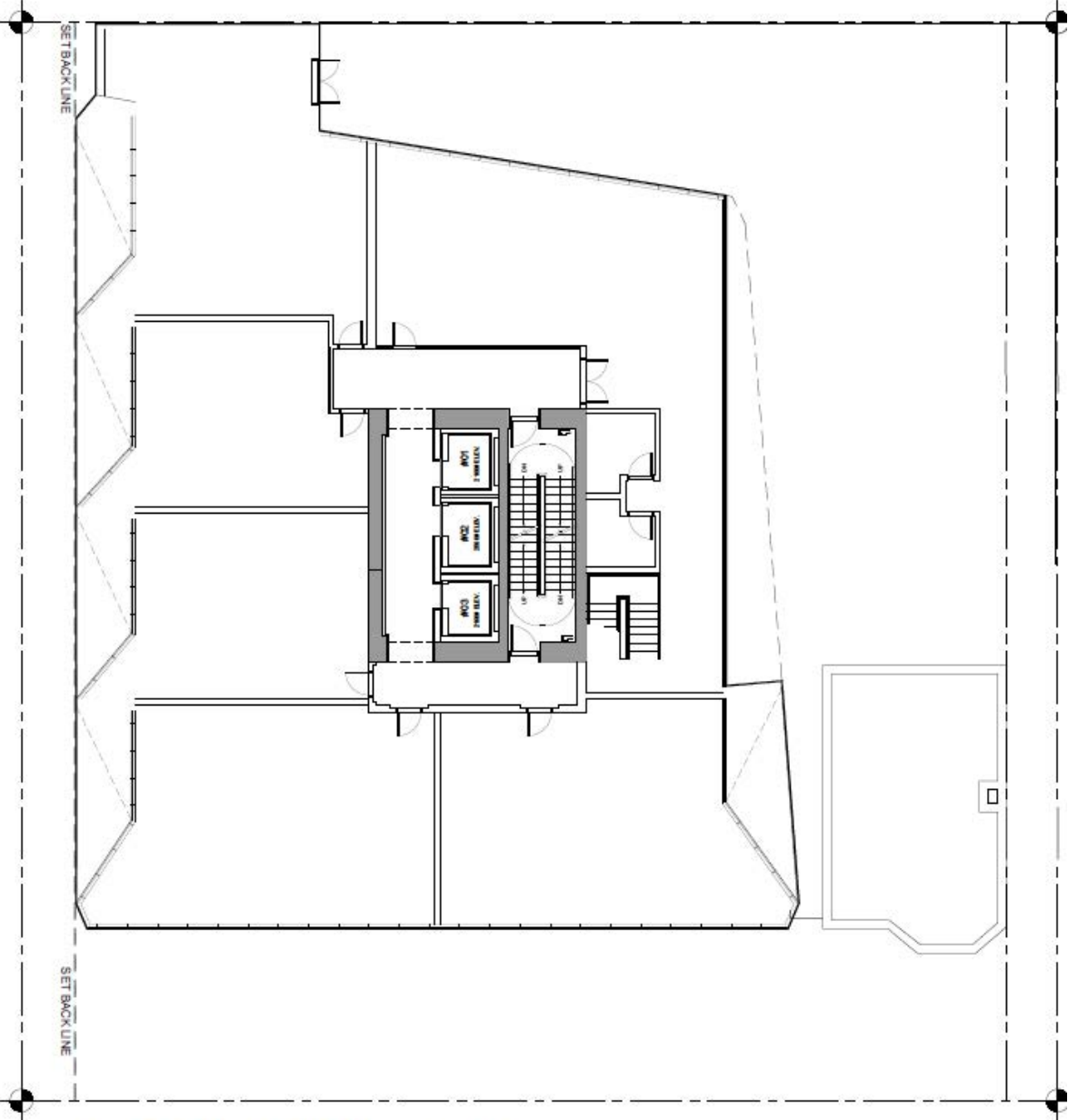
Figures 1 and 2: Typical Floor Plan Before and After Comparison



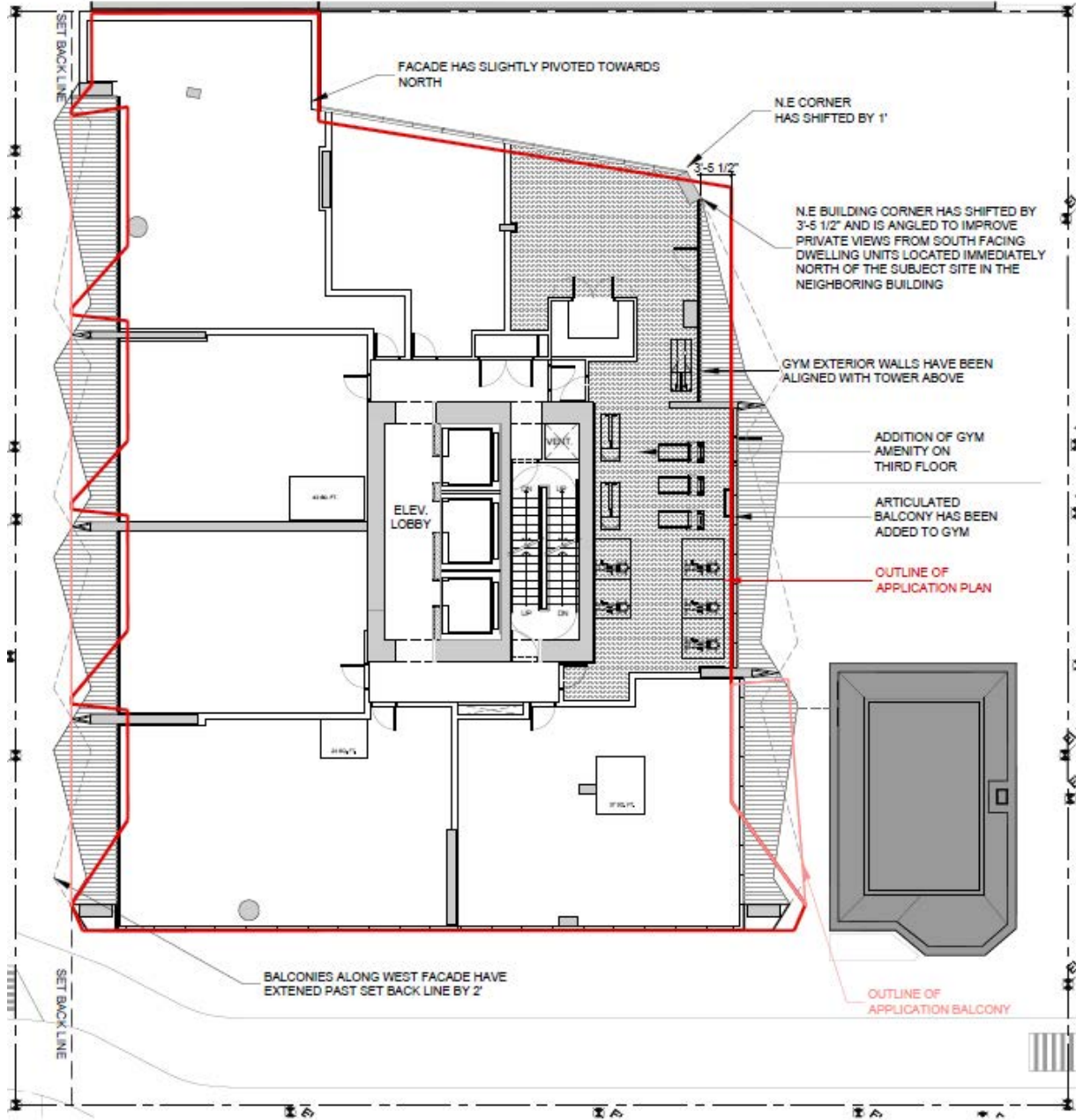


CURRENT PLAN

Figures 3 and 4: Levels 4 to 7 Floor Plan Before and After Comparison



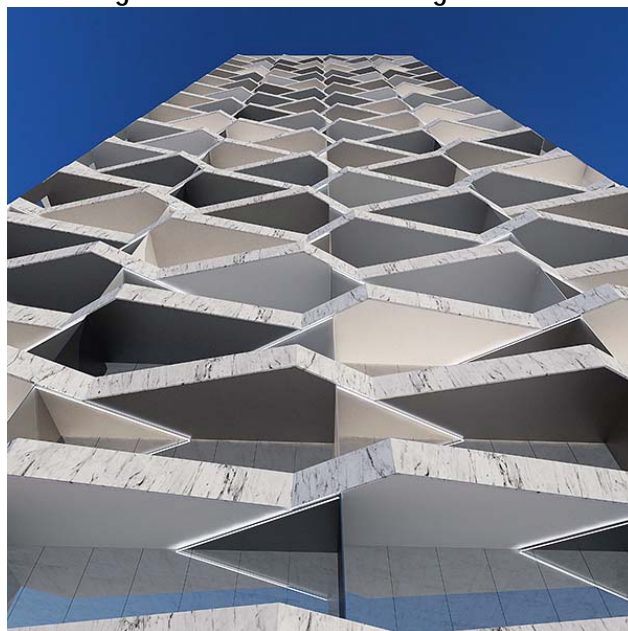
APPLICATION PLAN



CURRENT PLAN



Figure 8: Revised Building Facade



**1380-1382 Hornby Street  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

A 39-storey residential building with 213 market residential units and a commercial/retail unit at grade.

**Public Benefit Summary:**

The project would result in a total CAC contribution of \$40,225,000, a portion of which (valued at \$15,700,000) is proposed to fund a cultural facility at 801 Pacific Street. The project would also result in a public art contribution and a DCL payment.

	Current Zoning	Proposed Zoning
Zoning District	1380 Hornby St.: CD-1 (435); 1382 Hornby St.: DD	CD-1(435) as amended
FSR (site area = 15,005 sq. ft.)	1380 Hornby St.: 6.67 1382 Hornby St.: 5.0	16.4 FSR
Buildable Floor Space (sq. ft.)	90,030 sq. ft.	245,797 sq. ft.
Land Use	1380 Hornby St.: Service Use limited to Hotel and Restaurant 1382 Hornby St.: Cultural & Recreation, Residential, Office, Retail, Service and Institutional	Residential, Office, Retail, Service

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$13.91/sq. ft.)		
	DCL (Area Specific) (Downtown South) (\$19.09/sq. ft.)	\$1,718,672	\$4,691,120
	Public Art (effective September 30, 2016: \$1.98/sf)	n/a	\$486,603
	20% Social Housing		
Other Public Benefits Offered	Heritage		
	Childcare Facilities		\$9,500,000
	Cultural Facilities		See below for in-kind contribution at 801 Pacific St.
	Green Transportation/Public Realm		\$2,025,000
	Housing (e.g. supportive, seniors)		\$8,500,000
	Parks and Public Spaces		\$4,500,000 (VAG Plaza)
	Social/Community Facilities		
	Unallocated		
	Other (in-kind) Land Improvements		\$5,000,000 \$10,700,000
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$1,718,672</b>	<b>\$45,402,723</b>

\*DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.

For the Downtown South Area-specific DCLs, revenues are allocated into the following public benefit categories: Parks (38%); Replacement Housing (42%); Childcare (13%); and Engineering Infrastructure (7%).

801 Pacific Street  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

A seven-story cultural facility with spaces for community arts and cultural programming and non-profit arts administration.

**Public Benefit Summary:**

This is the in-kind portion of the CAC offered by the rezoning proposal at 1380-1382 Hornby Street. The project also generates a DCL payment.

	Current Zoning	Proposed Zoning
Zoning District	DD	CD-1
FSR (site area = 6,000 sq. ft.)	5.00 (max. 3.5 FSR achievable based on urban design)	3.51
Buildable Floor Space (sq. ft.)	21,000 sq. ft. (based on 3.5 FSR and setbacks)	21,050
Land Use	Cultural & Recreation, Residential, Office, Retail, Service and Institutional	Cultural & Recreation, Office

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (\$13.91/sq. ft.)		
	DCL (Area Specific) (Downtown South) (\$19.09/sq. ft.)	\$400,890	\$401,738
	Public Art (\$1.81/sq. ft.)	n/a	\$41,672 (contributing to a total of \$528,275 for both sites)
	20% Social Housing	n/a	
Offered (Community Amenity Contribution)	Heritage	n/a	
	Childcare Facilities (cash)	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other (in-kind) Land Improvements		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>			<b>\$400,890</b>

\* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification.

For the Downtown South DCLs, revenues are allocated into the following public benefit categories: Parks (38%); Replacement Housing (42%); Childcare (13%); and Engineering Infrastructure (7%).

**1380-1382 Hornby Street  
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT AND PROPERTY INFORMATION**

<b>Street Address</b>	1380-1382 Hornby Street
<b>Legal Description</b>	1380 Hornby Street [PID: 026-006-359, Lot A, Block 111, District Lot 541, Group 1, New Westminster District Plan BCP 12494] 1382 Hornby Street [Lots A and B of Lots 18 and 19, Block 111, District Lot 541, Plan 210, PIDs: 015-472-507 and 015-472-566 respectively]
<b>Applicant/Architect</b>	IBI Group and ACDF Architecture
<b>Developer/Property Owner</b>	Hornby BT Holdings Limited, Inc. (Grosvenor Pacific)

**SITE STATISTICS**

<b>Site Area</b>	1,394 m <sup>2</sup> (15,005 sq. ft.)
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**DEVELOPMENT STATISTICS**

	<b>Permitted Under Existing Zoning</b>	<b>Proposed</b>	<b>Recommended (Other Than Proposed)</b>																
<b>Zoning</b>	CD-1 (435) & DD District, Area N	CD-1 (435) as amended	n/a																
<b>Uses</b>	1380 Hornby St.: Service Use limited to Hotel and Restaurant 1382 Hornby St.: Cultural & Recreation, Residential, Office, Retail, Service and Institutional	Residential, Office, Retail, Service Uses	n/a																
<b>Max. Floor Space Ratio (FSR)</b>	1380 Hornby St. (CD-1 (435)): 6.67 1382 Hornby St. (DD): 5.0	16.3	16.4																
<b>Floor Area</b>	90,030 sq. ft.	245,104 sq. ft.	245,797 sq. ft. (includes approx. 1,380 sq. ft. of rooftop mechanical)																
<b>Maximum Height</b>	DD - 91.4 m (300 ft.)	Overall 114.3 m (375 ft.) 39 storeys	n/a																
<b>Unit Mix</b>	--	<table border="0"> <tr> <td>One-bedroom</td> <td align="right">62</td> </tr> <tr> <td>Two-bedroom</td> <td align="right">107</td> </tr> <tr> <td>Three-bedroom</td> <td align="right">43</td> </tr> <tr> <td><b>Total</b></td> <td align="right"><b>212</b></td> </tr> </table>	One-bedroom	62	Two-bedroom	107	Three-bedroom	43	<b>Total</b>	<b>212</b>	<table border="0"> <tr> <td>One-bedroom</td> <td align="right">74</td> </tr> <tr> <td>Two-bedroom</td> <td align="right">82</td> </tr> <tr> <td>Three-bedroom</td> <td align="right">57</td> </tr> <tr> <td><b>Total</b></td> <td align="right"><b>213</b></td> </tr> </table>	One-bedroom	74	Two-bedroom	82	Three-bedroom	57	<b>Total</b>	<b>213</b>
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<b>Parking Spaces</b>	Per Parking By-law	229	n/a																
<b>Loading</b>	Per Parking By-law	Class B 1	n/a																
<b>Bicycle Spaces</b>	Per Parking By-law	Class A 266 Class B 6	n/a																

801 Pacific Street  
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	801 Pacific Street
Legal Description	<i>Lots 20 and 21, Block 111, District Lot 541, Plan 210, PIDs: 005-989-621 and 009-812-067 respectively</i>
Applicant/Architect	IBI Group and ACDF Architecture
Developer/Property Owner	Pacific BT Holdings Limited, Inc. (Grosvenor Pacific)/City of Vancouver (upon completion)

SITE STATISTICS

Site Area	557.7 m <sup>2</sup> (6,003 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed	Recommended (Other Than Proposed)
Zoning	DD District, Area N	CD-1	n/a
Uses	Cultural & Recreation, Residential, Office, Retail, Service and Institutional	Cultural & Recreation, Office	n/a
Max. Floor Space Ratio (FSR)	5.0 (3.5 FSR maximum achievable based on urban design)	3.51	n/a
Floor Area	21,000 sq. ft.	21,050 sq. ft.	n/a
Maximum Height	DD - 91.4 M (300 ft.) Max. 75 ft. based on urban design	85 ft.	n/a
Unit Mix	--	n/a	n/a
Parking Spaces	Per Parking By-law	One car share space	n/a
Loading	Per Parking By-law	Class B      1	n/a
Bicycle Spaces	Per Parking By-law	Class A      43 Class B      6	n/a

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