

SUMMARY AND RECOMMENDATION

3. TEXT AMENDMENT: 1128 West Georgia Street

Summary: To amend the text of CD-1 (426) Comprehensive Development District for the existing Shangri-La mixed-use development to add a “tea house” adjacent the hotel lobby, and to enclose the restaurant’s bridge connection/terrace on the third floor and the conference room’s patio on the sixth floor.

Applicant: James KM Cheng Architects Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of December 12, 2017.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by James KM Cheng Architects Inc., on behalf of KBK No. 11 Ventures Ltd., to amend CD-1 (426) By-law No. 8943 for 1128 West Georgia Street (1119 Alberni Street) [*PID: 027-700-291, Air Space Parcel 3, Block 18, District Lot 185, Group 1, New Westminster District, Air Space Parcel Plan BCP38696; and PID: 017-483-093, Lot G, Block 18, District Lot 185, Group 1, New Westminster District, Plan LMP1597 Except Air Space Parcel Plan BCP38696*] to increase the floor space ratio from 13.41 to 13.50 to allow for expansion of uses accessory to the hotel presently on the site, be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by James KM Cheng Architects Inc., on behalf of KBK No. 11 Ventures Ltd., as the applicant, and stamped “Received Planning & Development Services (Rezoning Centre) March 21, 2017”, 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. Design development to ensure a minimum distance between the guard rail of the elevator shaft opening and the new tea room structure of no less than 3.7 m (12 ft.).
2. Design development to improve the integration of the covered terrace on level six with the existing building.

Note to Applicant: Provide annotation on Development Permit elevation drawings to show materials are of high-quality construction and match existing architectural elements.

3. Provision in the drawings of section details of the proposed covered bridge demonstrating a minimal impact on the access to daylight and views in the ground-level Public Open Space and Art Space.
4. Design development to visually conceal back-of-house and staff operations for the proposed tea room from the entrance lobby and other public and semi-public spaces.
5. Consideration to provide architectural devices and high performance glazing to improve the thermal performance and heat gain of the proposed glazed restaurant terrace enclosure.

Engineering

6. The proposed encroaching canopy edge along the Alberni Street frontage is to meet the Vancouver Building By-law for demountability and drainage where it is over public property or the canopy must be pulled back so no portion encroaches over public property.

Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, as required by the Green Buildings Policy for Rezoning, including a minimum of 63 points in the LEED® rating system, including at least 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one stormwater point.

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 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 of 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.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the

General Manager of Planning, Urban Design and Sustainability, the General Manager of Community Services, the General Manager of Engineering Services, and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Environmental Contamination

1. 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.

B. THAT A 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; 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 by-law 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.

[TA - 1128 West Georgia St]