

SUMMARY AND RECOMMENDATION

4. COMPREHENSIVE DEVELOPMENT DISTRICT (CD-1) REZONING: 745 Thurlow Street

Summary: To rezone from Downtown District (DD) to Comprehensive Development District (CD-1) to permit redevelopment of the site with a 300 ft., 22-storey office building with two or three levels of retail at the base. The purpose of the rezoning is to allow an increase in the total density permitted on this site from a floor space ratio of 7.0 (6.0 for office use) to 15.4 (for office, retail and service uses) increasing the permitted floor area from 181,783 sq. ft. to 399,052 sq. ft.

Applicant: Mark Thompson, Musson Cattell Mackey Partnership

Recommended Approval: By the Director of Planning, subject to the following conditions as proposed for adoption by resolution of Council.

- A. THAT the application by Musson Cattell Mackey Partnership, to rezone 745 Thurlow Street (Lots 18, 19, S½ 20, N½ 20, Block 18, Plan 92, DL 185; P.I.D. 009393421, 439, 366, 463) from Downtown District (DD) (Area O) to Comprehensive Development District (CD-1), to increase the maximum floor space ratio from 7.0 to 15.4 for an office building of 22 storeys, as generally set out in Appendix A to policy report "CD-1 Rezoning - 745 Thurlow Street" dated July 8, 2008, be approved subject to the following conditions:

1. PROPOSED 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 Musson Cattell Mackey Partnership, Architect, and stamped "Received City Planning Department, June 13, 2007", provided that the Director of Planning or the Development Permit Board may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below; and

FURTHER THAT the Development Permit Board may consider significant alterations of this form of development for a residential building, with retail uses at grade and with the floor space ratio for all uses not exceeding 7.0, if the reduced floor area is wholly accommodated within a notably smaller building envelope than that of the form of development approved above and if the Development Permit Board considers all applicable policies and guidelines approved by Council.

- (b) THAT, prior to final 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:

DESIGN:

- (i) design development to ensure that the total height of the tower, including mechanical and architectural appurtenances, do not exceed the applicable

view corridor limits established in the Council-approved View Protection Guidelines;

Note to Applicant: Detailed height calculation should be submitted with development application drawings.

- (ii) design development to the tower's architectural treatment to relieve its perceived massiveness and to visually break up expansive planes of glass facade;

Note to Applicant: Introduction of architectural features and solar shading (which will further Green Building performance) at appropriate locations, as well as refinements to the articulation of glass curtain wall is sought. Particular attention is needed for the south façade highly visible from Robson Street as well as the Thurlow/Alberni corner.

- (iii) design development to the corner entry plaza area to enhance pedestrian amenity and interest through the introduction of landscape features, street furniture and possibly Public Art; and

Note to Applicant: The night time experience at this active location should be considered.

- (iv) design development to the proposed floor area for retail and service uses on the ground floor fronting Thurlow and Alberni Streets to improve pedestrian interest.

Note to Applicant: On the Alberni Street podium façade, inset and articulation of the glazed retail frontage behind the tower columns should be considered so as to provide some additional sidewalk space.

LANDSCAPE:

- (v) provision of a detailed Landscape Plan illustrating 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. Illustrate and clarify all outdoor surface/paving materials, site furniture, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, anti-skateboard guards, parking vents, public realm (building edge to the curb, trees, lamp posts, fire hydrants, sidewalk treatment); and
- (vi) provision of details for vertical trellis and green wall systems;

SUSTAINABILITY:

- (vii) further details to advance "Green Building" components leading to submission of LEED™ Gold accreditation; and

- (viii) provision of plan illustrations, details and documents pertaining to the high performance landscape irrigation and water efficiency system.

Note to Applicant: provide an efficient irrigation system for all common outdoor planters and individual hose bibs to be provided for all patios of 100 sq. ft. or greater. Provide details (location, size, type, materials) of cistern and permeable paving systems. Specification notes and irrigation symbols to this effect should be added to the drawings.

2. PROPOSED CONDITIONS TO BE COMPLETED PRIOR TO BY-LAW ENACTMENT

- (a) THAT, prior to enactment of the amending CD-1 By-law, the registered owner shall, at no cost to the City, make arrangement for the following on terms and conditions satisfactory to the Director of Legal Services:

LEGAL SERVICES

- (i) provide an annotated charge summary to the satisfaction of the Director of Legal Services;

ENGINEERING

- (ii) make arrangements to the satisfaction of the General Manager of Engineering Services for the following:

1. consolidation of the lots comprising the site;
2. upgrading of the sewer mains that serve the site;

Note to Applicant: The application currently does not include enough details to determine if upgrading is necessary, flow monitoring results and projects details as required to finalize the need for upgrading.

3. provision of a standard concrete commercial lane crossing at the lane south of Alberni Street at Thurlow Street;

Note to Applicant: A separate application to the General Manager of Engineering Services is required for all specialty lane treatments.

4. provision of street trees adjacent the site where space permits; and

Note to Applicant: Species, quantity and spacing of new street trees to the approval of the City Engineer and Park Board.

Additional Note to Applicant: Weather protection canopy should be set back a sufficient depth to avoid conflict with street trees.

5. undergrounding of all new BC Hydro and Telus services are to be undergrounded within and adjacent the site from the closest existing suitable service point.

SOILS

- (iii) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (iv) if a Certificate of Compliance is required by the Ministry of Environment as a result of a completed site profile, execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance has been provided to the City by the Ministry of Environment; and

PUBLIC ART

- (v) provide public art according to the provisions of the Public art Policies and Guidelines through an agreement to the satisfaction of the Managing Director of Cultural Services.

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

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site, 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 amending by-law.

The preceding agreements shall provide security to the City including warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult with other city officials and City Council.

- B. THAT, the application to amend the Sign By-law, dated June 13, 2007, to establish regulations for this CD-1 in accordance with Schedule E [assigned Schedule "B" (DD)], be approved.
- C. THAT, 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 to include this Comprehensive Development District in Schedule B generally as set out in Appendix C to policy report "CD-1 Rezoning - 745 Thurlow Street" dated July 8, 2008.

(CD-1 RZ. - 745 Thurlow Street)