

SUMMARY AND RECOMMENDATION

5. COMPREHENSIVE DEVELOPMENT DISTRICT (CD-1) REZONING: 1300-1336 Granville Street

Summary: To rezone from Downtown District (DD) to Comprehensive Development District (CD-1) to permit an increase in density from 5.0 to 8.25 FSR. The proposal includes development of a 226 ft. residential tower with commercial at grade, restoration and designation of the Yale Hotel through a HRA, the upgrading and conveyance of the Yale Hotel SRA units to the City, and the exemption and demolition of the SRA-designated units at the Cecil Hotel.

Applicant: Martin Nielsen, Busby Perkins & Will

Recommended Approval: By the Director of Planning and the Director of the Housing Centre, in consultation with the Director of Legal Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Busby Perkins & Will Architects on behalf of Rize Alliance (1300 Granville Street) Properties Ltd., to rezone 1300-1336 Granville Street (Lots 1 & 2, Block 113, DL 541, Plan 210 and Lot A, Block 113, DL 541, Plan 9441) from Downtown District (DD) to Comprehensive Development District (CD-1), generally as set out in Appendix A to policy report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008, be approved subject to the following conditions:

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Busby Perkins & Will Architects in plans and stamped "Received Planning Department, May 1, 2008", provided that the Director of Planning or the Development Permit Board, as the case may be, may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (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 or Development Permit Board, who shall consider the following conditions:

Design Development

- (i) design development to the projecting balcony elements to increase their transparency without decreasing the robust architectural character of the interconnected forms;

Note to Applicant: Design development should consider reducing the heaviness/solidness of side treatments of the projecting balconies.

- (ii) design development to further enhance the Granville Street frontage to achieve the fine grain active character sought for Granville Street as a pedestrian oriented shopping street;

Note to Applicant: Provision of weather protection is also required.

- (iii) design development to relocate the below-grade parking structure vent to a location that will minimize its impact on pedestrian activities along this frontage;

- (iv) design development to the roofscapes to enhance their visual quality as seen from above through landscaping, screen elements and finishes;

Note to Applicant: Design development should consider expanding the usable outdoor area of the uppermost roof. Vents, mechanical rooms, elevators should be integrated into the roof architectural treatment or screened with material and finishes compatible with the building.

- (v) design development to ensure a high standard of liveability with direct access to usable (unenclosed) outdoor space for each dwelling unit;

Note to Applicant: In conjunction with achieving a LEED Gold standard and no enclosed balconies within the building, provision of an additional 4 percent residential floor area has been provided to enhance the liveability of the dwelling units.

- (vi) provision of high quality, durable architectural materials and detailing;

- (vii) design development to provide street interface solutions, for both existing and anticipated future building grade conditions, with particular consideration given to pedestrian access, building entries and parking and loading access;

Crime Prevention Through Environmental Design (CPTED)

- (viii) design development to take into consideration the principles of CPTED, having particular regard to reduce opportunities for:

- theft in the underground,
- graffiti on walls, and
- mail theft;

Landscape Design

- (ix) notching of parkade slab, where possible, to increase opportunities for planting at or near the property line;

- (x) design development improve the Granville Street commercial interface;

Note to Applicant: the planter at the edge of the commercial patio should be brought to grade level to mitigate blank walls at the pedestrian level. The parkade slab will need to be notched to allocate room for soil depth (refer to section 3, sheet L5).

- (xi) trees at the Rolston Crescent edge to be planted at grade;
- (xii) provide continuous street trees to adjacent streets;

Note to Applicant: This can be done by filling in gaps to existing colonnades or providing new street trees, to the satisfaction of GMES.

- (xiii) design development to improve the quality of the level 13 common terrace;
- (xiv) design development to improve the roof level by:
 - providing continuous garden plots planters without compromising the other amenities (**Note to Applicant:** Soil health and planting opportunities can be improved through amalgamation of plots to increase soil volumes),
 - providing additional permanent planters that contain small species trees an overall full season planting palette, in addition to edible plants,
 - integrating a seating edge to the garden plots;
- (xv) at time of development permit submission, provision of large scale sections through permanent planters and architectural slab;

Urban Agriculture

- (xvi) design development to provide hose bibs, tool storage, composting, a potting/work bench, and sink for the garden plots located on the rooftop;

Note to Applicant: An amenity room could be provided adjacent to the elevator and fan room. The amenity room should include an accessible washroom and kitchenette.

- (xvii) design development to increase the usable rooftop area;

Note to Applicant: Consideration should be given to providing amenity room on the rooftop, in addition to increased outdoor area, in order to increase the functionality and usability of the amenity patio area. A small indoor amenity room could be provided in the northeast corner of the rooftop.

Social Planning

- (xviii) design development to provide an amenity room on level 13 adjacent to the outdoor amenity patio;

Note to Applicant: The amenity room should include an accessible washroom and kitchenette.

- (xix) design development to provide flexible space on the level 13 amenity patio which can accommodate children's play activities, as well as other uses;

Parking, Loading, Bicycle Parking and Passenger Loading

- (xx) provision of an updated Transportation Assessment Report is required. The report is to include turning templates for all parking and loading access points and for all internal parking and loading circulations clearly showing adequate functionality;
- (xxi) provision of full compliment of commercial loading bays is required;
- (xxii) provision of full compliment of commercial parking stalls is required;

Note to Applicant: Relocation of the residential security gate is required to ensure all the residential parking spaces are located behind the security gate.

Provision of direct and convenient access to loading bays from the Yale Hotel is required.

Clarification of the need for valet parking to serve the restaurant use and details of its operation are required.

Provision of internal access to all CRU's from the loading bays is required. Internal access to the CRU in the southeast corner of the site is required.

Provision of adequate visibility to oncoming vehicles, provision of mirrors at key locations is required.

Note to Applicant: There are walls obstructing visibility adjacent grid lines PB and PJ.

Clarify the depiction of the length of the Yale Hotel, some pages indicating it built to the Granville Street property line, and others are indicating it set back.

Delete curb returns at parkade and loading entry and show standard City crossings.

Provide details of garbage storage and pick up operations, including internal routes to and from storage areas.

Correct Legal description on page RZ-001 to include Lot A, Block 113, District Lot 541, Plan 9441.

Sustainability

- (xxiii) a preliminary LEED™ score card should be submitted with development (DE) application showing proposed strategies for attainment of LEED™ Gold;

Note to Applicant: Registration and certification with CAGBC (Canada Green Building Council) to achieve LEED™ Gold certification is encouraged but not required. Best effort to pursue equivalency to the satisfaction of the Director of Planning will be accepted.

Heritage

- (xxiv) supply an Interpretative Plan for the site which takes into account the history of the Cecil Hotel, particularly noting the role the Cecil Hotel played in the late 1960's and 1970's with respect to the formation of Greenpeace and the Georgia Straight newspaper;
- (xxv) based on a S3 structural upgrade approach, integrate the conservation plan, with the seismic upgrading, noting any conflicts between this approach and character defining elements as noted in the SOS;
- (xxvi) revise design of new storefront to more closely resemble the original scale and detailing of the storefront as shown in archival photo (1944 (VA 1184-624) shown in the Conservation Plan page iii. Attention should be paid to the proportion of the window dimensions and the location and detail of the cornice at 1st floor location. The existing "Yale Hotel" sign can be retained but should be incorporated into the revised storefront design;

Environmental Health

- the City's acoustical criteria shall form part of the Zoning By-law, and an Acoustical Consultant's report shall be required which assesses noise impacts on the site and recommends noise mitigating measures;

Licensing - Liquor Primary Use

- (xxvii) the proposed stand-alone pub in the new podium should be limited to the 237 liquor licensed seats transferred from the Cecil Hotel;
- (xxviii) the pub and restaurant must function as separate uses, each with its own entry/exit and without an overlap of functional space;
- (xxix) to avoid future conflicts between the liquor establishments and residential units, the design of the project must provide clear separation of entries with sound attenuation between the uses. A management plan will be required to confirm compatibility of the uses; (xxx) the proposal will be subject to a time-limited Development Permit to review compliance and mitigation of traffic, noise, parking and other zoning issues;
- (xxx) standard hours of operation will be limited to 11:00 a.m. to 1:00 a.m., Sunday to Thursday; and 11:00 a.m. to 2:00 a.m., Friday and Saturday; or Extended hours of operation will be limited to 9:00 a.m. to 2:00 a.m. Sunday to Thursday; and 9:00 a.m. to 3:00 a.m., Friday and Saturday;

- (xxxi) a signed Good Neighbour Agreement will be required prior to business license issuance.

AGREEMENTS

- (a) THAT, prior to enactment of the CD-1 By-law (unless otherwise specified below), at no cost to the City:

Heritage

- (i) The owner shall enter into an agreement with the City prior to issuance of the development permit for the 1300-1336 Granville Street project, to secure rehabilitation, protection and on-going maintenance of the "B" listed heritage building at 1300 Granville Street and to restrict occupancy of the new tower until rehabilitation to the heritage building is completed, on terms and conditions satisfactory to the Director of Legal Services;
- (ii) Heritage Revitalization Agreement and Designation By-Laws shall be enacted by Council and registered on title, as applicable, along with any side agreements required at the discretion of the Director of Planning or the Director of Legal Services.

Engineering

- (iii) the owner shall make arrangements on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services for the following:
- (1) dedication of portions of Lot A for road purposes. Delete all structures or portions of the building above and below grade within the dedication area,
 - (2) closure & acquisition of portions of Rolston Crescent to form part of the consolidated site,
 - (3) provision of a 3.0 m x 3.5 m corner cut at the southeast corner of Lot A. Delete all structures or portions of the building above grade and provide a minimum 3'-0" of cover from the top of the parkade to the building grade. The parkade to be designed to highway loading standards,
 - (4) dedication of a 1.0 m x 1.5 m corner cut over the southwest corner of Lot A for pedestrian purposes,

Note to Applicant: For items (1) to (4) above, refer to sketch of site from Engineering Services, dated May 15, 2008, in Appendix H.
 - (5) deletion of any portions of building or other structures above and below grade within Right of Way 388292M (as shown on Explanatory Plan 8056); or make arrangements to the satisfaction of the General Manager

of Engineering Services and the Director of Legal Services for discharge of the right-of-way,

- (6) consolidation of the site into a single parcel or creation of the proposed lots, arrangements to be made the satisfaction of the General Manager of Engineering Services, Director of Legal Services and Director of Planning to identify all resulting cross boundary issues including the provision of all necessary legal agreements addressing the boundary issues,
- (7) for all existing and proposed encroachments over City streets from the Yale Hotel, and updating and/or replacement of Easement & Indemnity Agreement B77264,
- (8) decommissioning of the existing 2 cavities under the sidewalk, the goods chute and oil intake and discharge of the relevant legal agreements from the title prior to Occupancy of any of the rezoning buildings,
- (9) interim widening of Rolston Crescent to provide adequate passage to the remainder of Rolston Crescent until the loops demolition and road reconstruction takes place. Arrangements to include a detailed design of a road geometric determining adequate temporary road widths. Should the review determine that adequate temporary road widths are not feasible within the existing road rights-of-way arrangements to acquire additional rights-of-way providing for acceptable road widths will be necessary,
- (10) relocation and/or adjustment of hydro poles and utility services along the Rolston Crescent frontages of the site to accommodate changes in the road geometrics and to ensure there is no conflicts with parking and loading access points to the site,
- (11) upgrading of the 250 mm sanitary sewer main on Drake Street from Rolston Crescent to Seymour Street to provide adequate sewer servicing for the development,
- (12) upgrading of the water mains to adequately serve the site. The application currently does not include information to determine if any upgrading is necessary or the possible extent of upgrading, provision of flow rates and additional project details are required to make a determination or arrangements to provide any necessary upgrading must be made,
- (13) provision of new sidewalks (temporary and permanent) adjacent the site in keeping with the sidewalk treatment patterns for the area,
- (14) provision of street trees adjacent the site where space permits,

- (15) provision of improved street lighting on the Rolston Crescent frontages of the site,
- (16) undergrounding of all new utility services from the closest existing suitable service point. All services and in particular electrical transformers to accommodate a primary service must be located on private property. The development site is not to rely on secondary voltage from the existing overhead network. Any alterations to the existing underground/overhead utility network to accommodate the development will require review and approval by the Utilities Management Branch. Early contact with the Utilities Management Branch is encouraged;

The above are to be included, where appropriate, in one or more registrable servicing agreements, setting out the obligations for construction and maintenance of the works fully at the owner's expense, at the discretion of the general Manager of Engineering Services and the Director of Legal Services.

Affordable Housing - 1300 Granville Street

- (iv) the owner shall, on terms and conditions satisfactory to the Director of the Housing Centre, the Director of Facility Design and Development and the Director of Legal Services, enter into an agreement to upgrade the low-income housing component of the Yale Hotel at 1300 Granville Street, generally in accordance with the Building Specifications included as Appendix E;

Air Space Parcel -1300 Granville Street

- (v) the owner shall, on terms and conditions satisfactory to the Director of the Housing Centre, the Director of Facility Design and Development and the Director of Legal Services, grant the City an option to purchase for a nominal price the air space parcel within which the second and third floors of the Yale Hotel at 1300 Granville Street will be located after subdivision of the Yale Hotel by airspace parcel subdivision;

Sale of Street

- (vi) the owner shall enter into a purchase and sale agreement to purchase a portion of street (Rolston Crescent) at the southeast corner of Lot A, at a purchase price of \$676,000, and to provide an easement for street purposes in favour of the City which would be extinguished following the completion of construction of the proposed new road layout;

Soils

- (vii) the owner shall do all things and/or enter into such agreements as are deemed appropriate by the Manager of Environmental Protection and the Director of Legal Services, in their discretion, to fulfill the requirements of Section 571(B) of the Vancouver Charter; and

- (viii) (viii) 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 all other applicable conditions imposed by the City or the Ministry of Environment have been satisfied.

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

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

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

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

- B. THAT, the application to amend the Sign By-law, to establish regulations for this CD-1, in accordance with Schedule E to the Sign By-law [assigned Schedule "G1" (DD)], generally as set out in Appendix C to policy report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008, be approved;
- C. 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 to include this Comprehensive Development District in Schedule A as generally set out in Appendix C to policy report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008;
- D. THAT Council designate the Yale Hotel building at 1300 Granville Street, listed in the "B" category on the Vancouver Heritage Register, as a protected heritage property.

FURTHER THAT Council instruct the Director of Legal Services to bring forward for enactment a Heritage Designation By-law.

- E. THAT Council enter into a Heritage Revitalization Agreement for the Yale Hotel Building at 1300 Granville Street, which would secure the long term maintenance and preservation of the building, subject to conditions contained in Appendix B to policy

report "Rezoning at 1300-1336 Granville Street from DD to CD-1, Heritage Revitalization Agreement at 1300 Granville Street, and Single Room Accommodation Permit at 1336 Granville Street" dated July 8, 2008;

THAT Council instruct the Director of Legal Services to bring forward for enactment a Heritage Revitalization Agreement and accompanying by-laws.

FURTHER THAT Council instruct the Director of Legal Services to bring forward side agreements for the timely restoration and protection of the building during the construction process;

- F. THAT Council authorize an exemption for 32 of the 82 SRA-designated units at 1336 Granville Street, know as the Cecil Hotel, from the requirements of the Single Room Accommodation By-law.
- G. THAT Council approve a Single Room Accommodation Conversion/Demolition Permit to allow for the demolition of the remaining 50 SRA-designated units at 1336 Granville Street (Cecil Hotel) and the demolition of 1 unit at 1300 Granville Street (Yale Hotel), on the condition that the owner completes with the upgrading and conveyance of the 43 low-cost housing units located at 1300 Granville Street (Yale Hotel) to the City of Vancouver through an Air Space Parcel as outlined further below in this Report;

FURTHER THAT Council authorize the Director of Legal Services to prepare, execute and register such agreements as necessary, noting that Council approval of these resolutions shall not create any legal rights or obligations and none shall arise until the Purchase and Sale Agreement and all other necessary documentation has been fully executed on terms and conditions to the satisfaction of the Director of Legal Services.

- H. THAT Council approve the entering into of legal agreements by the City related to reciprocal easements, indemnities and other legal obligations appropriate to be implemented in connection with the acquisition and operation of an air space parcel by the City at 1300 Granville Street;

FURTHER THAT Council authorize the Director of Legal Services to execute and deliver on behalf of the City all legal documents required to implement the above, and that all such documents be on terms and conditions satisfactory to the Director of Legal Services.

(CD-1 RZ. - 1300-1336 Granville Street)