



POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: November 3, 2009
Contact: Ian Cooper
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RTS No.: 08408
VanRIMS No.: 08-2000-20
Meeting Date: November 17, 2009

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Rezoning - 1372 Seymour Street

RECOMMENDATION

- A. THAT the application by Onni Development (555 Pacific) Corp. to rezone 1340, 1358, 1364, 1372, and 1376 Seymour Street and 555 Pacific Street - known as 1372 Seymour Street (PID: 015-495-281, 015-495-299, 015-495-639, 014-661-730, 015-495-264, 003-153-606, 003-153-649, 003-153-711, 015-495-213, 015-495-256, 015-495-230): NWD District Lot 541, Plan 210, Block 114 Lots 8 thru 19) from DD (Downtown District) to CD-1 (Comprehensive Development District) be referred to a public hearing, together with:
- (i) draft CD-1 By-law provisions, generally as set out in Appendix A;
 - (ii) plans prepared by Hotson Bakker Boniface Haden Architects, received July 24, 2009, generally as presented in Appendix F; and
 - (iii) the recommendation of the Director of Planning to approve the application, subject to approval conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law for consideration at the public hearing.

- B. THAT, should the application be referred to a Public Hearing, the registered property owner shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner of (a) suitable donor site(s) for the purchase of heritage density as described in this report.
- C. THAT, subject to approval of the rezoning at a public hearing, the Noise Control By-law be amended to include this Comprehensive Development District in Schedule B, 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.

- D. THAT Recommendations A to C 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.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

- Downtown Official Development Plan (DD sub-area 'L1' - maximum FSR 5.0, DD height area 'B' (300 ft. maximum)
- Downtown South Goals and Policies and Downtown South Guidelines
- Metro Core Jobs and Economy Land Use Plan (Potential "Benefit Capacity" in Downtown) that permits Council to consider site-specific rezoning proposals in the Downtown South (DOPD areas L1, L2, M, and N) that increase height limits up to the underside of existing view corridors, subject meeting other city policies, particularly those concerning urban design
- Transfer of Density Policy and Procedure
- Financing Growth Policy.

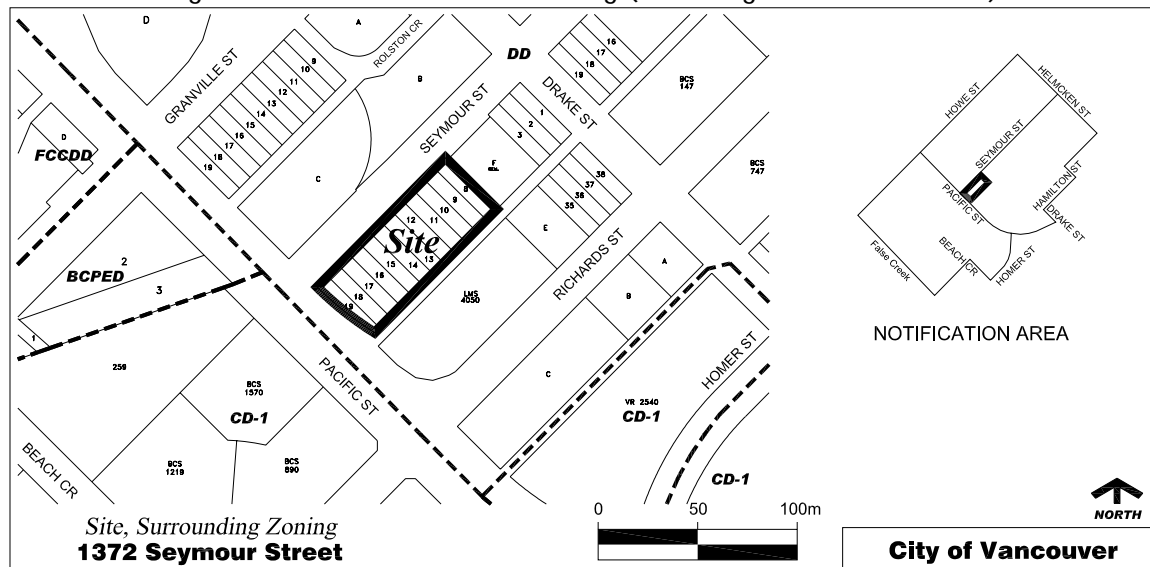
SUMMARY AND PURPOSE

This report assesses an application to rezone the subject site from DD (Downtown District) to CD-1 (Comprehensive Development) District. The application proposes a residential development in the form of a 41 storey tower having a podium of 5 and 7 storeys, with maximum height of 119.7 m (392 ft. 7 inches). A total of 255 dwelling units are proposed, including 7 townhouses at grade. It is noted that the unit count may be revised as the project is refined. Also included are residential amenity space, a 37-space childcare centre and office/multi-use space for the Vancouver Society of Childcare Centres. LEED™ Gold equivalent is proposed.

Rezoning is requested to increase the maximum floor space ratio (FSR) from 5.0 to 7.78. A total floor area of 25 641 m² (276,010 sq. ft.) is proposed on this 3 294 m² (35,457 sq. ft.) site. A small amount of additional floor area (and FSR) has been added to the proposed total to accommodate the floor area occupied by heat pumps that improve the overall energy performance. The revised figures are: 25 752 m² (277,200 sq ft) and 7.82 FSR. A childcare centre is proposed at approximately 446 m² (4,800 sq. ft.) and office/multi-use space of approximately 480 m² (5,165 sq. ft.) in area is also proposed.

Staff assessment of this rezoning application has concluded that the application is supported. Staff recommend that the application be referred to a public hearing, and be approved subject to conditions.

Figure 1. Site and Surround Zoning (including Notification Area)



DISCUSSION

Background - Development Application History

This site was the subject of a Development Permit application earlier this year. At that time, the applicant proposed a 35-storey tower which adhered to the Downtown District (DD) zoning regulations. Through the course of that previous application, the Development Permit Board approved that development concept in principle, which included a density bonus and amenities - specifically a 37 space childcare facility, a 5,165 sq. ft. shell space for a family development centre and a cash contribution for construction costs - that had been approved by Council on July 9, 2009.

Subsequent to the processing and approval of that Development Permit application, the applicant has revised the development concept. The proposal that is the subject of this report is a 41-storey tower having a podium of 5 and 7 storeys, with maximum height of 119.7 m (392 ft., 7 in.), containing a total of 255 dwelling units. A residential amenity space, a 37-space childcare centre and office/multi-use space for the Vancouver Society of Childcare Centres (VSOCC) is also proposed. The current development proposal triggers a rezoning because of a requested increase to the maximum floor space ratio (FSR) beyond what is permitted in the Downtown District (DD) zoning.

Background - Downtown South Policy Change

As noted, this report deals with an application for rezoning given that the applicant is now proposing a 41-storey residential tower. The additional density and building height requested, follows a recent policy change; the Downtown South Goals and Policies and the Downtown South Guidelines and Metro Core Jobs and Economy Land Use Plan (2008) encourages, through rezonings, increased density and increased height up to the underside of view cones as a means to increase the capacity to accommodate transferred heritage density as well as to have on-site bonusing to support other public objectives such as childcare, cultural facilities, and housing.

In response to the Downtown South Goals and Policies and Downtown South Guidelines and Metro Core Jobs and Economy Land Use Plan, the applicant now proposes a development which increases the FSR from 6.77 FSR to 7.78 and now increased to 7.82 and which proposes a higher tower form. Rezoning to CD-1 is required because the Downtown District's provisions for bonus density would be exceeded and because the tower height exceeds that which can be approved under the existing zoning regulations.

Site and Context

The site is located at the northeast corner of Seymour Street and Pacific Street. The project's Seymour Street frontage faces the off ramp associated with the Seymour Street exit from the Granville Street Bridge.

Significant adjacent development includes:

- (a) 1338 Seymour Street - 11 storey residential social housing project (recently approved DE411958)
- (b) 1321 Richards Street - 12 storey residential social housing project (under construction)
- (c) 501 Pacific Street - "The 501" - 30 storey residential/retail
- (d) 550 Pacific Street - "Aqua at the Park" - 26 storey residential
- (e) 1495 Richards Street - "Azura 2" - 37 storey residential
- (f) 600 Drake Street - "The Drake" - 12 storey residential
- (g) 1255 Seymour Street - "The Elan" - 33 storey residential/retail
- (h) 1238 Seymour Street - "Space" - 22 storey residential.

Land Use

The proposed primary use of the site is residential with a small amount of floor area devoted to the childcare centre and ancillary office/multi-use space. These land uses are currently permitted by the existing DD zoning and are supported. The present zoning provides for choice of use (up to 5.0 FSR which can be all residential).

The existing zoning also permits retail uses limited to at-grade corner locations. The application does not propose retail uses and staff have no objection to the absence of retail uses. It is noted that a 7 800 m² (approximately 85,000 sq. ft.) neighbourhood commercial centre is proposed on the south side of Pacific Street, to include a small grocery store, drug store and other stores or a restaurant as well as offices or retail on the upper storeys of buildings. This proposed shopping area is less than 200 m from the subject site.

Form of Development

The application proposes a 41-storey residential tower with a residential podium of 5 and 7 storeys. Parking is proposed below-grade, with access from a mews on the south part of site. The performance of building siting and massing has been reviewed vis-à-vis setbacks, streetscape, public realm, and liveability for neighbouring development. In response to staff comments and public throughout the review process, the applicant has revised and improved the design of the project to achieve a high level of design compatibility with neighbours and compliance with the area Guidelines.

The location of the tower on the site has maximized the tower's neighbourliness with adjacent development, minimized its shadowing impacts, and addressed privacy and view issues between buildings while improving the tower's overall urban design response. The overlap between the subject tower and the adjacent tower at 501 Pacific Street has been minimized by shaping the building to reduce the length of the façade facing 510 Pacific Street and by shifting the tower location to the north. This revision has increased the views for both buildings with the added benefit of a much reduced western elevation, which improves the passive solar heat function.

In response to concerns from the residents of 501 Pacific Street, a 7-storey podium has been reduced to 5-storeys on the shared lane and this improves light and view conditions. The development proposal includes a courtyard area between the podium elements on Seymour Street and the lane. With the tower location at the northern edge of the site, the courtyard is of a size that provides appropriate scale and open space, which is consistent with the Downtown South Guidelines. The courtyard has been designed as a contemplative area where water, grass, and bamboo are being utilized to dampen the visual and acoustical challenges one faces in an urban setting. Grassed areas with a sloping path create smaller areas with dedicated bench seating. The landscaped roof above the office use which the Vancouver Society of Childcare Centres will occupy is a shared outdoor green space while the roof area over the north podium structure is dedicated to the unit directly below.

The proposed tower form on this site and its siting are consistent with the pattern of high-rise development in the surrounding area and generally satisfy relevant urban design guidelines, thereby addressing privacy and liveability expectations. The proposed tower floor plate will be 6,630 sq. ft. A minimum tower separation of 24.4 m (80 ft.) has been achieved.

A total building height of the building is 119.7 m (392 ft. 7 in.) is proposed. This height exceeds the DD zoning limit of 91.4 m, (300 ft.), and it takes the building height up to the underside of the applicable view cone. This 41-storey rezoning development proposal was reviewed by the Urban Design Panel on October 7, 2009 and was supported unanimously.

Staff support the proposed form of development and recommend that it be approved, subject to conditions. (See draft By-law provisions in Appendix A and design development conditions in Appendix B.)

Density

A total floor area of 25 641 m² (276,010 sq. ft.) is proposed in this development, with a Floor Space Ratio (FSR) of 7.78 on a gross site area of 3 294 m² (35,457 sq. ft.) before dedications. The increase in FSR is comprised entirely of residential floor area. The urban design assessment concluded that the proposed additional floor area can be accommodated within

the development proposed on the site. Accordingly, staff support the proposed increase in density from FSR 5.00 to 7.78 and have increased it to 7.82 FSR and 25 752 m² (277,200 sq. ft.) to serve the purpose of accommodating heat pump systems located within the suites - relating to the building's overall energy performance.

It is noted that the daycare facility and the VSOCC office/multi-use space are not included in the overall FSR figure consistent with Section 6 of the DD zoning. The childcare centre is proposed at approximately 446 m² (4,800 sq. ft.) and the ancillary office/multi-use space is approximately 480 m² (5,165 sq. ft.).

Parking, Loading, and Circulation

A total of 317 parking spaces are proposed in a 4 level underground parking garage. The amount of parking proposed meets and exceeds the by-law standards. Dedicated parking is provided for the day care and the VSOCC space and 3 car-share spaces are also provided.

The parking entry is located at the northerly end of the site away from the street entrances to the lane which will minimize turning conflicts and confusion. With respect to overall traffic generation, the street and lane system has been determined to be sufficient to support development anticipated in the area.

Sustainability

The City's Green Building Strategy seeks to reduce the impacts of buildings on the local environment and global climate change. The strategy is in evolution and will eventually have several implementation measures, including Vancouver Building By-law amendments, to ensure that mid- and high-density residential, mixed-use, commercial and industrial developments will reach at least the equivalent of LEED™ (Leadership in Energy and Environmental Design) Silver certification. In this context, rezoning applicants are strongly encouraged to utilize sustainability principles and to submit a preliminary LEED™ scorecard for their proposed development.

The proposal is pursuing a LEED™ Gold equivalent and it includes a number of enhanced building performance and livability features. These include a tower configuration such that the narrowest façade is oriented due west, solar collection on the roof, and screen elements including building elements to reduce solar gain (such as large overhang balconies, movable screens and shade screens). Other elements to manage water resources are roof top gardens and rainwater collection. In addition heat pump systems have been located within the suites that improve the building's overall energy performance, resulting in an increased floor area and FSR calculation but no increase in building volume.

Public Input

On September 24, 2009 a rezoning information sign was erected on the site advising of the subject rezoning application. No responses to the rezoning notice have been received. Staff recognize, however, that local residents had responded to the notification associated with the previous Development Permit application this past spring. Those respondents had previously raised concerns about the proposed density and height, the tower being too close to Pacific Boulevard, traffic generation resulting from the increased density and the scale of lane-side podium structure and its impact on the utility of the neighbour's outdoor pool and

deck. The concerns that had been previously expressed have been addressed in this application for rezoning as follows.

Density, Height and Tower Position

The Downtown Official Development Plan (DODP) and Guidelines for this site, located within the New Yaletown sub-area of Downtown South, anticipate the incremental development of this area from low density mixed character into a high density residential neighbourhood. Generally, two towers on each block frontage can be expected as this area transitions. In addition, the DODP and Guidelines anticipated that additional density could be considered where public amenities are provided.

As previously noted, the proposed tower is located as far north as possible, thereby maximizing the distance between it and Pacific Boulevard. In addition, the configuration of the tower is such that the separation between the subject tower and its neighbour (501 Pacific Boulevard) is in keeping with that contemplated in the Guidelines.

Setback from Pacific Boulevard

A setback of 3.66 m from Pacific Boulevard is proposed and this is consistent with the setback of the neighbouring development at 501 Pacific Boulevard. The setback is the minimum recommended within the Downtown South Guidelines.

Traffic Generation

Staff have reviewed the traffic implications of the proposal and have concluded that the proposal is designed appropriately with the parking entry at the northerly end of the site and away from the street entrances to the lane. With the proposed configuration, turning conflicts and confusion will be minimized. With respect to overall traffic generation, the street and lane system has been determined to be sufficient to support the amount of development proposed.

Lane Side Podium

The Downtown South Guidelines seek a strong sense of enclosure along streets, with a minimum podium building height of 30 ft. and a maximum height of 70 ft. This application proposes a podium of 5-storeys and staff are satisfied that provides an appropriate scale for development immediately adjacent to the public streets in this area.

PUBLIC BENEFITS

This application offers the following public benefits:

Heritage Density Transfer

The applicant is offering to purchase a total of 17,730 sq. ft. of Heritage Density to be transferred to the subject site with an estimated value of \$1,152,450 and to purchase an additional \$2,340,000 of Heritage density (36,000 sq. ft.) to be transferred to the site.

Community Amenity Contribution (CAC)

The City’s Financing Growth Policy anticipates community amenity contributions arising from applications to rezone, to mitigate the impacts of rezoning. The following are proposed:

- a fully furnished, equipped and supplied licensed group childcare facility, including outdoor play area and required parking;
- approximately 480 m² (5,165 sq. ft.) of indoor shell space suitable for a multi-use family development/ancillary office facility and a minimum of \$738,000 to finish it, and five parking spaces;
- a \$2,055,315 cash contribution for amenity conservation and fit-out of the multi-use space. (The City would then pay the developer \$2,082,500 from the Downtown South Development Cost Levy Reserve Fund - Daycare Allocation).

Public Art

The Public Art Program requires that large rezonings involving developments in excess of 9 290 m² (100,000 sq. ft.), allocate a portion of their construction budgets to public art as a condition of rezoning. The rate that was in effect when the rezoning application was made in 2009 is \$1.81 per square foot and has been applied to the increase in floor area. A Public Art budget of \$65,160 can be anticipated based on 6 floors, 6,000 sq. ft. per floor at a rate of \$1.81 per square foot.

The density increases and public amenities for this rezoning are summarized in the following table.

1372 Seymour Street Public Benefits Calculation table

	FSR	Relevant Floor area (sq. ft.)	Developer Contribution or Expense
DD Zoning	5.00	177,280	
Community Amenity	1.27		
- fully fitted out childcare 37 spaces in 4800 sq ft			
- VSOCC shell space - 5165 sq ft			
- cash contribution			\$2,055,315
<i>City payment to developer from Downtown South Development Cost Levy Reserve Fund \$2,082,500</i>			
Rezoning	1.01	35,810	
VSOCC fit-out as CAC			\$738,000
Rezoning Heritage Density Transfer 1		36,000	Valued at \$2,340,000
Rezoning Heritage Density Transfer 2	0.50	17,730	Valued at \$1,152,450
FSR Total	7.78		
Public Art at \$1.81 per square foot		36,000	\$65,160

Note: the increase to 7.82 FSR to accommodate heat pump systems located within the suites relating to the building’s overall energy performance does not affect public benefits calculation

Development Cost Levies

Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing), and various engineering infrastructure. The site is located in the Downtown South DCL area where the current rate is \$139.93/m² (\$13.00/sq. ft.). On this basis, DCLs of \$3,588,078 are anticipated, and are to be collected prior to building (BU) permit issuance.

FINANCIAL IMPLICATIONS

Approval of the report recommendations will have no financial implications with respect to the City's operating expenditures, fees, or staffing.

SOCIAL IMPLICATIONS

Council policy and practice has been to seek non-profit uses for amenities which encourage a diversity of cultural, social and recreational uses in the downtown. The demand for childcare far exceeds supply, including in the downtown core, with long wait lists for existing spaces. The new facility will provide 37 additional licensed childcare spaces, including 12 toddler spaces and 25 spaces for children ages three to five years. Moreover, the opportunity to achieve multi-purpose space in the downtown area will address an outstanding deficit that has hampered the ability of residents and the non-profit community to offer health enhancing and capacity building programs. The additional CAC to equip and furnish this space offered through the rezoning is an additional benefit to the City.

CONCLUSION

This rezoning application proposes a 41-storey residential building consisting of a residential tower and podium of 5 and 7 storeys. The proposed height responds to a recent City-initiated policy change in Downtown South that allows for building height increases up to the view cone height limits when urban design issues are fully resolved, in order to generate needed amenities for the community and support growth. The rezoning proposal builds on an earlier very similar Development Permit proposal primarily by adding 6 floors and their associated floor area to the tower and by proposing additional public benefits.

It is staff's view and that of the Urban Design Panel that the rezoning proposal appropriately responds to the applicable policies and Guidelines for the Downtown South area and meets the tests of good urban design. This application provides public benefits in the form of a 37 space Child Care Facility, an office/multi-use space to for the Vancouver Society of Childcare Centres, including \$738,000 for its equipping and fitting-out as well as the transfer of Heritage Density valued in excess of \$3.5 million.

The Director of Planning recommends that the application be referred to public hearing, together with a draft CD-1 By-law as generally shown in Appendix A and that these be approved, subject to the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown plans included as Appendix G.

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1372 Seymour Street
DRAFT CD-1 BY-LAW PROVISIONS

Note: A draft By-law will be prepared generally in accordance with the provisions listed below, which are subject to change and refinement prior to posting to the satisfaction of the Director of Legal Services.

1 Uses

- (a) Dwelling Uses limited to Multiple Dwellings;
- (b) Institutional Uses limited to a Child Day Care Facility and ancillary office, training, and parenting space related to the provision of child care; and
- (c) Accessory uses customarily ancillary to the above uses.

2 Conditions of Use

Dwelling Uses are a permissible use only if the development includes:

- (a) the provision of a child day care facility licensed under the Community Care Facility Act of British Columbia consisting of:
 - (i) 37 childcare spaces;
 - (ii) at least 446 m²;
 - (iii) adjacent outdoor space of 450 m² more or less;
- (b) ancillary office, training, and parenting space related to the provision of child care comprising not less than 480 m².

3 Density and Floor Area

3.1 The floor space ratio must not exceed 7.82;

- (a) The childcare centre and ancillary office, training and parenting space is excluded from the floor area calculation for the purposes of this by-law;

3.2 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) in the case of dwelling uses, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for

decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

3.3 Computation of floor area must exclude:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed 8 percent of the residential floor area being provided;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (d) the floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the base surface;
- (e) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m and to which there is no permanent means of access other than a hatch;
- (f) residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (g) amenity areas accessory to residential use, provided that the total area excluded does not exceed 936 m² (10,178 sq. ft.); and
- (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.

3.4 Computation of area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed 8 percent of the residential floor area being provided; and
 - (ii) no more than 50 percent of the excluded balcony floor area may be enclosed;
- (b) windows recessed into the building face to a maximum depth of 160 mm, except that the Director of Planning may allow a greater depth in cases where it improves building character; and
- (c) unenclosed outdoor areas at grade level underneath tower building overhangs, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and provided that the total area of all overhang exclusions does not exceed 1 percent of the residential floor area being provided.

4 Height

- The maximum height of a building measured above the base surface is 119.7m.

5 Setbacks

The setback of a building must be at least:

- Front yard: 5.15 m.;
- Side yard - Pacific Street: 3.66 m.;
- Side yard - north side of site: no setback; and
- Rear yard: no setback.

6 Parking, Loading and Bicycle Parking

Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Parking By-law, including those concerning exemption, relaxation, and mixed-use reduction, except for the following:

a) Parking standards for Residential including live-work

- Minimum parking - One space per 140 m² of GFA or one space per unit, whichever is less
- Maximum Parking

Type	Maximum Parking
Studio	0.5 spaces per unit
One Bedroom	1 space per unit
Two Bedroom or more	2 spaces per unit

- Maximum small car space ratio must not exceed 34% of the total parking provided AND a minimum of 3 car-sharing vehicles and spaces must be provided.

b) Parking for Daycare and Office/Multi-use Space

- Daycare - minimum 7 spaces
- office/multi-use space - minimum - 5 spaces.

7 Acoustics

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 the 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

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1372 Seymour Street
PROPOSED CONDITIONS OF APPROVAL

Note: These are draft conditions which are subject to change and refinement by staff prior to the finalization of the agenda for the Public Hearing to the satisfaction of the Director of Legal Services.

PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Hotson Bakker Boniface Haden Architects and Urbanistes, and stamped "Received City Planning Department, July 24, 2009", 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:

Design Development

- (i) design development to further refine the exterior facade components of the tower to more clearly articulate the elements contributing to the high quality design as well as the building's sustainability performance in achieving LEED gold equivalency provided there are at least 3 optimize energy performance points, 1 water efficiency point and 1 storm water point;

Note to applicant: Consideration of judicious use of colour is suggested. Detailed large scale (1:50) typical wall sections and elevations for tower and podium, illustrating components of the external features such as movable screens and sun shades are required.

- (ii) design development to the podium courtyard facades to improve their overall visual quality with enhanced material treatments and articulation;
- (iii) design development to the podium lane elevation to reduce its blank wall appearance, through the introduction of glazing, high quality material treatment and setting back or further sculpting of the zero setback portions at the uppermost floor;
- (iv) design development to further refine the public realm interface along the Seymour Street frontage to improve privacy between townhouse units by adjusting the individual townhouse entries / stairs, and landscaping, including minimizing the heights of walls;

Note to applicant: Provision of large scale (1:50) detailed architectural drawings including elevations of a typical townhouse unit and the daycare frontage

illustrating the public realm interface and the proposed material treatments, heights of walls, railings, lighting, etc.

- (v) consideration to simplifying and strengthening the architectural expression of extended curtain wall and roof canopy as skyline elements;

Note to applicant: These two elements appear to compete with each other. Consider one of the elements as the more dominant feature;

- (vi) provide details of curtain wall glazing and solar panels that project into the view cone;
- (vii) design development to locate, integrate and fully screen any emergency generator, exhaust or intake ventilation, electrical substation and gas meters in a manner that minimizes their visual and acoustic impact on the building's open space and the Public Realm;
- (viii) provision of written confirmation on the drawings that:
 - 1) the acoustical measures will be incorporated into the final design, based on the consultant's recommendations,
 - 2) effective acoustic separation will be provided between the commercial/office and residential portions of the building; and,
 - 3) mechanical (ventilators, generators, compactors and exhaust systems) will be designed and located to minimize the noise impact on the neighbourhood and to comply with Noise By-law #6555;

- (ix) clarification of the material treatment and heights of the various walls proposed within the porte-cochere and loading area;

Note to applicant: Provision of detailed large scale (1:50) sections and elevations are required. Further design development may be required to reduce the height and length of some of the proposed walls taking into consideration CPTED principles. The loading zone also appears to be compromised by the height of adjacent walls;

- (x) design development to reduce the green wall's length to respect the required rear yard setback of 3.05 m while maintaining security between the play area and the adjacent development;
- (xi) provision of confirmation that the in-suite mechanical spaces (maximum area of 4 sq. ft. per dwelling unit) are for the purposes of accommodating mechanical equipment as part of the building's enhanced energy system;

Note to applicant: Consideration of additional floor area within the suites is for the purposes of accommodating mechanical equipment such as heat pumps associated with a geothermal heating system or another alternate system that provides equal or better energy performance.

Landscape Design

- (xii) provision of a fully labeled Landscape Plan, Sections and Details;

Note to Applicant: The Landscape Plan submission is not complete. Plant List to identify proposed plantings, and keyed to the Landscape Plan, is missing. Labels and grading information are missing from the landscape drawings. The graphic symbols used to identify soft and hard landscape areas on L1.1 are confusing and should be clarified. Suggest enlarging the Site Plan to 1/8"=1'-0" scale. Ramp walls at the Daycare entry need to be more clearly labeled, with grading information indicated on the plans.

- (xiii) further design development to the landscaping of the public realm interface of the residential townhouse units on Seymour Street:
- 1) improve visual connections to the street;
 - 2) reduce the amount of proposed paving within the garden setback;
 - 3) improve livability of the front units;

Note to Applicant: This may require some adjustment to the inner row of street trees (see also Condition 1.4, page 2 of report). Consult with Eileen Curran, Street Trees, phone: 604.871.6131, about tree locations.

- (xiv) improve landscape separation between front patios facing Seymour Street (from PDA Condition A.1.17 prior to letter September 25, 2009) by providing greenery in the form of evergreen hedging or vines on durable trellises within planters and illustrated on the Landscape Plan;

- (xv) provision of lawn between the inner row of trees;

Note to Applicant: Provide lawn within the inner row of trees to wrap the corner of Seymour Street and Pacific Street and extend to meet the east edge of the second street tree on Pacific Street;

- (xvi) illustration to confirm the location and root ball circumference of proposed trees located above or immediately beside underground parking structures on the Architectural and the Landscape Plans;

Note to Applicant: Provide dashed lines on the P1 plan with note saying "proposed tree above: refer to Ground Floor Plan and Landscape Plan and Section drawings". This is to ensure that trees planted (or retained) above or immediately beside underground parkades will survive and thrive. The section should detail how the parkade roof slab is depressed/angled back to accommodate 3-4' of tree soil depth;

- (xvii) label the tool storage location for the 8th Floor Landscaped common amenity deck on the landscape drawings;

- (xviii) provision of dimensioned illustration details at ¼"=1'-0" scale of proposed landscape feature areas and elements including planters, trellising, privacy screens, gates, benches, water features;
- (xix) design consideration of the street tree selection for Seymour Street to provide trees at the north end of Seymour Street with a more transparent canopy in response to Urban Design Panel comments and to the satisfaction of the Park Board Arborist;

Note to Applicant: New street trees to be provided adjacent to the development site and illustrated on the Landscape Plan, to be confirmed prior to issuance of the BU. Consult with Amit Gandha, Park Board, phone: 604.257.8587.

- (xx) provision of a written landscape design rationale including description of proposed landscape elements and their sustainability features;
- (xxi) design development to retain healthy trees located outside the building envelope;
- (xxii) provision of vine pockets on the wall on the lane;

Social Planning

- (xxiii) design development required to improve the functional layout of the childcare space on level one and to demonstrate that the ancillary space program requirements can be met on level two;

Note to Applicant: As per the e-mail of March 19, 2009 and annotated drawings, particular attention must be given to the toddler side of the childcare space and that stroller storage for both parent and program must be accommodated on site.

- (xxiv) design development of the daycare landscape concept required;

Note to Applicant: show on the landscape concept the location of trike paths, surface materials to be used, how play structure will fit into slope, and a plant list.

- (xxv) confirmation that Community Care Facilities Licensing has reviewed the drawings and have approved to licensing specifications;

Engineering

- (xxvi) arrangements shall be made to the satisfaction of the General Manager of Engineering Services for the provision of:
 - 1) new curb, sidewalk, street trees along the Pacific Street and Seymour Street frontage; and

- 2) relocation of curb, sidewalk, paint lines, signage and any effected utilities (including poles, signals and hydrants) along the eastern side of Seymour Street from and including the curb returns at Pacific Street to points approximately 50m north of Pacific;

Note to applicant: A separate application shall be made for any work on City Street, please contact Kevin Cavell at 604.873.7773 for more information.

- (xxvii) deletion of the small corner-cut at the southwest corner of the site indicated on the applicant's drawings, shown running from the existing Seymour Street property line to the ultimate Pacific Street property line;

Note to Applicant: As a result of the 5 ft. (1.524 m) dedication along Seymour Street, the corner cut is no longer required.

- (xxviii) arrangements shall be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the registration of a Bridge Proximity Agreement over the entire development site;

Note to Applicant: Contact Dane Doleman, Structures Engineer, at 604.871.6930 for details.

- (xxix) provision of additional parking stall width, as per the Parking By-Law, for parking spaces adjacent walls or adjacent to columns which are set back greater than 4 ft. from the end of the space;

Note to Applicant: Examples of some spaces requiring additional width are daycare drop off space 3, small car spaces 19/20, 22/23, 25/26, and 28/29.

- (xxx) provision of corner cuts through the inside radius at all corners on P1 to P3 to provide adequate radii for continuous two way traffic flow where 200 or more vehicles are being served;

Note to Applicant: Refer to parking design supplement under "Ramp Widths" for details. Relocation of columns may be necessary.

- (xxxii) provision on drawings of design elevations on both sides of all parking ramps at all breakpoints, and the length of each ramp at the specified slope;

Note to Applicant: Provide elevations on plans and section drawings.

- (xxxiii) provision of correct design grades on plans;

- (xxxiiii) provision of Downtown South public realm treatment adjacent the site;

Note to applicant: The landscape plans appear to show only tree grate treatments as per the Downtown South Public Realm. Sidewalk leaf stamping pattern should also be referenced on the landscape plans. Pacific Street frontage is to reflect the North False Creek/Concord treatments. Forward a

separate copy of the landscape plan directly to Engineering Services for review. Note a demarcation by way of a full construction joint is to be provided in the public sidewalk at the property lines.

- (xxxiv) modify location of Class B bicycle parking spaces to either the front entrance on Seymour Street or inside the courtyard beyond the security gate near the rear building entrance. Current location is not accessible when a vehicle is in the loading bay;

Note to applicant: L 1.2 shows bike rack in different location (item 12).

- (xxxv) confirmation and notation on drawings that a remote control device will be used for access into parking;
- (xxxvi) clarify if a wall or only a low curb is adjacent the loading bay. If a wall is planned then consider the provision of additional loading bay width to improve access into and out of the loading space;

Note: The single loading bay design does not appear to provide any room for a driver to walk beside the truck to get to rear for loading.

- (xxxvii) provision of improved wheelchair access from handicapped parking spaces to elevators.

Note to Applicant: Proposed design shows stairs and no wheelchair ramp.

Landscape Comments for Public Property

- (xxxviii) structural growing medium shall be installed under all sidewalks on both Seymour Street and Pacific Street;
- (xxxix) a continuous street trench shall be provided for street tree plantings in the grass boulevards;
- (xxxx) all property lines on the landscape drawing L1.1 should be labeled;
- (xxxxi) a construction joint or separation should be provided along the property lines clearly allowing for a separation of the sidewalk between public and private property.

PROPOSED CONDITIONS OF BY-LAW ENACTMENT

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

Engineering

- (i) site consolidation of Lots 8 to 19;

- (ii) dedication of the West 5 ft. (1.524 m) of the site for road purposes (not the width of 1.525 m as indicated on the applicant's drawings;
- (iii) dedication of a southerly portion of the site along Pacific Street, measured 1.3 metres north of and parallel to the original south property line of Lot 19 (according to Plan 210), to intersect with the current, curved south property line of that Lot. (including the provisions set out in a letter dated May 6/2009 to Onni Group of Companies);
- (iv) release of Easement & Indemnity Agreement 119307M (commercial crossing agreement) prior to building occupancy;
- (v) upgrading of the existing 375 mm sanitary sewer on Pacific from Seymour to the lane east of Seymour and upgrading of the existing 300 mm sanitary sewer on Pacific from the lane east of Seymour to Richards, fully at the applicants expense;
- (vi) provision of street improvements on both sides of Seymour Street as noted:
 - 1) West side of Seymour Street from Pacific north approximately 50 meters.
 - 2) East side of Seymour Street adjacent the site.

Street work on both sides of Seymour to include new or adjusted curb and gutter, pavement, utility relocations, sidewalks, landscaping, signage and other related works all necessary to allow for the curb relocations including the provision of new landscaping on the west side of Seymour in the enlarged boulevard area.

- (vii) provision of car-share automobiles as prescribed in the parking standards for this CD-1 by-law and Car-sharing vehicles must be managed by a professional car-sharing organization and must be located in area accessible to all members of that car-sharing organization 24 hours a day, 7 days a week, who do not reside in the development;
- (viii) 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;

Heritage Density Transfer

- (ix) secure the purchase and transfer of 17,730 sq. ft. of heritage density to the site at 1372 Seymour Street from a suitable donor site or sites, on terms and conditions suitable to the Director of Legal Services;

Note: This reflects the density bonus provision of DE412219.

- (x) secure the purchase and transfer \$2,340,000 of heritage density to the site at 1372 Seymour Street from a suitable donor site or sites, on terms and conditions suitable to the Director of Legal Services;

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

Community Amenity Contribution

- (xi) design, construct, fit, finish, equip, furnish and supply a 37 space childcare facility of not less than 4,800 square feet of at grade indoor space with adjacent 4,850 square feet of outdoor play space and 7 dedicated parking stalls;
- (xii) design and construct not less than 5,165 square feet of shell space for a family development centre and offices and, at a cost of at least \$738,000, fit and finish the shell space. This space shall be located immediately above the childcare facility and shall have 5 dedicated parking stalls;
- (xiii) at completion the childcare facility and the family development centre and offices will be leased to the City at nominal rent for the life of the building;
- (xiv) construction and completion of the childcare facility and the family development centre and offices will be secured by a section 219 covenant and the City's lease will be secured by an option to lease;
- (xv) provide the City a cash contribution of \$2,055,315. This contribution shall be set off against the City's payment to the Owner of \$2,082,500 from the Downtown South Development Cost Levy Reserve Fund. The City's payment to the Owner shall be applied to the childcare facility construction costs. The set off shall take effect upon registration of the lease to the City of the childcare facility, family development centre and offices with the City paying the difference of \$27,185;

All the work for, furnishing and supplying of the childcare space will meet the requirements of the City of Vancouver Childcare Design Guidelines and Childcare Technical Guidelines and will be to the satisfaction of the City's Managing Director of Social Development, the City's Director of Facilities Design and Management and the Regional Manager of Community Care Facilities Licensing.

All work for the family development centre and offices will be to the satisfaction of the Managing Director of Social Development and the Director of Facilities Design and Management.

The agreements will be drawn to the satisfaction of the City's Director of Legal Services in consultation with the Managing Director of Social Development and the Director of Facilities Design and Management.

The 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 content satisfactory to, the Director of Legal Services.

The agreements are to be registered in the 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 to the Director of Legal Services prior to enactment of the by-law.

Soils

- (xvi) 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; and
- (xvii) 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.

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; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, 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, 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.

* * * * *

URBAN DESIGN ANALYSIS

The proposal is fundamentally the same as that reviewed, recommended and approved by the Development Permit Board as DE 412219.

The proposed tower presents a strong urban design response for this gateway site into the downtown peninsula. The project presents a dynamic and interesting tower form as seen from the Granville Street Bridge, especially with the prow oriented to be on axis with the bridge off-ramp. Through this rezoning process, the addition of six floors, up to the underside of the Queen Elizabeth view cone (3.2.1) has further strengthened and enhanced the architecture of the building and its urban design response as a gateway site.

The shaping and positioning of the tower has been positioned to respect the views cones (Laurel Landbridge to the Lions and the Charleson Seawall to the Lions) that pass through at the north end of the site and achieving the tower separation from the recently approved social housing project at 1338 Seymour Street. With respect to the existing neighbouring building, "the 501" at 501 Pacific Boulevard, through the development permit process, significant adjustments were made to improve the tower separation, and where possible minimize shadowing impacts and preserve private views.

As part of this rezoning application the height of the podium, adjacent to the lane shared with "the 501" has been reduced from 7 stories to 5 storeys. In addition, there has been a slight increase in the floor plate on levels eleven through nineteen from 6,500 sq. ft. to 6,630 sq. ft. and the total of the additional floor area is directly resulted from reducing two floors of the podium adjacent to the lane.

Other changes are minor and the project still meets the intent of the applicable policies and Guidelines.

There are two additional comments arising from further review of the rezoning.

There is a very small penetration into the view cone by the curtain glass wall that extends above the parapet. The extension of this building feature, as a highly transparent element, does not impact or diminish the view cone and is considered acceptable

The podium wall along the lane would benefit from the design of "vine pockets" into the surface of the wall to provide locations for the green wall plant material to grow.

* * * * *

ADDITIONAL INFORMATION

This development proposed by this rezoning application is substantially the same as that DE412219 which was reviewed by City staff and reported on and approved by the Development Permit Board at its July 27 2009 meeting, except for the addition of six floors to the apartment tower. The comments of City staff can be found in the report at

<http://vancouver.ca/commsvcs/planning/dpboard/2009/PDF/1372%20Seymour%20Street%20-%20DE412219.pdf>

1. Urban Design Panel:

The Urban Design Panel reviewed this proposal on October 6, 2008, and supported (7-0) the density and form of development.

The minutes are as follows:

EVALUATION: SUPPORT (6-0)

- **Introduction:** Ian Cooper, Rezoning Planner, noted that the Panel had reviewed the application before as a DP. The applicant has applied for a rezoning from DD (Downtown District) to CD-1 (Comprehensive Development) and is requesting an addition of six floors to the tower resulting in a maximum height of 405 feet to the top of the elevator core (392 feet to the top of the parapet). Mr. Cooper also noted that there will be an increase in the FSR from 6.77 to 7.78. There are no land use issues and the residential component, childcare society and childcare facility are permitted under the DD zoning. Mr. Cooper noted that the MetroCore policies permit height increases up to view cones through rezoning to help generate community amenities. Extra community amenities generated through the rezoning including a cash contribution for heritage conservation and the fit-out of the multi-use space for the Vancouver Society of Childcare Centres when only a shell was to be provided previously.
- Anita Molaro, Development Planner, described the history of the application noting that originally the height of the tower was 300 ft. which had been increased through the DE process to 336 ft. The DE was approved by the Development Permit Board on July 27, 2009 subject to a number of design refinements. The applicant has decided to apply for a rezoning to further increase the height up to the underside of the view cone under the downtown capacity policy where a public benefit is offered, such as being a receiver site for transferred heritage density. Other changes from the approved DE proposal, in this rezoning proposal is a slight increase in the floor plate on levels eleven through nineteen from 6,500 sq ft. to 6,630 sq. ft. As well, a reduction of two floors off the podium massing adjacent to the lane is proposed. Ms. Molaro noted that policy work is under way as to whether or not to adjust/modify the view cone policy. She added the UDP will be having a workshop on the view cone issue in an upcoming session.

Advice from the Panel on this application is sought on the following:

- Does the Panel support the additional tower height and subsequent density as proposed within the context of the Downtown Domed Skyline and the draft Granville Bridge gateway concept?

- Comments on the proposed tower with respect to its resolution as a skyline feature, and the potential insertion of the extended glazed element insertion into the view cone.
- Any other comments the Panel may have:
 - a. shadow impacts
 - b. landscaping treatments
 - c. material treatments

Mr. Cooper and Ms. Molaro took questions from the Panel.

- **Applicant's Introductory Comments:** Alan Boniface, Architect, further described the proposal noting that they had moved more area up to the top of the tower from the podium. They have removed two floors from the podium and added six floors to the tower. He also noted that some of the design considerations from the Panel have not been incorporated into the podium as they are awaiting the rezoning decision.

Brady Dunlop, Architect, noted that the landscaping hasn't been touched other than some minor improvements with the relationship to the architecture.

The applicant team took questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - The Panel had no substantial concerns with this proposal.
- **Related Commentary:** The Panel supported the proposal.

The Panel supported the additional height on the tower and thought it made for a more elegant building and that any shadow impacts would be minor. They also thought the glassy element on the roof was a minor intrusion into the skyline although a couple of Panel members were not convinced with the proposed height of the element. A couple of Panel members thought the corner at Pacific Boulevard and the lane needed some improvement but thought reducing the height of the podium made it more successful. One Panel member suggested improving the quality of the stairs noting that they could be a primary access for the residents on levels 3 and lower.

One Panel member was concerned with the featured green wall that it might grow moss rather than plantings. The Panel thought the landscape treatment was supportable and was a high quality response in terms of the hard and soft surfaces. One Panel member had some concerns with the water elements noting that it would be in shade most of the time.

Regarding the LEED™ Gold, one Panel member noted that in order to achieve this performance the project needs to achieve many points on the energy side and was concerned that with the amount of glazing that might be hard to achieve.

- **Applicant's Response:** Mr. Boniface thanked the Panel for their comments stating they would be useful as they move forward with the project.

2. Comments - Social Development Department

The Social Development Department recommended acceptance of a day-care and VSOCC space in return for bonus density in its report to Planning and Environment Committee dated June 25, 2009.

The report can be found at: <http://vancouver.ca/ctyclerk/documents/penv2.pdf>.

Minutes of the July 9, 2009 Planning and Environment Committee meeting can be found at: <http://vancouver.ca/ctyclerk/cclerk/20090709/documents/csbuminutes.pdf>.

Council adopted the recommendations to approve bonus density and in return for the provision of a day-care and VSOCC space at its July 23, 2009 meeting. Minutes of the July 21, 2009 Council meeting can be found at: <http://vancouver.ca/ctyclerk/cclerk/20090721/documents/regu20090721min.pdf>.

On Aug 12, 2009 the Social Development Department recommended acceptance of the offer of 36,000 sq. ft. of heritage density removed from the density bank and \$738,000 to be used to equip and fit out the VSOCC space in addition to the day-care and VSOCC shell space agreed to through approval of DE412219.

3. Comments - General Manager of Engineering Services

The following comments were provided on October 30, 2009”

“This will refer to a request to rezone the property at 1372 Seymour St. from DD to CD-1 to allow for construction of a 41 storey residential tower with 255 units and a daycare facility.

The site has an existing approved development application DE412219). This rezoning allows for an increase in height from 35 storeys to 41 storeys and associated increase in FSR.

Engineering Services has reviewed the application and provides the following for inclusion in your report.

“Engineering Services has no objections to the proposed rezoning provided the following issues can be address prior to by-law enactment.

Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for;

- Site consolidation of Lots 8 to 19.
- Dedication of the West 5 feet (1.524 metres) of the site for road purposes (not the width of 1.525 metres as indicated on the applicant’s drawings).

- Dedication of a southerly portion of the site along Pacific Street, measured 1.3 metres north of and parallel to the original south property line of Lot 19 (according to Plan 210), to intersect with the current, curved south property line of that Lot. (including the provisions set out in a letter dated May 6, 2009 to Onni Group of Companies)
- Release of Easement & Indemnity Agreement 119307M (commercial crossing agreement) prior to building occupancy.
- Upgrading of the existing 375 mm sanitary sewer on Pacific from Seymour to the lane east of Seymour and upgrading of the existing 300 mm sanitary sewer on Pacific from the lane east of Seymour to Richards, fully at the applicants expense.
- Provision of street improvements on both sides of Seymour Street as noted:
 1. West side of Seymour Street from Pacific north approximately 50 meters.
 2. East side of Seymour Street adjacent the site.

Street work on both sides of Seymour to include new or adjusted curb and gutter, pavement, utility relocations, sidewalks, landscaping, signage and other related works all necessary to allow for the curb relocations including the provision of new landscaping on the west side of Seymour in the enlarged boulevard area.

- Provision of car-share automobiles as prescribed in the parking standards for this CD-1 by-law.
- 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 following are to be provisions of By-law enactment;

Parking, loading, and bicycle spaces shall be provided and maintained according to the provisions of the Parking By-law, including those concerning exemption, relaxation, and mixed-use reduction, **except for the following:**

Parking standards for Residential including live-work

- Minimum parking - One space per 140 m² of GFA or one space per unit, whichever is less.

- Maximum Parking -

Type	Maximum Parking
Studio	0.5 spaces per unit
One Bedroom	1 space per unit
Two Bedroom or more	2 spaces per unit

- Maximum small car space ratio must not exceed 25% of the total parking provided.

OR

- Maximum small car space ratio must not exceed 33% of the total parking provided AND a minimum of 3 car-sharing vehicles and spaces must be provided. Car-sharing vehicles must be managed by a professional car-sharing organization and must be located in area accessible to all members of that car-sharing organization 24 hours a day, 7 days a week, who do not reside in the development.

The following design conditions are to be addressed prior to issuance of the related development application.

- Provision of additional parking stall width, as per the Parking By-Law, for parking spaces adjacent walls or adjacent to columns which are set back greater than 4 ft. from the end of the space.

Note to Applicant: examples of some spaces requiring additional width are daycare drop off space 3, small car spaces 19/20, 22/23, 25/26, and 28/29.

- Provision of corner cuts through the inside radius at all corners on P1 to P3 to provide adequate radii for continuous two way traffic flow where 200 or more vehicles are being served.
- Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints as well as the length of ramp at the specified slope.

Note to Applicant: Provide elevations on sections please.

- Modify location of Class B bicycle parking spaces to either the front entrance on Seymour Street or inside the courtyard beyond the security gate near the rear building entrance. Current location is not accessible when a vehicle is in the loading bay.

Note to applicant: L 1.2 shows bike rack in different location (item 12).

- The single loading bay design does not appear to provide any room for a driver to walk beside the truck to get to rear for loading. Clarify if a wall or only a low curb is adjacent the loading bay. If a wall is planned then consider the provision of additional loading bay width to improve access into and out of the loading space.

- Provision of improved wheelchair access from handicapped parking spaces to elevators.

Note to Applicant: Proposed design shows stairs and no wheelchair ramp.

- Provide confirmation and notation on drawings that a remote control device will be used for access into parking.

Landscape Comments for Public Property

- Structural growing medium shall be installed under all sidewalks on both Seymour Street and Pacific Blvd.
- A continuous street trench shall be provided for street tree plantings in the grass boulevards.
- All property lines on the landscape drawing L1.1 should be labeled.
- A construction joint or separation should be provided along the property lines clearly allowing for a separation of the sidewalk between public and private property."

The following is not for inclusion in your report but should be forwarded to the Development Planner and landscape staff for their consideration.

- The applicant should provide two six foot long benches or four suitable chairs for public seating on private property along the Pacific Blvd. public street frontage.
- Parking P1 level should provide an acceptable tree planting zone for trees on private property by angling the front of the concrete slab to provide a tree planting bed for the second row of trees along both Pacific Blvd and Seymour Street. The applicant should provide confirmation and a detail of the tree planting and parkade slab configuration.
- Structural growing medium shall be installed under all sidewalks on both Seymour Street and Pacific Blvd. on both *private* and public property."

The following is for consideration by the Rezoning Planner.

"Please advise if this rezoning application can support a CAC or cash contribution towards pedestrian improvements in the area and/or other improvements to the pedestrian network. Currently there are plans for a future traffic/pedestrian signal at or near Seymour and Pacific and sidewalk needs on Drake Street at nearby connection points to this development. A CAC would be directed towards such improvements but would likely not coincide with project completion."

4. Comments - Landscape Review

Comment received September 24, 2009

This application proposing the rezoning of this site to allow for an increase in building height, should be coordinated with the current Complete Application DE412219, which proposes the development for this site with a 35 storey residential tower with Daycare and approved by the Development Permit Board, with landscape conditions outlined in the prior to letter dated July 29, 2009.

The expectation of City staff is for the landscape conditions as per that prior to letter to remain unchanged

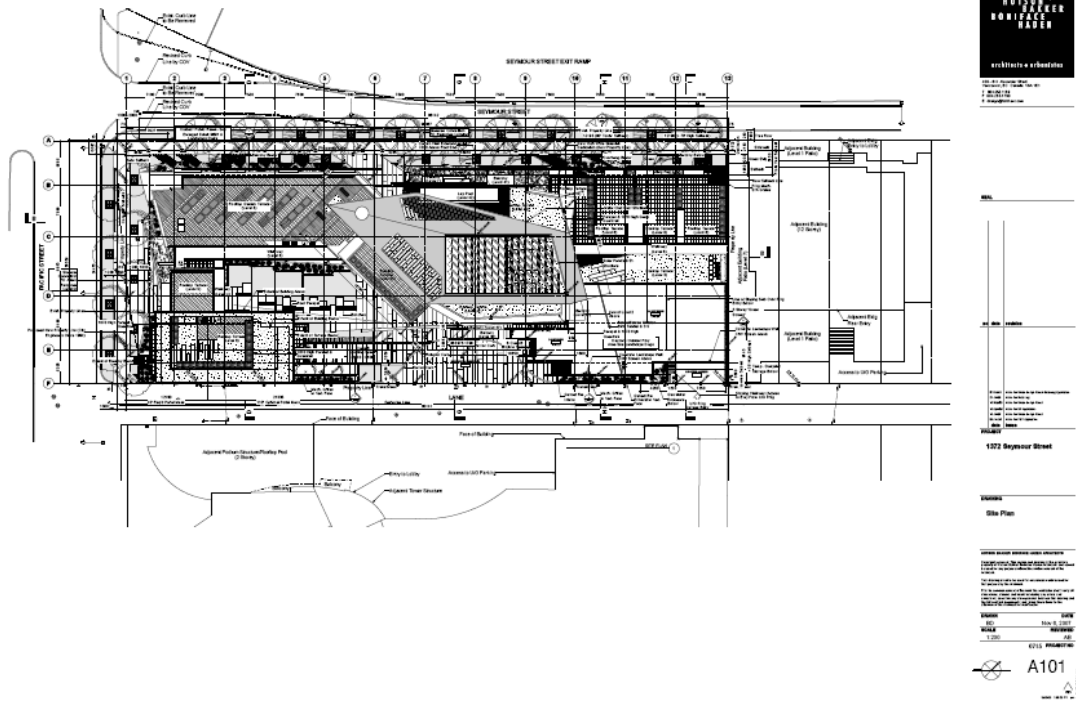
5. Applicant's Comments

The applicant has reviewed this report and agrees with its content and recommendations.

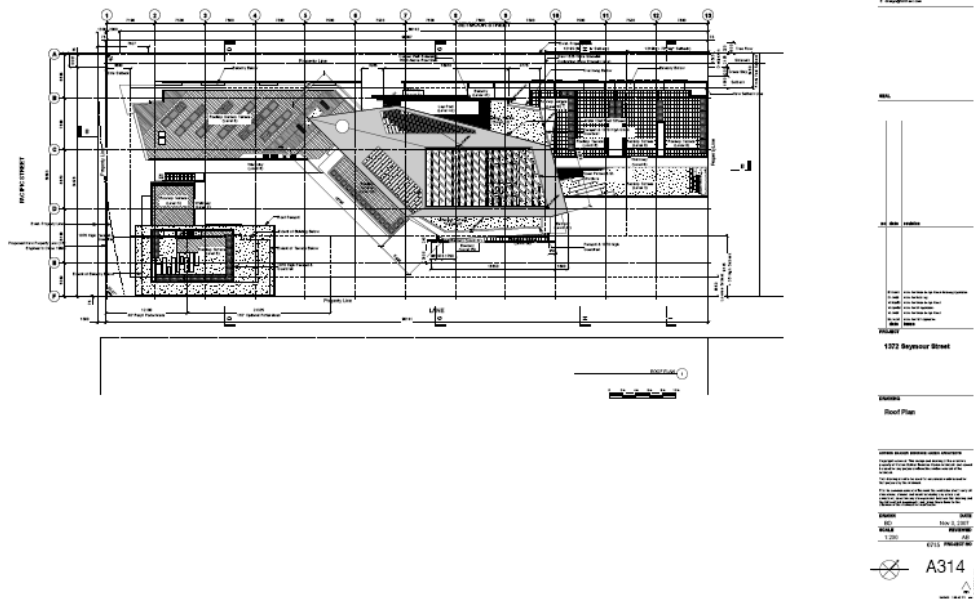
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1372 Seymour Street FORM OF DEVELOPMENT

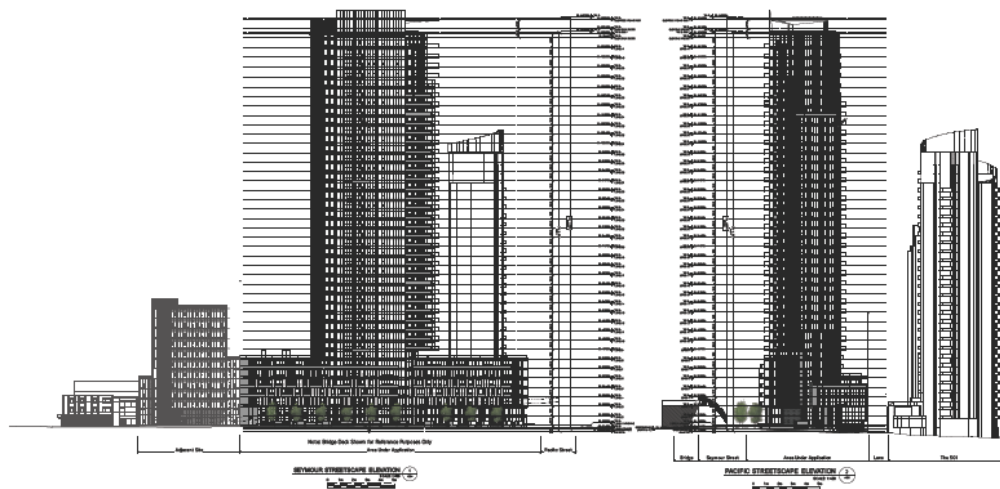
Site Plan



Roof Plan



Elevations

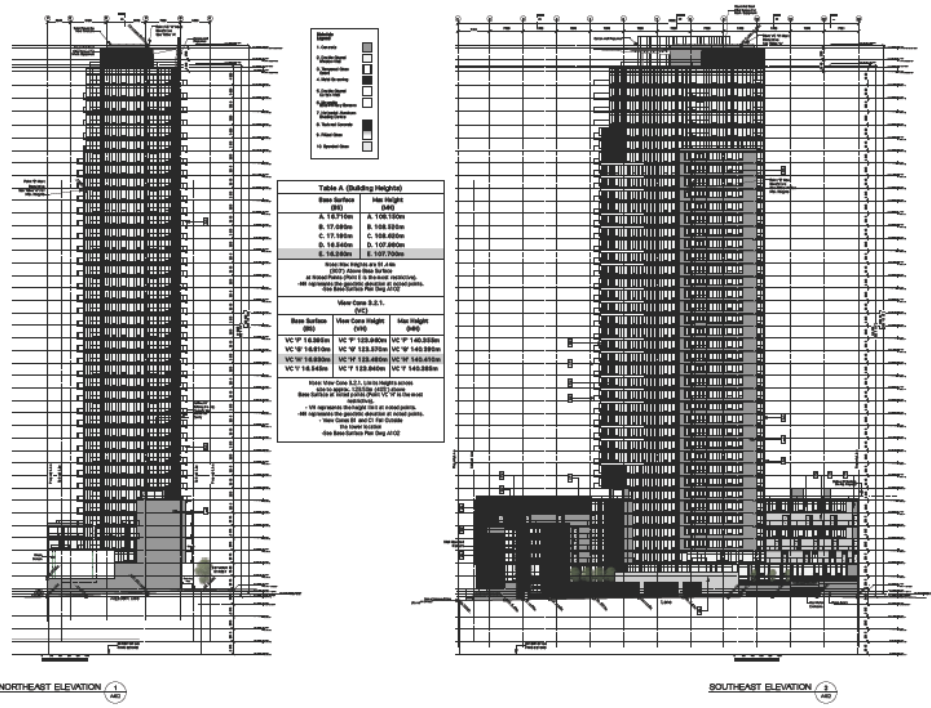


NOTION + PARTNERS
EDWARDS + KELCEY
HADEN
ARCHITECTS + INTERIORS

1973 Superior Street
West Side
Chicago, IL 60607
Phone: (773) 327-1000
Fax: (773) 327-1001
www.notionhaden.com

DATE: 01/20/10
SCALE: 1/8" = 1'-0"
PROJECT: 1973 Superior Street
SHEET: A007

A007



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SHEET: A402

A402

3-D



Brd's Eye View - Context



Brd's Eye View - Looking East



Brd's Eye View - Looking West



HNTSB
KIMLEY-HORN AND ASSOCIATES
HOK

DATE

PROJECT

SCALE

1277 Bayshore Street

Building Massing Studies

PROJECT INFORMATION

A008

1372 Seymour Street
PROJECT INFORMATION

Application Submitted: July 24, 2009
Architect: Hotson Bakker Boniface Haden Architects
Property Owner/Developer: Onni Development (555 Pacific) Corp.

Development Statistics

	PERMITTED (MAXIMUM)	REQUIRED	PROPOSED (DE412219)	PROPOSED (REZONING)
Site Size ¹			90.10m x 36.55m	90.10m x 36.55m
Site Area ¹			3 294 m ²	3 294 m ²
Floor Area ²	Area 'L1' 16 470 m ² Heritage Density Bonus (10%) 1 647 m ² * Amenity Bonus 4 180 m ² Total 22 297 m ²		22 295 m ²	25 640 m ²
FSR ²	Area 'L1' 5.00 Heritage Density Bonus (10%) .50 * Amenity Bonus 1.27 Total 6.77		6.77	7.78
Height ³	91.44 m		Top of mech. Roof 102.6 m Top of storage room on Level 35 99.5 m 35 storeys	Top of Mech. roof 123.4 m Top of parapet 119.7 m 41 storeys
Height at View Cone	38.94 m		Podium 21.47m	Podium 21.47m
Parking	Residential 409 Small Car (25%) 77	Residential 229 Daycare & VSOCC 12 Total 241 Disability 7	Residential 299 Daycare & VSOCC 12 Total 311 Disability 5 Small Car 67 (22%)	Residential 295 Daycare & VSOCC 12 Total 307 Disability 9 Small Car 67 (22%)
Loading		Class B 1	Class B 1	Class B 1
Bicycles ⁴		Class A 319 Class B 6	Class A 304 Class B 6	Class A 298 Class B 6
Amenity	929 m ²		Levels 1 -3, 7 & 8 871 m ² (amenity rooms, fitness room, dining lounge)	Levels 1 -3, 7 & 8 869 m ² (amenity rooms, fitness room, dining lounge)
Balconies	Total 2 051 m ² Enclosed (50% of total) 1 025.5 m ²		Total 1 783.0 m ² Enclosed 300.3 m ²	Total 2 051.0 m ² Enclosed 350.6 m ²
Units			Studio 9 1 bedroom 90 2 bedroom 121 Total 220	Studio 9 1 bedroom 103 2 bedroom 143 Total 255

¹ Note on Site Area and Site Size: The development site consists of 12 separate lots, and lot consolidation will be required.

² Note on Floor Area and FSR: The development is seeking a Heritage Density Transfer of 10% of the maximum permitted floor area from the donor site at 53 W Pender Street as per Section 3.14 of the DD Zone, as well as a further increase in the floor space ratio (FSR) for the provision of the daycare and VSOCC, as per Section 6(II) of the DD Zone. The daycare area plus VSOCC areas amount to 943 m².

* Council approval will be required for both increases in FSR.

Further, the REZONING proposal increases the Floor Area and FSR by an additional 3 345 m² to a total of 25 640 m² (FSR from 6.77 to 7.78).

- ³ **Note on Height:** The development is beyond the maximum permitted height allowed 91.4 m (300 ft.) for this DD zone though the Development Permit Board has the discretion to increase this height to 137.2 m (450 ft.). View cones have been respected for this development.

The REZONING proposal increases the height to provide an additional 6 storeys, to 123.4 m to the top of mechanical roof and 119.7 m to the top of parapet.

- ⁴ **Note on Bicycles:** The REZONING proposal is deficient in bicycle parking and will be required to be met in accordance with the Parking By-law. The ratio of bicycle lockers is deficient, and will be required to be met as well.