



# P3

POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: September 1, 2010  
Contact: Karen Hoese  
Contact No.: 604.871.6403  
RTS No.: 08586  
VanRIMS No.: 08-2000-20  
Meeting Date: September 21, 2010

TO: Vancouver City Council  
FROM: Director of Planning  
SUBJECT: CD-1 Rezoning - 1304 Hornby Street

**RECOMMENDATION**

- A. THAT the application by Concert Properties Ltd., to rezone 1304 Hornby Street (Lot 1, Amended Lots 2 and 3, and Lot 4, Block 111, DL 541, Plan 210, PID: 007-735-561, 007-735-596, 007-735-634, 007-735-651) from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the density from 5.00 to 12.44 FSR to permit construction of a 31-storey residential building with commercial uses at grade, be referred to a Public Hearing, together with:
- (i) plans received February 2, 2010;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
  - (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

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

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

- C. THAT, subject to approval of the rezoning, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C;
- FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.
- D. THAT, should the application be referred to a Public Hearing, the registered property owner shall submit confirmation prior to Public Hearing, in the form of "Letter A", that an agreement has been reached with the registered owner of the proposed donor site (955 Burrard Street, being the "YMCA project") for the purchase of heritage bonus density as described in this report.
- E. THAT Recommendations A through D 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### *CITY MANAGER'S COMMENTS*

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

### *COUNCIL POLICY*

Relevant Council Policies for this site include:

- Central Area Plan (December 3, 1991)
- Downtown Official Development Plan (November 4, 1975)
- Downtown South Guidelines (July 30, 1991; last amended June 10, 2004)
- Downtown South Goals and Policies (May 16, 1991; amended November 4, 1993)
- On October 28, 2008, Council endorsed consideration of site-specific rezonings in the Downtown South up to the height limits imposed by the approved view corridors, subject to full rezoning processing and Public Hearing (see Council report titled "Potential "Benefit Capacity" in Downtown", Recommendation A)
- Transfer of Density Policy and Procedure (January 25, 1983; last amended August 1, 2002)
- Financing Growth Policy (Community Amenity Contributions) (January 20, 1999; last amended February 12, 2004)
- Greener Building Policy for Rezoning (January 20, 2009; last amended July 22, 2010).

**SUMMARY & PURPOSE**

This report assesses an application by Concert Properties Ltd. to rezone the site at 1304 Hornby Street from DD (Downtown) District to CD-1 (Comprehensive Development) District to provide an increase in the overall maximum density from a floor space ratio (FSR) of 5.00 to 12.44, and an increase of the maximum height from 91.4 m (300 ft.) to 94.2 m (309 ft.). The rezoning application proposes construction of a 31-storey residential tower with commercial uses at grade.

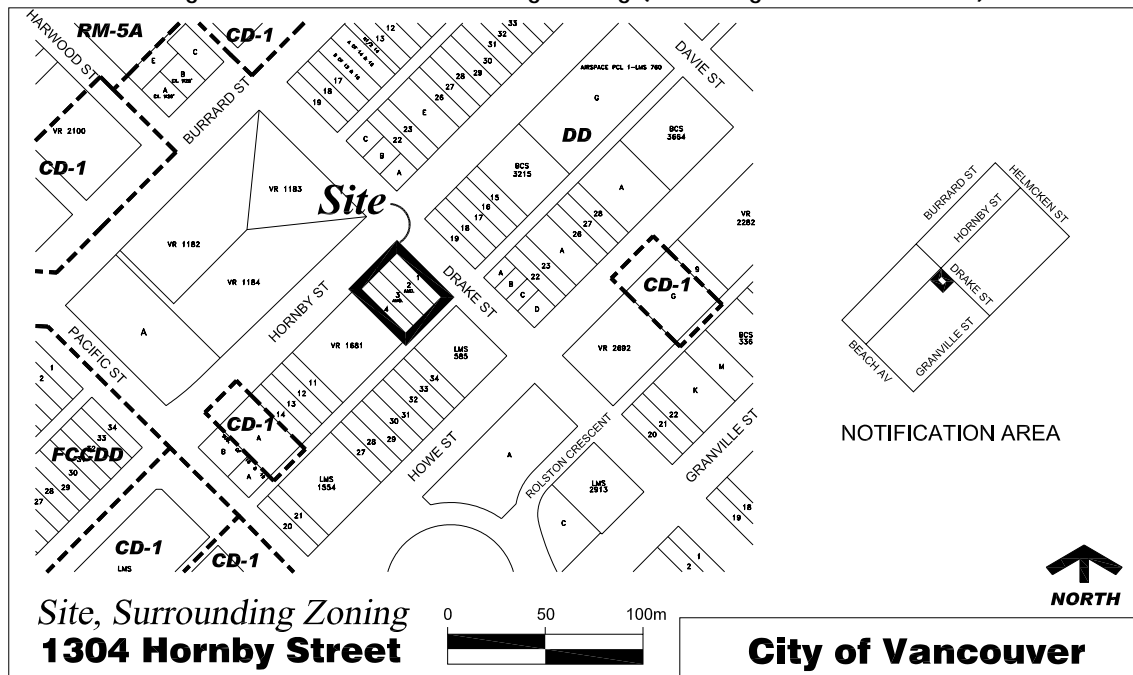
The rezoning application includes a request for a bonus density of 7 732 m<sup>2</sup> (83,226 sq. ft.). The proposed density increase includes a transfer of heritage density from 955 Burrard Street (YMCA site), which has also been developed by Concert Properties Ltd. As part of the rezoning application, the applicant is offering a contribution towards City needs in the area, including public realm and greenway improvements, and daycare capital repairs, to help mitigate the impacts of the rezoning. Staff have assessed the application and conclude that it is supported by Council policy. Staff recommend that it be referred to Public Hearing and be approved subject to conditions.

**DISCUSSION**

**1. Site and Context**

This 1 114.1 m<sup>2</sup> (11,992 sq. ft.) site is situated at the southeast corner of Hornby and Drake streets (see Figure 1 below). The site is comprised of four legal parcels and has 30.5 m (99.9 ft.) of frontage along Hornby Street and 36.6 m (120 ft.) along Drake Street. The site is currently occupied by a two-storey commercial building and a parking lot.

Figure 1: Site and surrounding zoning (including notification area)



Site, Surrounding Zoning  
**1304 Hornby Street**

**City of Vancouver**

The site is located in the Downtown District (DD) and form of development is regulated by the Downtown Official Development Plan (DODP). Development of this site is further informed by the Downtown South Guidelines, which provide direction with regard to urban design and open space. The site is located in the Hornby Slopes sub-area, the policy of which endorses high density residential development, with limited commercial uses.

The blocks surrounding the subject site contain a variety of building types and heights up to 921.4 m (300 ft.). Buildings immediately adjacent to the site include the Viva Tower (17 storeys) across the lane to the east, Anchor Point (8 storeys) across Hornby Street to the west, and Hornby Court (11 storeys) immediately to the south.

## 2. Land Use

The application proposes residential uses with commercial uses at grade. The residential component consists of 193 units, with 130 one-bedroom and 63 two-bedroom units. Three commercial units are proposed at grade. The proposed uses are consistent with the intent of the DODP and guidelines, achieving a primarily residential development with limited ground-level commercial serving local needs and providing pedestrian interest on this corner site.

## 3. Density

Under the existing DODP, in Area "N", the overall density permitted on the site is 5.0 FSR or 5 570.5 m<sup>2</sup> (59,960.0 sq. ft.). As permitted by the DODP, through a transfer of floor space from the heritage density bank, a further ten percent density could be achieved, for a maximum FSR of 5.5 or 6 127.5 m<sup>2</sup> (65,956.0 sq. ft.). This application proposes an increase in density to 12.44 FSR, a total floor area of 13 959.4 m<sup>2</sup> (149,181.7 sq. ft.). Urban design assessment, as summarized below concludes that the proposed floor area can be accommodated on the subject site.

## 4. Form of Development

The application proposes a 31-storey residential tower with three commercial units at street level. Parking is proposed below grade, with access from the lane (see plans in Appendix E and statistics in Appendix F). Staff have evaluated the proposed form of development, including urban design and neighborliness impacts of the building massing beyond that contemplated under the zoning. This included a review of livability and privacy impacts, public and private views, shadowing, response to surrounding public realm, and overall built form "fit" with the surrounding context.

Located within the Downtown South neighborhood, it is anticipated that this area will incrementally evolve from a low density mixed area into a high density residential neighborhood, anticipating generally two towers located within a block frontage. The performance of building siting and massing has been reviewed vis-à-vis setbacks, streetscape, public realm, and livability for neighboring development. In response to staff comments 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 tower siting has maximized the tower's neighborliness 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 proposed tower form on this site and its siting are consistent with the pattern of high-rise development in the surrounding area and it generally satisfies relevant urban design guidelines, addressing privacy and livability expectations. The proposed tower floor plate will be 492.4 m<sup>2</sup> (5,300 sq. ft.), less than the typical tower floor plate of 603.9 m<sup>2</sup> (6,500 sq. ft.) in this area. The tower separation of 21.3 m (70 ft.) between the proposal and the adjacent Viva development is less than the guideline recommendation of 24.4 m (80 ft.) but the building has been shaped and units configured to maximize views through and maintain privacy between the two buildings.

The development proposal includes a courtyard area on the podium between Hornby Street and the lane. With the tower located at the corner of the site, the courtyard location and size is appropriate within this context though its area is less than the guidelines recommend. Staff are recommending improvement to the size and functionality of the private open space.

The total height limit of the building is 94.2 m (309 ft.). While this proposed height marginally exceeds the limit of 91.4 m (300 ft.) for Area N in the DODP, Council direction allows consideration of increased height up to the underside of approved view corridors through rezoning. On this site, a view corridor limits height to 111.6 m (366 ft.). The applicant has chosen not to pursue a greater height due to the relatively small site size and the resulting building economics, particularly with regard to underground parking levels.

This 31-storey rezoning development proposal was reviewed by the Urban Design Panel on March 24, 2010 and was supported (see Appendix D).

**Conclusion**— Staff conclude that the proposed form of development achieves urban design fit and neighborliness on a constrained site, and recommend that it be approved subject to further design development at the development permit stage. (See draft By-law provisions in Appendix A and conditions of approval in response to the proposed form of development in Appendix B, section b (1-6).)

## 5. Parking, Loading and Circulation

This application shows seven levels of underground parking, accessed from the lane, providing 132 residential parking spaces and two commercial parking spaces. The proposed parking, loading, and bicycle spaces are consistent with the Parking By-law. In addition, the applicant will be required to provide four car-share vehicles and dedicated parking spaces for each of these vehicles.

## 6. Environmental Sustainability

The Rezoning Policy for Greener Buildings, approved June 10, 2008, requires that rezoning applications received after this date achieve a minimum of LEED® Silver certification or equivalency, with target points for energy performance, water efficiency and stormwater management. This project is targeting LEED® Gold certification. The application included a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain 40 LEED® points and, therefore, would be eligible for a LEED® Gold rating (requiring a minimum of 39 points).

## ***PUBLIC INPUT***

**Notification and Open House** – A rezoning information sign was installed on the site on February 16, 2010, and a notification letter and invitation to a public information open house, dated March 9, 2010, was mailed to 2,086 surrounding property owners in the notification area shown in Figure 1. The public information open house was held on March 31, 2010, at the Cascadia Hotel with staff and the applicant team in attendance. Twenty-four people attended and three comment forms were submitted. The City of Vancouver Rezoning Centre webpage included notification and application information, as well as an on-line comment form.

**Public Response** – A total of eleven responses were received, the majority of which were opposed to the proposed project. Public responses to this proposal have been submitted to the City as follows:

Concerns identified included the following:

- The building is too large and too high, particularly in relation to the site size.
- The building is out of character with the neighbourhood in terms of height.
- View impacts on 888 Pacific and 1205 Howe streets.
- Inadequate amount of parking provided.
- Additional traffic and congestion in an already dense area.
- Project provides no public open space or public amenities.
- Construction impacts, i.e., noise.
- Project should include more commercial space to provide for more jobs.
- One of the commercial units should have corner exposure with tables on the sidewalk.

Aspects of the proposal that were supported include:

- Well designed building that will “spiff” up the neighbourhood.
- Support for the development of smaller sites in the area.
- Great addition to the skyline.
- Does not encroach into view cones.
- Better ratio of 2-bedroom units to 1-bedroom units than on the typical project.

## ***PUBLIC BENEFITS***

In response to City policies which address changes in land use and density, this application for rezoning offers the following public benefits:

### **Required Public Benefits:**

**Public Art Program** – The Public Art Program requires that rezonings involving a floor area of 9 290 m<sup>2</sup> (100,000 sq. ft.) or greater allocate a portion of their construction budgets (\$1.81/sq. ft.) to public art as a condition of rezoning. With 13 859.4 m<sup>2</sup> (149,182 sq. ft.) proposed in this rezoning, a public art budget of approximately \$270,019 would be anticipated.

**Development Cost Levies (DCLS)** – 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 subject site is in the Downtown South DCL District where the rate (as of September 30, 2010) for residential and commercial uses developed at a density greater than

1.2 FSR is \$155.86/m<sup>2</sup> (\$14.48/sq. ft.). On this basis, a DCL of approximately \$2,160,155 is anticipated and would be collected prior to building permit issuance.

**Offered Public Benefits:**

**Heritage Density Transfer** – The applicant has proposed a transfer of heritage bonus density from 955 Burrard Street (Downtown YMCA project) to this site, as provided for under the City’s Transfer of Density Policy. A transfer of 8 292.5 m<sup>2</sup> (89,260 sq. ft.) is proposed which has a value of \$6,131,680. Staff support this transfer of heritage bonus density and recommend that a letter of intent (Letter A) be submitted prior to the Public Hearing.

**Community Amenity Contribution** – In the context of Financing Growth Policy, the City anticipates the offer of a community amenity contribution (CAC) from the owner of a rezoning site to address the impacts of rezoning. Contributions are negotiated and evaluated by staff in light of the increase in land value expected to result from rezoning approval. For this project, the increase in land value is estimated to be in the region of \$9,920,702. Excluding the 10% heritage density transfer allowance permitted under the existing DODP, the total value of the public benefits offering of \$7,631,680 represents approximately 77% offering of the land lift. Real Estate Services staff have reviewed the applicant’s development proforma and concluded that after factoring in the costs associated with the transfer of heritage density, there was an increase in land value to warrant a further CAC offering of \$1,500,000. Real Estate Services staff recommend that this offer be accepted.

Staff recommend that the CAC offering of \$1,500,000 for this site be allocated toward area needs as follows:

- \$235,000 towards capital repairs outside play areas of the Quayside and Dorothy Lam childcares; and
- \$1,265,000 to advance public realm and greenway improvements in the vicinity.

The total value of the public benefits, including the required public benefits and the offered public benefits, that would result from this rezoning application, if approved, is estimated at \$10,061,854.

***FINANCIAL IMPLICATIONS***

There are no financial implications.

***CONCLUSION***

Staff assessment of this rezoning application has concluded that the proposed land uses, density and height are supported. 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 with a recommendation of the Director of Planning 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 in plans included as Appendix E.

\* \* \* \* \*

**1304 HORNBY STREET  
PROPOSED CD-1 BY-LAW PROVISIONS**

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

**1 Land Uses**

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

- (a) Dwelling Uses;
- (b) Cultural and Recreational Uses, limited to Artist Studio - Class A, Billiard Hall and Fitness Centre;
- (c) Institutional Uses;
- (d) Office Uses;
- (e) Retail Uses, limited to Adult Retail Store, Grocery or Drug Store and Retail Store;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1; and
- (g) Accessory Use customarily ancillary to any use permitted by this section 2.2.

**2 Conditions of Use**

2.1 Dwelling units are in an "activity zone" as defined by the Noise Control By-law and, as a result, are subject to noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts.

**3 Floor Area and Density**

3.1 The floor space ratio for all uses must not exceed 12.44.

3.2 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.

3.3 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8 percent of the residential floor area;
- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;



- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit there will be no exclusion for any of the residential storage space above base surface for that unit;
- (e) 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, except that this clause shall not apply to walls in existence prior to March 14, 2000; and
- (f) with respect to exterior:
  - i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any exterior wall referred to in subsection (ii) of this section meets the standards set out therein.

- 3.4 Computation of floor space ratio 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, except that:
    - i) the total area of all open and enclosed balcony or sundeck exclusions must 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) amenity areas, except that the exclusion must not exceed, in aggregate, the lesser of 20 per cent of the permitted floor area or 929 m<sup>2</sup>.
- 3.5 The use of floor space excluded under section 3.3 or 3.4 must not include any purpose other than that which justified the exclusion.

#### 4 Height

- 4.1 The building height, measured above the base surface, must not exceed 94.2 m.

4.2 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that the Director of Planning may permit a greater height than otherwise permitted for:

- (a) mechanical appurtenances such as elevator machine rooms; and
- (b) access and infrastructure required to maintain green roofs or urban agriculture, including stair and elevator enclosures, amenity areas, tool sheds, trellises and other garden structures, or roof-mounted energy technologies including solar panels, wind turbines and similar items, if the Director of Planning first considers:
  - i) all applicable policies and guidelines adopted by Council, and
  - ii) the effects on public and private views, shadowing, privacy, and noise impacts.

## 5 Parking, Loading and Bicycle Parking

5.1 Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle parking, except that there must be:

- (a) at least 0.5 parking space for each dwelling unit with less than 50 m<sup>2</sup> of gross floor area;
- (b) not more than 0.65 parking space for each dwelling unit with 50 m<sup>2</sup> or more of gross floor area plus one additional space for each additional 140 m<sup>2</sup> to a maximum of 189 m<sup>2</sup> of gross floor area; and
- (c) not more than 2 parking spaces for each dwelling unit with more than 189 m<sup>2</sup> of gross floor area.

## 6 Acoustics

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

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

\* \* \* \* \*

1304 HORNBY STREET  
DRAFT CONDITIONS OF APPROVAL

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

**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 Bingham + Hill Architects, and stamped "Received City Planning Department, February 2, 2010", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

**Urban Design**

- 1. design development to shadow boxes to enhance and strengthen their overall architectural expression;

Note to applicant: Design development should consider increasing the size of the shadow boxes along with further color refinements; consider roof level refinement including giving consideration to enhancement of translucent shroud and making the green roof plate horizontal;

- 2. design development to improve livability of the dwelling units to provide usable private outdoor space;

Note to applicant: Balcony dimensions should be increased to accommodate some outdoor seating.

- 3. consideration should be given to relocating the amenity space from the main floor to the second floor or to the roof in conjunction with green roof treatments;

- 4. design development to extend the commercial uses fronting Drake Street to the corner;

- 5. design development to the proposed exterior building materials and detailing to confirm the overall building character;

Note to applicant: Provision of detail sections and elevations (1/2" = 1'-0) of the building and public realm interface is required.

6. identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver equivalency, including at least three optimize energy performance points, one water efficiency point, and one storm water point;

Note to Applicant: Provide a LEED® checklist confirming LEED® Silver equivalency and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development. Both the checklist and description should be incorporated into the drawing set. Pursuit of LEED® Gold rather than Silver is encouraged.

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

7. design development to consider the principles of CPTED having particular regard for reducing opportunities for theft in the underground parking;

#### Landscape

8. provision of urban agriculture garden plots in some of the planters on the second floor;

Note to applicant: The garden plots should be considered as one of the programmed uses of the common amenity deck and should be integrated into the overall landscape design. See the Urban Agriculture Guidelines.

9. reduction in the height of the 3.1 m (10 ft.) high green wall proposed for the lane edge parapet of the second floor terrace, in order to allow more light into the space;
10. provision of a sidewalk public realm treatment with details for tree grates, pavement stamping, scoring lines and other details consistent with the Downtown South Design Guidelines;
11. provision at the time of development permit application of a full Landscape Plan;

Note to applicant: The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. All proposed planters, including the lane edge planter, the fourth floor patio planters and the front entrance planters, should be included. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

12. provision at the time of full development permit application of large scale sections (1/4"=1' or 1:50) illustrating the planters on the 2<sup>nd</sup> floor terrace and the lane edge planter. Elevation drawings of the entrance planters should also be provided;

### Engineering

13. provision of a detailed turning swath for access to the parkade ramp from the lane to ensure vehicles do not conflict with the card reader location or relocation of the car reader to allow for improved access;

Note to Applicant: the reader and vehicle must be on a maximum 10% grade.

14. provision of a direct connection from the commercial loading space to all retail units;
15. provision of an improved connection/route from the residential loading space to the residential lobby;
16. provision of a parking ramp slope not to exceed 10% for the first 6.1 m (20 ft.) from the property line;

Note to Applicant: the northerly side of the ramp (el. 91.92') calculates at 11.2%. Also see #13 above.

17. clearly indicate the provision of bicycle lockers and duplex receptacles for each two Class A bicycle spaces as per the Parking By-law; and
18. provision of wheel ramps on staircases which provide egress for cyclists.

Note to Applicant: the nine riser stairs leading from the elevator lobby to the parkade exit corridor to the lane should have a wheel ramp.

### CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. consolidation of lots 1, amended lots 2 and 3, and lot 4 is required;
2. release of Easement & indemnity Agreement 205416M (crossing agreement) prior to issuance of building occupancy is required;
3. 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;

4. provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the of the General Manager of Engineering Services and the Director of Legal Services will be required;
5. upgrading of the sanitary sewers to serve the development (in the lane south of Hornby Street, the lane north of Beach Avenue, and in Hornby Street);

Note to Applicant: The existing sewers are at capacity and must be upgraded to handle the flows from this development.

6. arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for provision of a public bench and bicycle racks to be located adjacent the site, including any adjustments to the sidewalks to accommodate the bench and bicycle rack installation. Maintenance of the bench and bicycle is to be provided by the building owners through a legal agreement;
7. provision of a standard concrete lane entry at the Drake Street entry to the lane;
8. provision of Downtown South sidewalk treatments adjacent the site;
9. make arrangements for:
  - a. the provision, operation, and maintenance of shared vehicles and the provision and maintenance of parking spaces for use exclusively by such shared vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law;
  - b. a professional shared vehicle organization satisfactory to the Director of Planning and General Manager of Engineering Services to manage the shared vehicles;
  - c. the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
  - d. the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces;

at the rate of 0.01 shared vehicles and shared vehicle parking spaces per dwelling unit in each development application and any number equal to or greater than 0.5 is to count as one shared vehicle and one shared vehicle parking space.

#### Heritage Density Transfer

10. that the owner secure the purchase and transfer of 8 292.5 m<sup>2</sup> (89,260 sq. ft.) of heritage density (which has a value of \$6,131,680) from a suitable donor site;

Note to applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable sq. ft. as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable sq. ft. unless bona fide market conditions demonstrate transactional evidence to the contrary).

Note to applicant: "Letter B" in the City's standard format is 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 receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

#### Community Amenity Contribution (CAC)

11. deliver prior to enactment of the rezoning by-law the Community Amenity Contribution of \$1,500,000 which the developer has offered to the City, to be allocated as follows:
  - \$1,265,000 to advance public realm and greenway improvements in the vicinity; and
  - \$235,000 to capital repairs to Quayside and Dorothy Lam childcare centres; and

#### Public Art

12. provide public art according to the provisions of the Public Art Policies and Guidelines.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as 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 sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

\* \* \* \* \*



1304 HORNBY STREET  
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 6510

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

"1304 Hornby Street [CD-1#]                      [By-law #]                      B (DD)"

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO. 6555

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

"[CD-1#]    [By-law #]    1304 Hornby Street"

\* \* \* \* \*

1304 HORNBY STREET  
ADDITIONAL INFORMATION

1. Urban Design Panel

The Urban Design Panel reviewed this proposal on March 24, 2010, and supported (8-0) the proposed use, density and form of development.

**Introduction:** Anita Molaro, Development Planner, introduced the proposal for a rezoning of this site from DD to CD-1 to allow an increase in the density beyond that permitted under the current zoning. The proposal can be considered under the Transfer of Density Policy. Ms. Molaro described the policy context for the site as well as the Downtown South Guidelines that provide direction with regard to the design and development of the site. The site is impacted by the Queen Elizabeth Park View Corridor which limits the height on the site to 366 feet. The proposal also falls under the Metro Core Policy/Capacity Review Study which allows for the consideration of a rezoning proposal in Downtown South to view corridors where public benefits may be achieved. Under the Green Rezoning Policy, a minimum of LEED® Silver or equivalent is required. Ms. Molaro described the context for the surrounding area noting the other buildings in the area. The proposal is seeking an increase in the density from 5.0 to 12.44 FSR. The proposal is for a 31-storey tower with 193 residential units and three commercial retail units at grade. There will also be seven levels of underground parking. An amenity space is proposed at the corner of Drake and Hornby Street with a lounge on the second level and exterior amenity space. The proposal is targeting LEED® Gold and will include a green roof.

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

- Does the Panel support the proposed tower form of development taking into consideration: tower separation/neighbourliness and height/subsequent density?
- Any other comments the Panel may have including shadow impacts, landscaping treatments, and material treatments.

Ms. Hoese and Ms. Molaro took questions from the Panel.

**Applicant's Introductory Comments:** Richard Henry, Architect, further described the proposal noting that they did consider going taller with the tower and considered bringing more density on the site but they ran into some obstacles. There were problems in getting enough parking because of the size of the lot. When finished, it will have the deepest parking garage in the city at seven floors. If they added more height they would have to accommodate an additional elevator and given the small floorplate size, that is not practical. Mr. Henry described the architectural design for the proposal noting there is to be an iconic soft landmark element proposed for the corner. The balconies, fenestration, articulation and material treatments have been selected to pursue the idea of a tall, slender and vertical expression. A green roof is proposed in order to meet the green quota. They will be collecting and channeling water into water column which will store the storm water for repurposing for irrigation and potential toilet flushing. A continuous balcony is proposed on the south west exposure to mitigate solar gain. Commercial retail units (CRU's) are proposed along Drake Street on the ground floor.

Bruce Hemstock, Landscape Architect, described the landscape plans noting the residential entry has a light element to identify the entry. The commercial will have simply expression with easy access to the CRU entries. The podium will have a fire pit near the covered area outside the amenity room.

The applicant team took questions from the Panel.

**Panel's Consensus on Key Aspects Needing Improvement:**

- Consider relocating the amenity room at north east corner at grade;
- Design development to the shadow boxes including consideration to given to increasing size and colour refinements;
- Consider roof level refinement including giving consideration to enhancement of translucent shroud and making the green roof plate horizontal.

**Related Commentary:** The Panel supported the proposal and thought it would be a tall and elegant building.

The Panel supported the tower separation, neighbourliness, height and density and thought it was an attractive building. They liked the verticality in the tower and the colourful materials including the colour around the windows. Although the Panel liked the shadow box elements, they thought they should be increased in size and brought down to grade or floated above the streetscape.

The Panel thought ground floor space should all be all retail and that the amenity space should be moved to the second floor off the deck. The Panel had some concerns regarding the roof level refinement and suggested making the green roof horizontal. The Panel supported the landscape plans and particularly liked the outdoor living space with the gas fireplace and the extensive and intensive green roofs. They also liked the water elements and the green privacy screen.

The Panel congratulated the applicant for targeting LEED® Gold registration. There was some concern with the energy performance of the building as there is a large percentage of glazing to wall ratio. Also some of the balconies seem small and the applicant was encouraged to make them useable so they don't present a thermal penalty. Also, it was suggested that a solar control element needed to be provided on the west façade. One Panel member suggested roughing in for solar hot water for the future on the roof.

**Applicant's Response:** Mr. Henry thanked the Panel and said they appreciated the support and comments. Their intention with the shadow box elements is that they will be part of the art component and will be working with an artist on the design.

## 2. Comments – General Manager of Engineering Services

Engineering Services reviewed the application and, in a memo dated April 19, 2010, the Project Engineer stated that Engineering Services has no objection to the proposed rezoning provided that specific conditions are met. In the memo, a number of rezoning conditions were listed for inclusion in the staff report (See Appendix B, conditions (b) 12-18 and (c) 1-9).

### 3. Landscape Design Comments

The rezoning application was reviewed by Landscape Development Specialist and the following comments were provided on May 17, 2010:

This project contains landscape features intended to support points for the LEED® gold level of design. The rain water collected from the sloped green roofs will be reused to irrigate the lower amenity deck planters. Drought tolerant, native and adaptable plants species are to be used to lower water use. Extensive and intensive green roof planting is to provide 33 per cent coverage of the roof area.

A number of rezoning conditions were listed for inclusion in the staff report (See Appendix B, conditions (b) 7-11).

### 4. Comments from Environmental Protection

The Environmental Protection reviewed this rezoning application and provided the following comments on May 31, 2010:

"After a review of the file and the Site Profile submitted, the Environmental Protection Branch has no further concerns or requirements with respect to this rezoning application."

### 5. Comments—Building Code Specialist

The Building Processing Centre provided the following comments on May 28, 2010.

"The following comments are based on the preliminary drawings prepared by Bingham Hill Architects dated February 2, 2010 for the proposed rezoning application. This is a preliminary review in order to identify issues which do not comply with the Vancouver Building Bylaw #9419 as amended (VBBL), and includes a review of Subsection 3.2.5. "Provisions for Fire Fighting".

- a) Building safety facilities such as central alarm and control facility, fire fighter's elevator, and stairwells equipped with standpipe connections shall be coordinated with the location of the firefighters' entrance.
- b) \*The building is required to provide access to persons with disabilities to all public areas, common areas, storage, amenity, meeting rooms, and to areas where work functions could reasonably be expected to be performed by persons with disabilities. The residential garbage room is not accessible.
- c) Spatial separation requirements on the South elevation does not comply with unprotected openings.
- d) Building construction is required to be noncombustible.
- e) High-rise building and VBBL 3.2.6. requirements for high buildings apply to the entire building.
- f) \*All entrances, exits, drive aisles and other access to off-street disability parking spaces, and egress there from must have a minimum vertical clearance of 2.3 m, as required by the Parking By-law.

- g) The building is required to meet Enhanced Accessibility provisions [3.8.2.27.].
- h) \*At least 2 exits are required from the storey labeled as Mezzanine Floor and from each parking level. The mezzanine is considered a storey in building height per the Building By-law.
- i) \*At least 2 accessible paths of travel to 2 separate exits are required from the parking floors containing stalls for persons with disability.
- j) \*Additional exit may be required from storage garage where security gate is provided.
- k) Storage garage security shall conform to 3.3.6.7.

\*Items marked with an asterisk have been identified as serious non-conforming Building By-law issues.

Written confirmation that the applicant has read and has understood the implications of the above noted comments is required and shall be submitted as part of the "prior to" response. If a "prior to" letter is not being sent, the above comments should be sent directly to the applicant.

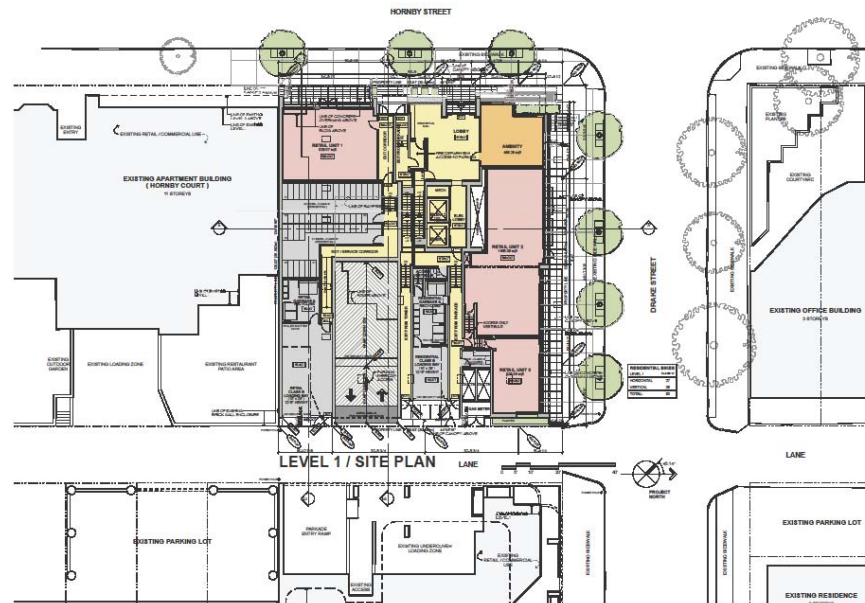
The applicant may wish to retain the services of a qualified Building Code consultant in case of difficulty in comprehending the comments and their potential impact on the proposal. Failure to address these issues may jeopardize the ability to obtain a Building Permit or delay the issuance of a Building Permit for the proposal."

## 6. Comments of the Applicant

The applicant was provided with a draft copy of this report on September 1, 2010, and has indicated that they are generally in support of the report and concur with the staff recommendations.

\* \* \* \* \*

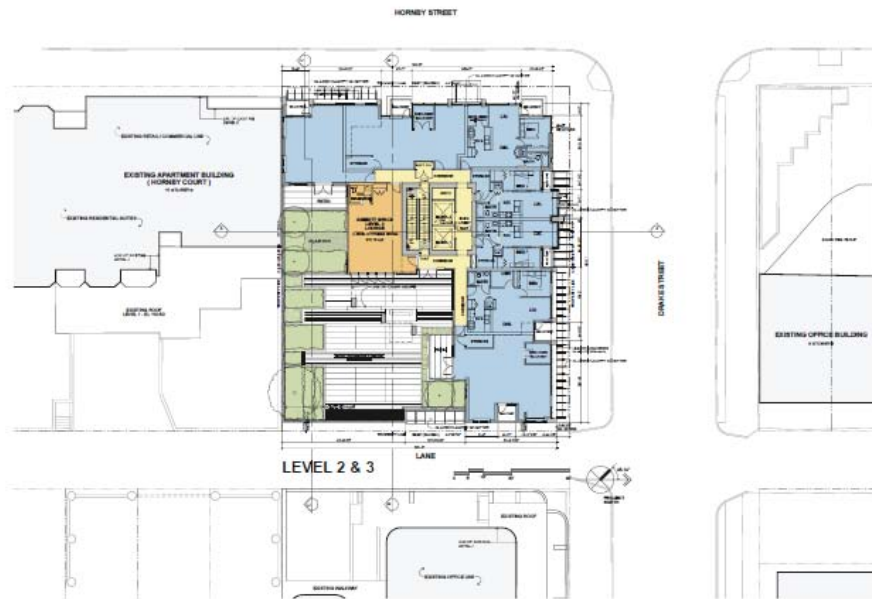
# 1304 HORNBY STREET FORM OF DEVELOPMENT



LEVEL 1 PLAN/SITE PLAN

FEBRUARY 2, 2010

CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC



LEVEL 2-3 PLANS



CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

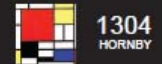
FEBRUARY 2, 2010



LEVEL 4 PLAN

FEBRUARY 2, 2010

CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

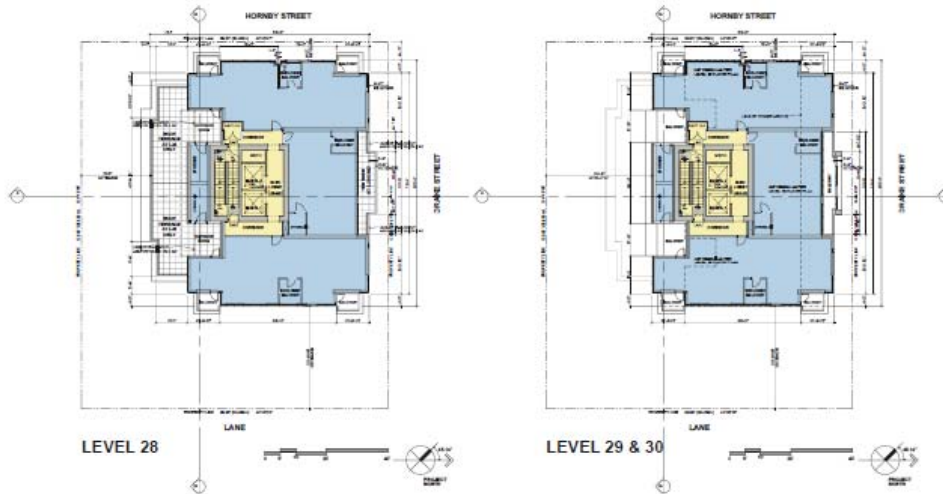


LEVEL 5-27 PLAN



CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

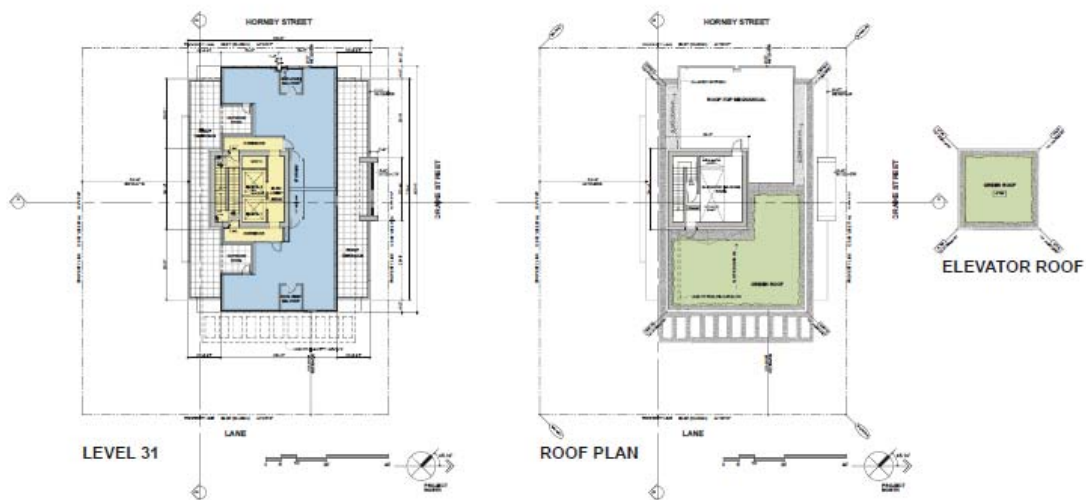
FEBRUARY 2, 2010



LEVEL 28 PLAN & 29-30 PLANS

1304 HORNBY  CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

FEBRUARY 2, 2010



LEVEL 31 PLAN & ROOF PLAN

FEBRUARY 2, 2010

CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

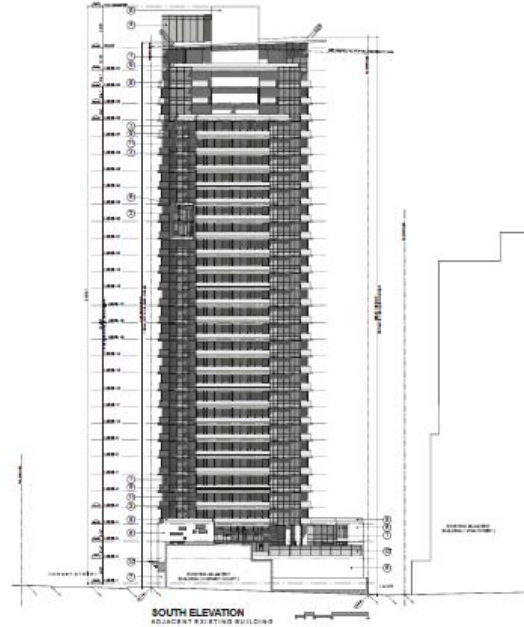
 1304 HORNBY



- LIST OF MATERIALS**
- ① ALUMINUM CLADDING PANEL
  - ② FINISHED GLAZED ALUMINUM FRAME
  - ③ FINISHED GLAZED ALUMINUM FRAME WITH TYPICAL FINISHES, SOLAR SCREENS
  - ④ TYPICAL FINISHED GLAZED ALUMINUM FRAME
  - ⑤ FINISHED GLAZED ALUMINUM FRAME
  - ⑥ ALUMINUM EXTERIOR CURTAIN WALL
  - ⑦ PAINTED CONCRETE
  - ⑧ BRICK VENEER
  - ⑨ METAL CLADDING
  - ⑩ ALUMINUM EXTERIOR BALCONY RAIL
  - ⑪ GLAZED GLYPH
  - ⑫ VERTICAL SOLAR SCREEN
  - ⑬ GLAZED PRIVACY SCREEN



NORTH ELEVATION  
DRAFF STREET



SOUTH ELEVATION  
ADJACENT EXISTING BUILDING

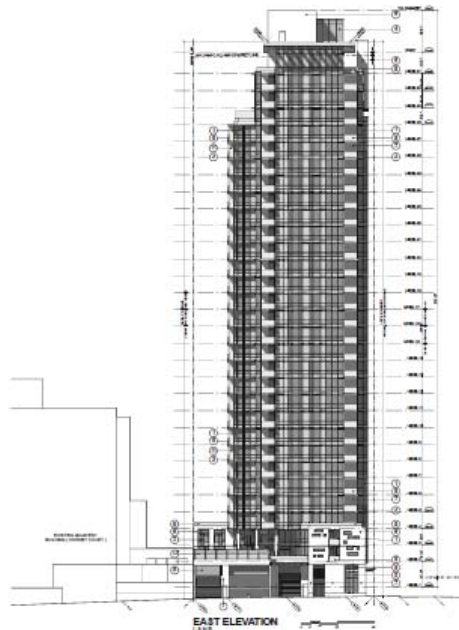
ELEVATIONS

1304  
HORNBY

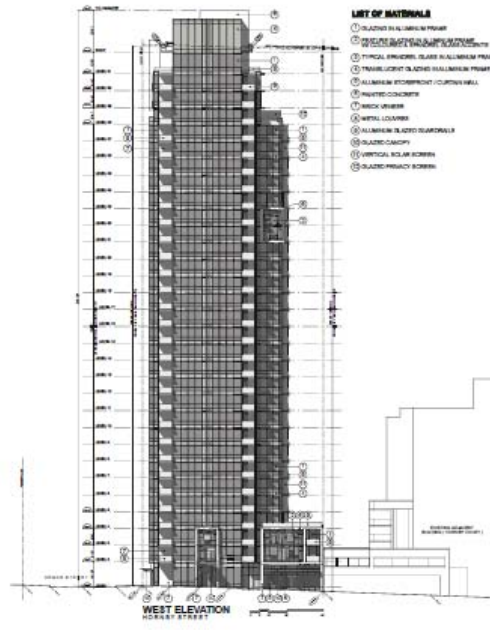


CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

FEBRUARY 2, 2010



EAST ELEVATION  
LARK



WEST ELEVATION  
ROBERT STREET

- LIST OF MATERIALS**
- ① GLAZED ALUMINUM FRAME
  - ② FINISHED GLAZED ALUMINUM FRAME
  - ③ TYPICAL FINISHED GLAZED ALUMINUM FRAME
  - ④ FINISHED GLAZED ALUMINUM FRAME
  - ⑤ ALUMINUM EXTERIOR CURTAIN WALL
  - ⑥ PAINTED CONCRETE
  - ⑦ BRICK VENEER
  - ⑧ METAL CLADDING
  - ⑨ ALUMINUM EXTERIOR BALCONY RAIL
  - ⑩ GLAZED GLYPH
  - ⑪ VERTICAL SOLAR SCREEN
  - ⑫ GLAZED PRIVACY SCREEN

ELEVATIONS

FEBRUARY 2, 2010

CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC



1304  
HORNBY



SECTIONS

1304  
HORNBY



CONCERT PROPERTIES  
BINGHAM HILL ARCHITECTS  
RICHARD HENRY ARCHITECT INC

FEBRUARY 2, 2010

**1304 HORNBY STREET  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT AND PROPERTY INFORMATION**

Street Address	1304 Hornby Street
Legal Description	Lot 1, Amended Lots 2 and 3, and Lot 4, Block 111, DL 541, Plan 210, PID: 7735561, 7735596, 7735634, 7735651
Applicant/ Developer/Property Owner	Concert Properties Ltd.
Architect	Bingham + Hill Architects/Richard Henry Architect Inc.

**SITE STATISTICS**

<b>SITE AREA</b>	1 114.1 m <sup>2</sup> (11,992 sq. ft.)
------------------	---

**DEVELOPMENT STATISTICS**

	Development Permitted Under Existing Zoning	Proposed Development	Recommended Development (If Different Than Proposed)
<b>Zoning</b>	DD (Downtown District)	CD-1 (Comprehensive Development District)	
<b>Uses</b>	Residential and commercial uses	Residential and commercial uses	
<b>Max. Floor Space Ratio (FSR)</b>	5.0 FSR 5.5 FSR with transfer of heritage density	12.44 FSR	
<b>Floor Area</b>	5 570.5 m <sup>2</sup> (59,960 sq. ft.) 6 127.5 m <sup>2</sup> (65,956 sq. ft.) with transfer of heritage density	13 859.4 m <sup>2</sup> (149,181.7 sq. ft.)	
<b>Maximum Height</b>	91.4 m (300 ft.)	94.2 m (309 ft.) 31 storeys	
<b>Parking Spaces</b>	Residential 97 Retail <u>2</u> Total (minimum) 99	Residential 130 Retail 2 Co-op <u>4</u> Total 136	Residential (approx. max.) 176 Retail 2 Co-op <u>4</u> Total 182
<b>Loading</b>	2 Class B (medium-size) loading spaces	2 Class B (medium-size) loading spaces	
<b>Bicycle Spaces</b>	Class A 242 Class B 6	Class A 245 Class B 6	