



POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: September 6, 2011
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VanRIMS No.: 08-2000-20
Meeting Date: September 20, 2011

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Rezoning: 1305-1335 Burrard Street and 1009 Harwood Street

RECOMMENDATION

- A. THAT the application by Amacon Development (Burrard) Corporation to rezone 1305-1335 Burrard Street and 1009 Harwood Street (Lots A and B, except the West 26 feet, Lot C and Lot E, all of Lots 17 and 18, Block 12, DL 185, Plan 855; PIDs: 015-089-797, 015-089-771, 015-089-762 and 015-089-801), from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the density from 5.00 to 7.40 FSR to permit development of a 17-storey residential building with commercial uses at grade, be referred to a Public Hearing, together with:
- (i) plans received November 15, 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 the 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 District in accordance with Schedule B (Downtown Commercial) [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 enactment of the rezoning by-law, the Noise Control By-law be amended to include this CD-1 District in Schedule A to the Noise Control By-law generally as set out in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to bring forward at the time of enactment of the CD-1 By-law the necessary by-law to amend the Noise Control By-law.

- D. THAT should the application be referred to a Public Hearing, the registered property owner shall submit confirmation, prior to the Public Hearing, in the form of "Letter A", that an agreement has been reached with the registered owner of a suitable donor site for the purchase of heritage bonus density as described in Appendix B, condition (c)(2).
- E. THAT Recommendations A to 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 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 Manger 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 (DODP) (November 4, 1975)
- On October 28, 2008, Council endorsed consideration of site-specific rezonings in the Downtown South (DODP Areas L1, L2, M and N) 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)

- On July 28, 2011, Council adopted the West End Rezoning Policy, which allows for consideration of a rezoning application that was active at the time this policy was adopted
- Financing Growth Policy (Community Amenity Contributions) (January 20, 1999; last amended February 12, 2004)
- Transfer of Density Policy and Procedure (January 25, 1983; last amended August 1, 2002)
- Green Building Rezoning Policy (January 20, 2009; last amended July 22, 2010).

SUMMARY

This report assesses an application by Amacon Development (Burrard) Corporation to rezone the site at 1305-1335 Burrard Street and 1009 Harwood 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 7.40. The rezoning application proposes construction of a 17-storey residential tower with commercial uses at grade. The rezoning application includes a request for bonus density of 2 887.9 m² (31,085.0 sq. ft.). Staff have assessed the application and conclude that it is supported by Council policy. Staff recommend that it be referred to Public Hearing and, subject to the Public Hearing, be approved along with the conditions contained in Appendix B.

DISCUSSION

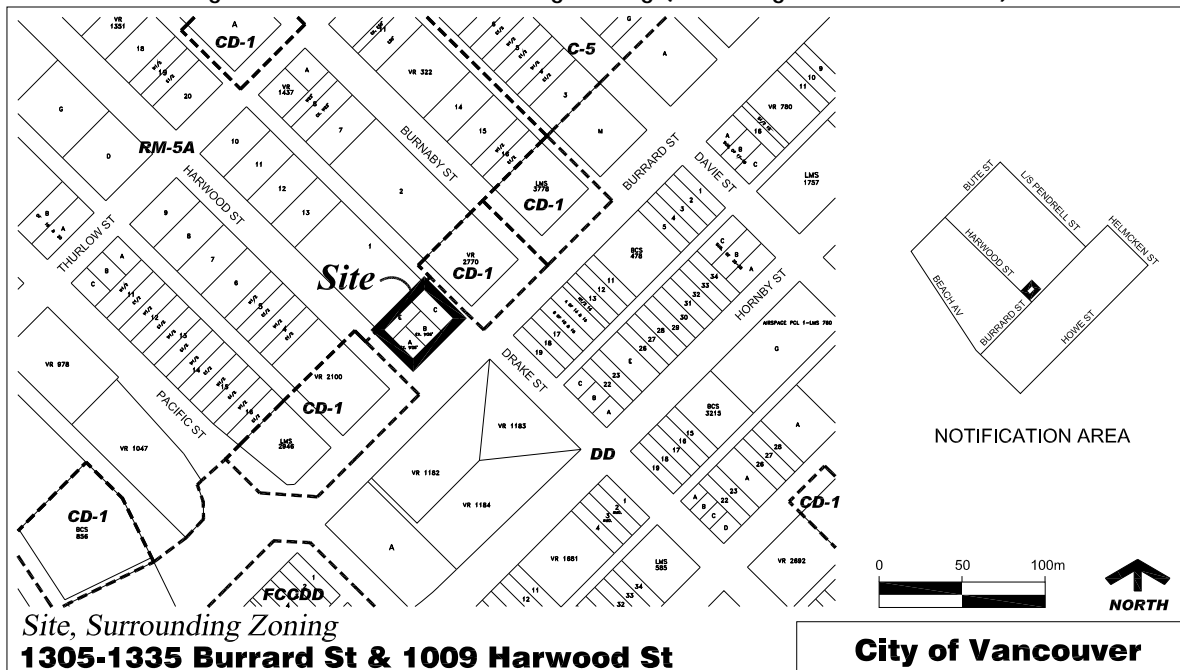
1. Site and Context

This 1 204.7 m² (12,967 sq. ft.) site is situated at the north-west corner of Burrard and Harwood Streets (see Figure 1 below), within the West End neighbourhood. The site is comprised of four legal parcels and has 39.9 m (131.0 ft.) of frontage along Burrard Street and 30.2 m (99.0 ft.) along Harwood Street. The site is currently occupied by a one-storey commercial building.

The existing zoning is Downtown (DD) District, sub-area "N", and is subject to the Downtown Official Development Plan (DODP). The surrounding built context includes:

- To the west, the RM-5A (West End Residential) District contains a variety of building types and heights, ranging from low-rise wood-frame buildings to high-rise concrete towers. Carleton Court (23 storeys) is situated immediately west of the site, on Harwood Street.
- To the north and south of the site, the CD-1 zoned sites along Burrard Street were rezoned from DD District between 1984 and 1992, with the objective of achieving increased residential density in this area. These buildings include the Ellington (20 storeys/185 ft.) across the lane to the north, the Milano (20 storeys/190 ft.) at Burrard and Burnaby Streets, the Chrysalis (26 storeys/248 ft.) across Harwood Street to the south, and the Seastar (21 storeys/198 ft.) at Burrard and Pacific Streets.
- To the east, immediately across Burrard Street, south of Drake Street, is the Anchor Point development (8 storeys). A rezoning application which includes a number of sites north of Drake Street, between Burrard and Hornby, is currently under review for a proposal that includes a 13-storey office building on Burrard and two residential towers (36 and 54 storeys).

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



2. Land Use

The application proposes a residential tower with commercial uses at grade. The residential component consists of 121 units, with 20 studios, 71 one-bedroom and 30 two-bedroom units. There is a 523.7 m² (5,637 sq. ft.) commercial component, primarily oriented onto Burrard Street. The proposed uses are consistent with the intent of the DODP to achieve a primarily residential development, with ground-level commercial serving local needs, and to provide 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 6 023.4 m² (64,835.0 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 6 626.0 m² (71,320.0 sq. ft.). This application proposes an increase in density to 7.40 FSR for a total floor area of 8 911.3 m² (95,920 sq. ft.). Urban design assessment, as summarized below concludes that the proposed floor area can be suitably accommodated on the subject site.

4. Form of Development

The application proposes a 17-storey residential tower with three commercial units at street level. Parking is proposed below grade, with access from Harwood Street (see plans in Appendix E and development statistics in Appendix G).

Staff have evaluated the proposed form of development, including urban design and neighborliness impacts of the building massing beyond that contemplated under the current

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.

The application proposes a tower of 46.8 m (153.5 ft.) in height. While the height limit for this site in the Downtown ODP is 91.4 m (300 ft.), a view corridor (Granville Island to the Crown of Grouse) limits the height to 46.8 m (153.5 ft.). A proposed rooftop guardrail protrudes (up to 2 ft.) into the view cone at the southern end of the building, due in part to the slope of the site. However, staff are satisfied that this slight incursion will not compromise the view cone's plimsoll line and will seek a frameless guardrail design to further minimize any compromise to the view cone.

Under the current zoning, a similar tower height and form would be anticipated. Of the additional increase in density being requested, the majority of this is located within the lower podium massing (levels 1 through 8).

While the Downtown South Guidelines are not directly applicable to this site, the urban design directions with regard to neighbourliness, including tower separation and open space, provide some reference for developing a tower on this site. 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 neighbouring buildings. 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, addressing privacy and livability expectations.

The proposed tower floor-plate (beyond the 8-storey podium) would be 528.8 m² (5,660 sq. ft.), less than the typical tower floor plate of 603.9 m² (6,500 sq. ft.) found in this area and in Downtown South. The tower separation between the proposed building and the existing building to the west is 22.5 m (74 ft.) to the elevator core and 24 m (79 ft.) to the upper tower units, slightly less than the Downtown South guideline recommendation of 24.4 m (80 ft.). However, the building has been shaped and its units configured to maximize views through and to maintain privacy between the two buildings. Staff note that this tower separation guideline has been achieved between the tower to the north across the lane, the Ellington, and the tower to the south across Harwood Street, the Chrysalis.

The neighbouring building most directly affected by this development is the Ellington, located across the lane to the north, as this proposal generates shadows and view impacts. Staff note that the shadow and view impacts generated by the density in excess of the existing DODP entitlement does not have any significant additional impact on the adjacent neighbouring properties.

This rezoning development proposal was reviewed by the Urban Design Panel on March 9, 2011 and was supported (see Appendix D).

Staff conclude that the proposed form of development achieves urban design fit and neighbourliness on a constrained site, and recommend that it be approved subject to the Public Hearing and 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 [1-10 (Urban Design) and 11-17 (Landscape)]).

5. Parking, Loading and Circulation

This application shows five levels of underground parking, accessed from Harwood Street. While access is typically required to be taken off the lane, this site has significant grade challenges. Engineering staff have reviewed the request for access off of Harwood Street and support the applicant's request, with the expectation that a high level of design is to be achieved for the garage entry.

The proposed 132 residential parking spaces and 7 commercial parking spaces meet the requirements of the Parking By-law. As only one Class B loading space is shown off the lane, staff are requesting that additional loading be provided, and would support the addition of either one Class B or two Class A loading spaces that are easily accessible to the residential lobby [see conditions of approval in Appendix B, section b (18-23)].

During the public consultation process, concerns were expressed by neighbouring residents about traffic and circulation issues, some of which are related to the reconfiguration of traffic flows with the new bike lanes in the area. Concerns were also expressed about pedestrian safety, particularly in the lane to the north of the site which aligns with Drake Street. Staff have included a condition of approval that requires additional signage at this intersection to improve safety for pedestrians, cyclists and vehicles [see conditions in Appendix B, section c (1)(h)].

6. Environmental Sustainability

The Rezoning Policy for Greener Buildings requires that rezoning applications received between July 31, 2010 and January 31, 2011, achieve a minimum of LEED® Gold equivalency, with target points for energy performance, water efficiency and stormwater management, and that the applicant register with the LEED® program. The application included a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain 63 LEED® points and, therefore, would be eligible for a LEED® Gold rating.

PUBLIC INPUT

Notification and Open House – A rezoning information sign was installed on the site on January 28, 2011, and a notification letter and invitation to a public information open house, dated January 25, 2011, was mailed to 8,547 surrounding property owners in the notification area shown in Figure 1. To capture renters within this area, a further 7,200 notices were sent out through Canada Post unaddressed ad mail.

The public information open house was held on February 10, 2011, at the Cascadia Hotel with staff and the applicant team in attendance. A total of 34 people attended. In addition, the City of Vancouver Rezoning Centre webpage included notification and application information, and an on-line comment form.

Public Response – A total of eight written responses were received. Common concerns raised by the public related to view and shadow impacts on adjacent buildings, as well as traffic issues in the West End (see Appendix D for a summary of public comments).

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:

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 City-wide DCL District where the rate for residential and commercial uses developed at a density greater than 1.2 FSR is \$121.96/m² (\$11.33/sq. ft.). On this basis, a DCL of approximately \$1,075,795 is anticipated. DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment which takes place on September 30th of each year.

Public Art Program –The Public Art Program does not apply to this application because the total floor area proposed of 8 911.3 m² (95,920 sq. ft.) is under the minimum qualifying size of 9 290 m² (100,000 sq. ft.).

Offered Public Benefits:

Heritage Density Transfer – In addition to the 10% heritage density transfer permitted under the DODP, the applicant has proposed a further transfer of heritage bonus density to this site, as provided for under the City's Transfer of Density Policy, as part of the Community Amenity Contribution. A total transfer of 1 674.3 m² (18,022 sq. ft.) is proposed which has a value of \$1,171,460. 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 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 proposed development, in addition to the transfer of heritage density, the applicant offers a Community Amenity Contribution in the form of a cash payment of \$2,250,000. Real Estate Services staff recommend that this offer be accepted.

As this rezoning site is within the West End, staff recommend that the Community Amenity Contribution be allocated to public benefits in the West End, that is to parks, civic and community facilities (such as the GBLT Community Centre), affordable housing, and public realm improvements (such as the Comox Greenway). Given that public benefits are currently under discussion in the community, including a survey being conducted by the West End Mayor's Advisory Committee (WEMAC), staff further recommend that a specific allocation be brought forward only after this consultation with the public is completed. Payment of the Community Amenity Contribution is a condition of zoning enactment.

See Appendix F for a summary of all of the public benefits for this application.

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, subject to the Public Hearing, these be approved along with 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.

* * * * *

1305-1335 Burrard Street and 1009 Harwood 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) Cultural and Recreational Uses, limited to Artist Studio, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, Museum or Archives, and Theatre;
- (b) Dwelling Uses;
- (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 7.40.

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 m² for a dwelling unit there will be no exclusion for any of the residential storage space above base surface for that unit.

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 m².

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 46.8 m [153.5 ft.].

4.2 The Director of Planning may, at his discretion, permit a greater height than otherwise permitted for minor projections above the permitted height such as guardrails or similar minor intrusions, provided that no additional floor area is created and the projections do not exceed 1 m in height.

5 Parking, Loading and Bicycle Parking

5.1 Parking, loading, and bicycle spaces shall be provided and maintained as per the Parking By-law, except that:

- (a) Visitor parking spaces must be provided as part of the minimum residential parking at a rate of not less than 0.05 space for each dwelling unit.

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

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1305-1335 Burrard Street and 1009 Harwood Street
PROPOSED 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.

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by IBI HB Architects, and stamped "Received City Planning Department, November 15, 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 the exterior building materials demonstrating high quality material treatments and detailing.
2. Design development to the main residential entry and parking ramp opening, and related public realm, to improve visual quality, including the provision of a security gate that is architecturally consistent high quality material treatments.
3. Design development to mitigate site slope/crossfall of the Burrard Street retail frontage with the introduction of a stepped slab(s).
4. Provision of substantive and functional weather protection noting that greater system depth is required when mounted higher above the sidewalk for adequate protection from the elements.
5. Design development to the westerly parkade wall, adjoining the neighbouring property, to improve its visual quality and appearance by the minimize its blankness through the use of landscaping treatments, articulation and varied material treatments.
6. Design development to provide frameless clear glass rooftop railings.
7. Design development to the enclosed balconies.

Note to Applicant: Enclosed balconies seeking FSR exclusion should be positioned, configured and finished to function similar to an open balcony. Enclosed balconies must provide a differentiation in their exterior expression from internal spaces and offer a maximum amount of operable glazing. Other

measures such as introducing a guardrail or projecting the enclosed balcony from the primary building façade should be employed.

8. Design development to minimize the visual impact of exposed mechanical vents.

Note to applicant: Mechanical vents should not be located within the public realm setback along Burrard and Harwood Streets.

Sustainability

9. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, including at least six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming LEED® Gold 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.

Crime Prevention Through Environmental Design (CPTED)

10. Design development to consider the principles of CPTED having particular regard for reducing opportunities for theft in the underground parking.

Landscape

11. Design development of the public realm to maximize the amount of greenery at the property edges to soften the transition to the adjacent residential properties by increasing the number of new trees planted on Burrard Street and by providing vines to climb the north elevation wall facing the lane edge.

Note to Applicant: Locate a second row of trees on private property to replace the low planters proposed at the east property line. Incorporate raised planters for vines within the 2 foot setback from the north property line. Planters should be a minimum of 18 inches high to prevent vehicles from parking on them.

12. Provision of adequate planting medium depth within planters on slab condition to meet the BCSLA latest standard.
13. Provision of a legal survey.
14. Provision of a fully labelled Landscape Plan, Sections and Details at the Complete Development Permit submission stage.
15. A detailed landscape management rationale of the proposed landscape forms, including planters, green walls panels, green roof installations and irrigation

systems to ensure follow-up maintenance for long term care of proposed plantings at all building locations.

Note to Applicant: Where the deletion of irrigation for all slab planters is a strategy to earn LEED® points, provide a written rationale verifying how the planting design will work to achieve this goal. Include a maintenance schedule for watering (this may be hand watering) the plantings during the first year following installation, to ensure proper establishment. Proposed plantings should be consistent with the City of Vancouver Waterwise Planting Guidelines.

16. Provision of a high- efficiency automatic irrigation system specified in all common areas, including the lane edge and the second floor balcony planters and hose bibs in private patios at roof decks.

Note to Applicant: The irrigation system design and installation shall be in accordance with the Irrigation Association of BC Standards and Guidelines latest standard. Notation to this affect should be added to the drawings.

17. 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.

Note to Applicant: Provide a notation on the Landscape Plan, "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311". Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Brad Etheridge, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

Engineering

18. Provision of a residential loading space with good and convenient access to the residential lobby is required.
19. The commercial loading space must be redesigned to allow a truck to be backed into the space and unload with a direct connection to a commercial service corridor and each commercial unit.
20. Security gate separation of the commercial/visitor and residences' parking is required.
21. Column size and encroachment must comply with the Engineering Parking and Loading Design Supplement.

Note to Applicant: the column sizes shown cannot encroach into the parking spaces.

22. Class A bicycle parking must not be located lower than the first level of underground parking unless an elevator providing direct access to outside is provided.
23. Provision of a 2 m x 2 m corner cut at the bottom of the main parking ramp and measures to improve driver visibility of oncoming vehicles on all parking ramps is required.
24. Provision of accurate property line dimensions are required.

Note to applicant: The dimension indicated for the project north property line (131'-1 3/4") is slightly larger than that indicated on the submitted topographical survey (39.943 m - 131.05 ft.).

25. Delete the portion of structure shown over the project north property line on page A1.07 (this appears to be a simple drafting error).
26. Provision of separated commercial and residential garbage storage rooms is required.

Note: for residential uses a minimum of 4-5'x8' garbage bin spaces should be provided with additional space allocated for recycling needs. A compactor should be considered for this scale of development.
27. Clarification of garbage pick up operations is required.

Landscaping comments for public property

28. Burrard Street sidewalk treatments are a mirror of the Georgia Street public realm and include metal tree grates and a pre-determined scoring pattern with sidewalk panels to be sawcut (see Georgia St. Public Realm guidelines for details).
29. Pavers shown extending over the property line into the lane should be deleted, broomed concrete or asphalt to match existing should be indicated.
30. Proposed boulders and stormwater collection on the boulevard should be deleted with standard grass treatments and broomed concrete sidewalk to be shown on Harwood.

Note: Infiltration treatments that have been professionally reviewed and designed would be considered, a separate application to the General Manager of Engineering Services is required.

31. Pavers should not generally extend beyond the property lines. The desire line for pedestrians at the Harwood/Burrard corner does suggest that some hardscape should be provided in the back boulevard for approximately 20 ft. in the westerly direction along Harwood Street.
32. Boulevard planting if desired should meet the "boulevard planting guidelines".

33. A crossing application will be required.
34. A dual interconnected water connection will be required for this development. Please contact Engineering Water design branch for details at 604-873-7311.

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

Engineering

1. Arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following.
 - a. consolidation of the site into a single lot;
 - b. discharge Easement & Indemnity 450502M (commercial crossing) prior to building occupancy;
 - c. undergrounding of all new utility services is required from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, including but are not limited to, junction boxes, switchgear, pad mounted transformer are to be located on private property including any necessary electrical kiosks. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground;
 - d. 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 as determined by the applicant's mechanical consultant 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 to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required;
 - e. provision of Burrard Street ceremonial public realm sidewalk treatment (same as Georgia Street Public Realm treatment) adjacent the Burrard Street frontage of the site. Treatments are to include pedestrian level lighting to enhance the existing pedestrian crossing on Burrard Street and improve pedestrian lighting levels along the Burrard Street frontage;

- f. provision of a widened sidewalk on Harwood Street between Burrard Street and the proposed driveway. A 6 ft. to 8 ft. wide sidewalk to be provided with final width determined to the satisfaction of the General Manager of Engineering Services;
- g. provision of a standard concrete lane entry, upgraded disability ramps and curb returns at the lane entry south of Burnaby Street on the west side of Burrard Street;
- h. provision of signage at the Burrard Street/lane intersection to improve safety for pedestrian, cyclists and vehicles. (A stop sign, warning signs or other signage to clearly inform the user groups of the activities at this corner are to install).

Soils

- 2. Submit a site profile to the Environmental Protection Branch (EPB).
- 3. The property owner shall, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
- 4. Enter into a remediation agreement for the remediation of the site and any contaminants which have migrated therefrom on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Water, Land and Air Protection, has been provided to the City.

Heritage Density Transfer

- 5. That the owner secure the purchase and transfer of 1 674.3 m² (18,022 sq. ft.) of heritage density (which has a value of \$1,171,460) 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 square foot 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 square foot 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

6. Deliver prior to enactment of the rezoning by-law the Community Amenity Contribution of \$2,250,000 which the developer has offered to the City.

Note: Community Amenity Contribution generally to be allocated to parks, civic and community facilities (such as the GBLT Community Centre), affordable housing, and public realm improvements (such as the Comox Greenway) in the West End, with specific allocations to be brought forward after further consultation with the public.

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 site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, 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.

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1305-1335 Burrard Street and 1009 Harwood Street
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 6510

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

"1305-1335 Burrard Street and 1009 Harwood 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 #] 1305-1335 Burrard Street and 1009 Harwood Street"

* * * * *

1305-1335 Burrard Street and 1009 Harwood Street
ADDITIONAL INFORMATION

1. Urban Design Panel

The Urban Design Panel reviewed this proposal on March 9, 2011, and supported (9-0) the proposed use, density and form of development.

Introduction: Karen Hoese, Rezoning Planner, introduced the proposal noting that the application is to rezone the site from DD to CD-1 to allow for an increase in the density beyond what is permitted under the current zoning. Ms. Hoese described the policy context noting that recent City Policy supported opportunities for increased residential density in the Downtown South area. As well the Metro Core Jobs & Economy Study confirms the need to use the potential capacity in the core for “job space” and acknowledged the need to look at other parts of the downtown area to accommodate additional residential floor space. The Capacity Review Study subsequently allowed for consideration of rezoning proposals in Downtown South where increased floor area, up to the underside of view corridors, would achieve public benefits.

Ms. Hoese noted that the maximum FSR of 5.0 plus up to a 10% purchase of heritage density is allowed and the proposal has a density of 7.32 FSR. The proposal shows the building to the underside of the view corridor (Granville Bridge to Grouse Mountain). The proposed uses are consistent with the zoning, with primarily residential uses and retail and service uses at grade.

Ms. Hoese noted that as the application came in last November, and the minimum of LEED® Gold registration is required with six optimized energy points, one water efficiency point and one stormwater point.

Anita Molaro, Development Planner, further described the proposal for a 17-storey building at the corner of Harwood and Burrard Streets on the west side of Burrard Street. Ms. Molaro described the context for the surrounding area. The applicant is proposing seventeen storeys with a double height retail facing onto Burrard Street and 121 dwelling units. The lobby will be accessed off of Harwood Street and as well parking because of the grade challenges on the site with the lane being higher than the street but loading will be accessed of the lane. Ms. Molaro noted that the tower has a small floor plate and there are twelve foot setbacks on Burrard and Harwood Streets. She also described the separation between the adjacent buildings noting the neighbourly impacts. There are two indoor amenity spaces with the interior one located on the third floor facing onto Burrard Street and some outdoor amenity located on the podium. The current zoning allows for a height of 300 feet but is restricted by the view cone.

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

- Does the Panel support the urban design response developed for this site and its relationship within the surrounding context including:
 - Building siting, tower form and massing and increase in density (from 5.0 to 7.32)
 - Neighbourliness including shadow and view impacts
 - Building mass relationship with adjacent property to the west, particularly at the ground/podium interface

- Open space and landscape
- LEED® Gold strategies
- Shadow impacts on the adjacent buildings.

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

Applicant's Introductory Comments: Martin Bruckner, Architect, further described the proposal noting that they anticipate a children's play area on the level nine roof top deck with some private patio spaces for the units adjacent. He stated that knowing that they wanted sustainable design they are going to take a passive approach with different expressions on the facades. They are targeting 50% vision glass so they can have a higher R value. Overhangs are planned to give shade with some being balconies. Mr. Bruckner further described their sustainability strategy. The residential entry and entrance to the parking garage will be off Harwood Street. Loading will be accessed from the lane. The top floor will be two storey units and those residents will have roof top access.

Robert Vrooman, Amacon, noted that they will be pursuing LEED® Gold registration but not certification. He added that it was a challenging site however they were able to offer more sustainable benefits to the city.

Brian Beresford, Landscape Architect, further described the landscaping plans noting that they wanted to animate the corner at Harwood and Burrard Streets. There is a retail space on that corner so they are proposing some sort of outdoor seating area. Along Burrard Street they will be introducing some new street trees and preserving the existing tree. There will be both private and amenity landscaping with a children's play area on level nine.

The applicant team took questions from the Panel.

Panel's Consensus on Key Aspects Needing Improvement:

- Design development to the blank wall or the suites on the lower level.
- Design development to the Harwood Street entrances.
- Consider certifying for LEED® Gold.

Related Commentary: The Panel supported the proposal and thought that generally the form of development was well handled.

The Panel supported the building sitting, form, density and massing but noted that there were some challenges accommodating the additional density which makes for some unfortunate circumstances for the neighbours. They did however note that the applicant had tried to mitigate the proximity issues. The Panel also thought the shadow impacts had been mitigated as much as possible.

One Panel member suggested the applicant look at the northwest and southwest corners and carve them back at the shoulders somewhat to ease those proximities. Another Panel member thought it was a missed opportunity that the applicant had not expressed the slenderness of the tower more and wrapped the base piece. A couple of Panel members thought the suites on the lower level could be better oriented to improve livability.

The Panel thought there should be some design development to the blank wall with either some openings or a green wall to further soften it for the neighbours. Several Panel members thought the relationship on Harwood Street between the lobby and the parking entrances could use some design development. Also, it was suggested that there could be some more common outdoor amenity space made available for the residents. A couple of Panel members thought the open spaces and landscape along the sidewalk could be improved to better separate the sidewalk from the bike lane and that it could be more inviting with some street furniture. One Panel member suggested adding more than two street trees along Burrard Street.

The Panel supported the use on the roof areas although a couple of Panel members thought the guard rail should be higher for some wind protection.

The Panel supported the sustainability strategy although they thought it was strange that the applicant would register for LEED® Gold but not follow through with certification and urged them to do so. A couple of Panel members also urged the applicant to go after all the energy points and further develop the passive strategies.

Applicant's Response: Mr. Bruckner thanked the Panel for their comments.

2. Comments – General Manager of Engineering Services

Engineering Services reviewed the application and, in a memo dated February 11, 2011, 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) 18-34 and (c) 1).

3. Landscape Design Comments

The Landscape Development Specialist reviewed the rezoning application and, in a memo dated March 22, 2011, provided conditions for inclusion in the staff report (See Appendix B, conditions (b) 11-17).

4. Comments—Building Code Specialist

The Building Processing Centre provided the following comments on February 9, 2011.

The following comments are based on the preliminary drawings prepared by IBI/HB dated 2010-11-15 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.

- c) * Spatial separation requirements on the north elevation may not comply. No unprotected openings or windows permitted on the north exterior wall.
- d) Building construction is required to be noncombustible.
- e) Highrise 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 therefrom 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) * Additional exit may be required from storage garage where security gate is provided.
- i) Storage garage security shall conform to 3.3.6.7.
- j) * Dead end corridors shall not exceed 6 m in length.
- k) * Level 16. Two exits required - one at each end of public corridor.

*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.

5. Public Comments

A total of eight written responses were received from the public, expressing the following concerns about the proposal:

- reduced sunlight to neighbouring buildings and outdoor common space (including the outdoor pool of the building to the north);
- impact on existing views;
- proximity of the podium of the building to the tower to the west and to the lane;
- inadequate parking for the commercial component of the building;
- office use should be considered above the commercial at grade;
- boring design of the building; and
- traffic issues in the West End, including incremental increase in traffic and pedestrian volume in the area, negative impact of bicycle lanes on traffic circulation west of Burrard Street, conflicts between vehicles, bicycles and pedestrians particularly at street and lane intersections, and reduced pedestrian safety and "walkability".

6. Comments of the Applicant

The applicant was provided with a draft copy of this report on August 26, 2011, and has indicated that they are generally in support of the report and concur with the staff recommendations.

* * * * *

1305-1335 Burrard Street and 1009 Harwood Street
FORM OF DEVELOPMENT



Figure 1: Building Renderings

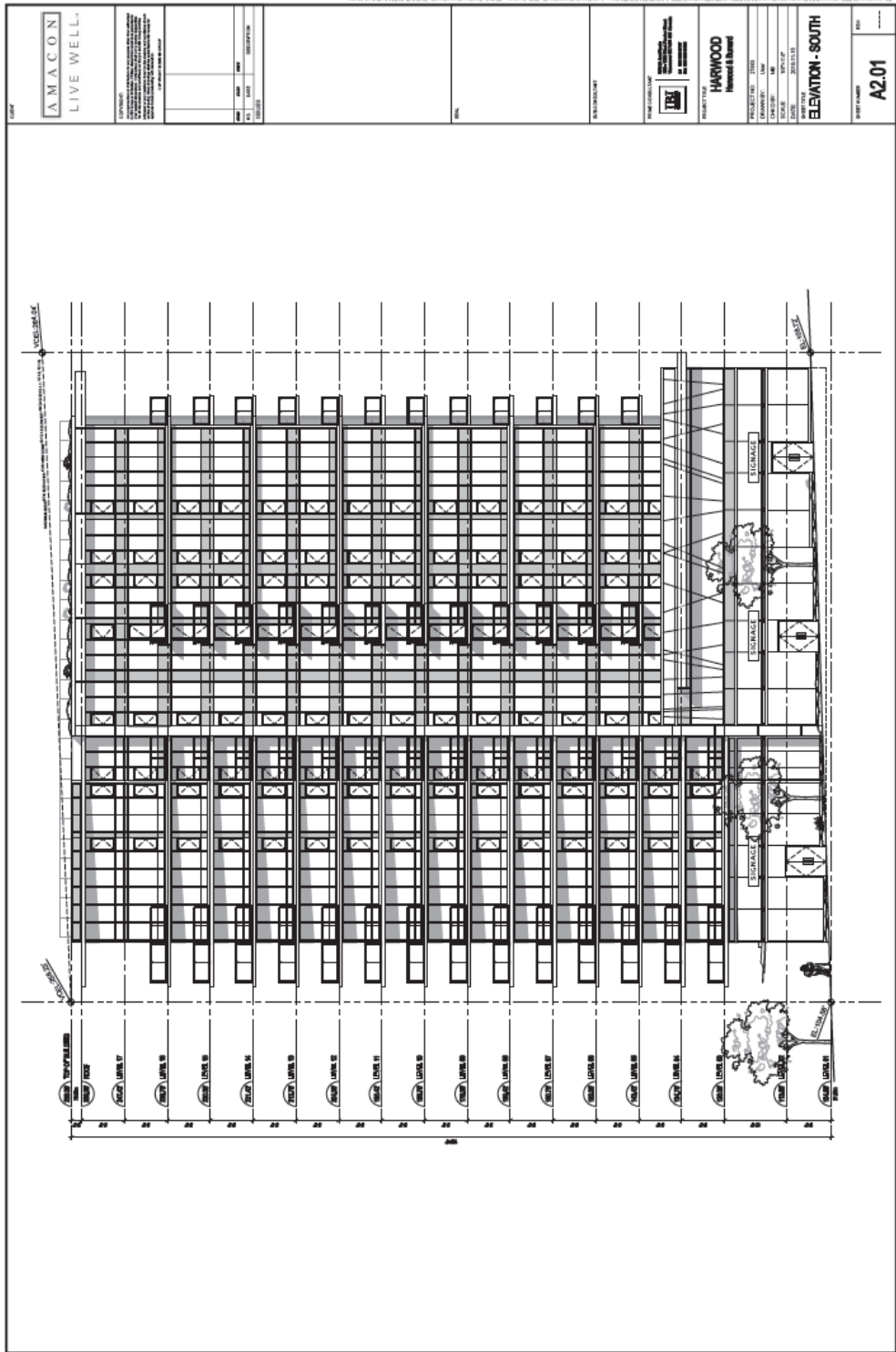


Figure 2: South Elevation

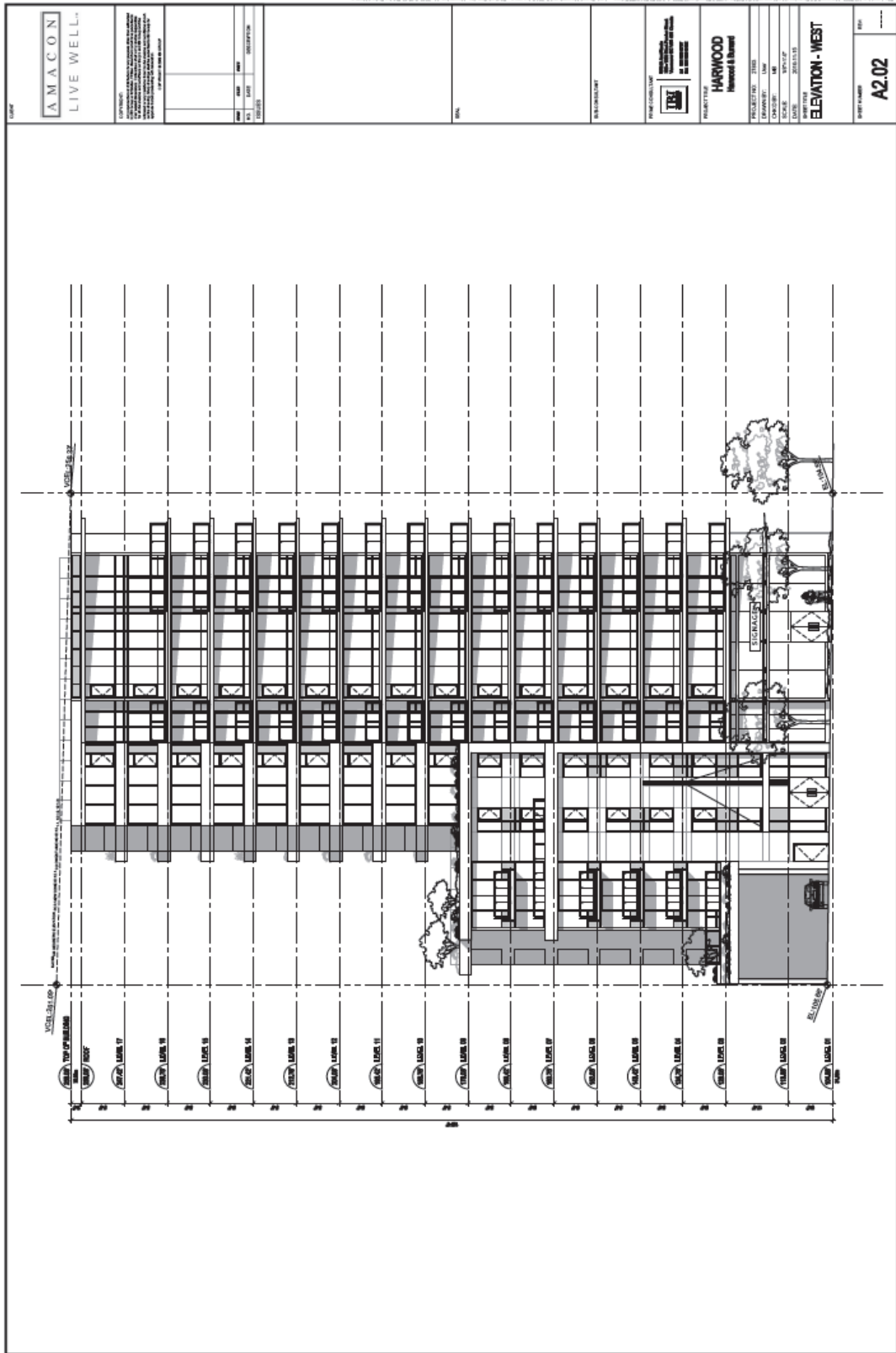


Figure 3: West Elevation

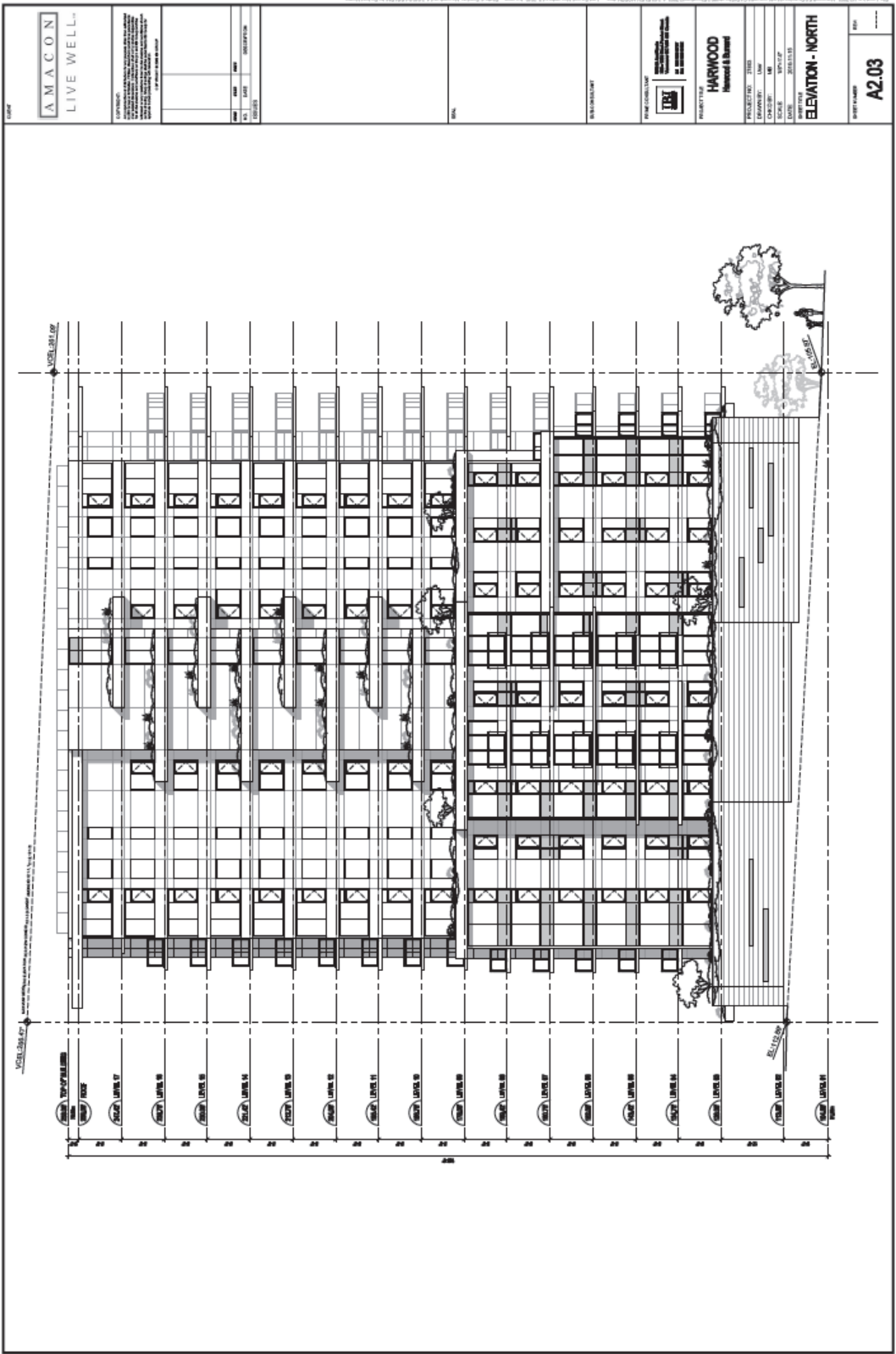


Figure 4: North Elevation

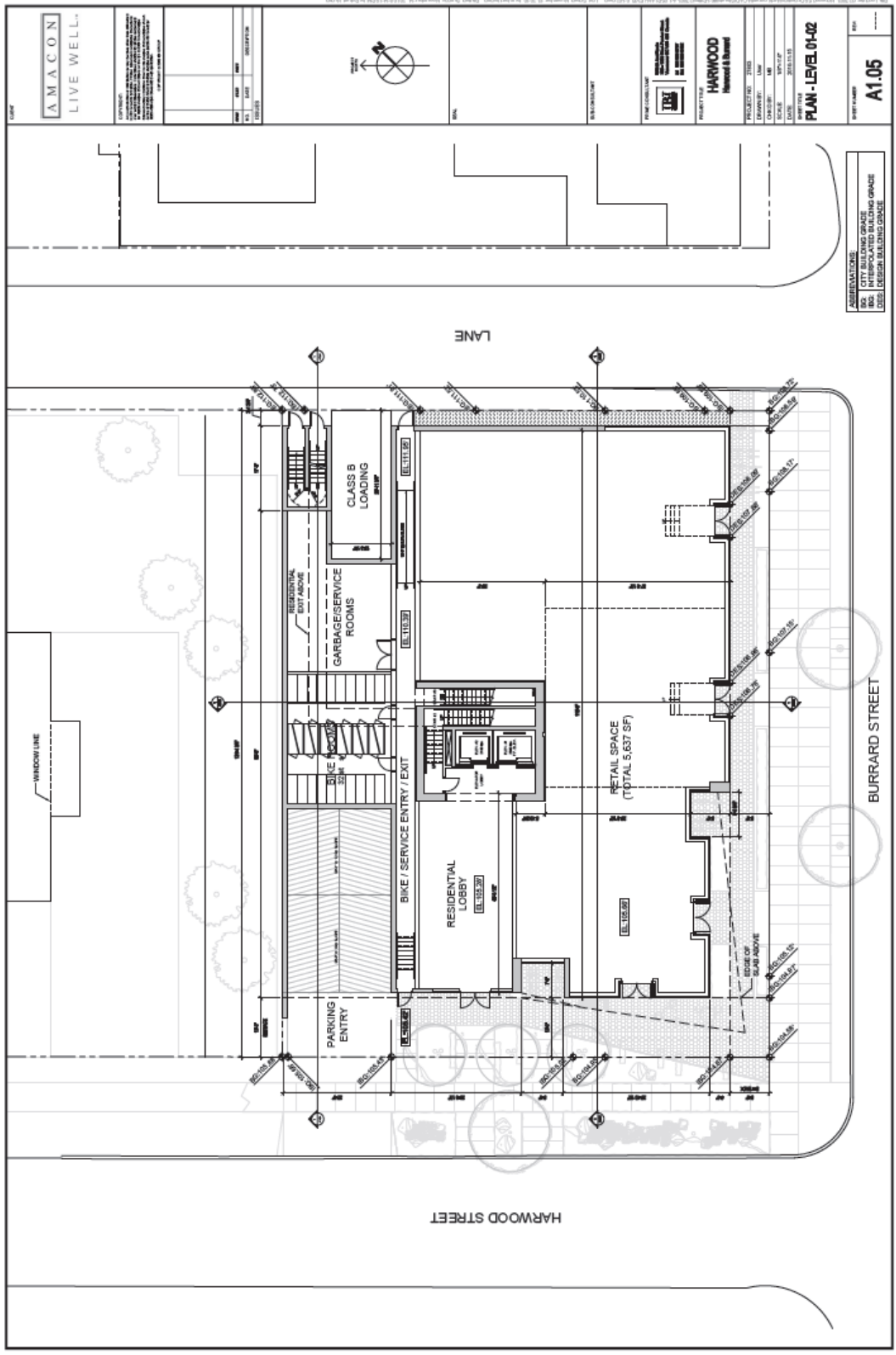


Figure 6: Plan – Levels 1 and 2



Figure 7: Plan – Level 3 showing landscape

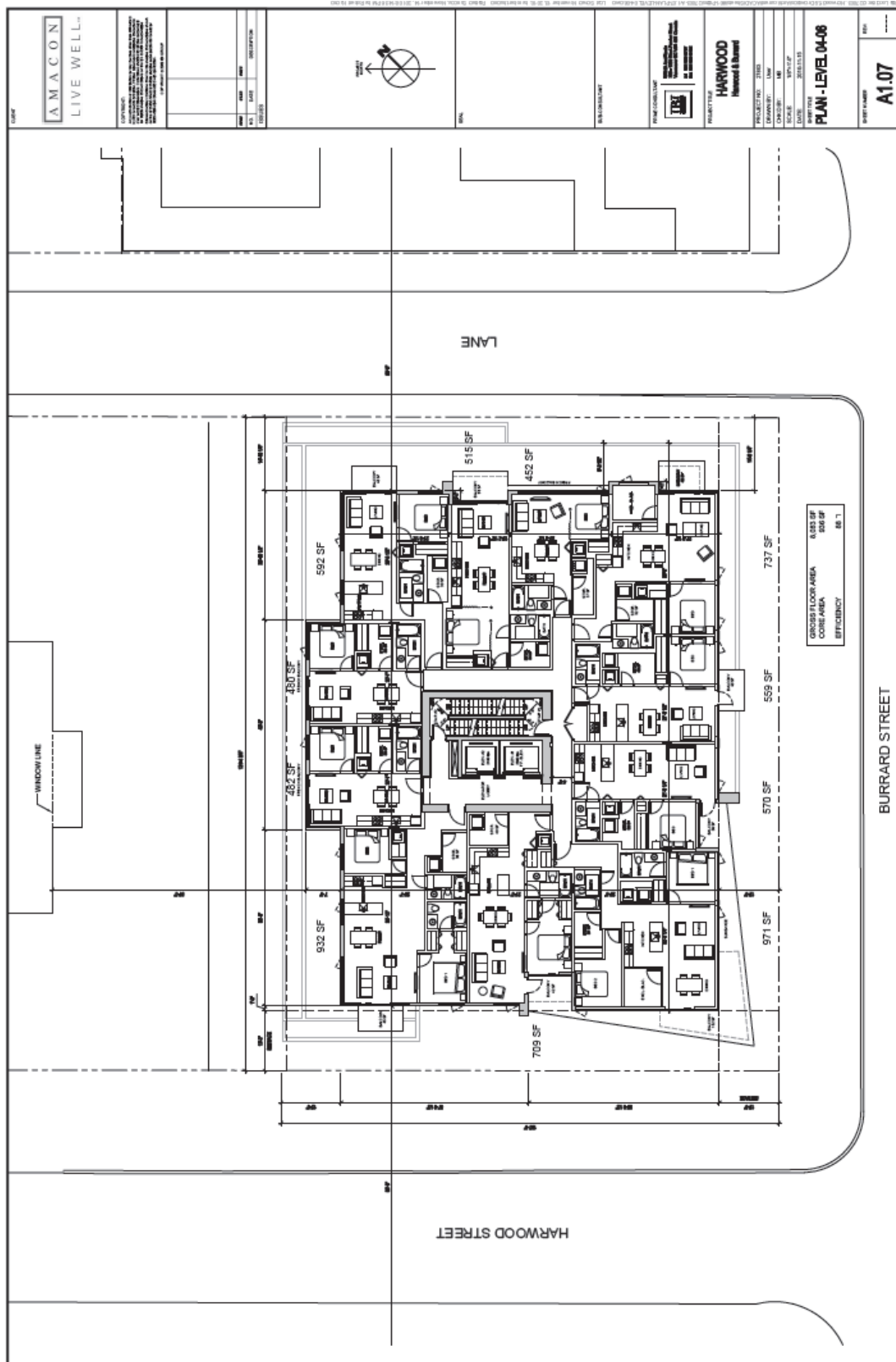


Figure 8: Plan – Typical Podium Floorplate



Figure 9: Plan – Level 9 showing landscape and amenity space (centre patio)



Figure 11: Rooftop showing landscape

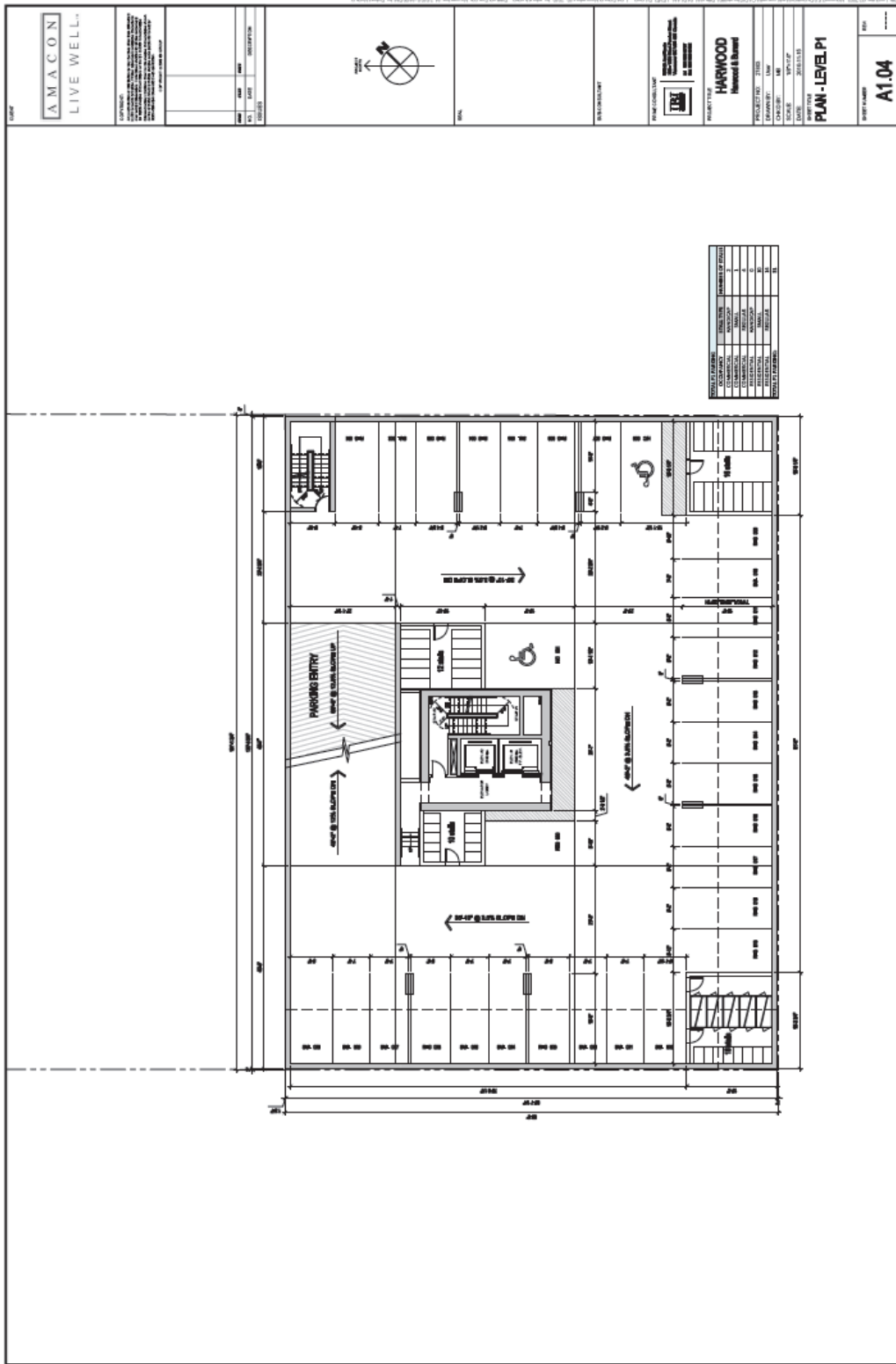


Figure12: Parking Level 1

1305-1335 Burrard Street and 1009 Harwood Street
PUBLIC BENEFITS SUMMARY

Project Summary:

A 17-storey residential building with commercial uses at grade.

Public Benefit Summary:

The project would result in a DCL payment and a CAC offering to be allocated to public benefits in the West End and to the transfer of heritage density.

	Current Zoning	Proposed Zoning
Zoning District	DD	CD-1
FSR (site area = 12,967 sq. ft.)	5.0	7.4
Buildable Floor Space (sq. ft.)	64,835	95,920
Land Use	Residential/Commercial	Residential/Commercial

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (See Note 1)	\$675,581	\$1,075,795
	DCL (Area Specific)	0	0
	Public Art	0	0
	20% Social Housing	0	0
Offered (Community Amenity Contribution)	Heritage (transfer of density receiver site)(Note 1)	\$421,460	\$1,171,460
	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		\$2,250,000
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$1,097,041	\$4,497,255

Other Benefits (non-market and/or STIR components):

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ for each of the Area Specific DCL Districts.

Note 1: Under the DODP, through a transfer of heritage density the floor area may be increased by a maximum of 10%, thereby increasing the floor area up to 5.5 FSR.

1305-1335 Burrard Street and 1009 Harwood Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	1305-1335 Burrard Street and 1009 Harwood Street
Legal Description	Lots A and B, except the West 26 feet, Lot C and Lot E, all of Lots 17 and 18, Block 12, DL 185, Plan 855
Applicant/Developer/Property Owner	Amacon Development (Burrard) Corporation
Architect	IBI HB Architects

SITE STATISTICS

Site Area	1 204.7 m ² (12,967 sq. ft.)
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DEVELOPMENT STATISTICS

	Development Permitted Under Existing Zoning	Proposed Development	Recommended Development (If Different Than Proposed)
Zoning	DD (Downtown District)	CD-1 (Comprehensive Development District)	
Uses	Residential and commercial uses	Residential and commercial uses	
Dwelling Units		Studio 20 1-Bedroom 71 2-Bedroom <u>30</u> Total 121	
Max. Floor Space Ratio (FSR)	5.0 FSR plus 10% heritage density transfer	7.40 FSR	
Floor Area	6 023.4 m ² (64,835 sq. ft.) 6 625.7 m ² (71,319 sq. ft.) with heritage density transfer	8 911.3 m ² (95,920 sq. ft.) • Residential: 8 387.6 m ² (90,283 sq. ft.) • Commercial: 523.7 m ² (5,637 sq. ft.)	
Maximum Height	91.4 m (300 ft.)	46.8 m (153.5 ft.) 17 storeys	
Parking Spaces	Residential 59 Non-residential <u>4</u> Total (minimum) 63	Residential 132 Non-residential <u>7</u> Total 139	
Loading	Residential (Class B) 1 Non-residential (Class B) <u>2</u> Total (minimum) 3	Residential 0 Non-residential (Class B) <u>1</u> Total 1	Residential (Class A) 2 Non-residential (Class B) <u>1</u> Total 3
Bicycle Spaces	Class A 152 Class B 6	Class A 174 Class B 0	Class B 6