

SUMMARY AND RECOMMENDATION

3. REZONING: 1305-1335 Burrard Street and 1009 Harwood Street

Summary: To rezone from DD (Downtown) District to CD-1 (Comprehensive Development) District to allow the construction of a 17-storey, mixed-use building with commercial uses at grade and dwelling units above. The proposed development includes a maximum height of 46.8 metres (153.5 feet), a maximum floor space ratio (FSR) of 7.40 (DD District allows up to 5.0 FSR), a floor area of 8 911.3 m² (95,920 square feet), 121 dwelling units, and 139 below-grade parking spaces.

Applicant: Mr. Rob Vrooman, Amacon.

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

- A. THAT the application by 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, generally as presented in Appendix A of the Policy Report dated September 6, 2011, entitled "CD-1 Rezoning: 1305-1335 Burrard Street and 1009 Harwood Street", be approved subject to the following conditions:

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 minimizing 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.
 - (i) consolidation of the site into a single lot;

- (ii) discharge Easement & Indemnity 450502M (commercial crossing) prior to building occupancy;
- (iii) 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;
- (iv) 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 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;
- (v) 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;
- (vi) 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;
- (vii) 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;
- (viii) 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.

- B. THAT 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 of the Policy Report dated September 6, 2011, entitled "CD-1 Rezoning: 1305-1335 Burrard Street and 1009 Harwood Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this CD-1 in Schedule A, generally as set out in Appendix C of the Policy Report dated September 6, 2011, entitled "CD-1 Rezoning: 1305-1335 Burrard Street and 1009 Harwood Street".

(RZ - 1305-1335 Burrard Street and 1009 Harwood Street)