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POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: April 15, 2013
Contact: Kent Munro
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RTS No.: 9953
VanRIMS No.: 08-2000-20
Meeting Date: April 23, 2013

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: CD-1 Rezoning - 1300-1320 Richards Street

RECOMMENDATION

- A. THAT the application by DIALOG, on behalf of 0888189 B.C. Ltd. (Wall Financial Corporation), to rezone 1300-1320 Richards Street (*Lots A and B, Block 115, District Lot 541, Plan 5210, PIDs: 011-207-931 and 008-236-267 respectively*) from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the floor area from 3.0 FSR to 12.32 FSR to allow for a 43-storey residential tower with commercial uses at grade, be referred to a Public Hearing, together with:
- (i) plans prepared by DIALOG, received December 8, 2011;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning and Development 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 enactment of the CD-1 By-law, 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, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C;
- FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.
- E. THAT, if the application is referred to Public Hearing, that prior to the Public Hearing, the registered property owner shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner of the proposed donor site for the purchase of heritage bonus density as set out in Appendix B (c)(7).
- F. THAT Recommendations A through E 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.

REPORT SUMMARY

This report evaluates an application to rezone the properties addressed at 1300-1320 Richards Street from DD (Downtown) District to CD-1 (Comprehensive Development) District. The proposal is for a mixed-use development with a 43-storey residential tower, with commercial uses at grade. Staff have assessed the application and support the uses and form of development proposed, subject to the design development and other conditions outlined in Appendix B. This report recommends that the Community Amenity Contribution (CAC) from this rezoning application, if approved, be a contribution in kind towards the construction of social housing and social service space at a site located at 1107 Seymour Street which would achieve key social objectives in the Downtown South neighbourhood.

Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it along with the conditions of approval outlined in Appendix B, subject to the Public Hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this site include:

- Downtown Official Development Plan (November 4, 1975)
- Downtown South Guidelines (July 30, 1991; last amended June 10, 2004)
- 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 (see Council Policy Report titled "Potential Benefit Capacity in Downtown")
- Downtown South Public Benefits Strategy (2007-2021) (May 3, 2007)
- Housing and Homelessness Strategy (February 1, 2011)
- High Density Housing for Families with Children Guidelines (March 24, 1992)
- Green Buildings Policy for Rezoning (January 20, 2009; last amended July 22, 2010)
- Financing Growth Policy (Community Amenity Contributions) (January 20, 1999; last amended February 12, 2004).
- Transfer of Density Policy and Procedure (January 25, 1983).

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Planning and Development Services RECOMMENDS approval of the recommendations of this report.

REPORT

Background/Context

1. Site and Context

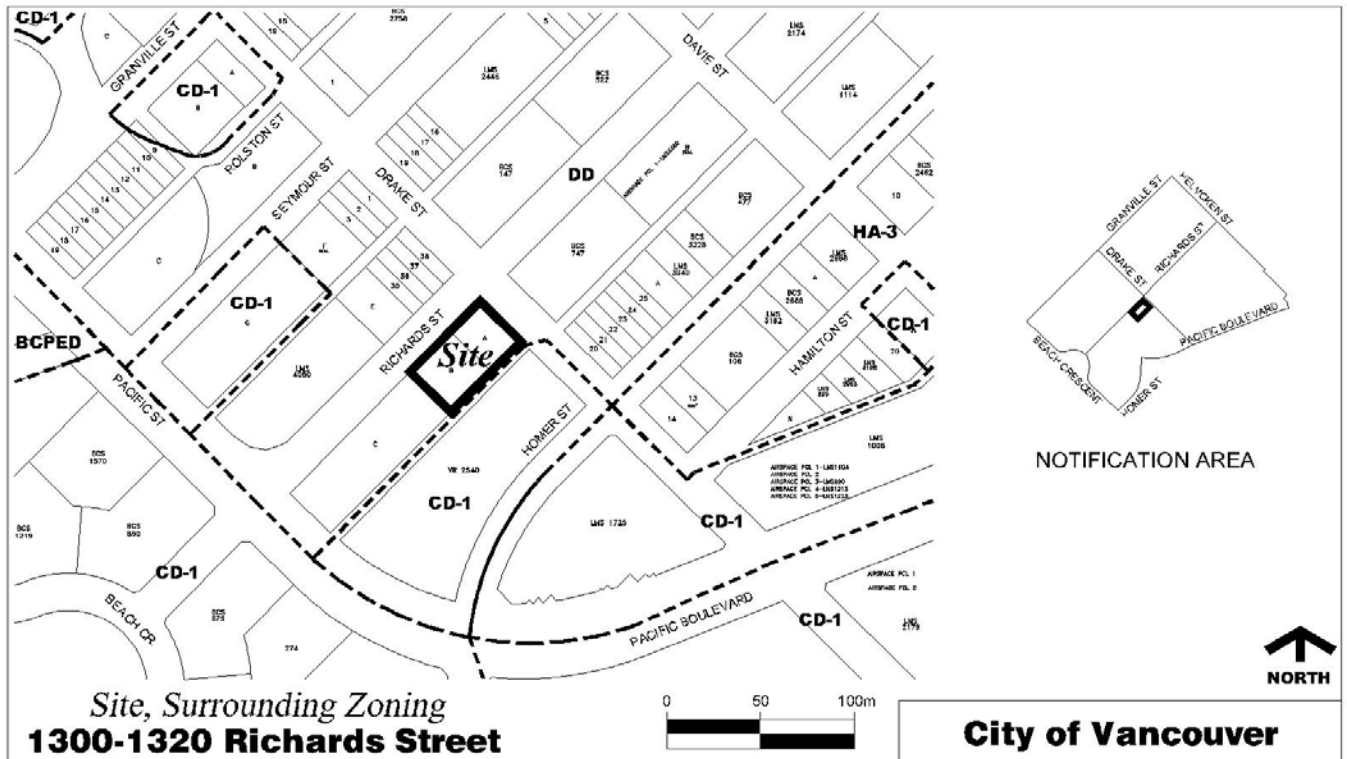
This 1,625 m² (17,488 sq. ft.) site is situated at the southeast corner of Drake and Richards Streets (see Figure 1). The site is comprised of two legal parcels, which have a combined frontage of 53.3 m (175 ft.) along Richards Street and 30.5 m (100 ft.) along Drake Street. The site is currently occupied by two- and three-storey commercial buildings.

The blocks surrounding the subject site contain a variety of building types ranging from small-scale commercial buildings to newer tower and podium developments, generally up to 91.4 m (300 ft.) in height, with a combination of townhouse and retail uses at street level. Buildings immediately adjacent to the site include:

- to the north, across Drake Street, the Grace (27-storeys) and the Oscar (23-storeys) residential towers;
- to the east, across the lane, the Pacific Point residential development (27- and 19- storeys) with a mixed-use podium;
- to the west, across Richards Street, two-storey commercial buildings, a 12-storey social housing building, and the 501 residential tower (31-storeys) with a mixed-use podium, and;

- to the south of this proposal, the remainder of the 1300 Richards Street block, a development site for which a rezoning application for a mixed-use development is currently under review.

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



Strategic Analysis *

1. Proposal

The application proposes a 43-storey mixed-use development that includes 258 residential market strata units in a tower form atop a five-storey podium with approximately 530 m² (5,702 sq. ft.) of commercial retail floor space at grade along the Richards and Drake Streets frontages. The CAC resulting from the proposal is proposed to be put towards the construction of 81 social housing units and social service space at a site located at 1107 Seymour Street. It is noted that the proposed development on the 1107 Seymour Street site would require that the property be rezoned and that rezoning application is the subject of a separate report to Council. With respect to the 1300-1320 Richards Street and the 1107 Seymour Street rezoning applications, any Council decision on one will not fetter Council’s decision on the other.

2. Land Use

The site is located in the Downtown District (DD) within which 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 New Yaletown sub-area L1 of Downtown South where the applicable land use policy endorses high-density residential development, with limited commercial uses.

The subject site is located at the intersection of Richards and Drake Streets and the DODP sets a limit on the provision of commercial and retail uses to a maximum of 233 m² (2,500 sq. ft.) on corner sites. The proposed ground level retail floor space exceeds this amount, however, staff are supportive of a greater amount of commercial and retail uses in this particular case. Ground level uses along both sides of the 1300 block of Richards Street are primarily non-residential and commercial activity along the frontages of this proposal are considered to be more appropriate given this existing context. Staff are satisfied that the amount of commercial retail floor space will not compromise the underlying DODP objective to locate and optimize retail uses along the area's primary shopping streets of Davie and Granville Streets. Accordingly, the proposed CD-1 By-law limits the development of commercial floor space to 575 m² (6,189 sq. ft.).

Staff support the proposed land uses which are consistent with the intent of the DODP and the Downtown South guidelines, achieving a primarily residential development with ground-level uses that provide for local needs and help to animate the pedestrian experience for passersby.

3. Form of Development

An analysis of the proposed form of development has been conducted, including an assessment of its urban design and neighbourliness impacts. A detailed urban design analysis is provided in Appendix D and is summarized below. The form of development drawings are included in Appendix G and the development statistics in Appendix I.

This site is located within the DODP sub-area L1. Within sub-area L1, the density and height provisions are prescribed by both site frontage and site area. For a market residential development such as is proposed, a corner site with a frontage of 53.3 m (175 ft.) and a minimum site area of 1,951 m² (21,000 sq. ft.) qualifies for a Floor Space Ratio (FSR) of 5.0 and a height of 91.4 m (300 ft.), whereas sites not meeting these criteria would be limited to an FSR of 3.0 and a height of 21.3 m (70 ft.).

The subject site at 1300-1320 Richards Street has a frontage dimension of 53.3 m (175 ft.) and is located on a corner, however, due to its unusually shallow block depth of 30.48 m (100 ft.) the site area is only 1,626 m² (17,500 sq. ft.) in area. The 1300 block of Richards Street is an anomaly within the area where the standard city block depth of 36.5 m (120 ft.) prevails; if this site had a more typical lot depth, the minimum site area threshold of 1,951 m² (21,000 sq. ft.) would be achieved. Given that the site does possess the frontage requirements for the higher density and height under the DODP provisions, staff concluded that intent of the DODP thresholds has been achieved and that the city's urban design objectives for a tower development within the area could be met.

Furthermore, under Council's policy report "Potential Benefit Capacity in Downtown", an increase in height beyond the 91.4 m (300 ft.) prescribed in the DODP could be considered to the underside of the approved view corridors. The site is restricted by view cone 3.2.1 (Queen Elizabeth to Downtown & North Shore), limiting the overall height of the building to 126.8 m (416 ft.). The application proposes a density of 12.32 FSR and a height of

121.9 m (400 ft.) to the top of the parapet and 126.5 m (415 ft.) to the top of the elevator overrun.

Staff have assessed the potential impacts of the proposed height and density and are satisfied that the application, if approved, will not result in any significant shadowing on public open spaces, and that the additional height would contribute to the overall skyline composition. The staff urban design assessment concludes that the additional floor area proposed can be accommodated within the development, subject to the design development conditions in Appendix B.

This rezoning application and the proposed form of development were reviewed by the Urban Design Panel and the form of development received support (see Appendix F). Staff recommend, subject to the public hearing, that the application be approved subject to the conditions in Appendix B, which seek some additional design refinement at the development permit stage.

4. Parking, Loading and Transportation

The application shows seven levels of underground parking, accessed off the lane, providing 258 residential parking spaces, exceeding the requirements of the Parking By-law. Engineering staff are recommending provision of the required number of loading spaces as well as additional Class A loading spaces to accommodate service vehicles for needs within the building.

A Transportation Study, completed by Bunt and Associates and dated December 5, 2011, was submitted as part of the rezoning application. The study indicates that the proposed mixed-use development is not expected to create any significant traffic impact to lane operation or the nearby street system. In addition, the site is well served by alternate modes of transportation that tend to reduce the traffic impact, with a major transit corridor on Granville Street, and the Yaletown Roundhouse Canada Line station within approximately 400 metres walking distance from the site.

5. Environmental Sustainability

The Green Building Rezoning Policy (adopted by Council on July 22, 2010) requires that rezoning applications received after January 31, 2011, achieve a minimum of LEED® Gold rating, including 63 LEED® points, with targeted points for energy performance, water efficiency and stormwater management along with registration and application for certification of the project. The application includes a preliminary LEED® scorecard, which generally conforms to the Rezoning Policy, indicating that the project could attain a minimum of 63 LEED® points and, therefore, would be eligible for a LEED® Gold rating.

PUBLIC INPUT

Public Notification: A rezoning information sign was installed on the site. Notification and application information as well as an online comment form were provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps). Notification of the application was mailed to 4,189 surrounding property owners and to 9,192 occupants via

unaddressed admail. An open house was held on February 28, 2012 and approximately 124 people attended.

Public Responses and Comments: In response to the open house, 37 comment sheets were submitted (16 opposed/18 in favour/3 unsure). In addition, the City received 33 e-mails, letters, and online forms (24 opposed/3 in favour/6 unspecified) and a petition opposing the proposed development with 53 signatures from residents of the nearby Grace Towers.

The most prevalent concerns stated were that that the tower is too tall, it does not fit in with the neighbourhood, and it does not add to the skyline, and that the podium height should be around three-storeys which was felt to be more consistent with the podiums of surrounding buildings. It was felt the proposed building would alter the feel of the neighbourhood, impact sun access and privacy, and block views. Many people felt that the proposed increase in density was significant and would result negatively on the neighbourhood, bringing in more people, traffic, noise, pollution and congestion. There were also concerns that the additional density would place additional pressure on residents' liveable space as well as on schools, daycares and community centres.

Those who supported the application felt that the proposed development was an improvement to the area, making it more pleasant, desirable and safe. Many were looking forward to new retail businesses and felt new commercial uses would revitalize the area and complete this part of Yaletown. There was also some support for an increase in height and density in downtown, and it was felt that taller buildings were a good approach to increasing residential population in the downtown area to address the City's housing supply issues. In terms of architectural design, some people supported the design while others did not.

A more detailed summary of public comment on this application is provided in Appendix E.

PUBLIC BENEFITS

In response to City policies which address changes in land use and density, this application, if approved, can be expected to realize the following public benefits.

Required Public Benefits

Development Cost Levies (DCL) – Development Cost Levies (DCL) collected from new development help pay for facilities made necessary by growth including parks, childcare facilities, replacement (social/non-profit) housing and engineering infrastructure. The subject site is in the Downtown South DCL District where the current rate for residential and commercial uses developed at a density greater than 1.2 FSR is \$184.21/m² (\$17.11/sq. ft.). It is anticipated that the new floor area of 20,008 m² (215,375 sq. ft.) associated with the proposed tower will generate DCLs of approximately \$3,685,066. DCLs are payable at building permit issuance and the 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 requires all new rezoned developments having a floor area of 9,290 m² (100,000 sq. ft.) or greater to commission public art or provide cash in lieu. Public art budgets are based on a formula of \$1.81 times each square foot of area contributing to the total FSR calculation. With approximately 20,008 m² (215,375 sq. ft.) proposed in this rezoning, a public art contribution of approximately \$389,829 could be anticipated.

Offered Public Benefits

Heritage Density Transfer — As permitted under the DODP and provided for under the City's Transfer of Density Policy, the applicant is proposing to purchase and transfer 487.7 m² (5,250 sq. ft.) of heritage density, which has a value of \$341,250, to the site. 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 (CAC) — In the context of the City's Financing Growth Policy, an offer of a Community Amenity Contribution from the owner of a rezoning site to address the impacts of rezoning can be anticipated. Such a CAC is typically made through the provision of either on-site amenities or a cash contribution towards other public benefits in the neighbourhood. Contributions are negotiated and are evaluated by staff in light of the increase in land value expected to result from rezoning approval.

As part of this rezoning application for 1300-1320 Richards Street, the property owner has offered an in-kind CAC, to be augmented with a contribution from the City's existing DCL funds, consisting of a stand-alone fifteen-storey building with four storeys of social service space and eleven storeys of social housing (81 units) to be located at a site at 1107 Seymour Street. The proposed in-kind CAC, if accepted, would result in a total of 7,711 m² (83,000 sq. ft.) of built floor space being constructed by the owner of 1300-1320 Richards Street and, upon completion, the ownership of the land at 1107 Seymour Street as well as the constructed building being transferred in "turn-key" condition to the City. It is noted that the proposed development of the social housing and social service space at 1107 Seymour Street requires a rezoning of that property, and is the subject of a separate report to Council. If the rezoning for 1107 Seymour Street is not approved, the CAC would be provided to the City as a cash contribution.

The proposed building at 1107 Seymour Street would be constructed by the property owner and the total project, including the building and land, has an estimated value of \$28,284,000. The CAC contribution from the property owner of 1300-1320 Richards Street of \$23,643,750 (of which \$5,050,000 represents the value of the Seymour Street land parcel) would be augmented by a City contribution of \$4,640,250 from its existing DCL funds which are earmarked for affordable housing purposes. The social housing on the Seymour Street site would be operated by a non-profit operator, and the social service space is proposed to be used by the current tenants of the building now existing at 1107 Seymour Street, namely Positive Living BC and AIDS Vancouver.

Conditions of enactment of the proposed CD-1 By-law secure the obligations to construct the new building at 1107 Seymour Street and commit the applicant to proceed with construction of it at a pace that parallels that of the 1300-1320 Richards Street development. Should, after Council approves in-principle the rezoning of 1107 Seymour Street, the applicant not proceed in accordance with all of the agreed upon terms within

five years from the date of enactment of the rezoning by-law for the Richards Street, the City will have the option to receive the CAC as a cash contribution (see Conditions 8 and 9 in Appendix B).

Real Estate Services staff have reviewed the applicant's development proforma for this rezoning application at 1300-1320 Richards Street and have concluded that a CAC of \$23,643,750 as offered by the property owner, is appropriate. As noted, the additional funding of \$4,640,250 required for the 1107 Seymour Street project would be provided through existing Downtown South DCL funds.

This CAC offering is consistent with area and City policies regarding the provision of affordable housing. The Downtown South Public Benefits Strategy ("DSPBS") focuses on the delivery of parks, childcare, affordable housing and streets improvements and, for the period between 1992 and 2021, it established targets to achieve public benefits in each of those four areas to meet the amenity needs of a growing population in Downtown South. With regard to affordable housing, the DSPBS identified a target of 1238 non-market housing units; to date, 1093 units have been achieved in the Downtown South area.

In terms of broader City policy, the Housing and Homelessness Strategy (2012-2021) includes strategic directions to increase the supply of affordable housing and to encourage a housing mix across all neighbourhoods to enhance quality of life. The Three-Year Action Plan (2012-2014) identifies priority actions to achieve the set goals, including actions to refine and develop new zoning approaches, development tools and rental incentives to continue to achieve secure purpose-built rental housing, and to use financial and regulatory tools to encourage a variety of housing types and tenures that meet the needs of diverse households. Should this application as well as the application for 1107 Seymour Street be approved, the addition of 81 units of social housing would be a significant contribution towards the achievement of the City's established housing targets and goals.

If, after Public Hearing, Council does not approve in principle the rezoning application for 1107 Seymour Street, it is recommended that for this application at 1300-1320 Richards Street a cash Community Amenity Contribution of \$23,643,750 be accepted, and further, that it be allocated to the provision of affordable housing within the Downtown South neighbourhood.

Implications/Related Issues/Risk (if applicable)

Financial

As noted in the above section on Public Benefits, this application proposes an in-kind CAC of \$23,643,750 towards a turn-key development that provides social housing and social service space at 1107 Seymour Street. That project has an estimated value of \$28,284,000 (land and building). To supplement the shortfall, \$4,640,250 of Downtown South DCL will be allocated toward the housing component of that project.

The City will have the option to accept the CAC as a cash contribution under the following circumstances:

- If after Public Hearing Council does not approve in principle the rezoning application for 1107 Seymour Street, or

- If after Council approves in-principle the rezoning of 1107 Seymour Street does not proceed to satisfy the conditions for enactment of the rezoning by-law within five years of the anniversary of the date of approval in-principle by Council of the rezoning of the Richards Street site, or
- If, five years from the date of enactment of the rezoning by-law for the Richards Street site.

The cash CAC will be set aside for the provision of affordable housing within the Downtown South neighbourhood.

The applicant will be required to provide new public art on site, or make a cash contribution to the City for off-site public art, at an estimated value of \$389,829.

The applicant will purchase and transfer heritage density with a value of \$341,250 to the site, thereby reducing the density bank by 487.7 m² (5,250 sq. ft.).

The site is subject to the City-wide DCL and it is anticipated that the applicant will pay \$3,685,066 in DCLs.

Social

This report recommends that the Community Amenity Contribution (CAC) resulting from this application, if approved, be a contribution in kind towards the construction of social housing and social service space at a site located at 1107 Seymour Street. That building would achieve key social objectives in the Downtown South neighbourhood, providing a significant contribution towards the targets set in the Downtown South Public Benefits Strategy and would result in significant progress towards the City's housing objectives. Further, the proposed occupants of the social service space, Positive Living BC and AIDs Vancouver, are two organizations with a long history of service in the area, providing essential services to the HIV and AIDs community in the area.

CONCLUSION

Staff assessment of this rezoning application has concluded that the proposed land uses, density and height are supported, and that the public benefits of this project would provide a significant contribution towards the targets set in the Downtown South Public Benefits Strategy and would result in significant progress towards the City's housing objectives.

The General Manager of Planning and Development Services recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application be approved subject to fulfilment of the conditions as listed in Appendix B, and the form of development as shown in plans included as Appendix G be approved in principle.

* * * * *

1300-1320 Richards 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.

Zoning District Plan Amendment

- 1.1 This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-____() attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

[Schedule A is a map that will be prepared for the draft by-law, and that will be posted prior to the Public Hearing.]

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ().
- 2.2 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) Retail Uses, limited to Adult Retail Store, Grocery or Drug Store, Retail Store;
 - (c) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1; and
 - (d) Accessory Use customarily ancillary to any use permitted by this section.

Density

- 3.1 Computation of floor space ratio must assume that the site consists of 1,624.6 m² [17,488 sq. ft.], being the site size at the time of application for the rezoning evidenced by this By-law.
- 3.2 The floor space ratio for all uses must not exceed 12.32.
- 3.3 Floor area for retail and service uses must not exceed 575 m².

- 3.4 Computation of floor area 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.
- 3.5 Computation of floor area 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:
 - (i) the total area of all such exclusions must not exceed 12 % of the residential floor area; and
 - (ii) the balconies must not be enclosed for the life of the building.
 - (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; and
 - (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.
- 3.6 Computation of floor area may exclude amenity areas, at the discretion of the Director of Planning or Development Permit Board, except that the exclusion must not exceed the lesser of 20 % of the permitted floor area or 929 m².
- 3.7 The use of floor area excluded under section 3.5 or 3.6 must not include any purpose other than that which justified the exclusion.

Building height

- 4.1 The building height, measured above base surface, must not exceed 126.5 m [415 ft.], except that the building must not protrude into the approved view corridors, as set out in the City of Vancouver View Protection Guidelines.

Horizontal Angle of Daylight

- 5.1 Each habitable room must have at least one window on an exterior wall of a building.
- 5.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two

angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.

5.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of the unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

5.5 An obstruction referred to in section 5.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (---).

5.6 A habitable room referred to in section 5.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - i) 10% or less of the total floor area of the dwelling unit, or
 - ii) 9.3 m².

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

* * * * *

1300-1320 Richards 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.

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DIALOG, and stamped "Received City Planning Department, December 8, 2011", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

- 1. Provision of high quality architectural material treatments that will contribute to the character and quality of the building and local area.

Note to applicant: Provision of detailed sections and elevations of typical building components is required.

- 2. Design development to provide weather protection for commercial frontages, amenity and primary residential entrances.

Sustainability

- 3. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and certification of the project is also required under the policy.

Crime Prevention Through Environmental Design (CPTED)

4. Design development to respond to CPTED principles, having particular regards for:
 - (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Landscape

5. Design development to expand opportunities for pedestrian engagement and project identity at grade.

Note to applicant: This could be achieved by providing more pedestrian scale articulation at street level, including soft landscape elements. This would promote the "green" image of the project, as well as enhance connectivity between public and private realm, and between indoor and outdoor spaces at grade.

6. Design development to showcase the principles of sustainability by the allowing the upper terraces to provide more visual impact from the street.

Note to applicant: It is not apparent from the elevations provided, whether and how much green landscape will be seen.

7. Design development to ensure there is adequate depth of soil available to carry out proposed design intent of planting over structures.

Note to applicant: Provision of a section through the planted areas at the time of development permit application, to show adequate depth of soil for the type of trees proposed, in order to allow for better root development and therefore healthier trees in the future.

8. Provision requirements at the time of Development Permit application:

- (a) A full Landscape Plan to be submitted. It should include grading, layout, materials and planting. The Planting Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities). Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. Paving, walls, railings, light fixtures, site grading and other landscape features to be keyed and referenced. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (b) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures.

- (c) A high-efficiency automatic irrigation system to be provided on all planted rooftops (illustrated on the Landscape Plan).
- (d) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Amit Gandha (604-257-8587) of Park Board regarding tree species.
- (e) A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- (f) Any emergency generators, transformers, and gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

Engineering

- 9. Delete the portions of exterior stairway landings shown beyond the southerly building face, on the southeast and northwest elevations, which would place them over the neighbouring property. Note: these encroachments do not exist on the plan views.
- 10. Provision of automatic door openers on all bike storage areas.
- 11. Updating of the landscape plan to reflect the downtown south sidewalk treatments, improved curb ramp at the corner of Richards and Drake and the concrete lane entry.

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 General Manger of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facilities Design and Management 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 A and B, Block 115, DL 541, Plan 5210 to create a single parcel.

2. Release of Easement and Indemnity Agreement GC17607 (canopy agreement) prior to building occupancy. Note: a letter of undertaking will be required at rezoning enactment with discharge prior to building occupancy.
3. Provision of a public right of way (SRW) over the 3.7 m (12 ft.) setback along the Drake Street frontage of the site. Drake Street is a proposed route for the downtown streetcar, securing the 3.7 m (12 ft.) setback with a public right of way ensures that adequate pedestrian/sidewalk space will be available should the streetcar project proceed.
4. Provision of a services agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (a) Provision of a sanitary sewer main extension to serve the site. The existing Richards Street sewer is at capacity. The site is to be served off the sewer main located in the lane east of Richards Street; the existing 200 mm sanitary sewer main is to be extended approximately 50 meters to serve the site.

Note to applicant: The sewer connections will be to the lane east of Richards and will have depth restrictions (elevation to be determined). Please contact Sewer Design branch directly to discuss sewer connection locations.
 - (b) Provision of an on-street cycling facility for people of all ages and abilities (separated cycling facility) on Drake Street between Richards Street and the lane east of Richards Street. In addition the cycle facility improvements are to include upgrades to a maximum of \$300,000.00, to the traffic signal at Richards and Drake to accommodate cycle movements for the separated bike lane, countdown timers and improved intersection lighting.
 - (c) Provision of Downtown South sidewalk treatments adjacent the site on Drake Street and Richards Street, including additional greenways treatments adjacent the Richards Street frontage of the site. Greenways treatments are to include improved street lighting, additional pedestrian level lighting and post top acorn lighting where space permits, seating, a public drinking fountain, air pump to serve cyclists, and structural soil in sidewalk and paved boulevard areas.
 - (d) Provision of a standard concrete lane entry at the lane east of Richards Street on the south side of Drake Street.
 - (e) Provision of street trees adjacent the site where space permits.

- (f) Provision of improved curb ramps at the south east corner of Drake and Richards Streets.
5. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. 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.

Heritage Density Transfer

6. Secure the purchase and transfer of 487.7 m² (5,250 sq. ft.) of heritage density (which has a value of \$341,250) 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.

Housing and Social Service Centre (at 1107 Seymour Street)

7. Grant an Option to Purchase in favour of the City for 1107 Seymour Street (the "Seymour Street Site") including a stand-alone building comprised of eleven storeys containing 81 units of social housing and four storeys of social service space, for a total floor area of 7,711 m² (83,000 sq. ft.) and two levels of below grade parking, all to be designed, constructed and finished by the applicant in turn key condition, which Option to Purchase will provide for, among other things, the following:
- (a) payment by the City of \$4,640,250 on the completion of the purchase of the Seymour Street Site;

- (b) to ensure that construction of the building at the Seymour Street Site proceeds concurrently with the construction of the building at this rezoning site (the "Richards Street Site"), the applicant will agree and covenant that:
 - (i) no permit for the Richards Street Site will be issued until such time as the same permit has been issued for work on the Seymour Street Site, including but not limited to permits for excavation, foundation and completion of shell; and
 - (ii) no permit for the Richards Street Site will be issued subsequent to completion of the shell until such time as a final occupancy permit has been issued for the Seymour Street Site and the title to the Seymour Street Site has been transferred to the City upon payment by the City of the consideration set out in paragraph (a) above.

If the City should in any of the circumstances in section 9 cash the \$23,643,750.00 Letter of Credit the provisions of this section 8 shall terminate and the applicant may develop the Richard Street Site and the Seymour Street Site without these restrictions and the City's option to purchase the Seymour Street Site shall expire.

Community Amenity Contribution

- 8. Make arrangements prior to enactment of the CD-1 By-law to provide a letter of credit to the City to secure the payment by the applicant of the value of the in-kind Community Amenity Contribution in the amount of \$23,643,750 which the applicant has offered to the City, which payment must be made on the earlier of (i) the day before the date of expiry of the Option to Purchase provided for in condition #8 of this Appendix B, section (c), and (ii) five years from the date of enactment of the rezoning by-law for the Richards Street Site, provided that:
 - (a) the Community Amenity Contribution and therefore the value of the Letter of Credit will be adjusted according to inflation as per the Statistics Canada non-residential construction price index for Vancouver on an annual basis;
 - (b) the City may forthwith cash the Letter of Credit five years from the date of enactment of the rezoning by-law for the Richards Street Site or in the event of the following:
 - (i) if, after public hearing for the rezoning of the Seymour Street Site, Council does not approve in principle the rezoning of the Seymour Street Site; or
 - (ii) if, after Council approves in principle the rezoning of the Seymour Street Site, the applicant does not proceed to satisfy

the conditions for enactment of the rezoning by-law within five years of the anniversary of the date of approval in principle by Council of the rezoning of the Seymour Street Site.

- (c) on the completion by the parties of the purchase and sale of the land and improvements at the Seymour Street Site constructed by the applicant as provided for in condition #8 of this Appendix B, section (c), the City will return such letter of credit to the applicant and no further amount will be owed by the applicant towards such Community Amenity Contribution.

Public Art

- 9. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

Soils Agreement

- 10. If applicable:
 - a) Submit a site profile to the Environmental Protection Branch (EPB).
 - b) 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.
 - c) 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 of the new 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.

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.

* * * * *

1300-1320 Richards Street
CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW No. 6510

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

“1300-1320 Richards Street CD-1# () By-law No. [____] B (DD)”

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO. 6555

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

“CD-1 (____) By-law No. [____] 1300-1320 Richards Street”

DRAFT AMENDMENTS TO THE PARKING BY-LAW NO. 6059

In Schedule C, Council adds:

Address	By-law No.	CD-1 No.	Parking requirements
1300-1320 Richards Street	(____)	(____)	<p>Parking, loading and bicycle spaces in accordance with by-law requirements on <i>(date of enactment of CD-1 by-law)</i> except that:</p> <p>Class A loading spaces are required at a rate of 0.01 spaces per dwelling unit up to and including 300 units, and at a rate of 0.008 spaces per dwelling unit for any number of units over 300.</p>

* * * *

1300-1320 Richards Street URBAN DESIGN ANALYSIS

Site: The site consists of two properties on the southeast corner of Drake and Richards Street. The site has frontage along Richards and Drake Streets. The combined site has a width of 53.3 m (175 ft.) and a depth of 30.5 m (100 ft.) for a site area of approximately 1,625 m² (17,488 sq. ft.).

Context: The blocks surrounding the subject site contain a variety of building types ranging from small scale commercial buildings to newer tower and podium developments, generally up to 91.4 m (300 ft.) in height, with a combination of townhouse and retail uses at street level. Buildings within the immediate context include:

- 1280 Richards Street, "Grace", 27-storey residential tower with five-storey podium;
- 1295 Richards Street, "Oscar", 23-storey residential tower with three-storey podium;
- 1303 Homer Street, "Pacific Point", 27-storey and 19-storey towers with a five-storey mixed-use podium;
- 1321 Richards Street, 12-storey social housing building;
- 501 Pacific, "The 501", 31-storey residential tower with a three-storey mixed-use podium;
- To the south of this proposal, the remainder of the 1300 Richards Street block, a development site for which a rezoning application is currently under review.

Urban Design Assessment

The first test in assessing a proposal seeking a substantial increase in density is to determine from an urban design standpoint if the site can, within its surrounding built context and zoning, accept the additional density appropriately. An analysis and assessment of the proposed form of development was conducted, including any urban design impacts beyond that contemplated for development under existing zoning. This involved a comparison of the proposed building massing against potential building density and massing under Downtown Official Development Plan (DODP) zoning and guidelines in terms of impacts on views, shadows, livability and overall built form "fit" within the neighbouring context.

DODP - Sub Area L1 Zoning

Density and Height: This site is located with the DODP sub area L1. Within sub-area L1, the density and height provisions are prescribed by both site frontage and site area. In general, a corner site with a frontage of 53.3 m (175 ft.) and a minimum site area of 1,951 m² (21,000 sq. ft.) or more qualifies for an FSR of 5.0 and a height of 91.4 m (300 ft.), whereas sites not meeting these criteria would be limited to an FSR of 3.0 and a height of 70 ft.

The site at 1300-1320 Richards has a frontage dimension of 53.3 m (175 ft.) and is located on a corner, however, due to the atypical block depth of 30.48 m (100 ft.) the site area is only 1,626 m² (17,500 sq. ft.). The 1300 block of Richards Street is an anomaly within the area where the standard city block depth of 36.5 m (120 ft.) prevails. Given that the site achieves the frontage requirements for the higher density and height, under the DODP provisions, staff considered that the city's urban design objectives as a tower development within the area could be met.

Furthermore, under Council's policy report, "Potential Benefit Capacity in Downtown" a further increase in height beyond the 91.4 m (300 ft.) prescribed in the DODP, could be considered, to the underside of the approved corridors. The site is restricted by view cone 3.2.1 (Queen Elizabeth to Downtown & North Shore), limiting the overall height of the building to 126.8 m (416 ft.).

The application proposes a density of 11.9 FSR and a height of 121.9 m (400 ft.) to the top of the parapet and 126.8 m (416 ft.) to the top of the elevator overrun. Staff have assessed the impacts resulting from the increase in height and density and are satisfied that it will not result in any significant shadowing on public open spaces. Staff are also satisfied that the additional height, up to the underside of the view cone, contributes to the overall skyline composition.

Uses: The DODP limits the provision of retail uses to a maximum of 233 m² (2,500 sq. ft.) on corner sites. The application proposes commercial retail units at the ground level with a total floor area of approximately 568 m² (6,166 sq. ft.) along the Richard and Drake Street frontages.

While the proposed retail exceeds the amount prescribed in the DODP, staff considered the existing ground level uses along both sides of 1300 block of Richards, noting the predominance of non-residential uses and supported the approach for a modest increase in commercial retail uses, rather than a limited amount of isolated residential frontage within this site and block. Staff are also satisfied that this modest increase in retail area would not compromise the underlying objective to locate and optimize retail uses on the area's primary shopping streets of Davie and Granville.

Downtown South Guidelines

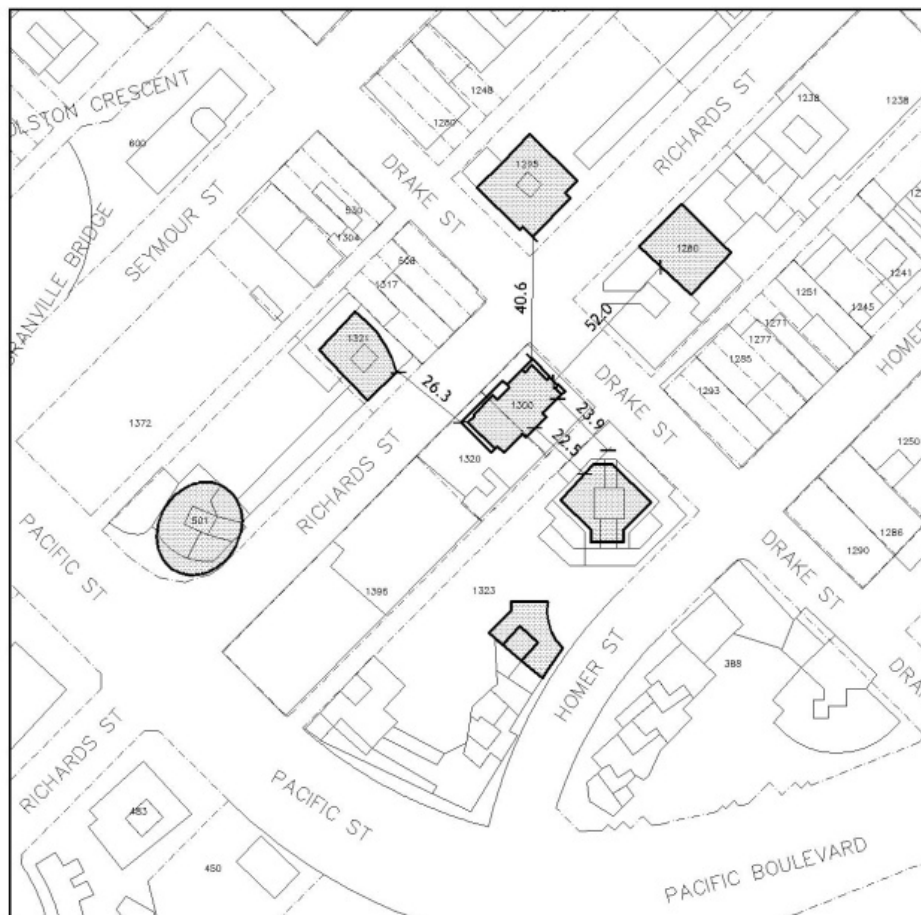
The Downtown South Design Guidelines set out performance and prescriptive criteria, for achieving high quality development by setting desired limits on maximum tower floor plates, setbacks, tower separation and podium heights and by encouraging high quality architectural and public realm design. The guideline seeks 24.38 m (80 ft.) minimum tower separation, slim tower floor plates of 604 m² (6,500 sq. ft.) and 3.66 (12 ft.) setbacks along street frontages.

Tower Siting and Built Form: The guidelines state that new development should be massed as compactly as possible and situated so that significant distant views can be shared between a proposed project and existing and future developments on surrounding sites. This is to be achieved with slim compact towers that maximize views between buildings rather than wide towers that block views, and with appropriate height, siting and spacing of towers in relation to other existing and proposed developments. On those sites affected by Council approved view cones, variations from the guidelines may be considered, subject to maintaining livability.

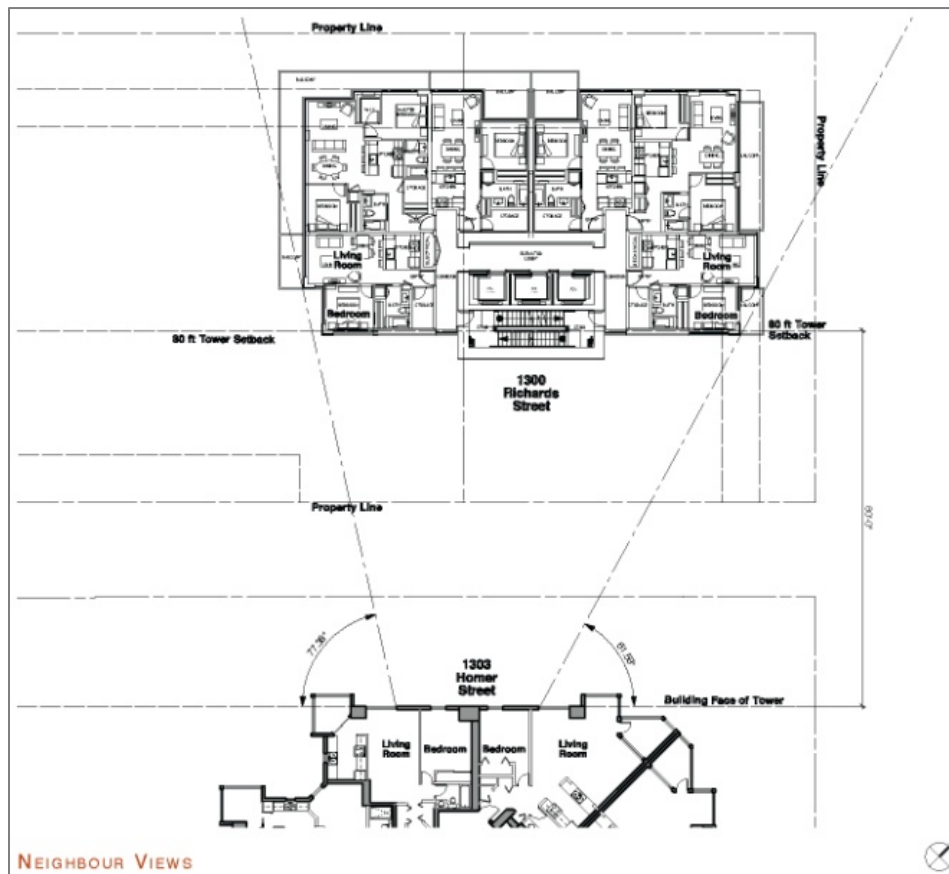
As noted above, the tower height is restricted by view cone 3.2.1, however, the site is also restricted by several other view cones. The southerly portion of the site is restricted by view cone B1- Charleson Seawall to the Lions and C1 - Laurel Landbridge to the Lions, the more restrictive of which limits the height to approx. 38.1 m (125 ft.). A small portion of the site

at the corner of Drake Street and the lane is also restricted by view cone F1 - Chocklit Park to Grouse to a height of approx. 85 m (278 ft.).

Located at the corner of Richards and Drake Street, the tower has been sited to respect these view cones while still achieving the public realm setbacks of 3.66 m (12 ft.) along the street frontages. The guidelines further call for a 9.14 m (30 ft.) setback from the rear property line. Combined with the lane width of 6.1 m (20 ft.) and the adjacent property setback of 9.14 m (30 ft.), the guidelines anticipate a resulting tower separation of 24.4 m (80 ft.) to be achieved. This proposal provides for a 9.3 m (30.5 ft.) rear setback to the tower core. As such, the recommended minimum tower separation of 24.4 m (80 ft.) has not quite been achieved with respect to "The Pointe" at 1303 Homer Street, located immediately across the lane. The resulting separation between the existing building and the proposed tower core is 22.6 m (74 ft. to the elevator core; however, the primary interface distance between residential to residential uses almost complies, with a dimension of 24.0 m (79 ft.). Combined with additional consideration of the unit layouts to orient primary living spaces (living rooms) away from the neighbouring building, staff are satisfied that livability aspects (privacy between units) has been appropriately addressed.



Tower placement within local context



Tower placement within immediate context

The tower shaping results in overall dimensions of 29.7 m (97.3 ft.) by 16.7 m (54.8 ft.) and a floor plate of 457 m² (4,921 sq. ft.). The guidelines call for slim tower dimensions up to a maximum of 27.4 m (90 ft.) and maximum tower floor plates of 604 m² (6,500 sq. ft.). Given the very slim Drake Street elevation and small floor plate, staff support the slightly elongated dimension (Richards Street elevation) as the additional modest length of the building does not generate any undue privacy or private views impacts for the nearby adjacent buildings.

Architectural Quality and Green Building Performance: The general intent contain in the Downtown South Guidelines is for buildings to continue the tradition of creative architectural expressionism achieved through high quality detailed design and material treatments. The application, indicates at this rezoning stage, a well resolved modern expression and provision of high quality material treatments. The Rezoning policy requires that the proposal meets LEED® Gold. The application includes a preliminary LEED® scorecard, indicating that the project could attain a minimum of 63 LEED® points and therefore would be eligible for a LEED® Gold rating.

* * * *

1300-1320 Richards Street
PUBLIC CONSULTATION SUMMARY

Public Notification

A rezoning information sign was installed on the site. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps). A Community Open House was held on February 28, 2012, on-site at the Boss Nightclub. A notification postcard, dated February 10, 2012, was mailed to 4,189 surrounding property owners and to 9,192 occupants via unaddressed admail.

Public Responses and Comments

Staff, the applicant team, and a total of approximately 124 people attended the February 2012 Open House. In response to the open house, 37 comment sheets were submitted (16 opposed/18 in favour/3 unsure). In addition, the City received 33 e-mails, letters, and online forms (24 opposed/3 in favour/6 unspecified) and a petition with 53 signatures from residents of the Grace Towers.

Comments from those opposing this application cited the following concerns:

Height

The most prevalent concern was over the proposed height of the building as it was felt to be too tall, did not fit in with the neighbourhood, and did not add to the skyline. Many felt the tower and podium height should be consistent with the surrounding buildings (3-storey podiums) rather than "overwhelm" the neighbourhood. Some were concerned that it would alter the "feel" of the neighbourhood, impact sun access and privacy, block views, and felt buildings near the water should be lower in height as opposed to those in the downtown core. A few had commented that they purchased with the maximum building heights in mind.

Density

Many felt the proposed density was a significant increase and would result negatively on the neighbourhood, bringing in more people, traffic, noise, pollution, and congestion. There was an overall concern over the pace at which the area is developing and a strong desire to cease the constant construction and the related noise and pollution, considering that there are already a number of development projects underway. With the recent developments in the area, some were concerned over the pressure the additional density would place on residents' liveable space, as well as, schools, daycares and community centres, which are already at capacity.

Architectural Design

Many commented on the design of the building and felt it was unattractive and uninspiring. It was felt that a building with some character was more suitable to the block or at least one with an innovative and exciting design if the tower is to exceed the height of all the nearby towers. There were a couple of comments made regarding the appearance of a tall concrete wall on one side of the building, stating it was not aesthetically pleasing.

Traffic, Parking and Access

Many were concerned that the increase in density and retail businesses would result in an increase in traffic volume, impacting existing traffic and parking conditions. Residents from

Pacific Point (the building across the lane) were particularly concerned with the proposed access to the underground parking due to access points of both buildings being located within close proximity in the shared laneway, which is already congested and has sightline issues. There was a request to have the laneway designated as a one-way south from Drake to Pacific Streets. One commented that they felt there was not enough parking for a building of this size and another expressed the desire for sufficient visitor parking to relieve pressure from on-street parking.

Downtown South Guidelines

Some expressed concern over the lack of adherence to the current guidelines, citing the failure to checker board towers and provide adequate tower separation, which allows for access to daylight and privacy. It was felt that the lack of greater separation between towers would compromise privacy and create an unpleasant situation for residents overall.

Additional comments included:

- Would detract from an otherwise beautiful and calm neighbourhood
- Believes roads should be improved prior to more construction
- Property values will be impacted; concerns of deflation due to over supply
- Believes that the City is not thinking about a beautiful city, traffic congestion, a neighbourhood where many families live, and what overbuilding will do to the area
- Glad it is not a homeless shelter - feels they destroy the city
- Could worsen the existing Richards wind-tunnel phenomenon
- Would provide unnecessary further retail outlets
- Excited by promise of new water feature but concerned it will be cut from the budget

Comments from those supporting this application:

Improvements to Area

Many felt the proposed development was an improvement to the area, making it more pleasant, desirable and safe, especially with the removal of the nightclub, which many felt was a nuisance. Many were looking forward to new retail businesses and felt new retail/commercial would add to the area by attracting more people to move or visit the area, revitalize the area and street life, and complete that part of Yaletown. Several have commented that they would like to see a grocery store or convenience retail for the residents in the area. One commented that they believed the improvements to the area would also assist with property values.

Architectural Design

Many commented that they found the building to be attractive and well-designed, which can add to the view/skyline of the city. One felt the narrowness of the building provided ample view corridors for neighbouring buildings.

Height and Density

Some commented that they were pleased to see an increase in height and density in downtown, and that taller buildings were a good approach to increasing unit numbers in the downtown area to address housing supply issues. One felt that more people in the area would attract a better mix of shops and other businesses than what is currently in Yaletown.

Additional Comments Included:

Shadow is just a few hours in the summer

Hope it will provide for some affordable housing as it is in a great location

Fits the needs of people

Provide good bike parking and car sharing services for residents and visitors

Structure should be climate-controlled or at least air-conditioned

No subsidized housing here

Comments from those unsure or did not specify a preference regarding this application included:

- Density will be too high if there is no allotment for any green space (open space); if OCP has plans for more green space, opinion would change
- Concerned about precautions of constructing a 40-storey tower in the event of an earthquake
- It is important that A Loving Spoonful should remain in its current location; is it possible that there could be a concession made in this building or in a building near this location, or opportunity to either work with the Wall Centre directly or the City of Vancouver to address a new home for A Loving Spoonful
- Townhouses seem to be too close to the street and lane, and garden areas seem to be too close to the lane where intruders can enter easily.

* * * * *

1300-1320 Richards Street
ADDITIONAL INFORMATION

1. Comments – Building Code Review

The following comments are based on the drawings submitted by Wall Financial, dated December 8, 2011, for the proposed rezoning application. This is a preliminary review in order to identify issues which do not comply with the Vancouver Building By-law (VBBL #8057).

- * 1. Two exits with adequate remoteness from each other are required in the parkade.
- * 2. Ground Floor:
 - a) the exit path is not permitted to pass through the loading bay, or to have garbage rooms opening into it. The exit route is to be fire protected out to the public thoroughfare.
 - b) the future kitchen exhausts from each CRU will not be permitted to terminate at the south end of the east elevation (i.e., near the residential units above). Provision for the exhausts to terminate closer to the lane, without impacting the urban agriculture, will need to be provided.
- * 3. The below grade exits are to terminate at the ground floor, be separated from the above grade exits, and exit directly outside the building.
- 4. On the 3rd Floor and others like it, there is fire exposure to the south exit stairs and, on the north end, one needs to enter the floor area prior to reaching the exit stairs. Thus, the design would need to be revised or an Alternative Solution approved to use the exemptions for exterior exit passageways.
- 5. Level 3 (typ): the max dead-end corridor length is 6 m.
- 6. Level 3 (typ): min. 3 risers in a flight of stairs (south exterior exit).
- 7. Level 6: if the green roof area can have an occupancy greater than 60, access to two exits is required.

*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.

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 jeopardise the ability to obtain a Building Permit or delay the issuance of a Building Permit for the proposal.

2. Urban Design Panel (UDP) – Minutes

The UDP reviewed this rezoning application on March 7, 2012, and it was supported (6-0).

- **Introduction:** Karen Hoese, Rezoning Planner, introduced the proposal for a rezoning application at Richards and Drake Streets. The site currently includes a 3-storey commercial building at Drake Street and the former Boss nightclub on the interior site. The rezoning application proposes to increase the density and height beyond that

permitted under the current zoning and to build a 43-storey residential tower with commercial uses at grade. The site is in the New Yaletown sub-area of Downtown South (DTS). The policy for this area endorses high density residential development with limited commercial uses. Council's direction allows consideration of rezoning applications proposing increased height up to the underside of approved view corridors. Ms. Hoes noted that all rezonings are subject to the Green Building Policy which requires that rezonings achieve LEED® Gold with specific emphasis on optimized energy performance. Registration and application for certification of the project are also required.

Anita Molaro, Development Planner, further described the proposal and explained that the proposal is to rezone the site from DD to CD-1. She noted that the Metro Core Policy and Capacity Review Study allows for consideration of rezoning proposals where increased capacity would achieve public benefits. Ms. Molaro described the context for the area noting several high-rise developments. She also described the policy for the area and asked that the Panel consider whether the site can support a tower proposal up to 300 feet.

Ms. Molaro then described the proposal noting that it will be a very slim tower having a floor plate of under 5,000 square feet. Downtown South Guidelines call for tower separation of 80 feet to allow for access to daylight and privacy interface. However, because of the limited opportunities for tower placement on the site, the tower is not offset due to the view cones. The tower separation is slightly less at 74 feet to the tower core and almost 80 feet at the residential floor location. To address the privacy interface the unit layouts have been configured to orient their more public/active living spaces away from the residential units in The Pointe. Ms. Molaro also noted that the number of open balconies has been increased to 12% on the provision that the additional balcony area contribute to the passive design performance of the building and that there be no enclosed balconies.

With respect to uses the DDODP allows for a maximum of 2,500 square feet of retail space on corner sites. This is in part to encourage ground oriented residential frontages along the length of the street frontage. Noting that this block is somewhat unique in this regard Ms. Molaro said the residential building, "The 501", was one of the first towers to be developed in downtown south having ground oriented retail along its frontage. She added that next door is a social housing building with ground level amenity space. The proposal is seeking an increase of retail use to 6,100 square feet. As this is a rezoning, the proposal need to meet a minimum of LEED® Gold registered with six optimized energy points, one water efficiency and one stormwater point.

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 taking into consideration the following:
 - within the context of Downtown South, is this site an appropriate site for a tower proposal, noting the site frontage (175 ft.) meets the DDODP criteria but not the site area criteria for 5.0 FSR and height of 300 ft. additional height increase up to 400 ft. parapet (416 ft. underside of view cone) and the increase in density (from 3.0 to 11.90).
 - building siting, tower form and massing, including neighbourliness issues (shadow and view impacts with adjacent and nearby existing development).

- increase in retail use along the Richards Street frontage (increase from the DDODP maximum of 2500 sq. ft. to 6100 sq. ft.).
- open space and landscape treatments.
- LEED® Gold strategies.

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

- **Applicant's Introductory Comments:** Norm Hotson, Architect, further described the proposal noting that they slimmed the building working with the 12 foot setback. The building is 50 feet wide and is the reason the core is offset. As a result, there is light in all the elevator lobbies. He noted that the building skin will be a higher performance, as they have a 40% glass area on each façade. Mr. Hotson described the architecture strategy and noted that the larger balconies add to the architectural expression of the building.

Margot Long, Landscape Architect, described the landscape plans for the proposal. She noted that the large setbacks gave them the opportunity to do a lot of landscaping at the ground level. They are looking at a water feature at the corner. Urban agriculture is proposed for the lane level, and one of the roof decks over the loading will be a green roof. Both of the levels with amenity decks have large amenity rooms. The stacked townhouses have exterior entrances offering more light into the units.

The applicant team too questions from the Panel.

- **Panel's Consensus on Key Aspects Needing Improvement:**
 - Design development of the laneway to make it more welcoming;
 - Consider design development to the canopy element at the top of the tower;
 - Consider design development on the tower to maximize the opportunity for views;
 - Design development to maintain the 80 foot separation.
- **Related Commentary:** The Panel supported the proposal and thought it was a handsome tower.

The Panel supported the urban use, design response, the height and massing. They also supported the relaxation on the retail. They thought the tower had a strong character and liked the retail uses at grade. A couple of Panel members thought it would be worthwhile to have the whole street built out as a retail street. Most of the Panel thought the 80 foot separation from the neighbouring building should be maintained and that there was only a minor adjustment needed to make it work. The Panel supported the expression of the tower; however, a couple of Panel members thought the expression could change with the change in unit type to add more interest to the building.

The Panel supported the materials and liked the colour of the glass, especially the gold colour, as they thought it would be elegant on the tower. Some Panel members were concerned that the colour in the tower and the core were competing with the coloured glass.

Most of the Panel liked the small pool on the corner and thought it made for a nice simple entrance to the building. A couple of Panel members thought the amenity and small units

on the lane could have some more windows. One Panel member suggested wrapping the glazing into the lane from the residential units. A number of Panel members noted that the laneway entrance was just as important as the street entrance and wanted to see that improved. One Panel member suggested articulated the blank wall under the stacked townhouse.

The panel liked the open space in the landscaping and liked that there would be urban agriculture spaces. A couple of Panel member thought the lane needed some improvements.

Regarding the sustainability strategy, the Panel felt that every project of this size is probably going to be LEED® Gold from now on and suggested the applicant enhance their strategy. Several of the Panel members thought passive energy design should be expression in the tower.

- **Applicant's Response:** Mr. Hotson thanked the Panel for their advice and said they are looking forward to exploring more as they get into the detailed design.

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1300-1320 Richards Street FORM OF DEVELOPMENT



Figure 1: Ground Floor Plan

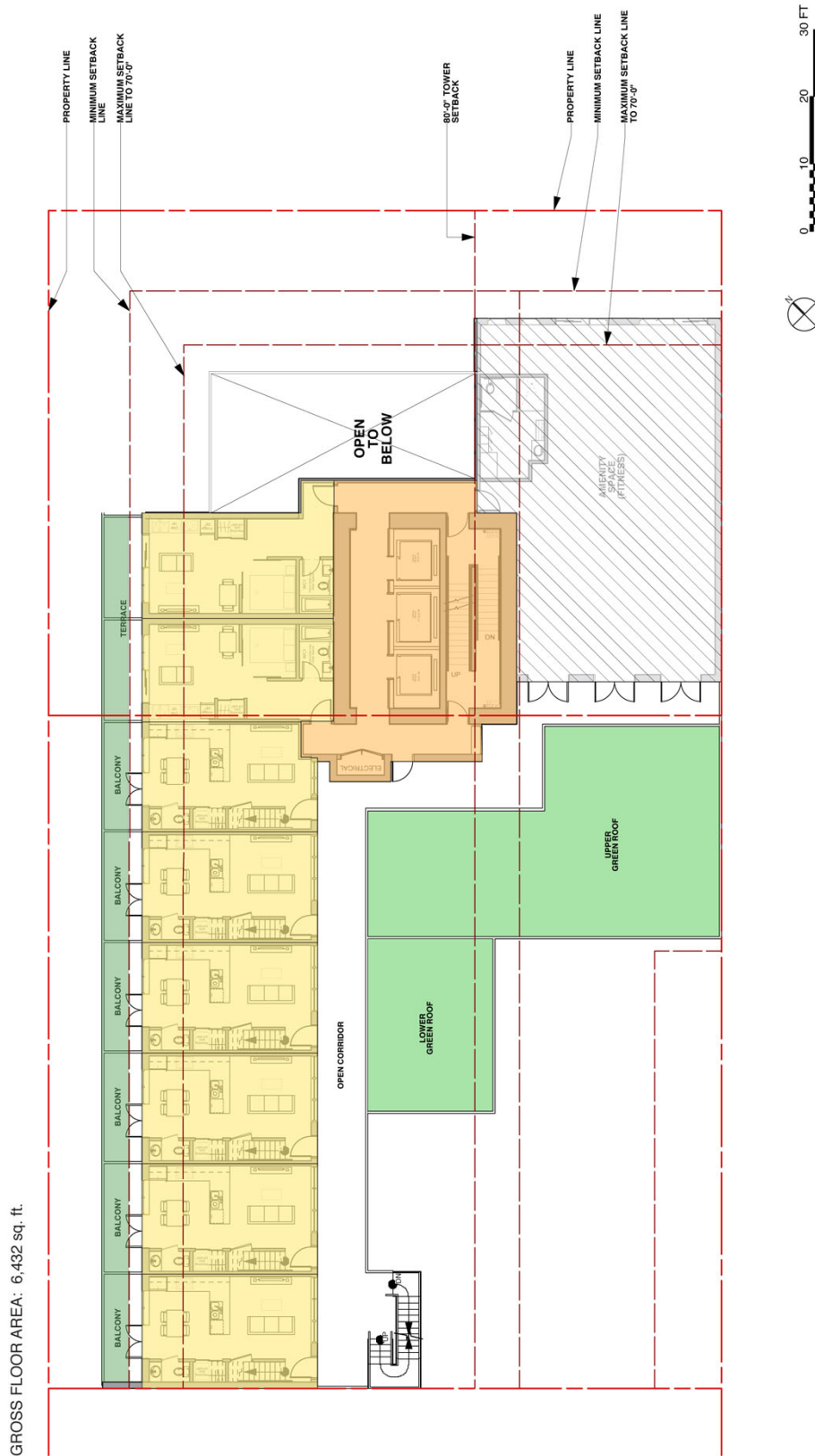


Figure 2: Second Floor Plan

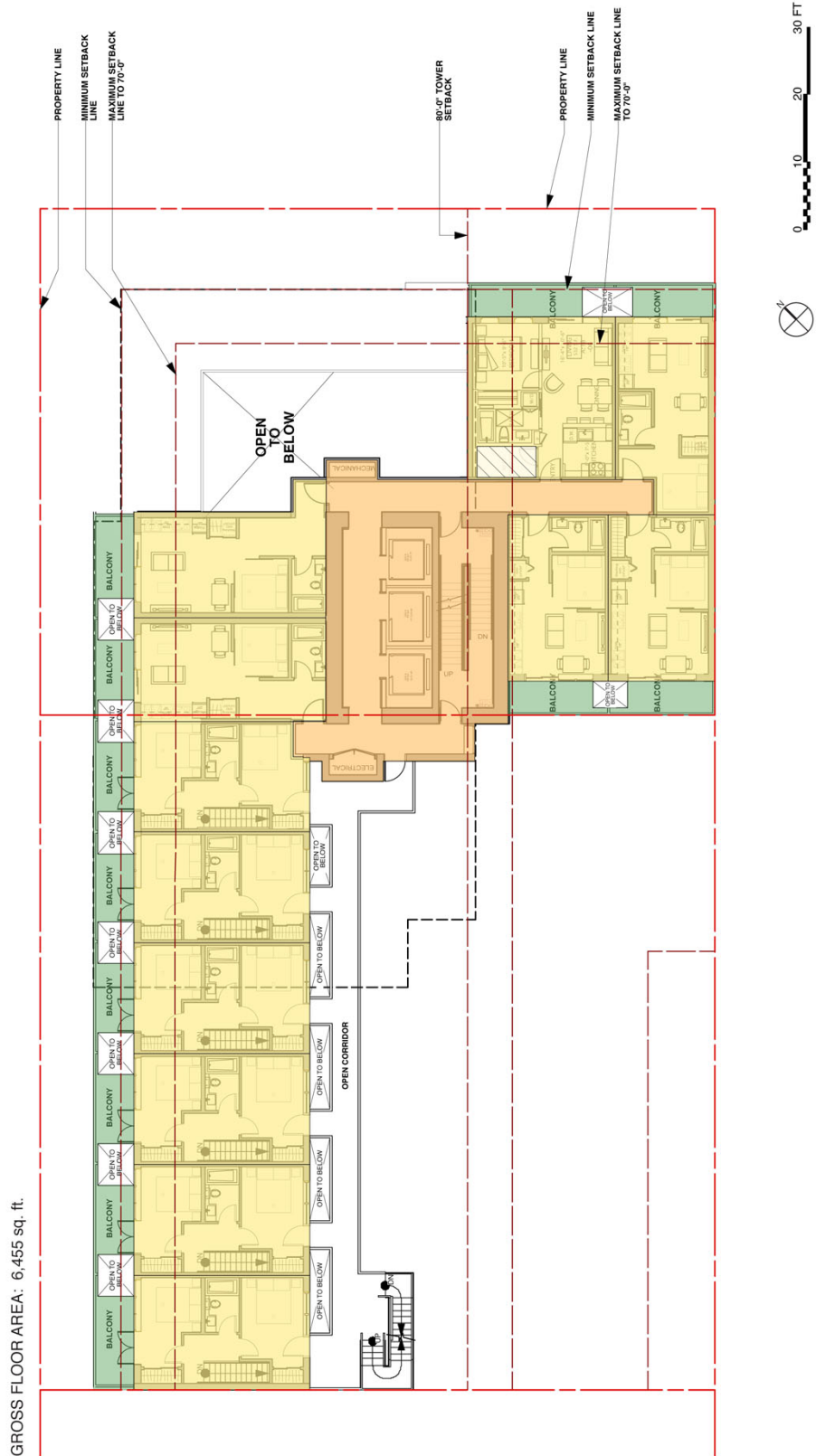


Figure 3: Third Floor Plan

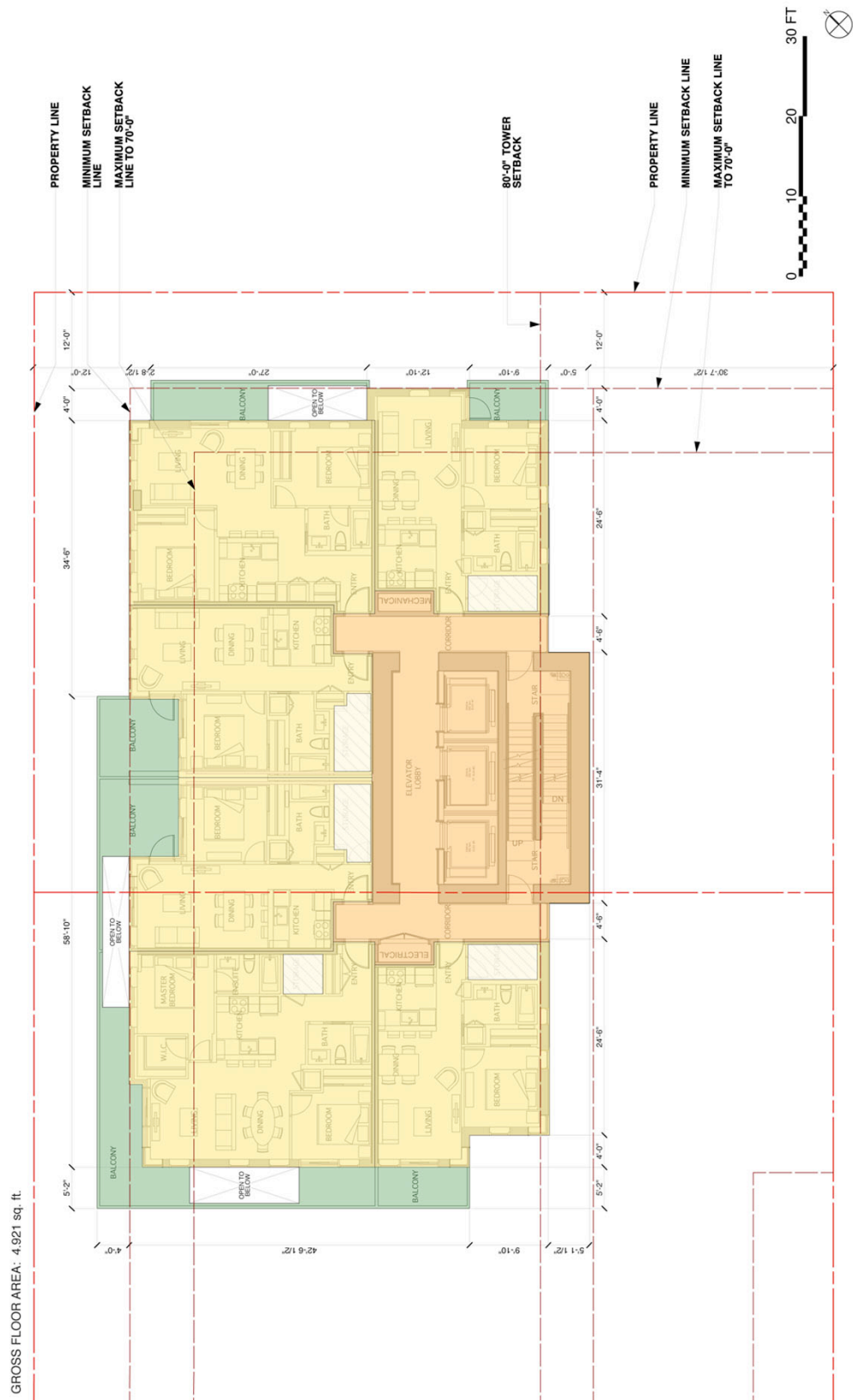


Figure 4: Seven to Twenty-Seven Floor Plan

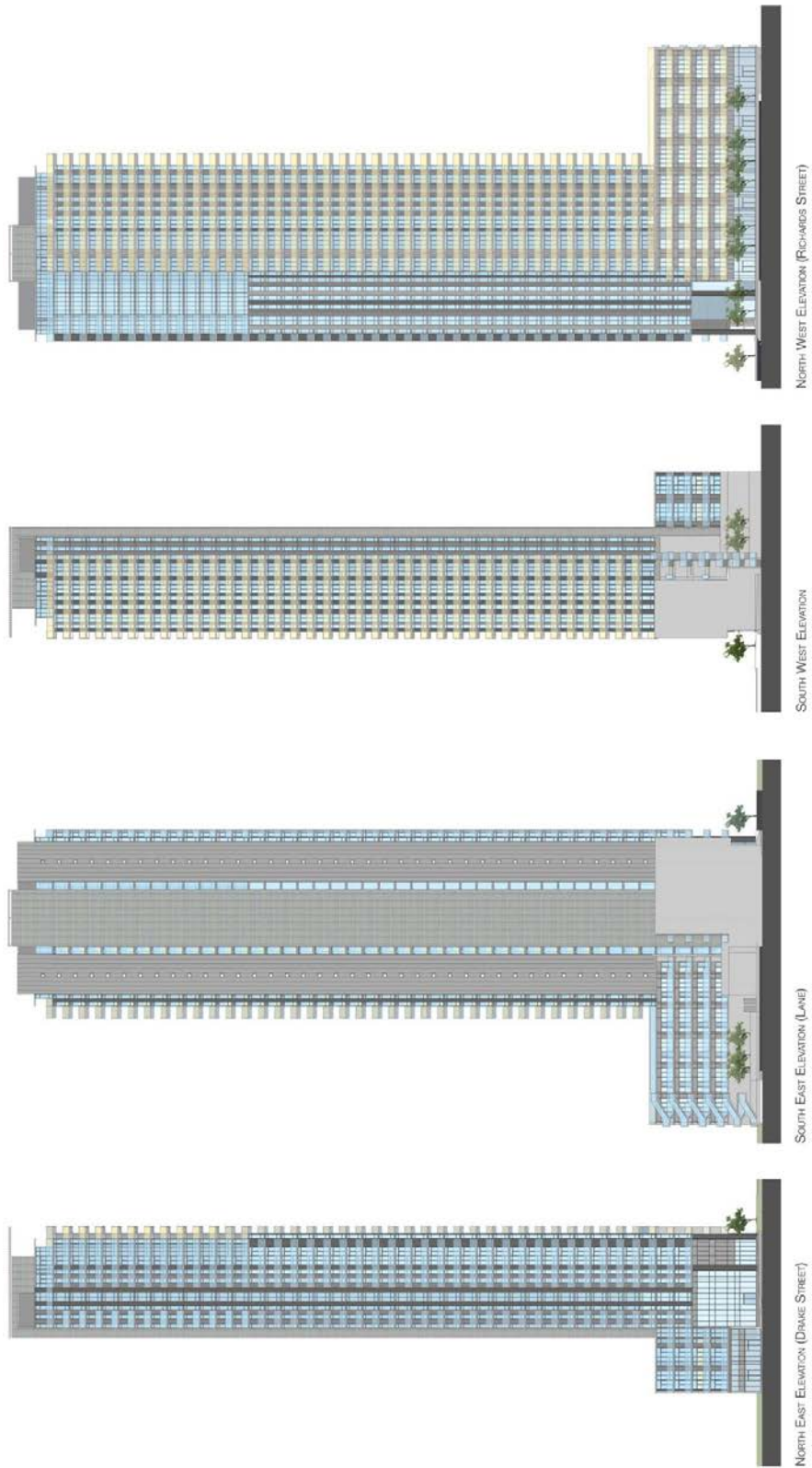


Figure 5: Building Elevations

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1300-1320 Richards Street
PUBLIC BENEFITS SUMMARY

Project Summary:

A 43-storey residential building with commercial uses at ground level.

Public Benefit Summary:

A CAC valued at \$23,643,750 proposed to fund 81 units of social housing and social service centre space to be transferred to the City and located at 1107 Seymour, and a public art contribution

	Current Zoning	Proposed Zoning
Zoning District	DD	CD-1
FSR (site area = 17,488 sq. ft.)	3.0	12.32
Buildable Floor Space (sq. ft.)	52,464	215,375
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide)		
	DCL (Area Specific) (Downtown South) (\$17.11/sq. ft.)	987,418	3,685,066
	Public Art (\$1.81/sq. ft.)		389,829
	20% Social Housing		
Offered (Community Amenity Contribution)	Heritage		341,250
	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other Land Improvements		
TOTAL VALUE OF PUBLIC BENEFITS			\$987,418

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.

1300-1320 Richards Street
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	1300-1320 Richards Street
Legal Description	Lots A and B, Block 115, District Lot 541, Plan 5210, PIDs: 011-207-931 and 008-236-267 respectively
Applicant/Architect	DIALOG
Property Owner	0888189 B.C. Ltd. (Wall Financial Corporation)

SITE STATISTICS

AREA	17,488 sq. ft.
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DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT	RECOMMENDED DEV'T (if different)
Zoning	DD	CD-1	
Uses	Residential, Retail, Service, Office, Institutional	Residential, Retail, Service	
Dwelling Units		258	
Dwelling Types		Studios 15 One Bedroom 175 Two Bedroom 54 Three Bedroom 2 Townhouse 12	
Floor Space Ratio (FSR)	3.0	12.32	
Floor Area	52,464 sq. ft.	Residential 209,673 Commercial 5,702 Total 215,375	
Maximum Height	300 ft. 416 ft. (View Cone)	400 ft. (tower) 56 ft. (podium)	
Parking Spaces	Residential 111 Commercial 4	Residential 258 Commercial 3	Commercial 4 Visitor parking spaces at a rate of 0.05 spaces per dwelling unit.
Loading	Class B 3	Class A 4 Class B 2	Class A loading spaces: 0.01 spaces per DU up to and including 300 units 0.008 spaces per DU for over 300
Bicycle Spaces	Class A 328 Class B 6	Class A 324 Class B 12	Class A 328