CITY OF VANCOUVER

REFERRAL REPORT

Report Date:	May 24, 2022
Contact:	Yardley McNeill
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VanRIMS No.:	08-2000-20
Meeting Date:	June 7, 2022

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 1290 Hornby Street

RECOMMENDATION TO REFER

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

A. THAT the application by Buttjes Architecture on behalf of W.F.C. Properties Inc., the registered owner of the lands located at 1290 Hornby Street [*Lots 15 to 19, all of Block 101 District Lot 541 Plan 210; PIDs: 008-206-899, 008-206-937, 008-206-953, 008-206-970 and 008-206-988, respectively*] to rezone the lands from DD (Downtown District) to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 5.00 to 11.96 and the maximum building height from 91.4 m (300 ft.) to 106.11 m (348.13 ft.), to permit the development of a 35-storey mixed-use building containing 211 strata-titled residential units and a cultural amenity space, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

AND FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Merrick Architecture, received December 13, 2018, with addendums received November 27, 2019 and

addendums by Buttjes Architecture received March 11, 2022, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

B. THAT, subject to approval of the CD-1 By-law, application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C, be approved.

C. THAT, subject to approval 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 Recommendations A to C be adopted on the following conditions:

(i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

(ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

(iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report evaluates an application to rezone 1290 Hornby Street from DD (Downtown District) to CD-1 (Comprehensive Development) District. The proposal is for a 35-storey mixed-use building containing 211 strata-titled residential units and a cultural amenity space. The total floor area is 16,659.9 sq. m (179,332 sq. ft.) and the proposed floor space ratio (FSR) is 11.96. The site is located in the “Hornby Slopes” area of Downtown South, which is intended as primarily residential with compatible ground-floor uses. The application is being considered under the *Potential “Benefit Capacity” in Downtown* policy, which permits additional residential floor area and building heights up to public view corridors to support the delivery of public benefits.

If approved, this application would co-locate residential uses with a 1,243.2 sq. m (13,382 sq. ft.) cultural amenity space, delivered as a turn-key facility to the City. The application has been assessed and the proposed uses and form of development are supported, subject to conditions outlined in Appendix B. It is recommended that the application be referred to a Public

Hearing, with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the conditions outlined in Appendix B.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Potential "Benefit Capacity" in Downtown (2008)
- Downtown Official Development Plan (DODP) – Area "N" (1975, last amended 2018)
- Downtown South Guidelines (excluding Granville Street) (1991, last amended 2004)
- View Protection Guidelines (1989, last amended 2011)
- Family Room: Housing Mix Policy for Rezoning Projects (2016)
- High-Density Housing for Families with Children Guidelines (1992)
- Culture | Shift: Blanketing the City in Arts and Culture, Vancouver Culture Plan (2019)
- Making Space for Arts and Culture: Cultural Infrastructure Plan (2019)
- Latecomer Policy (2021)
- Community Amenity Contributions Policy for Rezonings (1999, last amended 2022)
- Vancouver Development Cost Levy By-law No. 9755
- Vancouver Utilities Development Cost Levy By-law No. 12183
- Green Buildings Policy for Rezonings (2010, last amended 2018)
- Public Art Policy and Procedures for Rezoned Developments (2014)

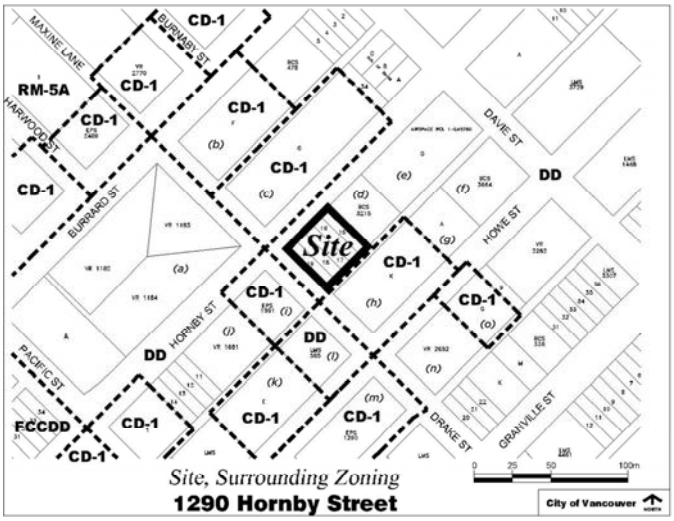
REPORT

Background/Context

1. Site and Context

The rezoning site is on the northeast corner of Hornby and Drake Streets. It is comprised of five legal lots, with a total site area of 1,393.1 sq. m (14,995 sq. ft.). The frontage of 38.1 m (125 ft.) is along Hornby Street with a depth of 37.0 m (120 ft.) along Drake Street (see Figure 1). The property is currently occupied by a three-storey office building constructed in 1980.

Figure 1: Site and Surrounding Context



The surrounding blocks contain a mix of residential, hotel and office buildings ranging in height from nine to 54 storeys. Across Hornby Street is "'Burrard Place," under construction for building heights of 13, 36, and 54 storeys. Across the lane is the 41-storey "Tate" building with residential, commercial, and City-owned artist studios. Directly north is the 15-storey residential "Pure" building, Marriott Residence, and Landis Hotel. To the south across Drake Street is the 31-storey "Salt" residential tower.

Local School Capacity – The site is located within the catchment area of Elsie Roy Elementary School at 150 Drake Street and King George Secondary at 1755 Barclay Street. According to the Vancouver School Board's (VSB) *2021 Long Range Facilities Plan*, Elsie Roy enrollment was 420 students in 2019, which represents a capacity utilization rate of 112%. The plan forecasts by 2029 that the utilization rate will be 133%. The Coal Harbour Elementary School, currently under development, is expected to provide additional capacity for the downtown area. King George's capacity was 535 students in 2019, with a utilization rate of 143%. By 2029, the utilization rate is expected to be 205%.

The City coordinates with the VSB to inform decision-making and reduce enrolment pressure, recognizing that some schools are full, but there is overall surplus capacity within their system. VSB continues to monitor development and work with City staff to help plan for future growth.

Neighbourhood Amenities – The following amenities are within close proximity:

- *Public Parks* – May and Lorne Brown Park, Emery Barnes Park, George Wainborn Park, David Lam Park, Sunset Beach Park, and Nelson Park are within 1 km of the site.

- *Cultural/Community Spaces* – Roundhouse Community Arts and Recreation Centre, Robert Lee YMCA, Vancouver Aquatic Centre, Cineworks, Cinematheque, Scotia Bank Dance Centre, and VIFF Centre are all within 1 km.

- *Childcare* – The Mark Children's Centre, Charleson Children's Centre, Dorothy Lam Children's Centre, and Little Beach YMCA Child Care Centre are within 1 km of the site.

2. Policy Context

Potential "Benefit Capacity" in Downtown – In 2008, Council approved the *Potential "Benefit Capacity" in Downtown* policy for consideration of site-specific rezoning proposals in Downtown South. The policy boundaries identified Areas L1, L2, M, and N within the *Downtown Official Development Plan* (*DODP*) as suitable to accommodate additional height and density to support public benefits, up to view corridor limits. This site is within Area "N." Per the policy, proposals for additional height and density are expected to generate a community amenity contribution to support public benefits, including cultural/community facilities, affordable housing, and parks.

Downtown South Guidelines (excluding Granville Street) – These guidelines provide urban design direction for new developments in three Downtown South areas: Hornby Slopes, Burrard-Granville, and New Yaletown. The subject site is located in Hornby Slopes area. The guidelines are intended to create a distinctive urban character through building design, views, height, and massing. New development is to improve the public realm and architectural expression to achieve high standards of livability.

Culture | Shift: Blanketing the City in Arts and Culture, Vancouver Culture Plan ("Culture Shift") – This is an overarching 10-year cultural plan. Policy directions seek to increase support for the arts and culture sector, champion local cultural artists and creators, build on the City's commitments to reconciliation and equity, advance community-led cultural infrastructure, and to position Vancouver as a thriving hub for music. A key direction is for "affordable, accessible, secure spaces" to prevent displacement and support community-led spaces via partnerships.

Making Space for Arts and Culture: Cultural Infrastructure Plan ("Making Space") – *Making Space*, a compendium to *Culture | Shift*, sets the City's long-term vision and commitment to addressing space challenges. The goal is to secure, enhance, and develop vibrant, affordable and accessible arts and culture spaces. *Making Space* sets a city-wide goal of securing 800,000 sq. ft. of cultural space, of which 650,000 sq. ft. is new, expanded or repurposed space. Studios, production, rehearsal, presentation spaces, and shared cultural hubs are identified as critical space need priorities.

Strategic Analysis

1. Proposal

The original application and supplementary drawings, submitted in December of 2018 and November of 2019, proposed a 35-storey mixed-use building with 156 strata-titled units and 973.5 sq. m (10,475 sq. ft.) of cultural amenity space. A building height of 106.62 m (350 ft.) and FSR of 10.28 were proposed.

In March of 2022, an addendum was submitted to improve the residential liveability and building efficiencies by relocating the elevator core and re-angling the building. As a result, floor area was added to the residential tower and to the cultural amenity space, while the building height was slightly lowered (Figure 2).

Figure 2: Original 2018 Submission (Left) and 2022 Addendum (Right)

The addendum forms the current application, which includes:

- A 35-storey mixed-use building;
- Floor area of 18,439.7 sq. m (198,490 sq. ft.) with:
  - 16,659.9 sq. m (179,332 sq. ft.) of residential floor area with 211 strata-titled units;
  - 1,243.2 sq. m (13,382 sq. ft.) of cultural amenity space, delivered turnkey to the City;
- Building height of 106.11 m (348.13 ft.);
- Total FSR of 11.96; and
- Six levels of underground parking accessed from the lane.

The residential lobby is accessed from Drake Street with a secondary access off the lane. The residential tower contains a common amenity space that is co-located with outdoor amenity space on level six.

The cultural amenity space occupies a double-height volume at grade and on level two. The primary entrance to the cultural amenity space is accessed from Hornby Street, with a secondary entrance off the lane. The cultural facility includes artist presentation/exhibition space on the ground floor, artist production space on the second floor, and ancillary space. Should the application be approved, the cultural amenity space would be transferred to the City as an air space parcel as an in-kind community amenity contribution (CAC).

2. Land Use

The site is zoned Downtown District (DD) and located in Area "N" of the *DODP*. Area N is located within the "Hornby Slopes" area of Downtown South, envisioned as primarily residential with limited commercial uses. The proposed residential and cultural and institutional uses are consistent with the intent of the *Potential "Benefit Capacity" in Downtown*, which anticipates primarily residential with compatible ground-floor uses to activate the pedestrian experience.

The *DODP* is structured in such a way that if a site within its boundaries is rezoned to Comprehensive Development (CD-1) District, the rezoned site is automatically removed from the *DODP* and amendments to the *DODP* are not required. Should this application be approved, it would result in the creation of a new CD-1 District, consistent with the *Potential "Benefit Capacity" in Downtown* policy.

3. Form of Development, Height, and Density (refer to application drawings in Appendix G and project statistics in Appendix I)

This section provides an assessment of the form of development based on the original application and resubmission (Figure 2). A more detailed discussion is contained in the Urban Design Panel minutes contained in Appendix D and the Urban Design Analysis in Appendix E.

Form of Development – The overall massing is comprised of a five-storey podium with a 30-storey residential tower above, which tapers at the crown. The original application contained architectural detailing that was inspired by a crystal-like form, which incorporated a sense of transparency and lightness into the building expression. The building form was articulated with angles, in which this angling reduced the building's perceived bulkiness and minimized shadows. The original proposal contained architectural variety with various shades, types, tones and colour that resembled metal cladding. The 2022 addendum simplifies this form with less articulation, detailing, and shaping. As such, rezoning conditions have been applied, requiring

the applicant to uphold the original architectural detail, expression, and form through a future development permit process.

Figure 3: View of Development from Drake Street

The *Downtown South Guidelines* for Area "N" do not set a maximum tower floor plate size. The current proposal contains a relatively small tower floor plate, ranging from 300 sq. m (3,200 sq. ft.) to 450 sq. m (4,800 sq. ft.). The floor plates were assessed in relation to its context, the shape of the tower, interface with residential towers, and consideration of alternative tower shapes. Staff support the compact floor plates that create a slender tower profile which minimize shadows and optimize views and sunlight between buildings. Rezoning conditions require additional shaping and design enhancements to improve the proposal's relationship and transition to the surrounding neighbourhood.

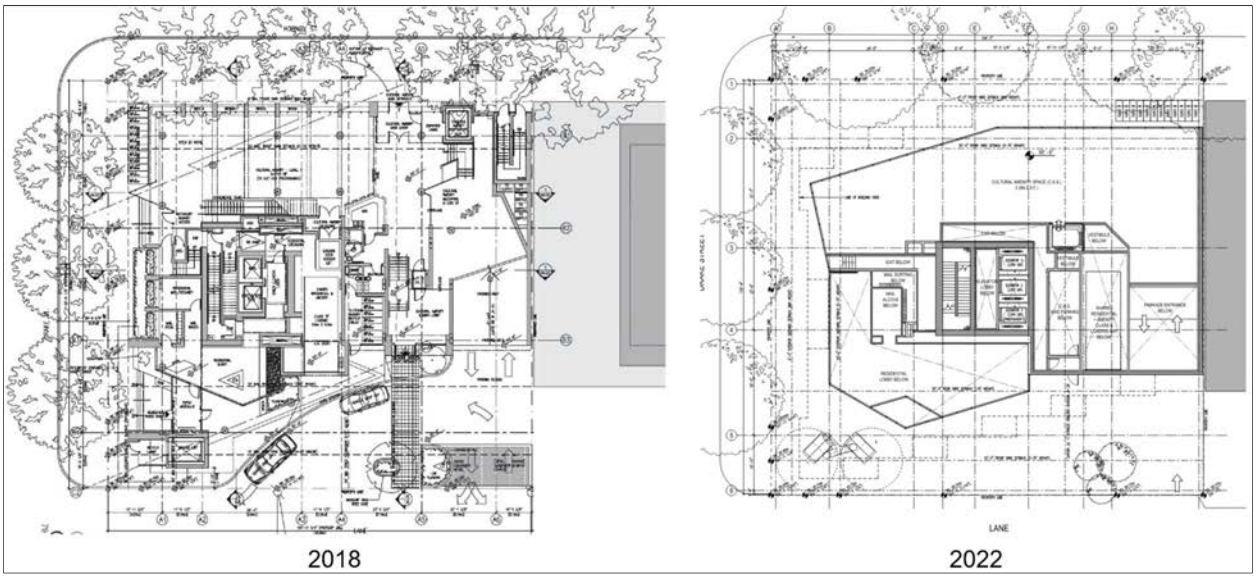
The building complies with the minimum 24 m (80 ft.) tower separation, along with appropriate building setbacks and a podium height, secured via conditions in Appendix B. These requirements ensure that the new tower is adequately spaced from similar buildings in the area to ensure privacy, livability and access to sunlight, while creating a sensitive transition to the neighbourhood.

Public Realm and Landscape Design – While the relatively small site size limits opportunities for additional open space, staff have applied conditions requiring the applicant to intensify green space on the site. Per Appendix B, a mix of hard and soft additional landscaping features are sought for the sidewalk, boulevard, and along the street facades.

New trees are proposed along the lane, with additional soft landscaping for a green edge for biodiversity opportunities, thereby enhancing the public realm. Weather protection is also required along both street frontages, along with a 1 m (3.3 ft.) x 4 m (13.1 ft.) statutory right-of-way along Drake and Hornby Streets for improved open space. Design conditions also

require additional landscaping elements for the cultural amenity space entrance to mark its prominence.

Figure 4: Level 1 Plans of 2018 Submission and 2022 Addendum



Height – The *Potential "Benefit Capacity" in Downtown* policy allows considerations of building heights to reach the underside of Council-protected view cones. View cone 3.1, the Queen Elizabeth view cone, crosses the site and limits the building height to 114.3 m (375 ft.).

The current 2022 building height of 106.11 m (348.13 ft.) is almost 0.6 m (2 ft.) lower than the original application. This revised height is almost 9.14 m (30 ft.) below the Queen Elizabeth view cone, which simultaneously ensures that the adjacent Burrard Place towers remain the highest point in the surrounding blocks.

The building height was assessed for its contribution to the Vancouver skyline and for potential shadow impacts onto public space. The upper portion of the tower incorporates tapered massing which increases sky exposure. The proposal does not shadow public spaces between 10 am and 4 pm at the spring and fall equinoxes, thereby maintaining sunlight onto key open spaces, including Davie Street. Staff support the proposed height, subject to additional refinement of the building massing, form, material treatment, and sculpting of the tower crown.

Density – Under Area "N" of the *DODP*, the maximum density is 5.0 FSR. The proposed FSR of 11.96 FSR is consistent with the *Potential "Benefit Capacity" in Downtown* policy that considers additional density beyond the *DODP*, subject to urban design objectives, to achieve the delivery of public benefits.

Urban Design Panel – The Urban Design Panel reviewed the original application on April 3, 2019 (see Appendix D). The proposal was supported by the Panel with recommendations. Suggestions included simplification and refinement of the base, middle and top of the building and the provision of a high-quality material palette to improve the architectural expression. A second review by the Panel was not required for the 2022 resubmission, as staff felt the advice from the Panel was fulsome and applicable to the revised application.

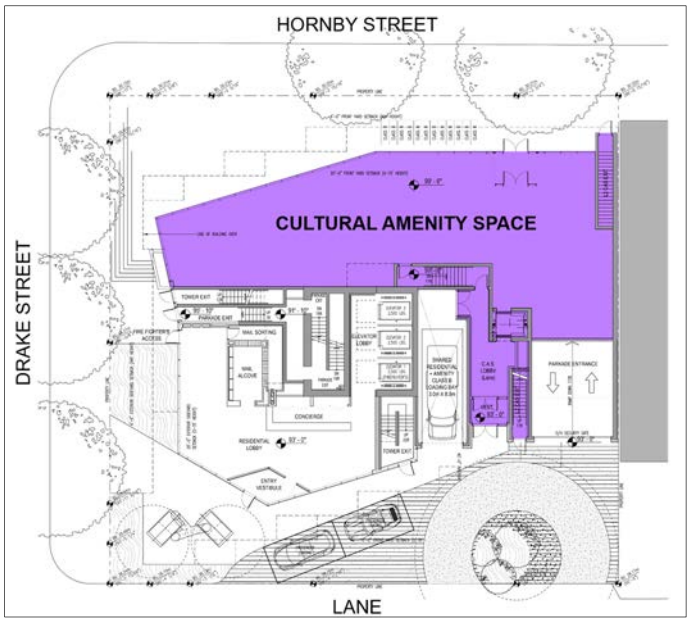
Staff have considered the revised form of development, including the height and massing. Support the proposed form, pending resolution of rezoning conditions to address the building's expression, massing, articulation, livability, functionality, public realm interface, and landscaping.

4. Cultural Amenity Space

If approved, the proposed cultural amenity space will join a number of nearby cultural facilities, such as Cinematheque, Cineworks, the Dance Centre, 1265 Howe Street artist studios, and the arts and culture hub at 825 Pacific Street. These facilities aim to strengthen this area as a cultural hub. The cultural space would also contribute to the *Making Space* 10-year targets to expand cultural presentation and production space in Vancouver.

The cultural amenity space comprises a total of 1,243.2 sq. m (13,382 sq. ft.) over two levels. The facility includes 408.2 sq. m (4,394 sq. ft.) on the ground floor and 835 sq. m (8,988 sq. ft.) on level two. The provision of ground-floor space is desirable for organizations to ensure a visible presence within the community.

Figure 5: Cultural Amenity Space at Level 1



The proposed cultural amenity offers an arts and culture presentation space with an ancillary kitchenette. The space accommodates production and rehearsal uses, including Artist Studio use for Class A or B activities, per the Zoning and Development By-law. Further, the CD-1 By-law allows for a variety of compatible ancillary spaces to ensure future flexibility and co-location of activities, including related office and commercial uses. Complementary uses allow this cultural amenity space to function as a hub of activities with opportunities to share space and services for arts and culture organizations.

City Ownership – The cultural amenity space will be transferred at a nominal cost to the City as a fully fitted, furnished, and equipped air space parcel, upon its construction being deemed complete to the satisfaction of the Director of Facilities Planning and Development and the Managing Director of Cultural Services. Dedicated garbage and recycling areas, vehicle spaces, bicycle spaces and end-of-trip facilities will be secured for the cultural non-profit tenants.

Should the rezoning be approved, staff will continue engaging with the arts and culture community to further define the use of the space in the form of a detailed functional program and staff will undertake a process of selecting a non-profit arts and culture organization that would be responsible for operating the space.

Non-Profit Operators – During a future tenanting process, the City will seek to select an operator for the facility; selection and retention will include priorities to select from Vancouver-based and/or xʷməθkʷəy̓əm, Sḵwx̱wú7mesh and səlilwətaɬ (Musqueam, Squamish and Tsleil-Waututh) professional artists, cultural practitioners, and arts and culture organizations located in Vancouver or under the jurisdiction of Musqueam, Squamish or Tsleil-Waututh Band Councils.

Typically Council approval would be sought for a long-term lease with a non-profit operator to oversee facility management, programming and day-to-day operations. Leasing and/or subleasing would be in a form approved by the City, ensuring accessibility, equity, affordability and sustainability. In a typical model, the non-profit operator would be responsible for the administration, programming and operation of the space and associated facility costs, including regular maintenance and minor repairs. The City would typically be responsible for major repairs and lifecycle replacement of major systems and structural components.

Staff support the proposed cultural amenity space subject to conditions in Appendix B.

5. Housing

Existing Tenants – There are no existing residential tenants on the site.

Family Housing – The development proposes 211 strata-titled residential units over 33 levels, for a total of 16,659.9 sq. m (179,332 sq. ft.) of residential floor area. The development consists of 111 one-bedroom or studio units (53%), 84 two-bedroom units (40%) and 16 (7%) three-bedroom units. The 47% family unit mix exceeds the 35% family housing requirement for strata-titled residential developments.

6. Parking and Transportation

The site is well served by public transit and cycling infrastructure. It is within 770 m of bus service along Burrard and Granville Streets, and the Vancouver City Centre Canada Line Station. There are a number of cycling networks nearby, including on Hornby and Drake Streets, which feature separated “All Ages and Abilities” bicycle lanes.

Given the site’s adjacency to two bikeways, conditions have been applied to enhance pedestrian connections. Conditions of approval require building setbacks and a statutory right-of-way (SRW) along Drake and Hornby Streets. These SRWs will allow for widened sidewalks to improve pedestrian and cyclist safety.

The supplemental drawings propose six levels of underground parking accessed from the lane, for 150 vehicle parking spaces, two Class A loading spaces and two Class A passenger loading spaces. A total of 430 Class A bicycle spaces are accessed by a bicycle elevator, along with 12 Class B spaces along Drake Street. One at-grade Class B loading space is to be shared for residents and cultural amenity tenants. The project will be required to meet the Parking By-law,

along with requirements for the cultural amenity space, per conditions in Appendix B. Opportunities to minimize parking and to provide access to car-share vehicles for users of the cultural space will be addressed during the development permit stage.

7. Environmental Sustainability and Natural Assets

Green Buildings – The *Green Buildings Policy for Rezonings* requires that applications satisfy either the near zero emission buildings or low emissions green building requirements. This application is pursuing the low emissions requirements, which establishes energy and carbon limits to create efficient and comfortable homes and workplaces. The applicant has submitted a design strategy outlining how the project will meet targets. Conditions are included in Appendix B.

Natural Assets – The *Urban Forest Strategy* seeks to preserve, protect and strengthen Vancouver's urban forest and tree canopy. The Protection of Trees By-law aims to maintain a healthy urban forest by requiring permission be sought to remove trees which meet certain conditions. The intent is to retain and protect as many healthy, viable trees as possible, while still meeting the challenges of development, housing priorities and densification.

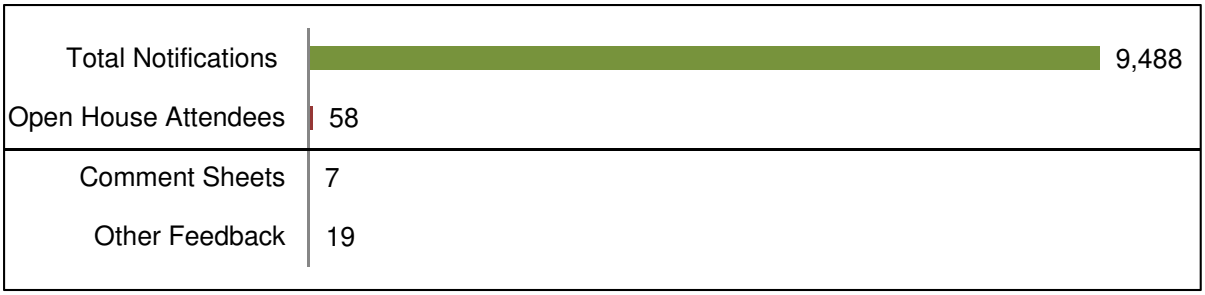
There are four by-law-sized trees on the site (three of which are small multi-stem trees) and six by-law-sized trees on City property. The four on-site trees are located in garden beds and are constrained by the existing building, utilities and lane. The on-site trees are in poor condition are proposed for removal. All trees on City property will be retained and protected. Staff support the removal and planting of four new on-site trees, of which two will be located at ground level and two on Level 6. See Appendix B for landscape and tree conditions.

8. Public Input

Public Notification – A rezoning information sign was installed on the property on February 15, 2019. Approximately 9,488 notification postcards were distributed within the neighbouring area on or about February 20, 2019. Notification, application information, and an online comment form were provided on the City's Shape Your City webpage.

Open House – A City-hosted open house was held on March 14, 2019 at the Executive Hotel Vintage Park at 1379 Howe Street. Approximately 58 members of the public attended.

Figure 6: Notification and Public Response



Public Response and Comments – Staff received a total of 26 responses to the submission via the open house comment sheets, emails and online comment forms (Figure 6). Detailed responses are provided in Appendix F.

Generally, comments of support included:

- Support for the public benefit of a new cultural amenity space.
- Proposed design, massing and density is appropriate.
- Project fits well within the neighbourhood.

Generally, comments of concern included:

- Inadequate architecture and urban design components.
- Inappropriate height, scale, and density.
- Public benefit offered.
- Inadequate affordable living spaces.
- Capacity and functionality of cultural amenity space.

Response to Comments

Height and Form of Development – The height and scale of the proposal aligns with policy directions and is supportable within the context of taller surrounding buildings. Additional refinement of the building form and architectural expression will be addressed during the development permit process, as noted in the conditions in Appendix B.

Appropriateness of Residential Uses, Public Benefits, and a Cultural Amenity – Rezoning for the Hornby Slopes is envisioned for new residential, specifically the consideration for strata-titled residential to support public benefits in the area. Cultural facilities are identified as an appropriate public benefit, which seeks to support non-profit organizations, per the *Making Space* and *Culture | Shift* strategies.

9. Public Benefits

Community Amenity Contribution (CACs) – Within the City's *Financing Growth Policy*, an offer of a CAC to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CACs take into consideration community needs, area deficiencies and the impact of the proposed development on City services. CAC offers typically include either the provision of on-site amenities or a cash contribution towards other public benefits.

The applicant has offered an in-kind and cash CAC. The in-kind CAC consists of a turn-key, 1,243.2 sq. m (13,382 sq. ft.) cultural amenity space, within a fee-simple air-space parcel to be transferred to the City on completion of construction and acceptance by the City. This in-kind contribution is valued at $8,700,000.

The applicant has also offered a cash CAC of $12,170,000 which staff recommend be allocated towards local and citywide needs as follows:

- 75% ($9.13 M) for community and/or public safety facilities in and around the Metro Core area. This allocation would support new and/or expanded facilities for recreation, library, community-serving space, public safety and/or cultural spaces, for projects such as the Vancouver Aquatic Centre, new or expanded fire halls, or through the Council-approved Vancouver Cultural Spaces fund that supports community-led arts and culture spaces.
- 20% ($2.43 M) toward childcare in and around the Metro Core area. This allocation would support the development of new childcare spaces, for projects such as the future redevelopment of the West End Community Centre or in the Granville Loops area.

- 5% ($0.61 M) toward the Heritage Conservation Reserve to assist with heritage conservation in the city of Vancouver. This allocation would support city-wide heritage conservation, through programs such as the *Heritage Incentive Program*.

Real Estate Services staff have reviewed the applicant's development pro forma and conclude that the CAC offered by the applicant is appropriate and recommend that the offer be accepted.

Development Cost Levies (DCLs) – DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure.

The site is subject to the City-wide DCL and Utilities DCL. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. Based on DCL by-laws and rates in effect as of September 30, 2021 and the proposed 179,332 sq. ft. of residential floor area, $5,087,649 of DCLs would be expected from this project. The cultural amenity floor area included in the air space parcel to be transferred to the City has been excluded from FSR and would not be subject to DCLs.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. See the City's DCL Bulletin for details.

Public Art Program – The application is subject to the *Public Art Policy and Procedures for Rezoned Developments* as the proposed floor area meets the minimum 9,290 sq. m (100,000 sq. ft.). The applicant may elect to provide on-site artwork or cash-in-lieu (at 80% of the budget), which must be discussed with Public Art staff before by-law enactment.

The public art budget will be calculated on the floor area proposed at the development permit stage. Based on the 2016 rate, the budget is estimated to be $355,077. As a condition of by-law enactment, a legal agreement is required to be registered on title to specify and define all obligations with respect to the elected option.

A summary of the public benefits for this application is provided in Appendix H.

Financial Implications

Based on DCL by-laws and rates in effect as of September 30, 2021, approximately $5,087,649 in DCLs would be expected from this development.

If the rezoning application is approved, the applicant will be required to provide new public art on site at an estimated value of $355,077, or make a cash contribution to the City for off-site public art for 80% of that amount.

As noted in the Public Benefits section of this report, the applicant has offered a cash CAC of $12,170,000, payable and secured as outlined in Appendix B, and allocated as follows:

- $9,127,500 (75%) towards community and/or public safety facilities in and around the Metro Core area.

- $2,434,000 (20%) towards childcare in and around the Metro Core area.
- $608,500 (5%) towards the Heritage Conservation Reserve to assist with heritage conservation in the city of Vancouver.

Approval of projects will be brought forward as part of the Capital Plan and Budget process.

At occupancy, the cultural amenity facility, valued at $8,700,000, will be transferred turnkey, to City ownership, through an air space parcel. If approved and as the project proceeds to construction, staff will seek Council approval to appoint a non-profit operator for the amenity space in a subsequent report.

CONCLUSION

Staff review of the application has concluded that the proposed uses and height are consistent with the *Potential "Benefit Capacity" in Downtown* policy. Staff further conclude that the proposed form of development represents an appropriate urban design response to the site and context. If approved, this application will provide residential units co-located with a cultural amenity space for arts and culture in the Downtown area.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with the draft CD-1 By-law provisions generally shown in Appendix A with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix G.

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1290 Hornby Street
PROPOSED CD-1 BY-LAW PROVISIONS

Note: A By-law to rezone an area to CD-1 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

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, attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

   [*Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to Public Hearing, Schedule A will be included with the draft by-law that is prepared for posting.*]

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (___).

Uses

3. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (___) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

   (a) Cultural and Recreational Uses;

   (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section;

   (c) Institutional Uses;

   (d) Office Uses;

   (e) Retail Uses;

   (f) Service Uses; and

   (f) Accessory Uses, customarily ancillary to the uses permitted in this Section.

Conditions of Use

4. The design and layout of at least 35% of the total number of dwelling units must:

   (a) be suitable for family housing; and

(b) include two or more bedrooms, of which:

(i) at least 25% of the total dwelling units must be two-bedroom units; and
(ii) at least 10% of the total dwelling units must be three-bedroom units.

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 1,393.1 m^2, being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

5.2 The floor space ratio for all uses combined must not exceed 11.96.

5.3 A minimum of 1,243.2 m^2 of floor area must be used for cultural uses secured to the City's satisfaction for public use and benefit.

5.4 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

5.5 Computation of floor area must exclude:

(a) balconies and 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 floor area being provided for dwelling uses; and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, 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 that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

(d) amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses or 929 m^2, whichever is less; and

(e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m^2 for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

5.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, cultural uses secured to the City's satisfaction for public use and benefit.

Building Height

6. Building height, measured from the base surface, must not exceed 106.11 m.

Horizontal Angle of Daylight

7.1 Each habitable room must have at least one window on an exterior wall of a building.

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council and the minimum distance of unobstructed view is not less than 3.7 m.

7.5 An obstruction referred to in section 7.2 means:

(a) any part of the same building excluding permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

7.6 A habitable room referred to in section 7.1 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 m^2.

Acoustics

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

* * * * *

1290 Hornby Street
CONDITIONS OF APPROVAL

Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.

PART 1: CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

Note: Consideration by Council at the Public Hearing of the proposed form of development is in reference to plans prepared by Merrick Architecture, received on December 13, 2018 and *supplemental plans received November 27, 2019 and an addendum prepared by Buttjes Architecture, received on March 11, 2022, and provides that the Director of Planning may allow minor alterations to this form of development when considering the detailed scheme of development submitted with the development application.*

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

1.1 Design development to ensure a minimum 24 m (80 ft.) tower separation from any adjacent residential buildings and a minimum 18 m (60 ft.) tower separation from any adjacent office buildings in any existing and future built context above 18 m (60 ft.) height.

1.2 Design development to provide a more responsive contextual relationship shaping the built form to ensure no shadowing of any outdoor amenity space, parks, or public open space during the summer solstice and the equinoxes between the hours of 10 am to 4 pm.

Note to Applicant: Applicant to provide shadow diagrams that clearly distinguish the proposal from existing shadow in colour and tone, during future permitting processes. Shadows generated by proposed developments must be minimized on the following prioritized hierarchy of spaces: parks, public open spaces, semi-private and private open space.

1.3 Design development to ensure the articulation and setbacks create a sensitive transition to the surrounding neighborhood for an improved contextual fit achieving a harmonious relationship in line with best practice principles of urban design.

1.4 Design development to shape the building massing appropriately to ensure mitigation of any negative impacts on sunlight access, livability, acoustic, or other adverse microclimatic conditions.

1.5 Design development to the massing sculpting the building to ensure view relief to the adjoining residential towers, consideration of street views, and no encroachment onto protected public views.

1.6 Design development to improve the architectural expression, visual variety and material treatment of the proposal in a consistent rigorous design language addressing the following items:

(a) Improve how the building transitions to, and interfaces with, the ground plane in its articulation of the recessed planes.

(b) Demonstrate a more responsive contextual relationship shaping the built form to further achieve an improved transition to the surrounding neighborhood.

(c) Improve the crowning of the tower at the upper storeys appropriate to making a significant contribution to the beauty and visual power of the city's skyline.

(d) Demonstrate substantial improvement of the overall articulation and rendition of elements including colour, reflectivity, shape, proportions, and fenestration options for the building.

(e) Improve the building facades key points of transition, use of shadows and planes to provide further depth/interest to the façade.

(f) Utilize authentic, high quality, durable materials implied as necessary in the original 2018 submission to achieve the excellence in detailing necessary to accomplish and construct the proposed design aesthetic in its final iteration.

(g) Examine additional strategies for passive techniques to improve green building performance (e.g. fenestration type, solar shading devices and green roof technologies) and identify any significant thermal bridges and their resolution on design drawings.

1.7 Design development to the cultural amenity space layout at the later stages of the permitting process to ensure functionality and facilitate long term viability with particular regard for the below:

(a) Provide details of internal circulation and layout;

(b) Provide all large scale details necessary for review;

(c) Ensure the layout is optimal for accessibility and ease of use; and

(d) Rationalize internal layout for flexibility of use.

1.8 Design development to ensure compliance with the Horizontal Angle of Daylight requirements for all dwelling units as referred to in the *'Access to Daylight, Views, and Ventilation in Dwelling Units Bulletin'* with no inboard habitable rooms.

Note to Applicant: Satisfactory access to daylight for all dwelling units should be provided to ensure a livable qualitative environment throughout the proposal.

1.9 Ensure all family dwellings and dwelling units are designed in accordance with the requirements of *the 'High Density Housing for Families with Children Guidelines', best practice standards,* and the applicable policy framework.

1.10 Design development to the livability of dwelling units to ensure generous living spaces, avoiding non optimal sizing or configurations incompatible with furniture placement or appropriate enjoyment of space.

1.11 Clarify the amount, location and provision of all outdoor space co-located with the residential amenity space and ensure compliance with all stipulations of the '*High-Density Housing for Families with Children Guidelines' for outdoor space*.

1.12 Design development to all dwelling units to ensure the design of internal layouts, use of separation distances and or materials/ screening is sufficient to mitigate potential privacy and overlook concerns to any neighbours.

1.13 Designate a shared family-oriented outdoor gathering/play space for site residents separate to the provision of outdoor amenity.

1.14 Provide details illustrating flexible features, natural play elements and exploratory structures required for the portion of the outdoor amenity supporting children's play.

1.15 Design development of all egress, circulation, and access points to be clearly delineated and better address the public realm with architectural features and fenestration patterns that emphasize a scale appropriate for the neighborhood and to strengthen the connection between public and private space.

1.16 Design development to the residential entrance to ensure its main access is located off a principal street and not a lane.

Note to Applicant: Entries at grade may be identified by use of lighting, materiality, colour, texture, projecting canopies, entry recesses or wayfinding cues.

1.17 Design development to provide additional details of the main residential entrance and ensure the expression of the entrance enhances where ever possible appropriate articulation, canopy cover, hierarchy, and wayfinding.

Note to Applicant: Entrances should be enhanced through the use of elements such as low walls, special paving, special planting features, architecturally integrated canopies projecting from the building and special lighting. Primary entrances should not be located off lanes.

1.18 Design development to provide additional details for the cultural amenity entrance and ensure the expression of the entrance maintains and enhances where ever possible appropriate articulation, canopy cover, hierarchy, wayfinding for that use.

Note to Applicant: Entrances should be enhanced through the use of elements such as low walls, special paving, special planting features, architecturally integrated canopies projecting from the building and special lighting. Primary entrances should not be located off lanes.

1.19 Design development to provide universally accessible connections for pedestrians, the less abled and people using wheelchairs, to all common open space areas throughout the site, and at grade.

1.20 Design development to the at-grade landscaping and public realm interface with provision of all details necessary for a lively public realm with special consideration of:

(a) Improve the frontage and building interface to ensure activation, materiality and an enhanced pedestrian experience examining the solidity, deepness, and lightness to the building face as it transitions to the public realm.

(b) Prioritize transparency at the street level to allow for visibility into retail spaces ensuring variety and pedestrian interest in the expression of tenant frontages.

(c) Explore improvements to the network of public routes across the site to more effectively connect public spaces and places.

(d) Utilize further colors, materials and patterns as identifiers for enhancing user experience.

(e) Explore means to enhance the overall outdoor surface treatment so as to be high quality, visually interesting and cohesive throughout.

Note to Applicant: Special attention is needed at the material transition from public realm to the private property edge.

(f) Provide means to create a more coordinated fluid pedestrian realm refining the strategies for the street furniture, bollards, benches, pedestrian-scale lighting, bike racks, guard rails, decorative grilles, planters etc.

1.21 Design development to incorporate continuous weather protection at grade throughout that is integrated with the building design, demountable and effectively provides pedestrian comfort.

1.22 Identify on the drawings at later stages of the permitting process, any built elements contributing to the building's sustainability performance and explore further strategies to improve green building performance and identify significant thermal bridges and their resolution on design drawings;

1.23 Explore additional strategies to improve green building performance and identify any significant thermal bridges and their resolution on design drawings.

1.24 Provide at the later stages of the permitting process compliant statistics, detailed architectural drawings per typical drafting standards indicating fully dimensioned sections, elevations, and plans with diagrammatic layouts (for horizontal angle of daylight (HAD) for dwelling units, clearly indicating any variances, relaxations or non-policy compliant items with all attendant annotation and information.

1.25 Provision of a conceptual lighting strategy and outdoor lighting drawings to appropriately frame the building, demonstrate crime prevention through environmental design (CPTED) performance and ensure appropriate lighting levels while minimizing glare for nearby buildings.

1.26 Design development to maximize amenity access and usability of rooftops for outdoor enjoyment, urban agriculture, and extensive green roofs, etc.

1.27 Design development to confirm integration of all rooftop mechanical equipment, including elevator override service volumes, photovoltaic panels, window-washing infrastructure, cell tower, antennae elements or any other service equipment within the proposed mechanical enclosure and to ensure service equipment does not protrude into the public view cone beyond the allowable height.

Note to Applicant: The roof should remain uncluttered, as proposed, with all equipment being housed in the appurtenances. Where possible, enclosures should be of non-opaque materials and contribute to the overall architecture of the building.

1.28 Design development to the building to ensure compliance with all height restrictions, bylaw limitations, and view cone policy requirements with no encroachment of any element of the building.

Note to Applicant: This condition is to address the limited information provided in the March, 2022 addendum which altered the original design upon which the detailed rezoning application staff review was originally based. The integrity of public consultation and staff review will be maintained by reference to the original application as preeminent where there is a shortage of information or a qualitative deficit.

1.29 Design development to the building to ensure all statutory right-of-ways (SRWs), setbacks, stepbacks, required form of development considerations, and applicable policy requirements governing the subject site are reflected in the articulation of the buildings or the public realm and clearly indicated in the drawings.

Note to Applicant: This condition is to address the limited information provided in the March, 2022 addendum which altered the original design upon which the detailed rezoning application staff review was originally based. The integrity of public consultation and staff review will be maintained by reference to the original application as preeminent where there is a shortage of information or a qualitative deficit. There is a required setback of 12 m (40 ft.) to the property line to the adjoining ‘Pure’ tower, a min 1.8 m (6 ft.) setback off Drake Street/ Hornby Street and a 9 m (30 ft.) setback to the tower at the rear of the site opposite the “Tate”. Given that Area “N” does not have a minimum site size for a tower, the separation between existing and future towers on adjacent sites is paramount to address livability concerns. As such, above a podium threshold of 18m (60 ft.), there is a required minimum separation of 24 m (80 ft.) from building face to building face to all surrounding towers.

1.30 Design development to ensure that notwithstanding any addendums or future alterations, that the provision of residential and cultural amenity space is, at minimum, equivalent to that provided in the original 2018 submission upon which the rezoning application review was based.

Note to Applicant: This condition is to address the limited information provided in the March, 2022 addendum which altered the original design upon which the detailed rezoning application staff review was originally based. The integrity of public consultation and staff review will be maintained by reference to the original application as preeminent where there is a shortage of information or a qualitative deficit.

1.31 Design development to ensure that notwithstanding any addendums or future alterations, that the provision of cultural amenity space is equivalent in quality and facility to that provided in the original 2018 submission upon which the rezoning application review was based.

Note to Applicant: This condition is to address the limited information provided in a March, 2022 addendum which altered the original design upon which the detailed staff review was originally based. The integrity of public consultation and staff review will be maintained by reference to the original application as preeminent where there is a shortage of information or a qualitative deficit.

1.32 Design development to ensure that notwithstanding any addendums or future alterations, that the expression of architectural articulation, urban design, and material commitment is equivalent in quality to that provided in the original 2018 submission upon which the rezoning application review was based.

Note to Applicant: This condition is to address the limited information provided in the March, 2022 addendum which altered the original design upon which the detailed rezoning application staff review was originally based. The integrity of public consultation and staff review will be maintained by reference to the original application as preeminent where there is a shortage of information or a qualitative deficit.

1.33 Identification on the architectural and landscape drawings any built features intended to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable, and provide a design rationale for the features noted. For more information, see the guidelines at http://former.vancouver.ca/.

Crime Prevention through Environmental Design (CPTED)

1.34 Design development to respond to CPTED principles, having particular regards for:

(a) Defensibility and reducing opportunities for loitering;

(b) Theft in the underground parking;

(c) Provision Crime Prevention through Environmental Design (CPTED) performance requirements in the provided lighting strategy;

(d) Break and enter;

(e) Mail theft; and,

(f) Mitigate alcoves and vandalism opportunities, such as graffiti.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

Landscape Design

1.35 Design development to maximize access and usability of rooftops for outdoor enjoyment, urban agriculture, and extensive green roofs, etc.

1.36 Design development to confirm the adequacy of underground parking setbacks and the maximization of planting area growing depth to ensure the continued health of proposed landscaping and trees.

1.37 Design development to improve the cultural amenity entrance on the lane side by providing additional planting and creating a better balance between hard and soft landscapes.

1.38 Design development to improve laneway interface by performing the following:

(a) Provide a larger replacement tree and ensure that there is sufficient soil volume to support tree growth and health; and

Note to applicant: The proposed tree on the lane side should have a caliper of a minimum of 8 cm, for which 10 cm would be desired. Explore opportunities to further lower or angle the parkade slab to provide sufficient soil volume.

(b) Provide a landscape screen for the parkade exhaust and generator exhaust.

1.39 Design development to accommodate the landscape treatment by providing adequate soil volumes for all planting areas over slab, especially tree planting areas.

Note to Applicant: Soil depths should exceed Canadian Landscape Standards; specifically, a minimum of 3 ft. of growing medium depth should be provided for all tree plantings. Structural slab should be sloped or lowered where possible.

1.40 Further design development to the Integrated Rainwater Management Strategy to explore opportunities for on-site rain water infiltration and soil absorption, as follows:

(a) Maximize natural landscape best management practices;

(b) Minimize the necessity for hidden mechanical water storage;

(c) Increase the amount of planting on the roof level, where possible;

(d) Consider linear infiltration bio-swales along property lines, at lower site areas;

(e) Use permeable paving;

(f) Employ treatment chain systems (gravity fed, wherever possible); and

(g) Use grading methods to direct water to soil and storage areas.

Note to Applicant: Refer to the City of Vancouver Integrated Rainwater Management Plan (IRMP), Vol.1 and 2 for further information. A consulting engineer (subject matter expert) will need to be engaged and early phase soil analysis will be needed. Further comments may be outstanding at the development permit stage.

1.41 Provision of improved sustainability by the provision of edible plants, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design.

1.42 Provision of an updated arborist Tree Management Plan that includes the entire site up to the curb and lane edge. Clearly mark all retention and removal trees.

1.43 Provision of a detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8":1 ft. scale minimum. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles and fire hydrants.

1.44 Provision of detailed architectural and landscape cross sections (minimum 1/4" inch scale) through common open spaces, semi-private patio areas and the public realm.

Note to Applicant: The sections should illustrate the slab design and location, soil profile, tree root ball, tree canopy and any associated landscaping. For private patios and amenity areas, illustrate and dimension planters on slab, planter sizes (inside dimension), soil, root ball, retaining walls, steps, patios and portions of the adjacent building, such as residential units or amenity rooms.

1.45 Provision of a Tree Management Plan.

Note to Applicant: It is preferred that the arborist tree management plan become the primary document for tree removal/ protection related matters.

1.46 Provision of an arborist “letter of undertaking” to include signatures by the owner, contractor and arborist.

Note to Applicant: The signatures confirm that all parties are aware of the roles and responsibilities and that the project is on track to satisfy the steps and recommendations outlined by the arborist. For example, advanced planning will be needed to ensure that certain works, such as site supervision checkpoints, are coordinated.

1.47 Coordination for the provision of new street trees or any proposed City-owned tree removals adjacent to the development site, where applicable.

Note to Applicant: New street trees to be shown and confirmed on the development permit plans. Contact Eileen Curran, Streets Engineering (604-871-6131) to confirm tree planting locations and Park Board (604-257-8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "*Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 ft. long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion.*"

1.48 Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 sq. ft.

Note to Applicant: On the plan, illustrate irrigation connection points and hose bib symbols accurately and provide a highlighted note to verify the irrigation is to be designed and constructed. Hose bibs are requested to encourage patio gardening and hand-watering on private patio and amenity decks.

1.49 Provision of enlarged detailed elevations for all vertical landscape structures and features (i.e. green walls, trellis).

1.50 Provision of an Outdoor Lighting Plan.

Sustainability

1.51 All new buildings in the development will meet the requirements of the *Green Buildings Policy for Rezonings* (amended May 2, 2018), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Buildings are summarized at http://guidelines.vancouver.ca/G015.pdf.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezonings – Process and Requirements* (amended April 28, 2017 or later).

1.52 Identification on the plans and elevations of any built elements contributing to the building's sustainability performance in achieving the requirements as dictated by the *Green Buildings Policy for Rezonings*.

1.53 Explore further strategies to improve green building performance and identify any significant thermal bridges and their resolution on design drawings.

Note to Applicant: Additional strategies could include but are not limited to utilizing solar shading devices and green roof technologies.

1.54 At minimum the City-owned portion of the building must be designed to achieve Passive House certification, LEED Gold certification, and no fossil fuels. Refer to the most current LEED® Canada NC, CI, or other appropriate LEED standard. Through calculation of the life-cycle equivalent embodied carbon emissions through a whole-building life-cycle assessment (LCA) study, reduce embodied carbon emissions by 40% compared to baseline.

Engineering

1.55 The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection/removal or slab pour that requires additional street use beyond the already identified project street use permissions.

1.56 Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.

1.57 Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent to site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

1.58 Provision of generous and continuous weather protection on the Drake Street and Hornby Street frontages.

1.59 Confirmation that gates/doors are not to swing more than 0.3 m (1.0 ft.) over the property lines or into the SRW area.

1.60 Provision of a landscape and site plan that reflect the improvements to be provided as part of the Services Agreement.

1.61 Provision of a finalized Transportation Demand Management (TDM) Plan to the satisfaction of the General Manager of Engineering Services.

1.62 A TDM Plan with a minimum of 24 points is required for Strata Use. The proposed plan appears to achieve 24 points for Strata Use, subject to conditions below.

1.63 A separate TDM Plan for Cultural Amenity Use will not be required however, the City may seek Cultural Amenity access and use of the shared vehicles and spaces, the bicycle maintenance facility and the bike wash station to be secured through the TDM Agreement.

1.64 A single TDM measure may count towards multiple land uses if it is usable by each land use. Refer to Schedule B of the TDM policy for detailed requirements for each measure.

1.65 Provide TDM Plan as a separate package with complete information on TDM measures proposed, including the following clarifications:

(a) ACT-01 – Additional Class A Bicycle Parking:

(i) Confirm 25% additional Class A bicycle parking is provided above base By-law requirements for Strata Use to achieve 5 points for this TDM measure;

(ii) Identification of the number and location of the additional Class A bicycle parking on the plans.

Note to Applicant: Additional Class A bicycle parking spaces must meet the standards and minimums identified in the Parking By-law.

(b) ACT-02 – Improved Access to Class A Bicycle Parking:

(i) Provision of concept design for excellent design of lighting, finishes, grades, convenience;

(ii) Provision of operational and design specifications for automated bicycle parking.

(c) ACT-05 – Bicycle Maintenance Facilities:

(i) Notation and dimension location of facilities on plans;

(ii) Bicycle maintenance facilities to be located with convenient access to/ from Class A bicycle spaces for all users; and

(iii) Provision of an operational plan detailing the following:

(a) A description and precedent images of the amenities to be provided;

(b) A means of providing access to all residents and Cultural Amenity tenants; and

(c) A plan for maintaining these amenities.

(d) If available, provision of any additional information regarding this measure (e.g. tool receipts, instructions for using an online sign-up portal, or marketing/ instructional materials) that demonstrates how the property owner will operate, administer, and maintain this common facility.

(d) COM-02 – Car Share Vehicles and Spaces:

(i) Identification/notation/dimension of car share spaces on plans;

(ii) Spaces to be located with convenient, public access at-grade, or on P1;

(iii) Provision of detailed information as to how and a design to enable members of the car sharing organization access into the building's underground parking 24 hours a day, 7 days a week.

(e) OTH-01 – Innovative Strategies – Bike Wash Station:

(i) Identification of the location of the Bike Wash Station on the plans;

(ii) Provision of an operational plan detailing the following:

(a) A description and precedent images of the bike wash amenities to be provided;

(b) A means of providing access to all residents and Cultural Amenity tenants;

(c) A plan for maintaining these amenities.

1.66 Subject to the acceptance of an approved TDM Plan, entry into a TDM agreement, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, which identifies the following:

(a) Secures provision of funding towards long-term TDM monitoring fund in the amount of $2 per square metre of gross floor area;

(b) Secures the provision of TDM measures on the site;

(c) Permits the City to access and undertake post occupancy monitoring of the Transportation Demand Management (TDM) measures proposed; and

(d) Agrees to make reasonable adjustments to the TDM measures as requested by the City, based on the TDM monitoring results.

1.67 Design development to improve access and design of bicycle parking by performing the following:

(a) provision of an alcove for the bike room access off the vehicle parking ramp and maneuvering aisle.

1.68 Design development to improve access and design of loading spaces and demonstrate compliance with the Parking and Loading Design Supplement by performing the following:

(a) Provision of convenient, internal, stair-free loading access to/from all site uses;

(b) Review of the Class B loading design considering vehicle and truck turning movements and show truck swaths considering:

(i) An SU9 design vehicle for the Class B loading;

(ii) Loading to and from the lane into the Class B loading bay when the proposed Class A Passenger spaces at grade are occupied.

1.69 Design development to improve the parkade layout and access design and demonstrate compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services:

(a) Improved two-way flow for vehicles on the ramp and in the parking areas through provision parabolic mirrors at all 90 degree turns in the parking levels

(b) Provision of 6.4 m (21 ft.) stall lengths for the parallel Class A Passenger stalls;

(c) Confirmation that the drive aisle gates are minimum 6.1 m (20 ft.) wide.

1.70 Provision of the following information as part of the drawing submission at the development permit stage to facilitate a complete Transportation review:

(a) A complete tech table is required showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided;

(b) All types of parking and loading spaces individually numbered and labelled;

(c) Dimension of any/all column encroachments into parking stalls;

(d) Identification of all columns in the parking layouts;

(e) Dimensions for typical parking spaces;

(f) Dimensions of additional setbacks for parking spaces due to columns and walls;

(g) Dimensions of manoeuvering aisles and the drive aisles at the parkade entrance and all gates;

(h) Section drawings showing elevations and minimum vertical clearances for parking levels, loading bays, ramps, and security gates;

Note to Applicant: These clearances must consider mechanical projections and built obstructions.

(i) Areas of minimum vertical clearances labelled on parking levels;

(j) Design elevations on both sides of the ramps and drive aisles at all breakpoints, loading bays, disability spaces, and at all entrances;

Note to Applicant: The slope and length of the ramped sections at all breakpoints to be shown on the submitted drawings.

(k) Indication of the stair-free access routes from the Class A bicycle spaces to reach the outside;

Note to Applicant: Stair ramps are not generally acceptable.

(l) Existing street furniture including bus stops, benches etc. to be shown on plans; and

(m) The location of all poles and guy wires to be shown on the site plan.

1.71 Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings is required. The review of third party utility service drawings will not be initiated until the Key Plan is defined and achieves the following objectives:

(a) The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan https://vancouver.ca/files/cov/engineering-design-manual.PDF;

(b) All third party service lines to the development is to be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc.) and the applicant is to provide documented acceptance from the third party utilities prior to submitting to the City.

Note to Applicant: Use of street for temporary power (e.g., temporary pole, pole mounted transformer or ducting) is to be coordinated with the city well in advanced of construction. Requests will be reviewed on a case by case basis with justification provided substantiating need of street space against other alternatives. If street use for temporary power is not approved, alternate means of providing power will need to be proposed. An electrical permit will be required.

1.72 Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown without reliance of the lane for extended bin storage. If this cannot be confirmed then an on-site garbage bin staging area is to be provided adjacent the lane.

1.73 Existing wood pole(s) in lane may conflict with access. Arrangements to the satisfaction of the General Manager of Engineering Services and the appropriate public utility companies for pole relocation are required, if the (driveway, loading bay, walkway, etc) cannot be relocated.

1.74 Please place the following statement on the landscape plan as follows, "*This plan is "NOT FOR CONSTRUCTION" and is to be submitted for review to Engineering Services a minimum of 8 weeks prior to the start of any construction proposed for public property. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Engineering, Development Services and/or your Engineering, Building Site Inspector for details.*"

Green Infrastructure

1.75 Staff note that a Rainwater Management Plan has been submitted and are seeking a more detailed response toward the Citywide Integrated Rainwater Management Plan (IRMP) requirements outlined in the *Green Buildings Policy for Rezoning* and detailed fully in the *Rainwater Management Bulletin*. The applicant should take into account the following:

(a) The applicant is to refer to the *Rainwater Management Plan Bulletin* https://vancouver.ca/docs/bulletins/Rainwater-Management-Bulletin.pdf for full submission requirements.

(b) As per the *Rainwater Management Bulletin*, Runoff from the first 24 mm of rainfall from all areas, including rooftops, paved areas, and landscape must be retained or reused on site. The method of capture must be prioritized according to three Tiers outlined in the Bulletin and justification must be provided for using Tier 2 and 3.

(i) Provide justifications for not prioritizing Tier 1 and Tier 2 Volume Reduction including Green Roofs, Rainwater Reuse and Harvesting, and non-infiltrating landscaping over slab;

(ii) If Absorbent Landscaping (Tier 2) is proposed to provide rainwater retention for some of the first 24 mm, please note that only water falling directly onto that landscaping can be claimed unless it can be demonstrated that rainwater from other surfaces is being directed into it and that adequate storage volume is available;

(iii) Provide a site map detailing the different surface types and how rainwater will be directed or retained in each area. The information provided on the current site map is insufficient to make a full assessment. Include the following:

- Building, patio and walkway locations;
- Underground parking extents;
- Location of proposed detention tank, water quality treatment and flow control systems;
- All routing of water throughout the site;
- Area and depth of landscaping; and
- Any proposed rainwater management features; raingardens, bio-retention planters, etc.

(c) The rainwater management system for the building and site shall be designed such that the peak flow rate discharged to the sewer under post-development conditions is not greater than the peak pre-development flow rate for the return period specified in the City of Vancouver's Intensity-Duration-Frequency curve (IDF curve). The City of Vancouver's 2014 IDF curve shall be utilized for pre-development design flow calculations, and the City's 2100 IDF curve, which takes into account the effects of climate change, shall be utilized for post-development design flow calculations.

Note to Applicant: No information has been provided to demonstrate how this requirement will be met. For this calculation, the 10 year, 5 minute time of concentration should be used as this development is in the downtown core.

(d) As per the water quality requirements, the volume of water (24 mm for low pollutant generating surfaces like roofs and 48 mm for high pollutant generating surfaces like driveways) that leaves the site must be treated to a standard of 80% TSS removal by mass by using either individual BMPs that meet the standard or treatment trains of BMPs that, when combined, meet the standard.

(i) As this site includes a vehicle drop off area, water from this area will need to be treated to 48 mm volume.

(ii) Staff note that an oil/grit separator or filter structure is mentioned to meet this requirement. Clarify which will be used and for proprietary treatment devices:

- Provide product information for all treatment practices; and
- Ensure products meet either the Washington State Department of Ecology's Technology Assessment Protocol (TAPE) or ISO 14034 ETV certification. The applicant may propose other technologies but must provide supporting information that shows the technology meets the standard.

1.76 Provision of a Rainwater Management Agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services registered prior to issuance of a Development Permit.

1.77 Provision of a final signed and sealed Rainwater Management Plan (RWMP), which includes a written report, supporting calculations, computer models and drawings to the satisfaction of the General Manager of Engineering Services prior to the issuance of any building permit.

1.78 Provision of a final signed and sealed standalone Operations and Maintenance (O & M) Manual to the satisfaction of the General Engineering Services prior to the issuance of any building permit.

Cultural Amenity Space

1.79 Design and finish the Cultural Amenity Space as a minimum of 13,382 sq. ft. Artist Studio (inclusive of Class A and B use), Production and Rehearsal, and Presentation amenity space to be operated by a non-profit organization or organizations, to the satisfaction of the Managing Director of Cultural Services, and the Director of Facilities Planning and Development to ensure that the functional requirements of the cultural amenity space can be met. Design development to meet forthcoming Detailed Functional Program requirements to be provided by the City. The Cultural Amenity is to be designed, constructed, equipped and finished in accordance with the following specifications and meet all requirements of relevant by-laws including Noise, Building and Fire By-laws for Artist Studio Class B use, the applicable Arts and Culture Studios

Technical Guidelines, and the City of Vancouver Facilities Standard Manual, at time of building permit.

Note to Applicant: Refer to the Arts and Culture Studios Technical Guidelines (at time of building permit) particularly for Class B Artist Studios which require a higher degree of ventilation for artists working with more toxic substances, higher degree of soundproofing for possible use of amplified music and industrial machinery, and industrial fittings, exclusive of glass blowing and welding uses.

Spaces are to include, but not limited to:

(a) Artist Studio (Class A and B) space;

(b) Production and Rehearsal space;

(c) Presentation space; and

(d) Ancillary spaces, including for example, storage, administrative offices, washrooms, kitchen/bar, kitchenette, multi-purpose room, end-of-trip facility, and janitor rooms/support spaces, etc.

1.80 Design development of the Cultural Amenity Space to include:

(a) Underground associated dedicated parking with a total of five parking stalls, including one accessible stall, and one EV parking stall;

(b) Dedicated garbage and recycling room;

(c) Design development of dedicated mechanical, electrical systems (and separately metered services) as well as dedicated service, mechanical, electrical rooms;

(d) Dedicated enclosed room for indoor bicycle parking for minimum of 7 spaces and 1 OS space; and outdoor bicycle parking for minimum 12 spaces; and

(e) Loading (can be shared).

1.81 Applicant to maintain parking, loading, and transportation requirements per Part 1 and 2 of rezoning condition of approvals, with additional requirements for:

(a) Parking for Cultural Amenity Space user groups,

(b) Bicycle spaces for Cultural Amenity Space user groups,

(c) Loading for Cultural Amenity Space user groups, inclusive of access to shared loading to 1 passenger and 1 Class B loading space,

(d) End-of-trip (EOT) clothing lockers and amenities for Cultural Amenity Space user groups.

Note to Applicant: Proposed parking reductions may be considered at the Development Permit stage with acceptable Transportation Demand Management (TDM) or other management measures.

1.82 Design development at later stages of the permitting process to the final layout and particulars of the Cultural Amenity Space to be determined to the satisfaction of City of Vancouver staff and the approval of the Managing Director of Cultural Services and the Director of Facilities Planning and Development.

1.83 Design development of the Cultural Amenity Space with a strong visual identity, two ground-level entrances, and distinct presence, including large identification signage, with programming spaces located on contiguous floors.

1.84 Design development of Level 1 Cultural Amenity Space to include a full kitchen/bar with Class 3 cooking operations, including appliances, for use during events.

1.85 Design development of the Cultural Amenity Space to include appropriate number of washrooms, including accessible and gender-neutral, on Levels 1 and 2.

1.86 Design development of the Cultural Amenity Space with clear ceiling heights minimum of 13’-6” on Level 1, and 9’-0” on Level 2.

1.87 Design development of the Cultural Amenity Space with design input and review from a third party acoustic consultant that is mutually agreed to by the Owner and the City, to ensure acoustic isolation between spaces within the Cultural Amenity, adjacent spaces within building (including residential), from outdoors, and from mechanical equipment (i.e. HVAC), to the satisfaction of the Managing Director of Cultural Services and the Director of Facilities Planning and Development.

(a) Ensure all demising walls, ceilings, floors, and openings to meet enhanced sound proofing (STC65 minimum – to be confirmed with Arts and Culture Studios Technical Guidelines at time of building permit), with interior noise controlled with appropriate acoustic surface treatment. Enhanced sound proofing to allow Class A and B uses to meet Noise Control By-law.

(b) Engage a third party acoustic consultant that is mutually agreed to by the Owner and the City, to provide an acoustic report and guideline outlining specific performance requirements for room acoustics and reverberation control; HVAC and mechanical systems noise control within the building; internal sound isolation; external sound isolation.

1.88 Design development of the Cultural Amenity Space, with one centrally located oversized passenger elevator (to meet minimum cab size as outlined in the Arts and Culture Studios Technical Guidelines), providing access from:

(a) Underground cultural amenity parking, bicycle parking, and garbage levels to Cultural Amenity Lower Lobby, Levels 1 and 2.

(b) One shared Class A passenger and one shared Class B loading off laneway. Access to the residential core from the shared loading must be separate from and outside of the Cultural Amenity Space.

Note to Applicant: While the Arts and Studios Technical Guidelines set a minimum weight capacity of 5,000 lbs., staff would consider a capacity of 4,000 lbs, following analysis of uses and needs of the cultural amenity space.

1.89 Design development of laneway access to the Cultural Amenity Space, providing controlled access to Level 1, and controlled access to Level 2, to allow for separate users between Levels 1 and 2 Cultural Amenity Spaces.

1.90 Design development of the pathway from shared Class B loading to the Cultural Amenity Space, providing more direct and stair-free route to dedicated Cultural Amenity Space centrally located oversized passenger elevator.

1.91 Design development to provide direct and stair-free route from the Cultural Amenity Space dedicated parking area and garbage and recycling area to oversized elevator, including double doors leading to elevator.

(a) Ensure that drawings indicate Cultural Amenity Space associated parking and bike parking on parking levels.

(b) Design development to maximize programmable space on Levels 1 and 2. Minimize structure and/or strategize placement of the structure such that clear spans will be maximized to support desired activities within the space.

1.92 Design development of the Cultural Amenity Space to adhere to the Arts and Culture Studios Technical Guidelines at time of building permit with following additions:

(a) Special consideration for cultural facility fit, finishes and fixtures typical to presentation and Class A and B Artist Studios, and studio and rehearsal spaces may include but are not limited to: acoustic controls, architectural millwork, ceiling heights, wall, floor and ceiling finishes, mechanical, electrical, plumbing, lighting, and HVAC, specialties and furnishings, loading access, parking, bicycle parking, and accessibility for peoples with disabilities (including performers and audiences, and technicians wherever possible).

(b) Requires direct and stair-free route to provide access and movement from the Cultural Amenity Space to loading, parking, bicycle parking, and dedicated garbage and recycling rooms, sufficient to accommodate large equipment, materials, bicycles, and artworks, including:

(i) Doors and corridors from Level P1 dedicated garbage and recycling rooms, and bike parking, and P2 dedicated vehicle parking to oversized elevator to provide sufficient space for movement of art works and/or supplies with minimum clearance of 48" in corridors and automatic door openers;

(ii) Provide clearance from loading to oversized elevator, with automatic door

openers, double doors and widened corridors to recommended 6 ft. minimum width to allow for transportation of large artworks and supplies; and

(iii) Ensure dedicated oversized (height, width, and capacity) passenger elevator and loading access, as per Arts and Culture Studios Technical Guidelines, able to accommodate large equipment and materials, including artworks.

1.93 Design development to include heat/HVAC/ventilation and security with following provisions:

(a) Studio workspaces to be provided with enhanced commercial grade ventilation to suit Class B activities; with heating and air-conditioning (most cost-efficient heating for operator such as radiant in-floor heating, HRV). Provide natural ventilation by means of operable windows in Level 2. Ventilation should consider a variety of uses.

(b) Smudging capability.

1.94 Engage a Third Party Commissioning Provider that is mutually agreed to by the Owner and the City, to meet the Commissioning requirements related to “Option 2” as set out in the BC Housing Building Commissioning Guidelines. Without limiting the generality of the foregoing, the guidelines set out the requirements for implementing the 3rd party independent commissioning process and sets out the 3rd Party Commissioning Provider scope and responsibilities

1.95 Design development to include Electrical/Energy provisions:

(a) Enhanced electrical load to support Class B electrical activities such as pottery (kiln), woodworking, and electronic music/recording as per Arts and Culture Studios Technical Guidelines; Design of studios to utilize best practice design principles with regard to energy consumption (LEED guidelines).

1.96 Ensure that drawings denote programmable area square footage, including Levels 1 and 2.

1.97 Mechanical and control systems should be designed to be as simple as possible to reduce maintenance costs and the need for specialized maintenance expertise.

Note to Applicant: A preliminary energy modelling exercise must be undertaken during the preliminary design stage to evaluate options for design of the building envelope, mechanical and electrical systems, and energy conservation measures (ECM) which meet or exceed the City’s energy performance target and make the most sense for the project based on energy and GHG savings, financial impact and ease of maintenance.

PART 2: CONDITIONS OF BY-LAW ENACTMENT

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 Manager of Planning

and Development, the General Manager of Arts, Culture and Community Services, the General Manager of Engineering Services, the Director of Facility Design and Management and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

2.1 Consolidation of Lots 15 to 19, Block 101, DL 541, Plan 210 to create a single parcel.

2.2 Provision of a building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site, along Drake Street to achieve a 5.5 m offset distance measured from back of the existing curb for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

2.3 Provision of a building setback and surface statutory right-of-way (SRW) for public pedestrian use over a portion of the site, along Hornby Street to achieve a 5.5 m offset distance measured from the back of the existing curb (between the existing sidewalk and the bike lane) for widened sidewalks.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

2.4 Provision of a building setback and surface statutory right of way (SRW) for public pedestrian use over a wedge shaped portion of the site, at the corner of Drake Street and Hornby Street for widened sidewalks. The boundary of this wedge shaped SRW area shall be determined by a line connecting a point that is 1.0 m along the SRW line along Hornby Street to a point that is 4.0 m along the SRW line along Drake Street, both measured from the intersection of the SRW line along Hornby Street and the SRW line along Drake Street.

Note to Applicant: The SRW will be free of any permanent obstruction such as structure, mechanical vents, stairs, and planter walls at grade and is to accommodate the underground parking structure within the SRW agreement.

2.5 Provision of a Services Agreement to detail the on-site 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. The timing for the delivery of the Services shall be determined by the General Manager of Engineering Services in his sole discretion and holds shall be placed on such permits as deemed necessary in his sole discretion. The Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement

Note to Applicant: For general Latecomer Policy information refer to the website at https://vancouver.ca/home-property-development/latecomer-policy.aspx#redirect

(a) Provision of adequate water service to meet the fire flow demands of the project.

(i) Based on the confirmed Fire Underwriter's Survey Required Fire Flows and domestic flows submitted by CitiWest Consulting Ltd. dated November 22, 2018, no water main upgrades are required to service the development.

Note to Applicant: The main servicing the proposed development is 200 mm. Should the development require water service connections larger than 300 mm, the developer shall upsize the existing water main to service the site. The developer is responsible for 100% of the cost of this upgrading.

Note to Applicant: 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.

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

(i) Implementation of development at 1290 Hornby Street requires the following in order to improve sewer flow conditions:

- The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

  Note to Applicant: Development to be serviced to the 200 mm SAN sewers on Drake Street. This sewer has adequate capacity to service this development.

(c) Provision of street improvements along Hornby Street adjacent to the site and appropriate transitions that follow the City's Downtown South streetscape design guidelines including the following:

(i) Minimum 1.2 m (4.0 ft.) wide front boulevard with street trees where space permits;

(ii) Minimum 3.0 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk.

(d) Provision of street improvements along Drake Street adjacent to the site and appropriate transitions that follow the City's Downtown South streetscape design guidelines including the following:

(i) Minimum 1.2 m (4.0 ft.) wide front boulevard with street trees where space permits;

(ii) Minimum 3.0 m (10.0 ft.) wide broom finish saw-cut concrete sidewalk;

(iii) Relocation of the existing above ground utility kiosks to outside of the future sidewalk.

(e) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

(f) Provision of upgraded street lighting (roadway and sidewalk) adjacent to the site and Hornby/Drake intersection lighting to current City standards and IESNA recommendation.

(g) Provision of speed humps in the north-south lane east of the 1200 block of Hornby Street, from Davie Street to Drake Street.

(h) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.

(i) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8 ft. long and 18 inch deep, centred on each street tree adjacent to the sidewalk and any off street bike facility.

2.6 Provision of all third party utility services (e.g., BC Hydro, Telus and Shaw) to be underground. BC Hydro service to the site shall be primary.

BC Hydro System Vista, Vista switchgear, pad mounted transformers, low profile transformers and kiosks as well as telecommunications kiosks are to be located on private property with no reliance on public property for placement of these features. Submission of a written confirmation from BC Hydro that all these items will be located on the development property.

For questions on this requirement, please contact Utilities Management Branch at 604-829-9447 or at umb@vancouver.ca.

2.7 Provision of a Shared Use Loading Agreement to the satisfaction of the General

Manager of Engineering Services, Managing Director of Cultural Services and the Director of Facilities Planning and Development for the Class B loading space and 1 Class A passenger space between the cultural and residential uses and label the space as 'Residential and Cultural Amenity Loading'.

2.8 Subject to the acceptance of the finalized TDM Plan, entry into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 4 two-way Shared Vehicle(s) and the provision and maintenance of 4 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:

(a) Provision of 4 two-way Shared Vehicle(s) to the development for a minimum period of 3 years;

(b) Entry into an agreement with a two-way Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);

(c) Provision and maintenance the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;

(d) Arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);

(e) Provision of security in the form of a Letter of Credit for $50,000 per Shared Vehicle;

(f) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions; and

(g) A letter of intent from a two-way car share company indicating their willingness to supply car share vehicles on the site at building occupancy.

Note to Applicant: The letter is to also indicate acceptance of the general location, configuration and accessibility of the shared vehicle spaces.

Cultural Amenity Space

2.9 Make arrangements to the satisfaction of the Director of Legal Services in consultation with the Managing Director of Cultural Services and the Director of Facilities Planning and Development for the design, construct, equip and finish of a cultural amenity space of no less than 13, 382 sq. ft., all within a fee-simple air space parcel which meets the City's specifications, including any applicable Arts and Culture Studios Technical Guidelines, functional program, and programming requirements (inclusive of studio, rehearsal and production spaces, presentation spaces, and required parking, support

spaces, storage spaces, and spaces appropriate for acoustic isolation and external sound mitigation).

(a) Transfer to the City at a nominal cost an air space parcel containing the Cultural Amenity Space (the "Air Space Parcel") together with the appropriate rights and obligations applicable to the ownership and operation of the Air Space Parcel including reciprocal easements and indemnities, repair and maintenance, cost sharing, insurance and other applicable legal obligations,

(b) The construction and delivery of the Cultural Amenity Space is to be secured by a Letter of Credit (LC) in an amount required to deliver the Cultural Amenity Space, as determined by the General Manager of Real Estate and Facilities Management in their sole discretion, and provided to the City prior to building permit issuance; all LCs must be in compliance with and in the form set out in the City's Letter of Credit Policy ADMIN 032 - https://policy.vancouver.ca/ADMIN032.pdf

(c) The applicant will grant the City an option to purchase, for a nominal purchase price, the Air Space Parcel, exercisable upon achievement of certain conditions including completion of the Cultural Amenity Space, acceptance thereof by the City, registration of the related air space plan.

(d) An occupancy hold on the residential portion of the development to be constructed on the site subject to certain conditions including the completion of the design and construction of the Cultural Amenity Space and satisfactory acceptance of the Cultural Amenity Space by the City, creation of the Air Space Parcel and transfer thereof to the City

(e) Grant a perpetual right in favor of the City and the users of the Air Space Parcel, in the form of an easement, for access to and exclusive use of:

(i) Minimum of 5 dedicated parking spaces in the underground parkade, including one accessible parking space and one EV parking space;

(ii) Minimum of 12 Class B outdoor bicycle parking spaces;

(iii) Dedicated enclosed room for indoor bicycle spaces with minimum 7 Class A bicycle spaces and 1 over-sized space (if located underground);

(iv) Dedicated garbage and recycling areas, mechanical/electrical systems, mechanical rooms, electrical rooms and end-of trip facilities;

(v) Shared loading;

All at no cost to the City and the Air Space Parcel occupants.

(f) Minimize the obligations of the Cultural Amenity Space toward contributions to the common area costs of the overall development, to reflect those costs which are deemed to be directly attributable to the Cultural Amenity Space or which are

related to any part of the development for which the users or invitees of the Cultural Amenity Space may (from time to time) have the use of and/or access to.

(g) Provision of interior signage in common areas of the property clearly specifying City-approved use of the Cultural Amenity Space for the finalized Cultural Amenity Space (i.e. Artist Studio use, etc.) to ensure that all owners and occupants of the development are aware of the approved use; a minimum of one sign shall be placed in a clearly visible location of all common entranceways and/or lobbies within the development.

(h) Arrangements for notices in rental agreements, inclusion in marketing and disclosure documents and signage on buildings, to notify residents that their dwelling unit is located in a building with a cultural amenity space that will include arts and culture presentation and production, including Class A or B artist studio, as defined in the City's Zoning and Development By-law.

(i) Such other terms and conditions as the Managing Director of Cultural Services and the Director of Legal Services may require.

Note to Applicant: Design development will be required through the development permit process, including consideration for the proximity and access to the garbage, recycling and compost rooms.

Sustainability

2.10 The applicant will enter into an agreement with the City, on terms and conditions acceptable to the Director of Sustainability and the Director of Legal Services, that requires the future owner of the building to report energy use data, on an aggregated basis, for the building as a whole and certain common areas and building systems. Such an agreement will further provide for the hiring of a qualified service provider to assist the building owner for a minimum of three years in collecting and submitting energy use data to the City.

Public Art

2.11 Execute an agreement satisfactory to the Director of Legal Services and the General Manager of Arts, Culture and Community 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 Head of Public Art.

Note to applicant: Please contact Eric Fredericksen, Head of Public Art at eric.fredericksen@vancouver.ca or 604-871-6002 to discuss your application.

Community Amenity Contribution – Cash Payment

2.12 Pay to the City the cash Community Amenity Contribution (CAC) of $12,170,000 which the applicant has offered to the City and is allocated as follows:

(a) $9,127,500 towards community and/or public safety facilities in and around the Metro Core area;

(b) $2,434,000 towards childcare in and around the Metro Core area; and

(c) $608,500 towards the Heritage Conservation Reserve to assist with heritage conservation in the city of Vancouver.

2.13 Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

Environmental Contamination

2.14 If applicable:

(a) Submit a site disclosure statement to the Environmental Protection Branch (EPB);

(b) 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; and

(c) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site 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 satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Agreements

Note to Applicant: 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-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.

* * * * *

1290 Hornby Street
DRAFT CONSEQUENTIAL BY-LAW AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 11879

In Schedule A (CD-1 Zoning Districts regulated by Part 9) of the Sign By-law add:

“1290 Hornby Street	[CD-1 #]	[By-law #]	DD”

DRAFT AMENDMENTS TO THE NOISE CONTROL BY-LAW NO. 6555

In Schedule A (Activity Zone) of the Noise Control By-law add:

“[CD-1#]	[By-law #]	1290 Hornby Street”

* * * * *

1290 Hornby Street
URBAN DESIGN PANEL

Urban Design Panel Minutes

The Urban Design Panel (UDP) reviewed this rezoning application on April 3, 2019. The application was supported (4-2).

EVALUATION: SUPPORT with recommendations

- **Introduction:**

Rezoning Planner, Helen Chan, began by noting this rezoning application proposes to rezone 1290 Hornby Street from Downtown District (DD) to CD-1 to allow for a 35-storey mixed residential building, with 159 strata residential units and 10,531 sq. ft. (978 sq. m) of cultural amenity space

Carl Stanford, Development Planner, noted that the Downtown ODP's land use regulation and the Downtown South Guidelines view the Hornby Slopes neighborhood primarily as a residential area with compatible ground level uses, including retail use for corner sites.

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

1. Wayfinding, Public Realm Interface and Cultural Amenity Space Functionality

    i. Is the definition and articulation of the entry points for the different at grade uses satisfactorily achieved?
    (*Cultural amenity space on Hornby Street/Drake / lane & Resi entry on Drake)*

    ii. Is the residential entry appropriate in scale and location for a tower of this size?

    iii. Does the corner exposure of the gallery satisfactorily maximize transparency on the street façade?

    iv. Is the layout of the cultural amenity space to sufficiently flexible in its layou to allow a range of uses for long term viability options?

        - *Identify HAD issues – number of internal bedrooms, L3to L5-South End in particular.*
        - *Are the setbacks meeting the intention to provide ensure adequate lighting, spacing and privacy- Resolvable 80' tower separation distance issue.*

    Staff initially directed the applicant to a maximum height of 300' but due to the relatively small size of the site allowed the relaxation contingent to the demonstration of: a lack of substantial impact on the Burrard Place amenity and further refinement of the form, material treatment and massing particularly on how the building is crowned.

2. Height & Shadowing

    i. Does the proposal demonstrate the required negation of the additional heights substantial impact of sunlight on streets, / private common open spaces (particularly

the Burrard Gateway Amenity), and the visual privacy of those living in nearby towers?

ii. Does this building maintain the hierarchy and prominence of Burrard Gateway? *(Tower A= 549.8'/ 167.6m & Tower B= 368'/ 112.2m).*

3. Material Selection, Massing and Design:

i. Does the proposal satisfy the distinction for an effective treatment of base, middle and top?

ii. Is the additional height from 300' to ~348' justified by the sculpting of the form at the upper levels?

iii. contingent to the demonstration of a lack of substantial impact on the Burrard Place amenity and further refinement of the form, material treatment and massing particularly on how the building is crowned. Therefore:

iv. Has the proposal addressed concerns for a cohesive material treatment appropriate to the above character? Please comment on the detailed design, particularly the architectural expression, and materiality.

- **Applicant's Introductory Comments:**

The project was committed to evolve a massing that would make it look different and stand out from the other buildings in the area knowing that the project was diminutive compared to the building in the area. This building has a full floor plate of 33 floors.

Due to challenges in separation, the setback to the tower from the north property line had to be 55 feet. This impacted the available space for a tall building form making the typical floor to be about 4,800 gross square feet.

To allow proper light penetration, a parallelogram shape design was developed. The design is emphasized by vertebrae in the expression of the balconies at the corners and the roof forms.

The base of the building provides a continuous expression of an interlocking rectangular form as it forms around the corner. This exposes the various angles of the prow that flows to the ground and comes lower to the podium.

The site consists of bike parking, exciting entry to residential entry and garden, children's play area, urban agriculture plots and outdoor dining area.

The dominant residential entry point is separate and distinct from the main entry of the amenity space which completes the motor court that is across the lane.

The applicant team then took questions from the panel.

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

Having reviewed the project it was moved by Mr. Wen and seconded by Mr. Newfield and was the decision of the Urban Design Panel:

THAT the Panel SUPPORT the project with the following recommendations to be reviewed by City Staff:

- Simplification and further refinement of the base, middle and top of the building; and
- Consideration of the choice of the material palette to ensure the highest quality.

- **Related Commentary:**

There was overall support from the panel with regard to the massing of the proposal but some reservations over the overwrought architectural expression and complexity of the material palette.

With regard to wayfinding, most panel members agreed the entries were well handled and appropriately designated. Most panel members agreed the public realm was satisfactory but somewhat staid and required additional development in the detail of its execution to achieve a great ground plane with excellence in materials and form. Some panel members also felt additional details and development of the cultural amenity space would be beneficial.

The public realm should encourage public interaction and gathering, lending significance to the site and be well integrated with the surrounding streets and sidewalks.

Most panel members agreed that the height and shadowing were acceptable. Some panel members had questions on the affordability of the dwelling units given the additional density generated from increase in height from its original iteration.

Panel members noted the overall massing and floorplate were successful but agreed the tower's architectural expression was busy and required simplification to reflect the elegant form. Some panel members felt that further refinement at the crown/roof would be beneficial given its interesting form. Some panel members also had concerns on the base of the building being too crowded and confused by the framing. Panel members had concerns regarding the choice of color and material palette. The palette was considered a bit dour for the area and the green color choice was questionable.

Consideration should be given to a refined distinctive treatment of the base, middle and top of the building with a unifying language leveraging a cohesive high quality material palette. Protuberances or changes in material expression should have a functional basis underlined by a rigorous rationale.

- **Applicant's Response:**

The Applicant thanked the panel members for their comments.

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1290 Hornby Street
URBAN DESIGN ANALYSIS

The following is a brief summary of staff assessment of the proposed form of development. For more detailed analysis, please refer to the below in conjunction with the drawings in the Appendices as required:

Density – Under the Downtown Official Development Plan (DODP) for the Hornby Slopes neighbourhood in Area "N", the current permitted density is up to 5.0 FSR, of which office uses are to not exceed 1.0 FSR. An additional 10% floor area can also be considered for transfer of heritage density from another site, arriving at a total potential density achievable under the Downtown Official Development Plan (DODP) of 5.5 FSR.

The application as received proposes a floor area of 16,659.9 sq. m (179,332 sq. ft.), which is equivalent to 11.96 FSR and is being considered under the *Potential "Benefit Capacity" in Downtown Policy*, which accommodates additional floor space in Vancouver's Downtown South to support public benefits through site-specific rezoning while respecting current view corridor height limits.

A cultural amenity space with an area of 1,243.2 sq. m (13,382 sq. ft.) has been included in the design, proposed as the only other occupancy in the building beyond market housing. Located on the main and second floors of the podium, this component of the project will be designed and executed as a turnkey space, customized to requirements yet to be defined by the City's Cultural Services Department, and turned over to the City as an airspace parcel upon project completion.

The staff urban design assessment concludes that the proposed floor area (subject to standard exclusions and the design development conditions contained in Appendix B) can be appropriately accommodated on the site.

Height – Sites within Area 7 of the Downtown Official Development Plan (DODP), allow for a basic maximum height of 91.4 m (300 ft.) while the 3.1 Queen Elizabeth view cone which crosses the subject site in this location has a maximum height restriction of 375 ft. The maximum discretionary height in Downtown South typically provides considerable latitude in tower massing to accommodate permitted floor area within smaller or larger floor plates, as desired by the developer, while responding to specific site conditions, the need to minimize tower bulk and evaluated against shadowing and impact on views.

Staff initially directed the applicant to the maximum applicable height of 300' but due to the relatively small size of the site allowed a relaxation contingent to the demonstration of a lack of substantial impact on the Burrard Place amenity and further refinement of the form, material treatment and massing particularly on how the building is crowned. As such the proposed application sets a maximum height of 106. 11 m (348.13 ft.) equivalent here to 35 floors.

The site is directly across the street from the private amenity space at the "Burrard Gateway" podium. In order to ensure the continued livability of this area, consideration of the height must be shaped to ameliorate any shadowing impact. This shaping should facilitates sunlight on streets, parks and private common open spaces. It should enables visual privacy to those living in nearby towers, and maintains the prominence of Burrard Gateway which is identified as a higher building site in the General Policy for Higher Buildings. There are two key aspects to consider when addressing additional height in this area which are the building's contribution to

the Vancouver skyline and its potential shadowing impacts generated by the additional height. The upper portions of the towers incorporate some elements of tapered massing which increases sky exposure and facilitates responsiveness to nearby views. Staff have assessed shadow impact on public spaces and have concluded that the proposed heights of the towers do not incur significant shadow impacts during key daylight hours.

The proposed height in this context was deemed supportable subject to the additional considerations which address the above listed in Appendix B.

Form of Development – The overall form is comprised of a 5-level podium fronting Hornby and Drake Street, topped by a 30 story tower which steps inward at the crown.The applicant had originally conceptualized the proposal as a crystalline form with diagonal articulation designed to ameliorate shadowing, satisfy adjacent tower hierarchy and protection of views. The 2022 addendum simplifies this form with less articulation and stepping. The elevations were expressed in the original proposal with different shades, types, tones and colour of metal cladding and it is assumed that the addendum will retain this treatment.

This 35 storey mixed-use tower includes a residential entrance lobby off the corner of Drake St and the Lane, with access to the 1,243.2 sq. m (13,382 sq. ft.) cultural amenity space behind primarily off Hornby St with a potential secondary entrance off Drake Street. The cultural amenity space occupies two stories at Level 1 and Level 2. Residential use is proposed from levels 3 through 35. There is an additional amenity room for the tower residents with a co-located outdoor deck at level 6. Mid to upper-range strata-residential is the primary proposed use via the provision of 211 market suites, offering a ratio of 53% one-bedrooms, and 47% 2-bedrooms or larger. Layouts are constrained by the configuration of the site. The 11.96 FSR is balanced by the provision of the aforementioned cultural amenity space, the only other proposed use on the site, and a cornerstone of the building.

Tower Floor Plate – The Downtown Official Development Plan (DODP) Hornby Slopes-Area "N" does not have a minimum site size for a tower and this proposal has a relatively small floor plate varying from approximately 450 sq. m (4,800 sq. ft.) to 300 sq. m (3,200 sq. ft.) in the tower section.

Staff assessed the impact of the proposed floor plate size against the adjacent context, considering in particular the shape of the tower, and effects to the nearest residential tower, and alternative tower shapes and concluded that, the proposed floor plate does not create a severely undue effect on its neighbours.

Tower Separation and Setbacks – There is a required setback of 12m (40ft.) to the property line to the adjoining 'Pure' tower, a min 1.8 m (6 ft.) setback off Drake Street/ Hornby Street and a 9 m (30 ft.) setback to the tower at the rear of the site opposite the "Tate". Given that Area "N" does not have a minimum site size for a tower, the separation between existing and future towers on adjacent sites is paramount to address livability concerns. As such above a podium threshold of 18m (60 ft.), there is a required minimum separation of 24 m (80 ft.) from building face to building face to all surrounding towers. These requirement are accommodated via conditions set out in Appendix B.

Podium – The Downtown South Goals and Policies & Downtown Guidelines recommend that a podium street enclosure should match existing building pattern and the proposal is consistent with that intention with a five-storey podium broadly continuing the prevalent street-wall datum-

line. The Downtown South Guidelines anticipate a podium height of at least 30 ft. up to 70 ft. The proposed six-storey podium height is consistent with the guidelines.

Sustainability – The Green Buildings Policy for Rezonings (amended by Council on May 2, 2018), requires that rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements are mandatory for all rezoning applications received after May 1, 2017 and this application is working with these requirements.

Public Realm and Landscape Design – Provision of Open Space is constrained somewhat by the limitations of the site. Sidewalk landscaping to City standards will be provided along the street facades, with a mix of hard architectural features and soft landscaping. Trees are proposed for the laneway courtyard, which is flanked by areas of soft landscaping. Weather protection will be required along both street frontages (i.e. six to eight ft. deep). Further conditions are provided in Appendix B to achieve an improved landscape design.

Urban Design Panel – The 2018 rezoning application submissions proposed form of development was reviewed by the Urban Design Panel on April 3, 2019 (see Appendix D) based on the original 2018 application submission and received an evaluation of Support with Recommendations. Suggestions from the Panel included simplification and further refinement of the base, middle and top of the building and consideration of the choice of the material palette to ensure the highest quality. The proposal will undergo further design development during the development permit review process.

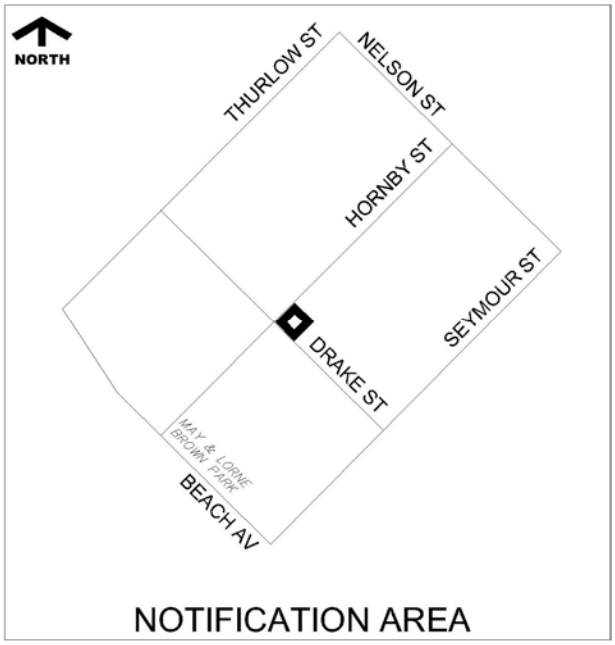
Conclusion – Staff have considered the overall form of development, the proposed height and floor plate of the tower within its context and have applied conditions set out in Appendix B to ensure it meets the standards set by the Downtown Official Development Plan (DODP) and the applicable policy context. Staff are seeking improvements to the design to be addressed at the development permit stage pertaining to its massing, articulation, livability, functionality, public realm interface, quantity/quality of information, sustainability & execution of its landscaping. Architectural drawings are contained in Appendix G and the development statistics are summarized in Appendix I.

* * * * *

1290 Hornby Street
PUBLIC CONSULTATION SUMMARY

Rezoning Application (Submitted December 13, 2018)

Public Notification – A rezoning information sign was installed on the property on February 15th, 2019. Approximately 9,488 notification postcards were distributed within the neighbouring area on or about February 20th, 2019. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

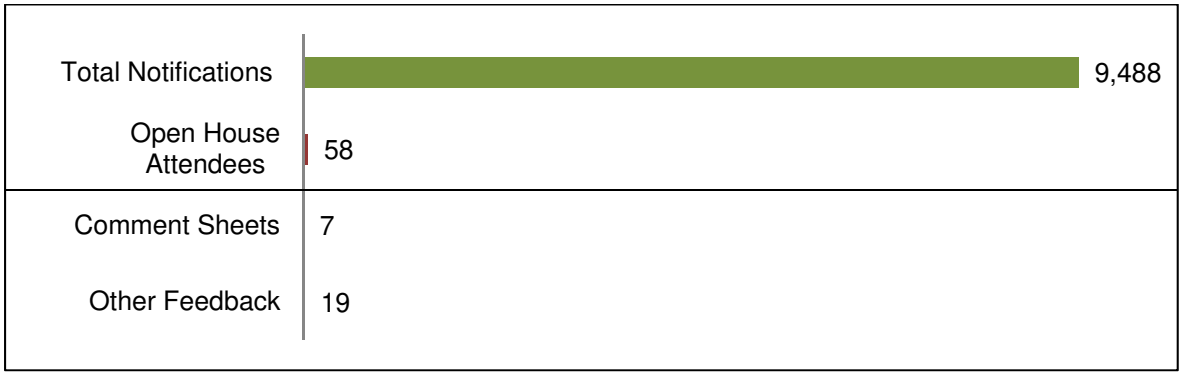


Community Open House – A community open house was held on March 14, 2019 at the Executive Hotel Vintage Park, located at 1379 Howe Street. Staff, the applicant team, and 58 members of the public attended the open house.

Public Response – Public responses to the proposal have been submitted as follows:

- In response to the March 14, 2019 open house, a total of 7 comment sheets were received from the public
- Approximately 19 emails and online comments were also received

Notification and Public Response



Note: Each comment form or online response can include a number of comments which may reference points in support, potential concerns and questions or neutral/general statements. Therefore, staff focus on qualitative theming of comments and overall percentages are not provided.

Some duplication of responses may result where respondents chose to provide feedback to a rezoning application more than once using a number of mediums (open house comment sheet, online feedback, form letter, petition, etc.).

Comments of Support:

- **Support for the public benefit of a new cultural amenity space:** A cultural amenity space for artists was viewed by respondents as having a positive public benefit to the area and would complement existing cultural amenities nearby.

- **Proposed design, massing, and density is appropriate:** Respondents considered the building's massing, height, density, and overall scale to be attractive and appropriate for the area.

- **Project fits well within the neighbourhood:** Respondents believed that the project fits well within the context of the neighbourhood and is suitable given its location in the Downtown.

Comments of Concern:

- **Proposal has inadequate architecture and urban design components:** Respondents viewed the proposal's tower and podium design as disjointed, jarring, and boxy. The proposal was perceived as having an unsatisfactory public realm, particularly around the lane. In addition, the proposal's green glass and materials were criticized.

- **Inappropriate height, scale, and density:** The proposal's massing and density was a concern to respondents, because the surrounding area is considered already densely populated. Respondents noted that additional height and density will create strain on existing infrastructure, increase congestion, decrease sunlight, and reduce public health.

- **Alternative public benefits could be considered:** Respondents felt that the proposal's public benefit of a cultural amenity space wasn't entirely necessary for the area. Public benefits such as a health care centre, clinic, childcare facility, primary school, or non-profit space for community organizations would also be an appropriate use for the space.

- **Proposal offer inadequate affordable living spaces:** Respondents believed that there should be low-income and non-market housing as part of the proposal, since market strata housing is largely unattainable for many Vancouver residents. In addition, respondents noted that housing should include affordable units for artists.

- **Criticism of the capacity and functionality of cultural amenity space:** Respondents questioned whether the cultural amenity space would be affordable for low income artists and if programming would be tailored to residents or the public. Respondents wanted to know the functionality of the cultural amenity space as a presentation space or retail space.

The following are the miscellaneous comments received from the public (note: these were topics that were not ranked as highly as above).

- Cultural amenity space is not enough of a public benefit
- Building could be taller
- Proposal could include additional rideshare or carshare
- Appreciate the mix of unit types to support families (2/3 bedrooms)
- Ensure an adequate parking supply for residential units and the cultural amenity space
- Proposal has an oversupply of parking and should be decreased

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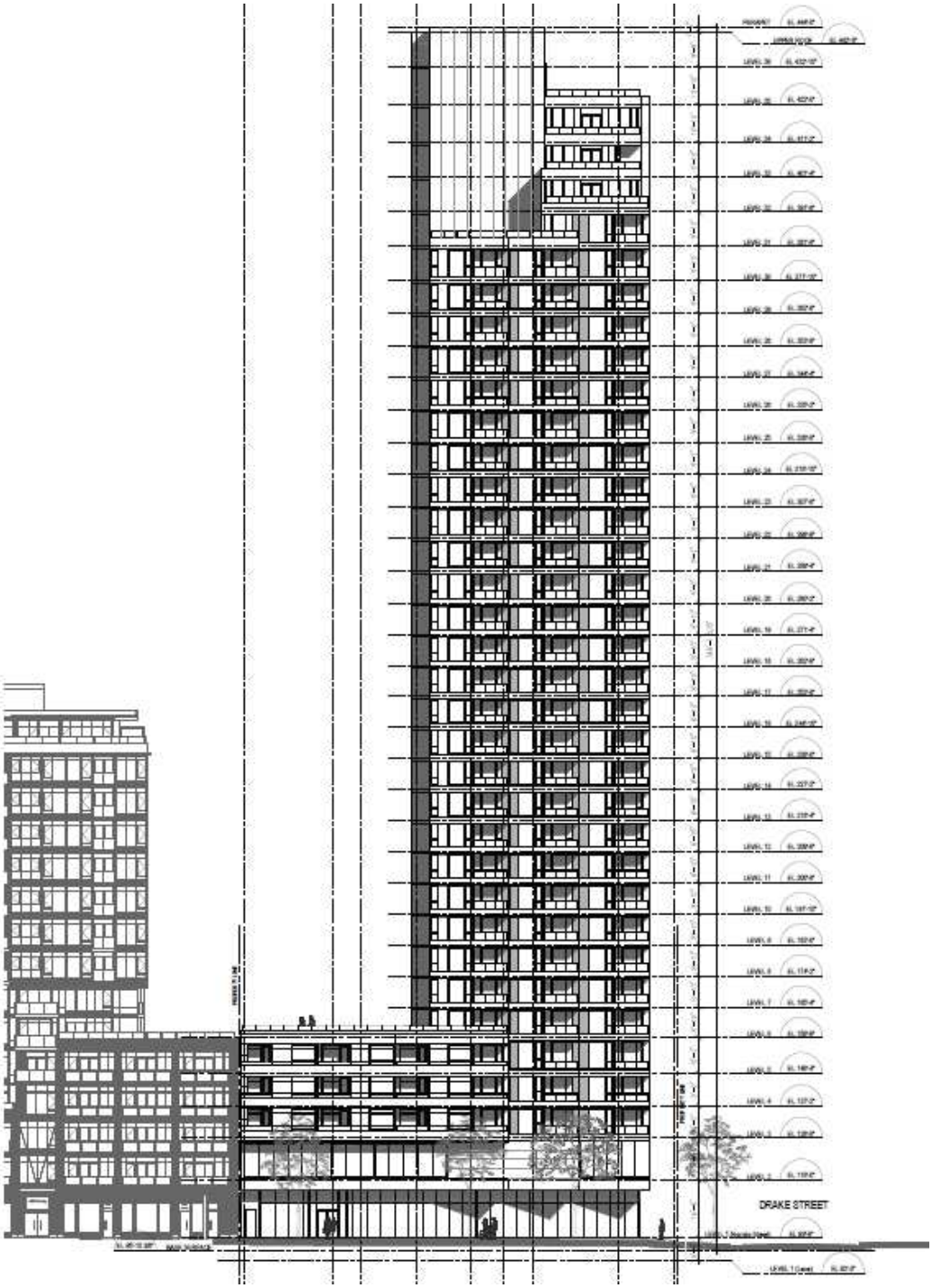
1290 Hornby Street
FORM OF DEVELOPMENT DRAWINGS

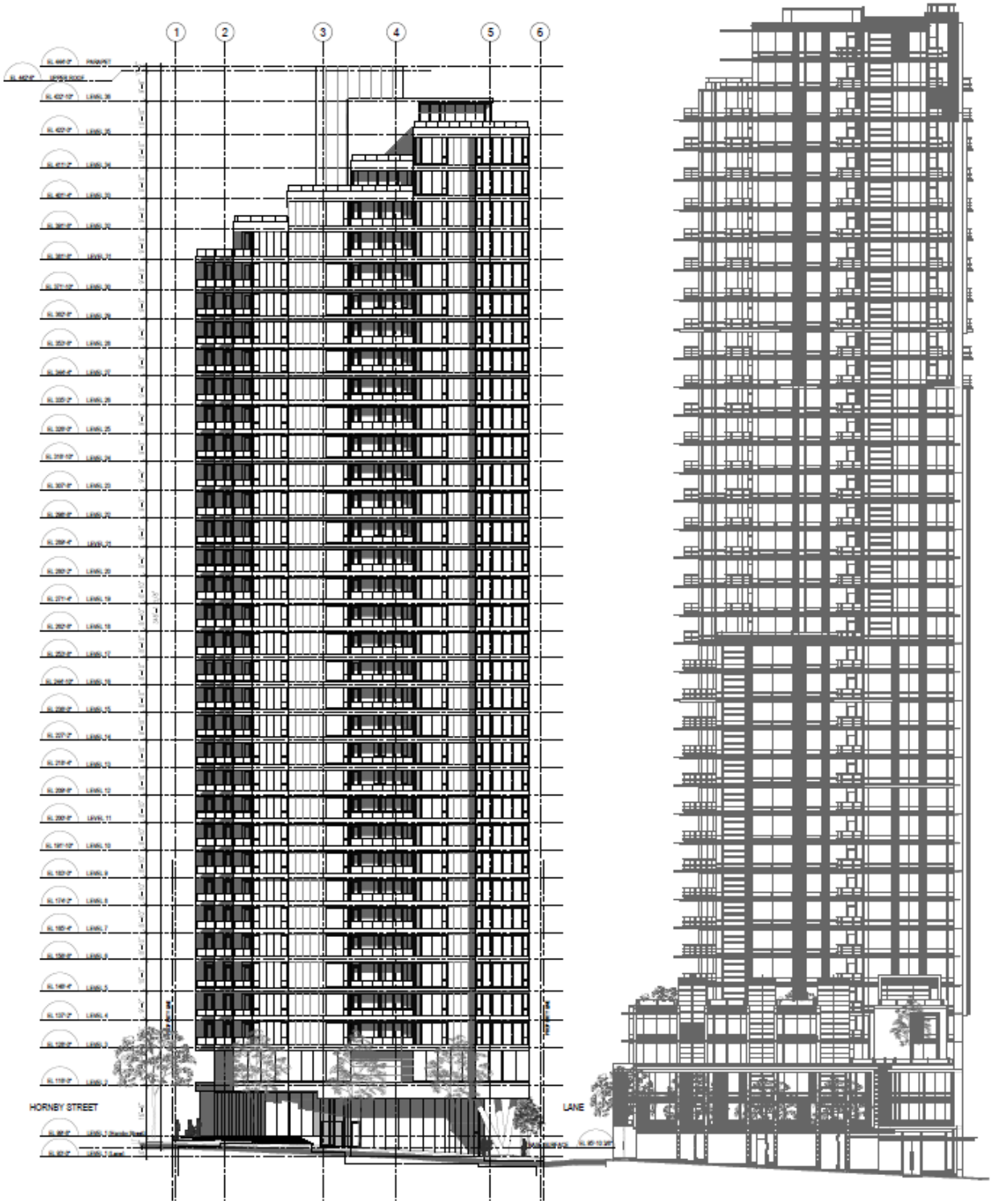
Hornby Street Elevation (West) – March 11, 2022 supplementary application drawings



Pure
(existing building)

1290 Hornby
(proposed)

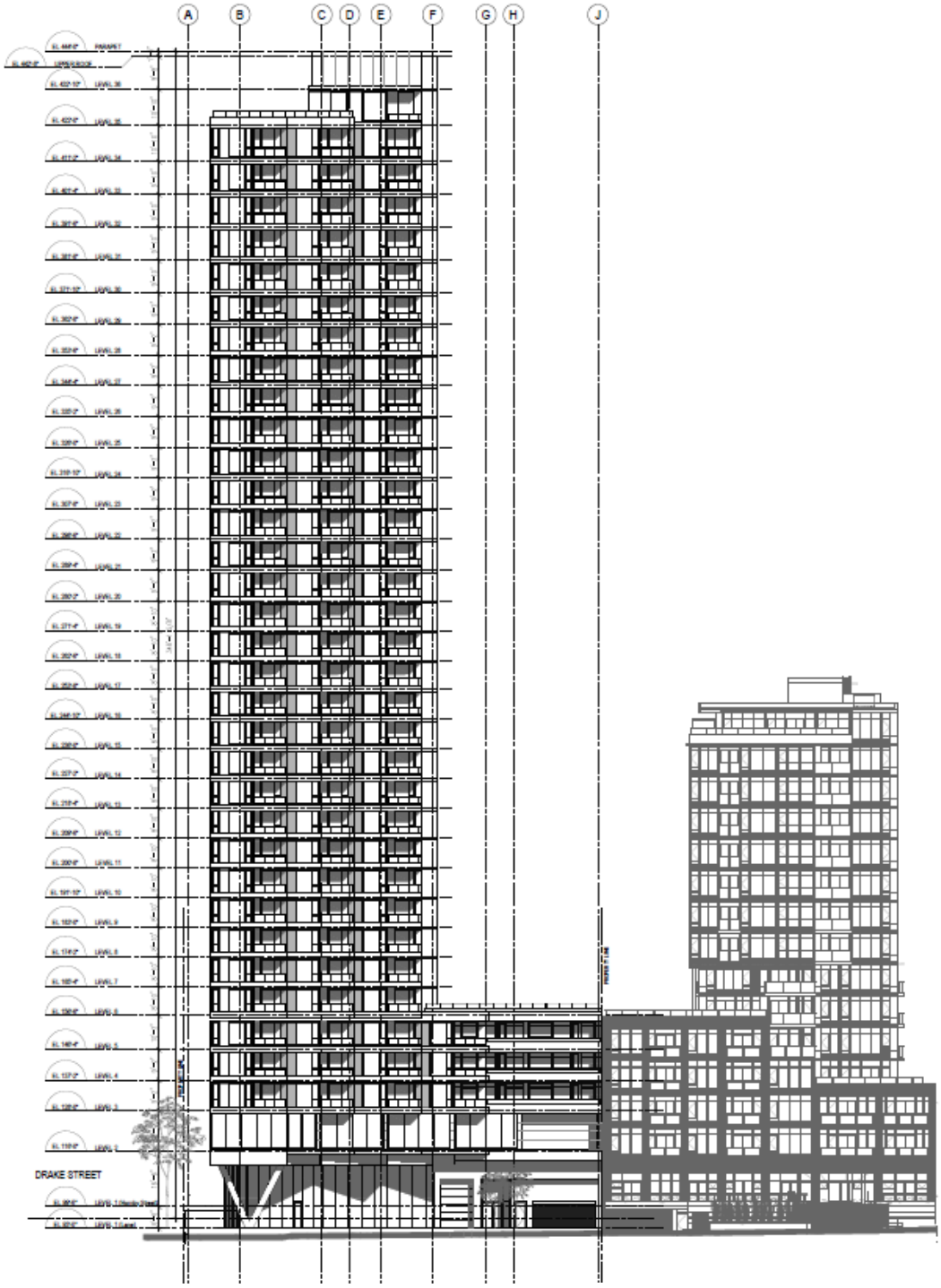
Drake Street Elevation (South) – March 11, 2022 supplementary application drawings



1290 Hornby
(proposed)

Tate
(recently completed)

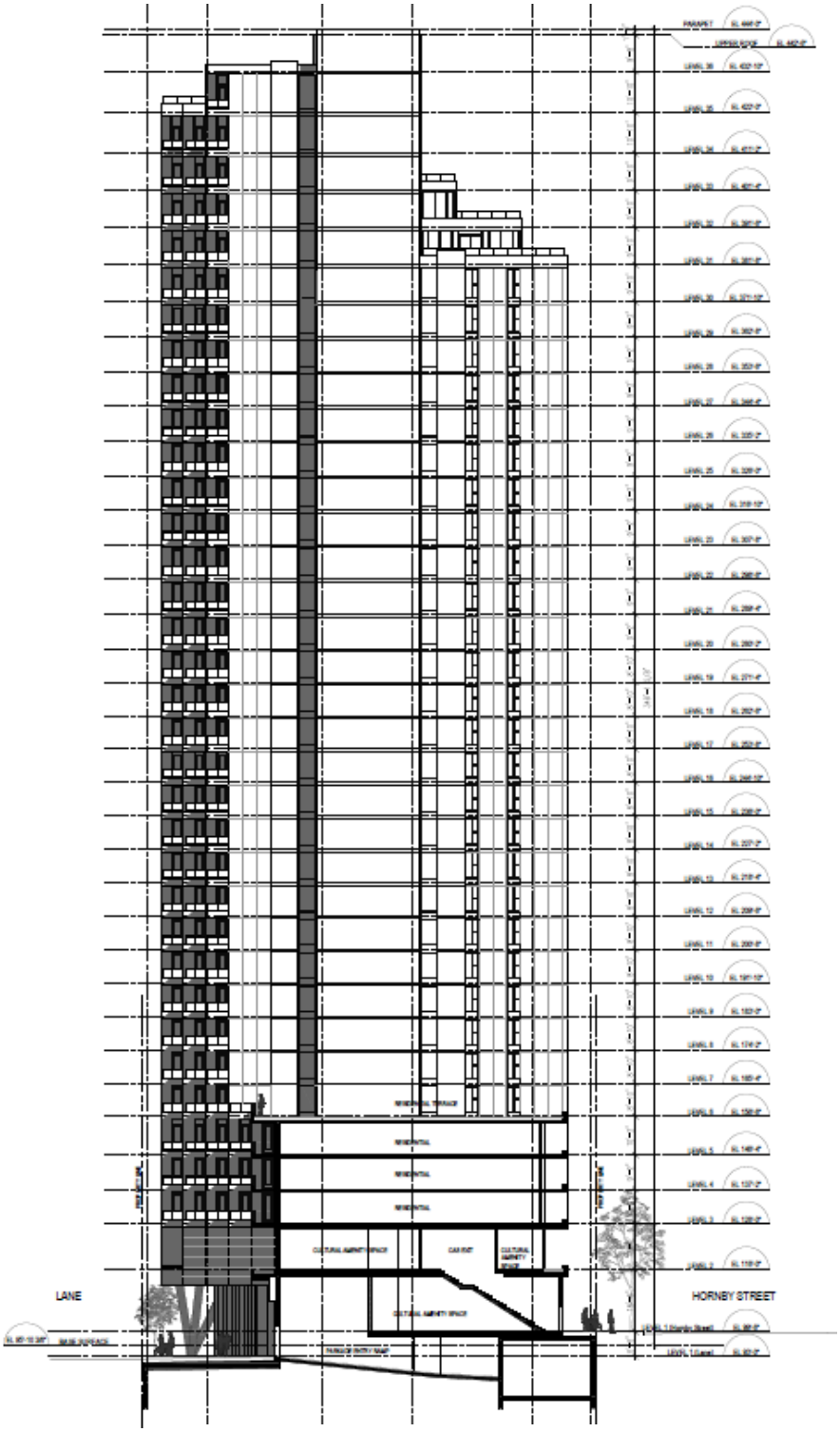
Lane Elevation (East) – March 11, 2022 supplementary application drawings



1290 Hornby
(proposed)

Pure
(existing building)

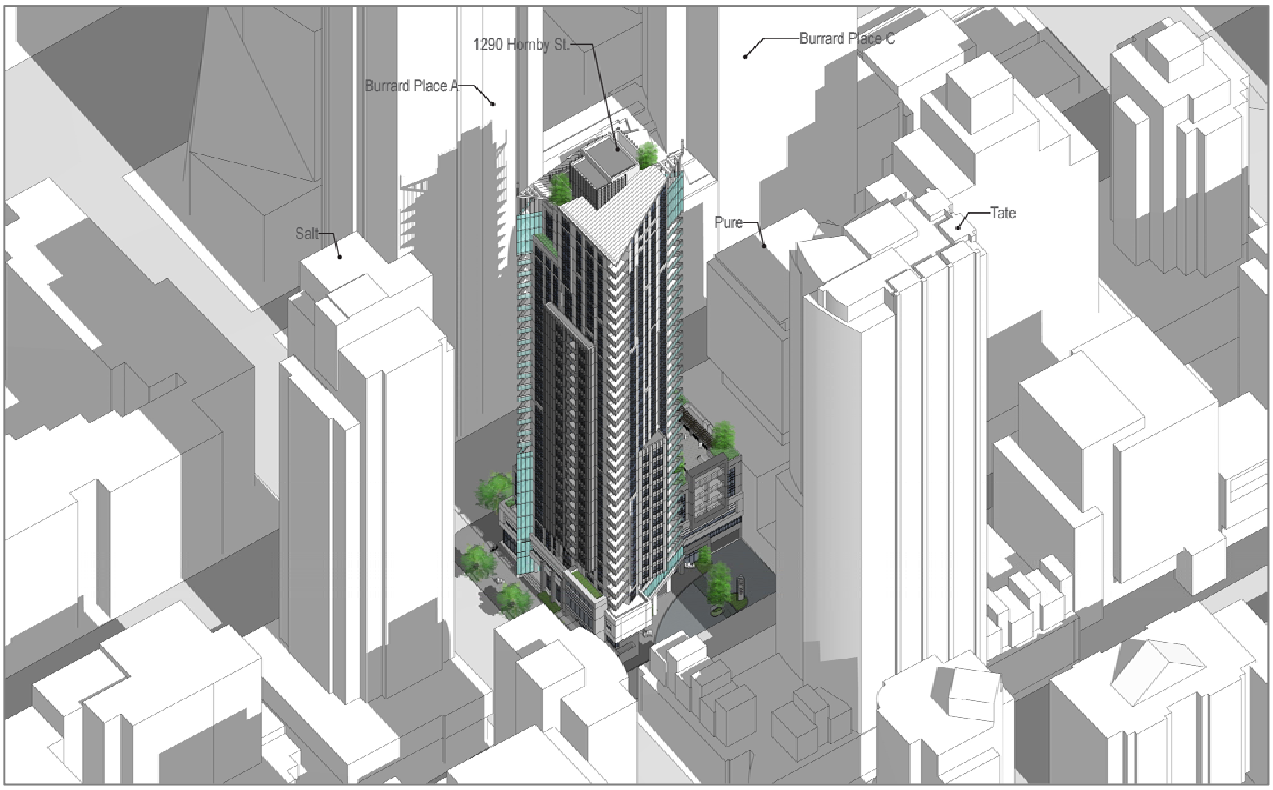
Side Yard Elevation (North) – March 11, 2022 supplementary application drawings



Lane | **1290 Hornby** (proposed) | **Hornby Street**

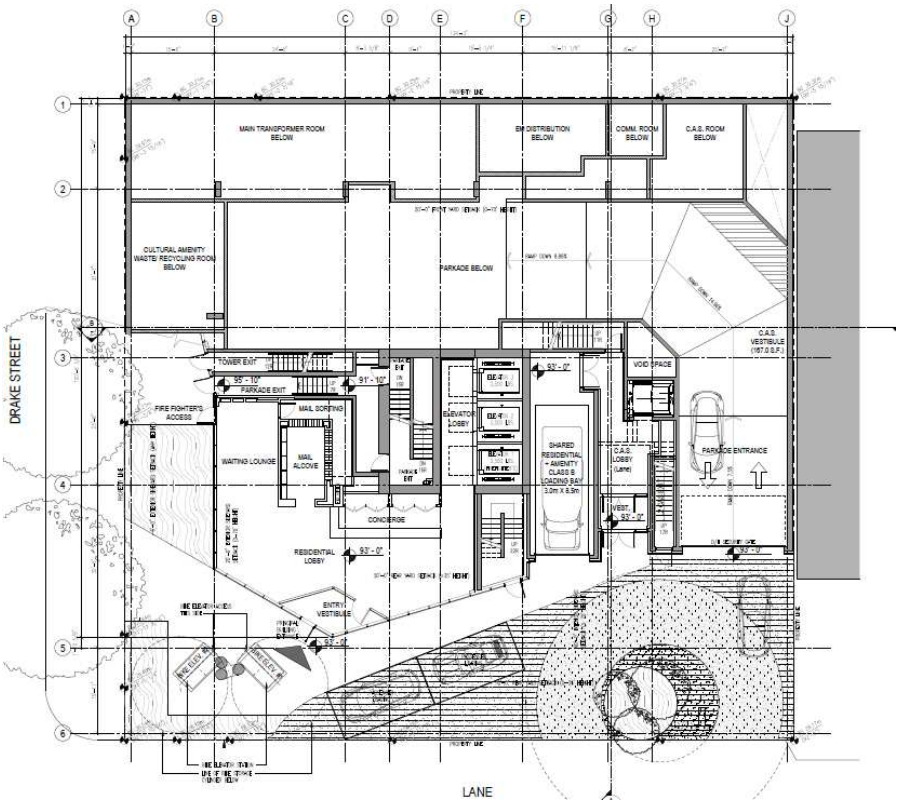
Aerial View from the North – December 13, 2018 application drawings

Aerial View from the South – December 13, 2018 application drawings

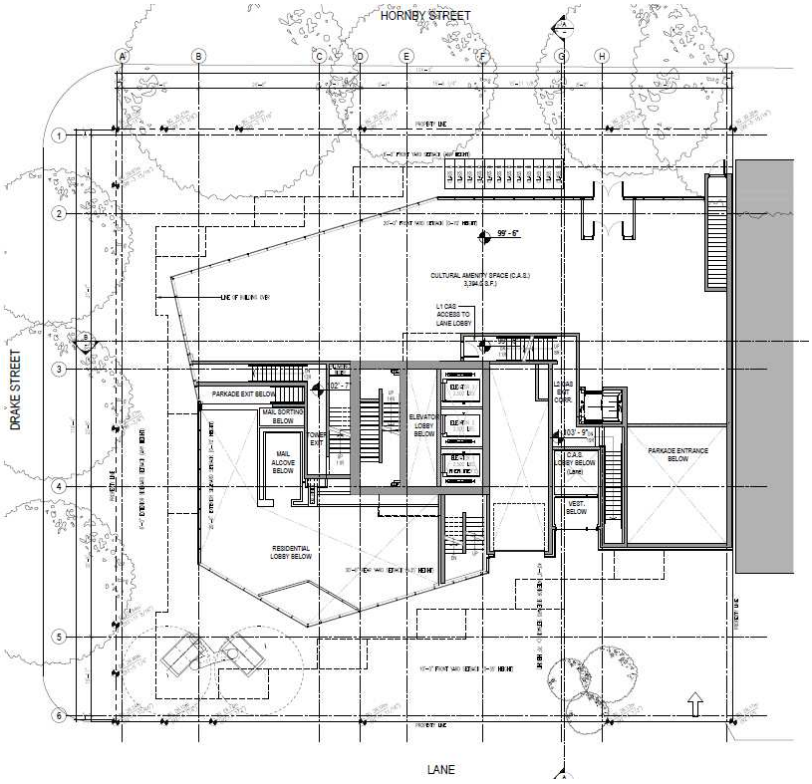


Cultural Amenity Space – December 13, 2018 application drawings

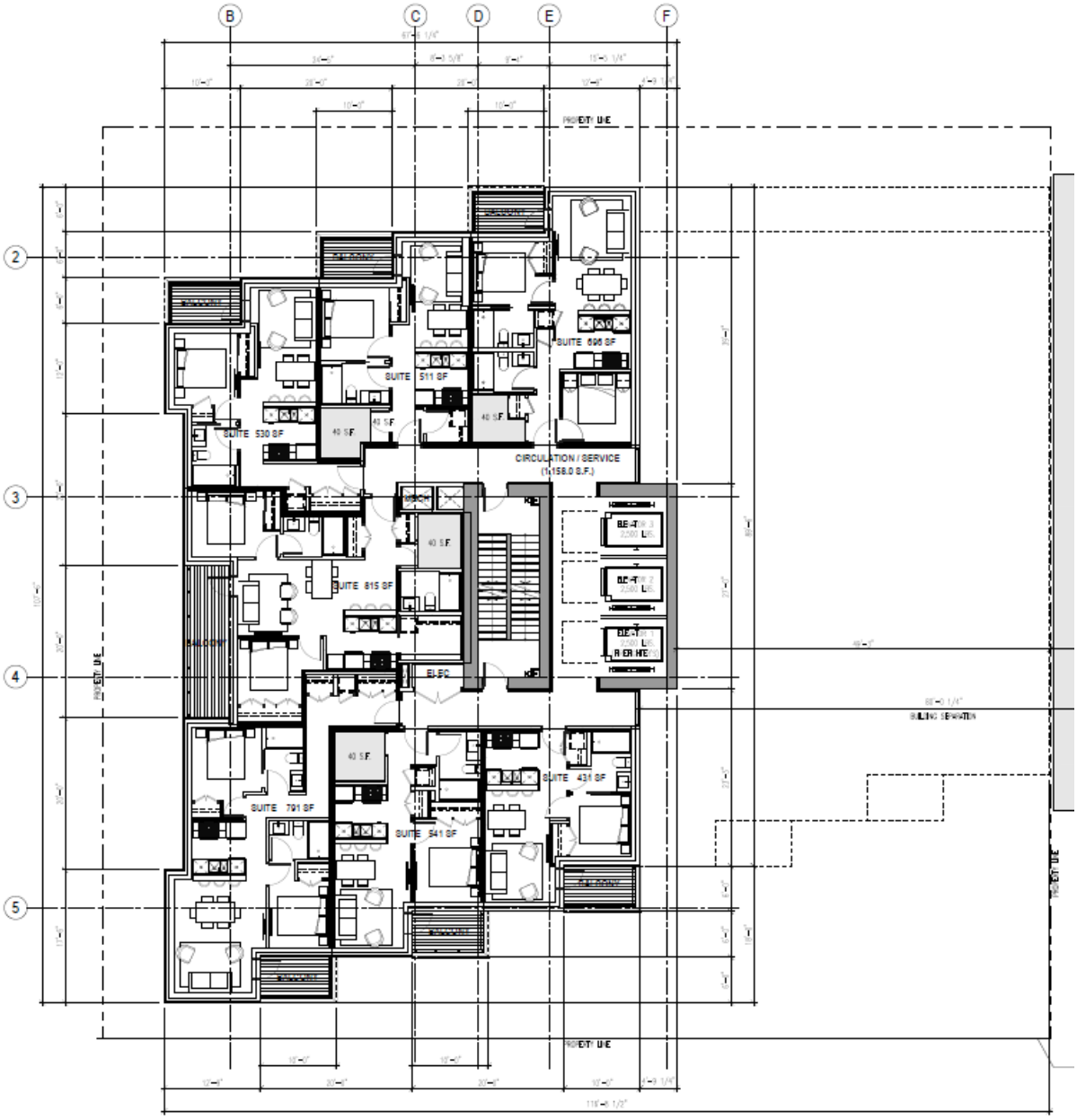
Ground Floor – March 11, 2022 supplementary application drawings



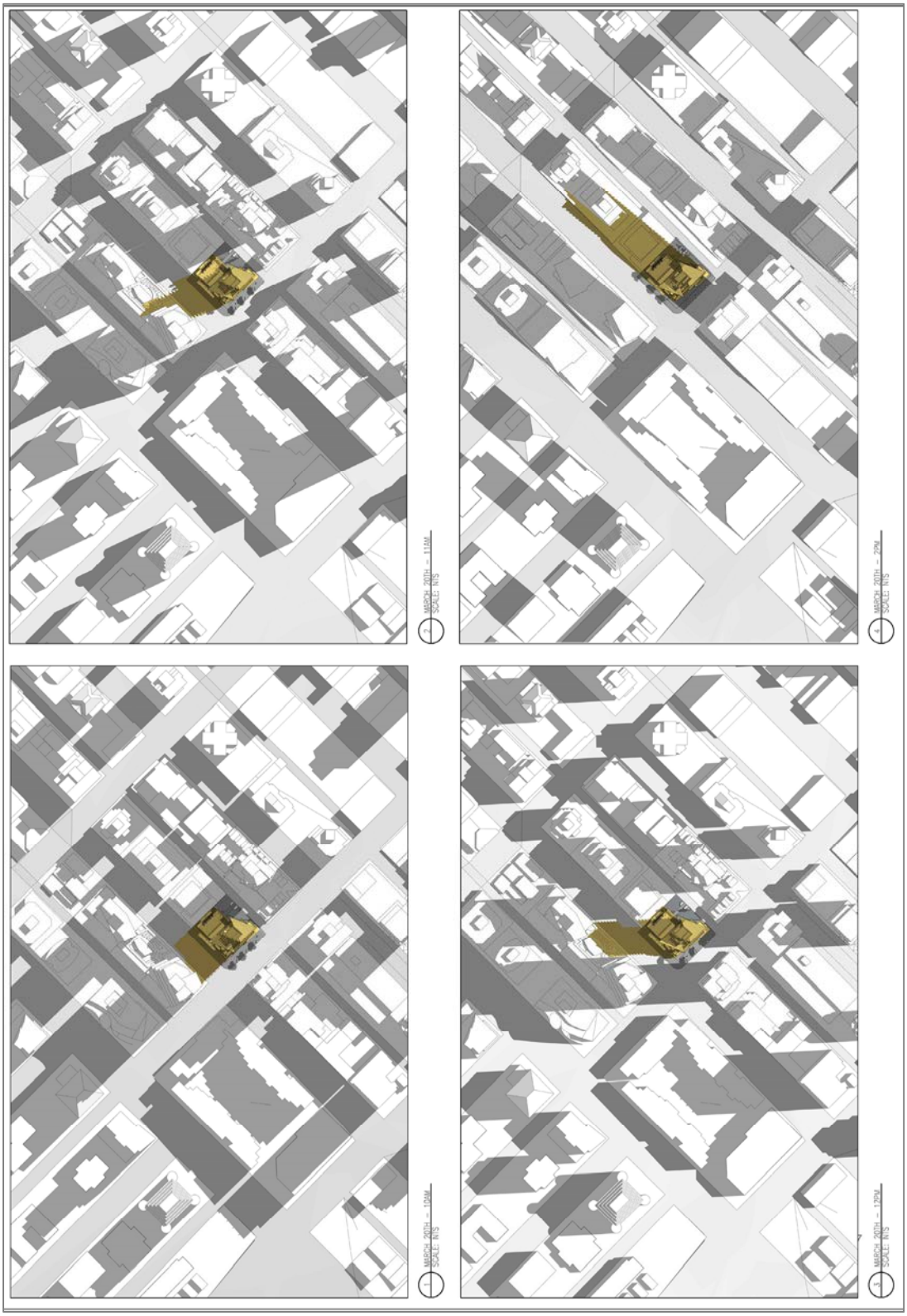
Cultural Amenity Space – Level 2 – March 11, 2022 supplementary application drawings



Typical Residential Floor Plan (Levels 7-30) – March 11, 2022
supplementary application drawings



Shadow Studies – December 13, 2018 application drawings



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1290 Hornby Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Proposal for a 35-storey mixed-use building containing 211 strata-titled residential units and a 13,382 sq. ft. cultural amenity space over two levels.

Public Benefit Summary:

The project would deliver a 1,243.2 sq. m (13,382 sq. ft.) City-owned cultural amenity space, a $12,170,000 cash CAC, a DCL payment, and a public art contribution.

	Current Zoning	**Proposed Zoning**
Zoning District	DD (Area "N")	CD-1
FSR (site area = 1,393.1 sq. m / 14,995 sq. ft.)	5.00	11.96
Floor Area (sq. ft.)	74,975	179,332
Land Use	Institutional, Office, and Retail	Residential, Institutional, Office, Retail, Service, Cultural and Recreational

Summary of Development Contributions Expected Under Proposed Zoning

City-wide DCL[1]	$3,271,016
Utilities DCL[1]	$1,816,633
Public Art[2]	$355,077
Community Amenity Contribution – In-kind Cultural Amenity Space	$8,700,000
Community Amenity Contribution – Cash	$12,170,000
TOTAL VALUE OF PUBLIC BENEFITS	**$26,312,726**

[1] Based on by-laws in effect as of September 30, 2021; by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's DCL Bulletin for details.

[2] Based on rates in effect as of 2016; rates are subject to adjustments. See Public Art Policy and Procedures for Rezoned Developments for details.

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1290 Hornby Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Applicant/Owner	1290 Hornby Street Ltd.
Architect	Buttjes Architecture
Address	1290 Hornby Street
Property Identifiers (PIDs)	008-206-899, 008-206-937, 008-206-953, 008-206-970 and 008-206-988
Legal Description	Lots 15, 16, 17, 18 and 19, all of Block 101 District Lot 541 Plan 210
Site Area	1,393.1 sq. m (14,995 sq. ft.)

Development Statistics

	Permitted Under Existing Zoning	**Proposed**
Zoning	DD (Area N)	CD-1
Uses	Cultural and Recreational, Dwelling, Institutional, Office, Retail, Service	Residential, Institutional, Office, Retail, Service, Cultural and Recreational
Floor Area	6,966 sq. m (74,975 sq. ft.)	16,659.9 sq. m (179,332 sq. ft.)
Maximum Density	5.0 FSR	11.96 FSR, excluding cultural amenity space
Maximum Height	91.4 m (300 ft.)	106.11 m (348.13 ft.)
Parking, Loading, and Bicycle Spaces	As per Parking By-law	Vehicle Parking 150 Bicycle Parking 450 Loading Spaces 3
Natural Assets	4 existing on-site by-law sized trees 6 existing City trees	Replace 4 on-site tree trees and retain 6 existing City trees (confirm at the development permit stage)

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