
1280 RICHARDS STREET (COMPLETE APPLICATION)
TP-2016-00228 - DD

ML/KP/LM

DEVELOPMENT PERMIT STAFF COMMITTEE MEMBERS

Present:

J. Greer (Chair), Development Services
C. Joseph, Engineering Services
A. Thompson, Real Estate Services
D. Naundorf, Housing Policy and Projects
C. Buckham, Social Policy
D. Hutch, Park Board

Also Present:

M. Linehan, Urban Design & Development Planning
K. Pringle, Development Services

APPLICANT:

Etheridge Home Renovation
Attn: Christian Cambiazo
2114 Parker Street
Vancouver, BC V5L 2L7

PROPERTY OWNER:

Brian Kerzner
3000 - 1280 Richards Street
Vancouver, BC V6B 1S2

EXECUTIVE SUMMARY

- **Proposal:** Interior alterations and additions of approximately 875.0 sq. ft. to Unit 3000 by converting the existing 350.0 sq. ft. open-to-below space above the 26th storey to floor area and by adding a 525.0 sq. ft. mezzanine above the 27th storey in the existing multiple dwelling building on this site, thereby requesting an increase in the Floor Space Ratio using a Heritage Density Transfer, in accordance with the decision of the Development Permit Board.

See Appendix A - Standard Condition

Appendix B - Standard Notes and Conditions of Development Permit

Appendix C - Letter "A" from the receiver and donor regarding the purchase of heritage density

Appendix D - Floor Plans, Elevation, and Sections

- **Issues:** None

STAFF RECOMMENDATION: APPROVE

THAT the Board APPROVE the Heritage Density Transfer request contained in Development Application No. DP-2016-00228 submitted, the plans and information forming a part thereof, thereby permitting interior alterations and additions of approximately 875.0 sq. ft. Unit 3000 by converting the existing 350.0 sq. ft. open-to-below space above the 26th storey to floor area and by adding a 525.0 sq. ft. mezzanine above the 27th storey in the existing multiple dwelling building on this site, thereby requesting an increase in the Floor Space Ratio using a Heritage Density Transfer from the donor site at 12 Water Street (providing 875.0 sq. ft.), subject to the following conditions:

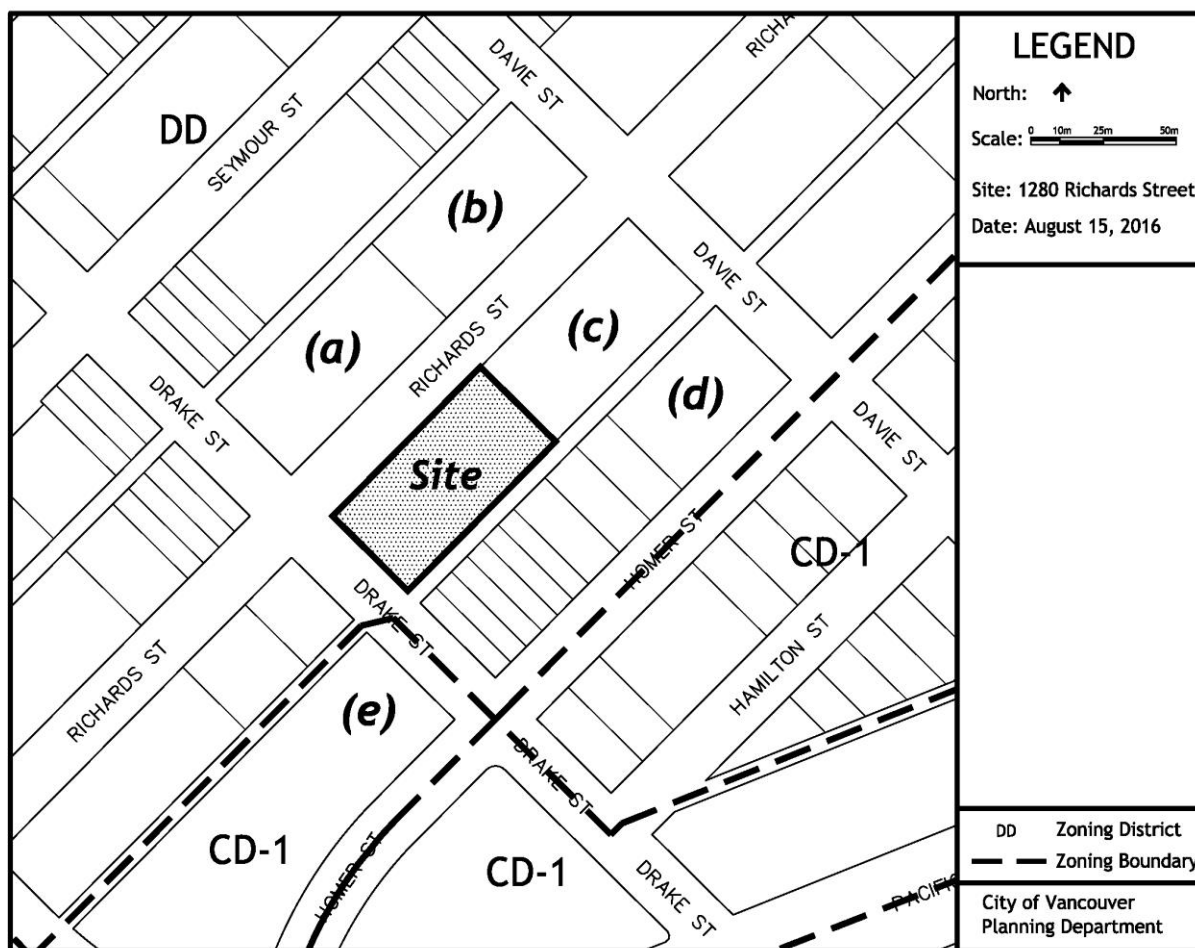
- 1.0 That the condition set out in Appendix A be met prior to the issuance of the Development Permit.
- 2.0 That the Notes to Applicant and Conditions of the Development Permit set out in Appendix B be approved by the Board.

• Technical Analysis:

	PERMITTED (MAXIMUM)	EXISTING	PROPOSED
Site Size	N/A	120.00 ft. x 237.50 ft.	N/A
Site Area	N/A	28,500.0 sq. ft.	N/A
Floor Area ¹	142,500.0 sq. ft.	142,431.0 sq. ft.	143,306.0 sq. ft.
FSR	5.00	5.00	5.03
Parking	71 (minimum) 163 (maximum)	152	152

¹ Floor Area: Under Section 3.14 of the DODP, an additional 10 percent heritage density transfer (maximum 5.5 FSR or 156,750.0 sq. ft.) may be considered by the DP Board.

- **Legal Description**
Strata Lot: 21
Strata Plan: BCS747
District Lot: 541
- **History of Application:**
06 30 16 - Complete DP submitted
08 22 16 - Development Permit Board Meeting
- **Site:** This site is located at the southeast corner of Drake and Richards Street.
- **Context:** Significant adjacent development includes:
 - a) 1295 Richards Street - 23 storey residential tower
 - b) 1225 Richards Street - 26 storey residential tower
 - c) 1238 Richards Street - 28 storey mixed use commercial/residential tower
 - d) 1221 Homer Street - 14 storey mixed use commercial/residential tower
 - e) 498 Drake Street - 45 storey mixed use commercial/residential tower



- **Background:** DE406223, to develop a 26-storey multiple dwelling containing 76 dwelling units, refused May 2, 2002 following a third party appeal to the Board of Variance to disallow its issuance (appeal no. Z30713 on April 10, 2002). Subsequently, DE406694, to develop a 27-storey multiple dwelling containing 71 dwelling units, was issued on December 12, 2003. DB452680, to permit interior and exterior alterations to Unit 3000 including replacement of windows, doors, and guard rails, was issued on May 10, 2016.

The current Development Application seeks 875.0 sq. ft. out of the total of 14,250 sq. ft. of heritage density eligible for this site. This is the first application of additional heritage density to this site.

The applicant has indicated the purchase of heritage density is from 12 Water Street. See appendix D.

- **Applicable By-laws and Guidelines:**

1. Downtown Official Development Plan (DODP)

The site is within area L1 of the Downtown District. Section 3.1 of the DODP states, in part:

In the areas denoted by the letter 'L1', 'L2', the maximum density for all uses shall be floor space ratio of 3.00, except that:

- *The maximum density for all uses on a corner site with a minimum frontage of 175 feet and a minimum site area of 21,000 square feet shall be floor space ratio 5.00;*

Section 3.14 of the DODP states, in part, the following:

Notwithstanding subsections 1, 3 and 4, the Development Permit Board may permit an increase in floor space ratio for any use where the increase results from a transfer of heritage floor space to a maximum of 10 percent over the total permitted floor space ratio, except that this increase shall not apply to hotels where the floor space has already been increased pursuant to subsection 2.

2. Downtown South Guidelines (excluding Granville Street)

- **Response to Applicable By-laws and Guidelines:**

1. Downtown Official Development Plan

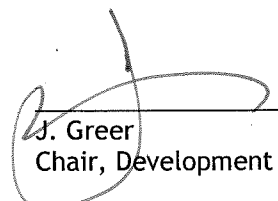
FSR: The By-law allows up to a maximum of 5.00 FSR for all permitted uses, plus up to 10 percent additional heritage density transfer allowed under Section 3.14.

The proposed floor space addition under this application is 875.0 sq. ft. thereby providing an initial heritage density transfer for this site of 875.0 sq. ft. or 0.03 FSR, which equates to 6.1 percent of the maximum 10 percent heritage density transfer eligible for this site. The proposal meets the density and FSR provisions of the DODP.

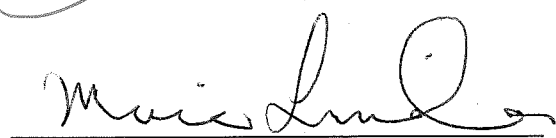
2. Downtown South Guidelines (excluding Granville Street)

No exterior alterations to this existing development are proposed. The livability of the unit affected will be improved. The intent of the Guidelines is maintained.


- **Conclusion:** Staff support this proposal for a small heritage density transfer with the conditions attached.



J. Greer
Chair, Development Permit Staff Committee



M. Linehan
Development Planner



K. Pringle
Project Coordinator

DEVELOPMENT PERMIT STAFF COMMITTEE RECOMMENDATIONS

The following is a list of conditions that must also be met prior to issuance of the Development.

A.1 Standard Condition

- A.1.1 Provision of Letter “B” (sample copy attached) which includes confirmation from the owner of the “donor” site that the agreement has been finalized, and confirming the new “balance” of transferable density remaining on the donor site.

B.1 Standard Notes to Applicant

- B.1.1 It should be noted that if condition 1.0 has not been complied with on, or before **October 16, 2016**, this Development Application shall be deemed to be refused, unless the date for compliance is first extended by the Director of Planning.
- B.1.2 This approval is subject to any change in the Official Development Plan and the Zoning and Development By-law or other regulations affecting the development that occurs before the permit is issuable. No permit that contravenes the bylaw or regulations can be issued.
- B.1.3 A new development application will be required for any significant changes other than those required by the above-noted conditions.

B.2 Condition of Development Permit:

- B.2.1 This site is affected by the Development Cost Levy By-law No. 6924. Levies will be required to be paid prior to issuance of Building Permits.
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**Letter "A" - Transfer of Heritage Density
(to accompany Rezoning Application or be submitted prior to Public Hearing)**

May 26, 2016

Rezoning Centre
Current Planning
City of Vancouver
453 West 12th Avenue
Vancouver, BC V5Y 1V4

Attention: Rezoning Planning Analyst

Dear Sir or Madam:

Re: Transfer of Heritage Density to CD-1 Rezoning (or CD-1 Text Amendment)

12 Water Street (donor site)

to

#3000 – 1280 Richards Street (receiver site)

This is to confirm that an agreement has been reached between Salient Developments Ltd. in its capacity as manager for 0685442 BC Ltd., the registered owner of a heritage donor site at 12 Water Street to sell 875 square feet. of heritage density to Brian Kerzner, the registered owner of the above receiver site at #3000 – 1280 Richards Street at a price of \$ 100.00 per square foot and total value of \$87,500.

The Donor Site Owner and the Receiver Site Owner both agree that the City has no responsibility to ensure payment or the fulfilment of any condition of our agreement. We also agree that the City has no obligation to effect the transfer. The decision to transfer is within the City's discretion to refuse or approve, as it will, without recourse by any party.

Both the Donor Site Owner and the Receiver Site Owner are aware that the City cannot, and will not, effect a density transfer until all conditions for release of the density from the donor site have been fulfilled including:

- the donor site is possessed of the density which is the subject of this agreement (that is, that the rezoning by-law is enacted, or the Heritage Agreement is enacted and registered on title and the related Development and Building Permits are issued); and
 - the density from the donor site is available for sale to the Receiver Site Owner; and
 - the Donor Site Owner has completed the rehabilitation of the heritage building, or given the City a letter of credit therefore, or completed sufficient donor site rehabilitation to warrant a partial release of density, and fulfilled any other requirement as set out in the legal agreements with the City; and
 - submission of a fully executed Letter B in the form acceptable to the City.
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Donor Site Table

(Note: Owner of donor site is responsible for ensuring data in table is correct.)

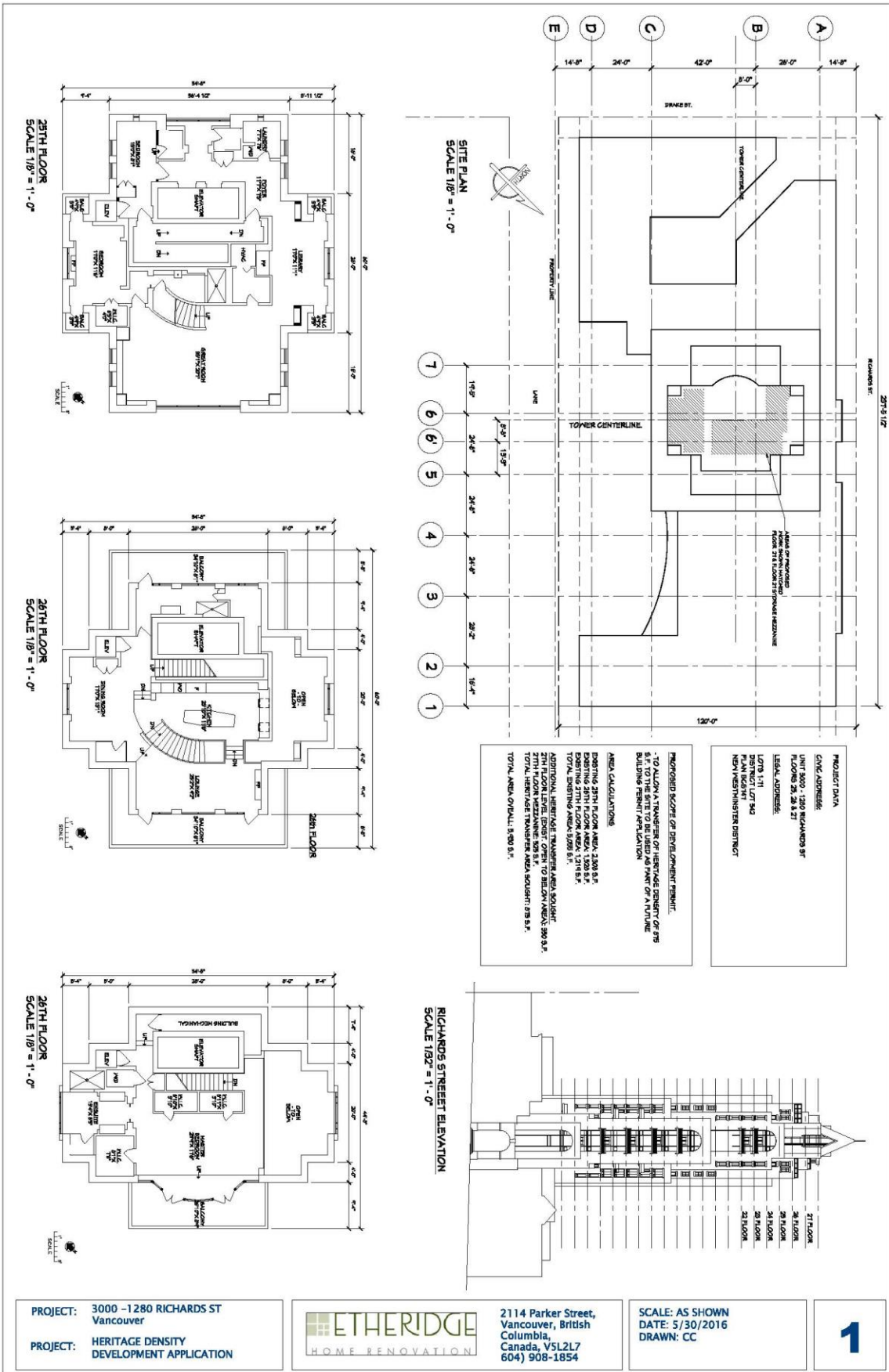
A.	Total transferable density initially awarded by the HRA or Rezoning to the donor site:	108,559	ft ²
Transfers approved to date (i.e. receiver site's Development Permit or Rezoning approved with conditions.):			
	Address of receiver site(s)	DE#/RZ#	Amount transferred
	5355-5589 Cambie Street		2,714 ft ²
	4162 & 4188 Cambie Street		3,503 ft ²
	PH3 – 869 Beatty Street		163 ft ²
	6929-6969 Cambie Street		5,013 ft ²
	7510-7554 Cambie Street		2,692 ft ²
	988 West Broadway		2,218 ft ²
	377 E Broadway		2,603 ft ²
	507 – 1238 Seymour Street		81 ft ²
B.	Total transfers approved to date:	18,987	ft ²
C.	Total density available for transfer i.e. (A - B)	89,572	ft ²
D.	Other transfer agreements not yet approved by the City:	59,784	ft ²
E.	Transfer amount proposed in this transition:	875	ft ²
F.	Total density available after proposed transfer i.e. (C - (D + E)):	28,913	ft ²

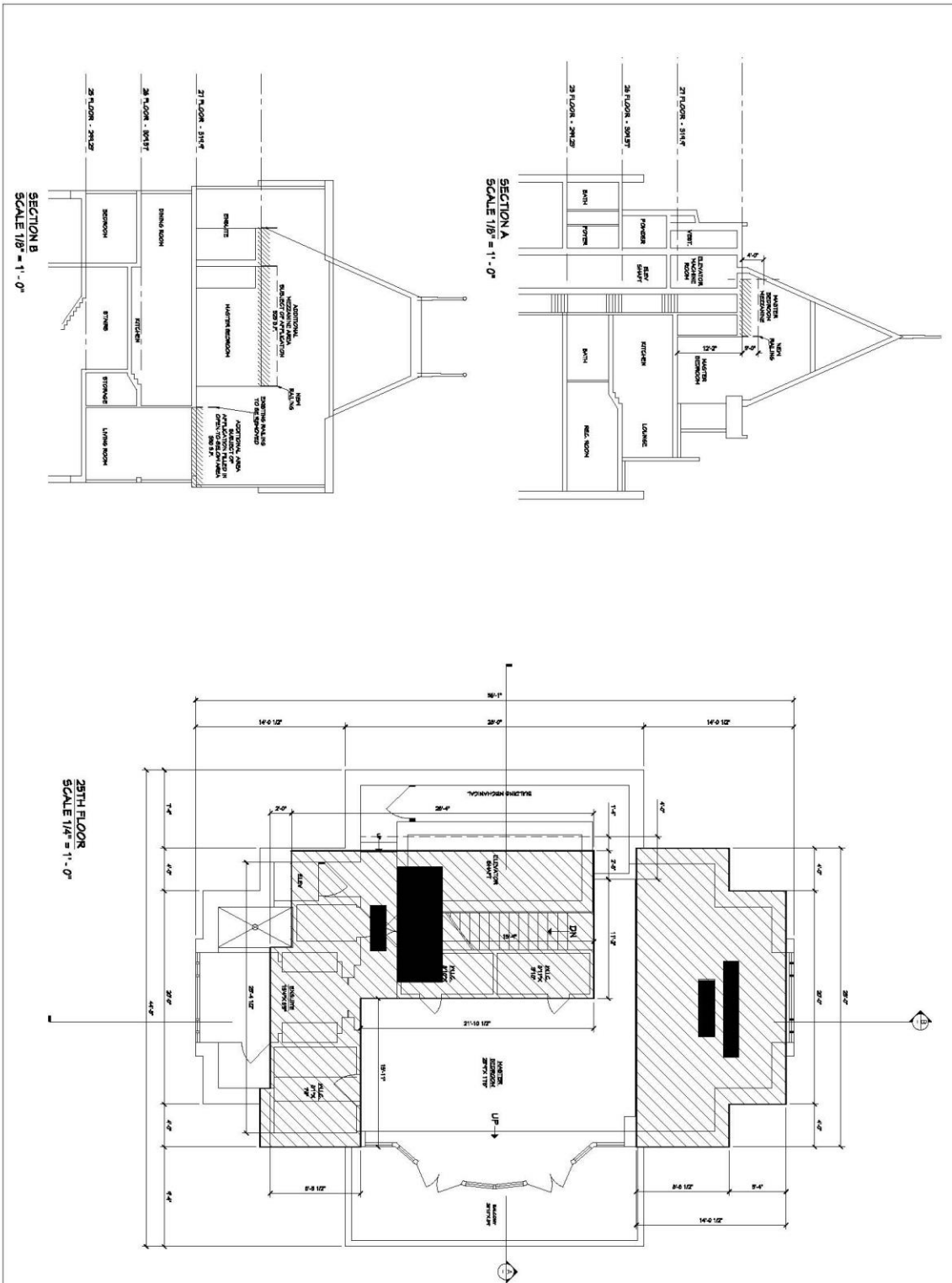
Yours truly,


SALIENT DEVELOPMENTS LTD.
 In its capacity as manager for 0685442 BC Ltd.


BRIAN KERZNER

copy: Heritage Planning Analyst, Heritage Group
 City of Vancouver
 453 West 12th Avenue
 Vancouver, BC V5Y 1V4





PROJECT: 3000 -1280 RICHARDS ST
 Vancouver
 PROJECT: HERITAGE DENSITY
 DEVELOPMENT APPLICATION



2114 Parker Street,
 Vancouver, British
 Columbia,
 Canada, V5L2L7
 604) 908-1854

SCALE: AS SHOWN
 DATE: 5/30/2016
 DRAWN: CC

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