
6-1188 RICHARDS STREET (COMPLETE APPLICATION)
DE411443 - ZONE DD

RRS/BAB/LH

APPLICANT:
Eona Hortensius
PH #06-1188 Richards Street
Vancouver, BC
V6B 3E6

PROPERTY OWNER:
Same

EXECUTIVE SUMMARY

- **Proposal:** Interior alterations to enlarge Penthouse Unit No. 6 by converting the existing 76.0 sq. ft. enclosed balcony to floor space in the existing mixed-use commercial/residential building on this site, thereby requesting an increase in the Floor Space Ratio using a Heritage Density Transfer.

See Appendix A - Standard Condition

Appendix B - Standard Notes and Conditions of Development Permit

Appendix C - Plans

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

- **Issues:** None

STAFF RECOMMENDATION: APPROVE

THAT the Board APPROVE the Heritage Density Transfer request contained in Development Application No. DE411443 as submitted, the plans and information forming a part thereof, thereby permitting interior alterations to enlarge Penthouse Unit No. 6 by converting the existing 76.0 sq. ft. enclosed balcony to floor space in the existing mixed-use commercial/residential building on this site, using a Heritage Density Transfer, 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.
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• **Technical Analysis:**

	PERMITTED (MAXIMUM)	EXISTING	PROPOSED
Site Size		225.0 ft. x 120.0 ft.	
Site Area		27,000.0 sq. ft.	
Floor Area ¹	135,000.0 sq. ft. (total)	135,000.0 sq. ft. (total)	135,076.0 sq. ft. (total)
FSR ²	5.0 (total)	5.0 (total)	5.0 (total)
Parking	139 (minimum) 240 (maximum)	217	217

¹ **Floor Area:** Under Section 3.14 of the DODP, an additional 10 percent heritage density transfer (maximum 5.5 FSR or 148,500.0 sq. ft.) may be considered by the DP Board.

² **FSR:** The existing building has not obtained additional FSR through heritage density transfers previously.
 See further discussion under **Background**, page 4.

• **Legal Description**

Strata Lot: 193
Strata Plan: LMS 2174
District Lot: 541

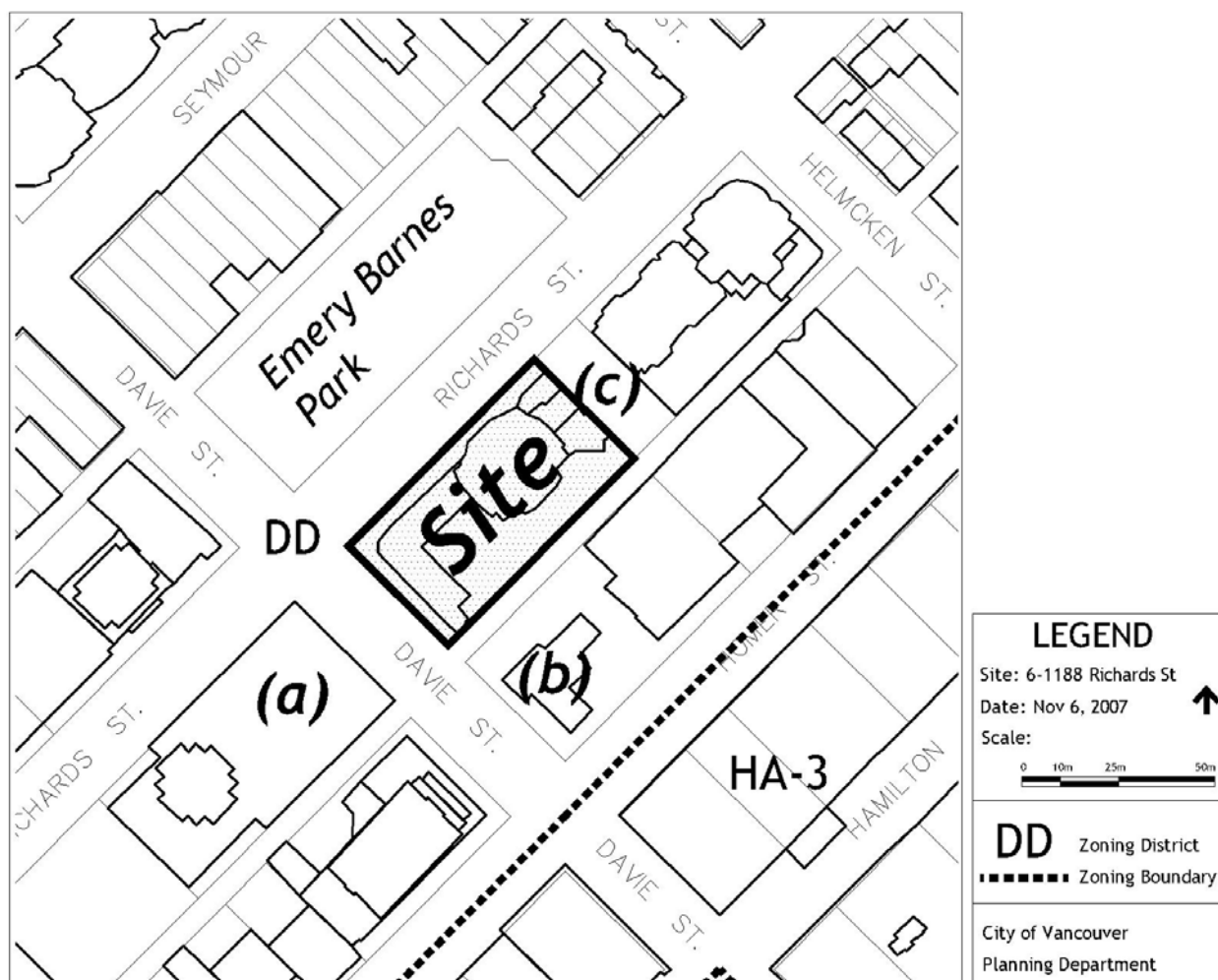
• **History of Application:**

07 06 08 Complete DE submitted (DE411443)
07 11 19 Development Permit Board Meeting

• **Site:** The site is located on the northeast corner of Davie and Richards Streets.

• **Context:** Significant adjacent development includes:

- (a) 1238 Richards - 29 storey mixed-use commercial/residential tower (Canadian Linen)
- (b) 1155 Homer - 29 storey mixed-use commercial/residential tower
- (c) 1168 Richards - 6 storey residential development



- **Background:** DE212774, issued September 16, 1993, approved the construction of a 23-storey mixed-use building containing retail stores, 160 dwelling units, and 3 levels of underground parking. Minor Amendment M.A. 01, issued November 26, 1993, permitted the increase of the number of dwelling units from 160 to 194, and the number of parking spaces from 173 to 217. The Floor Space Ratio (FSR) was maximized at 5.0 (135,000.0 sq. ft.). To date, there are no permits on file for any increase in FSR.

The current Development Application seeks a total of 76.0 sq. ft. out of the total 13,500.0 sq. ft. of heritage density eligible for this site. The applicant has indicated the purchase of heritage density will be 76.0 sq. ft. from 640 West Pender Street. See Appendix D. Standard Condition A-1.1 requires that the documentation necessary to confirm the purchase of qualifying density be submitted.

- **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 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 76.0 sq. ft., which equates to less than 0.1 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.

B. Boons
Chair, Development Permit Staff Committee

R. Segal, MAIBC
Senior Development Planner

B. Balantzyan
Project Coordinator

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 **May 20, 2008**, 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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