



MEMORANDUM

June 15, 2005

TO: Mayor Campbell and Councillors

CC: J. Rogers, City Manager
B. MacGregor, Deputy City Manager
S. Baxter, City Clerk
J. Forbes-Roberts, General Manager, Community Services
B. Maitland, Director of Real Estate Services
F. Connell, Director of Legal Services

FROM: L. Beasley, Director of Current Planning

SUBJECT: Rezoning & Heritage Revitalization Agreements - 826-848 West Hastings Street: Building Height and Heritage Revitalization Agreements

This memo is written to advise City Council of (1) a change in procedure regarding enactment of the two Heritage Revitalization Agreements in this rezoning, and (2) a correction to the CD-1 By-law provision for maximum building height requested by the applicant.

1. Heritage Revitalization Agreements

At its meeting of May 10, 2005, City Council approved the recommendations of the report "CD-1 Rezoning 826-848 West Hastings Street" to refer the rezoning application, including proposed conditions of approval, to public hearing.

One of the recommendations states that the "Director of Legal Services be instructed to prepare for consideration at the public hearing two Heritage Revitalization Agreements and their authorizing by-law." The Director of Legal Services has since determined that the two Heritage Revitalization Agreements will not affect use or density, and, accordingly, do not need to be subject to the scrutiny of a public hearing. The Director of Legal Services will prepare the two Heritage Revitalization Agreements and their by-laws for later enactment by Council along with the heritage designation by-laws if Council approves the designations at this public hearing. Council will not be enacting any of the heritage by-laws immediately after the public hearing.

2. Building Height

During the preparation of the draft CD-1 By-law, the applicant requested that the maximum building height possible under the View Protection Guidelines, in particular view cone 9.2.2 (Cambie/10-11th), be re-examined and confirmed.

Staff subsequently uncovered an oversight in the selection of the appropriate height limit. Given the way in which building height is measured, according to the provisions of the Zoning and Development By-law, the maximum height should be stated as 118.5 m (388.9 ft.), including all rooftop mechanical and architectural appurtenances and decorative roof, rather than height of 114.6 m (376 ft.).

At the south-east (lane) corner of the site which has the highest elevation, the maximum building height would be limited to 115.9 m (380.2 ft.), which is only 1.22 m (4 ft.) more than the posted draft CD-1 By-law presently provides. No increase in the proposed number of storeys (37) is anticipated as a result of this correction, unless ceiling height and tower floorplate are correspondingly reduced, which is something that can occur in any event. More likely, the additional small increment in height will enable the proposed rooftop elements, which include a garden, to be more appropriately designed and accommodated.

The applicant therefore requests, and staff recommend, that, should Council approve the rezoning application, the following also be approved:

RECOMMENDATIONS

- F. THAT Section 6 (Height) of the draft CD-1 By-law be amended to replace "114.6 m" by "118.5 m".
- G. THAT the design development condition (b)(i) be amended by replacing "114.6 m (376 ft.)" with "118.5 m (388.9 ft.) at the north-west corner of this sloped site and 115.9 m (380.2 ft.) at the south-east corner".

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