



Refers Item 2.
Public Hearing of July 14, 2005

MEMORANDUM

July 14, 2005

TO: Mayor and Councillors

CC: J. Rogers, City Manager
B. MacGregor, Deputy City Manager
S. Baxter, City Clerk
J. Forbes-Roberts, General Manager, Community Services
A. McAfee, Director of City Plans
J. Brooks, Director of Social Planning
F. Connell, Director of Legal Services

FROM: P. Mondor, Rezoning Planner

SUBJECT: Rezoning of 898 Seymour Street and 887-897 Richards St. from DD to CD-1:
ADDITIONAL INFORMATION

INFORMATION

This memorandum provides information in response to questions raised at City Council meeting of June 16 when referral of this application to a Public Hearing was considered. Council requested better information on the following aspects of the proposed rezoning:

- Impact on Downtown Commercial capacity
- Neighbourhood Amenities (families with children)
- Residential livability (acoustics and air-conditioning)
- Sustainability

1. Downtown Commercial Capacity:

Question was raised about the possible implications of this proposed rezoning for the erosion of commercial capacity in the downtown.

First, the report addresses this topic (on pages 7-8) as follows:

- In May, 2004, City Council adopted an interim policy to prevent the loss of commercial capacity in the core CBD and CBD buildout area, through restrictions on the conversion of existing commercial buildings to residential use, and conversion of commercial potential to residential through development permits and rezonings.
- In February, 2005, City Council approved terms of reference and funding for the preparation of a long term 'metropolitan core jobs and economy land use policy plan' which will identify the economic activities and the types, quantities and locations of development to accommodate them.
- The subject site is in an area where the policy allows residential as permitted in the zoning, and additional residential through rezoning, but only if the basic commercial potential of 2.0 FSR is also developed. On the subject site, a commercial floor area of 84,000 sq. ft. must be provided for additional residential floor area to be considered. About 23,000 sq. ft. (FSR 0.55) is proposed in office, retail and service uses. A further 61,000 sq. ft. commercial floor area is required. The application proposes 68,500 sq. ft. (net) in public parking.
- Staff consider this public parking to be a commercial use for several reasons:
 - it is a permitted principal use in this DD sub-area,
 - it is a commercial use in the Zoning and Development By-law,
 - neighbouring cultural and entertainment facilities and businesses are dependent on nearby off-site parking which is rapidly disappearing in this parking-deficient area, and would be further exacerbated by the loss of public parking on this site; and
 - it would not displace any existing office, retail and hotel uses, but would replace 52 percent of the existing public parking on the site (412 existing, 225 proposed).

Second, staff have subsequently reviewed the implications of developing the balance of the site's commercial potential of 61,000 sq. ft. in public parking use rather than office, hotel, retail or service floor area. The following observations are offered:

- The existing stock of commercial floor area in the downtown, as of May, 2004, is estimated at 48.9 million sq. ft. (Note: This, and other numbers here, are from the report considered by City Council in May, 2004)
- The estimated present commercial capacity ranges from 3.2 million sq. ft. (if residential use is maximized wherever zoning provides opportunity) to 14.6 million (if commercial use is maximized, consistent with recent Interim Policy). 61,000 sq. ft. represents 2% and 0.4 % of capacity, respectively.
- Over the 10-year period, 1996-2005, about 10 million sq. ft. of commercial development was completed, just under 500,000 sq. ft. per year. 61,000 sq. ft. represents 12.2 % of average annual commercial development in the downtown, which is relatively significant.

- Downtown rezonings to allow residential use, or to add additional residential density, have contributed to the development of commercial capacity. The four most recent rezonings approved in the downtown (1120 West Georgia, 488 Robson, 826 West Hastings, and 811 Cambie) together will be developing 327,000 sq. ft. of commercial space, representing a significant portion of commercial development activity.

In the bigger context, the commercial capacity at stake in this particular rezoning is not large, but it is nevertheless significant, even while it is one of the last rezonings in the pipeline to seek increased residential density on a downtown site.

However, an important observation to make is that CBD commercial capacity in a long-term context encompasses several land uses, not just office, hotel and retail/service uses, but also educational, institutional, cultural, recreational facilities, some light industrial activities, and public parking. The Metro Core Jobs and Economy Study includes all these definitions of commercial capacity in looking at how much land and floor area supply is needed for future economic activity.

2. Residential Amenities:

Question was raised about the amenities and services required to serve neighbourhood residents, with a concern that park space appears to be the only amenity staff considered. Given that families are moving in, what about other amenities?

First, the report addresses this topic (on pages 9 and 10) as follows:

- A principal concern been raised by residents in the surrounding area was about the limited amount of green open space in the area which they see as necessary in a high-density residential environment. The staff conclusion was that this is being addressed with the build out of Emery Barnes Park located 2-3 blocks to the south (with a second phase still to be undertaken) and Yaletown Park at the corner of Nelson and Mainland Streets whose completion is anticipated in 2006. A possible future 'north park' at the corner of Smithe and Richards Streets is a longer-term possibility.
- The proposed residential use is for adult-oriented housing rather than housing for families with children, as required by CBD residential rezoning policy. On this basis staff considered the availability of and proximity to schools and daycare not to be a great concern. (Note: The average size of the proposed 361 dwelling units will be about 800 sq. ft.)

Second, in response to the question from Council, staff advise that preparations are underway for an amenities review of the Downtown South area. For example, it is now understood that there are between 80 and 100 babies being born a month in the area between Burrard Street and False Creek. Where these families with children are or will be residing will be a key question addressed in a study of child care and related needs in this area of the downtown.

Furthermore, the inter-departmental staff committee which advises on public benefits sought through community amenity contributions will soon consider recommendations from the Social Planning Department for making childcare a priority amenity in the Downtown South area and adjoining areas, relative to heritage conservation, replacement and affordable housing, social and cultural amenities, parks, and transportation improvements.

In the memo on Community Amenity Contribution dated July 13, 2005, the Director of Current Planning recommends approval of the developer's offer:

- the purchase and transfer of heritage density with estimated value of \$1,050,000, and
- a cash CAC in the amount of \$6 million.

The public benefits staff committee recommended that this cash CAC be allocated as follows:

- \$2 million for City cultural objectives,
- \$2 million to the Affordable Housing Fund, and
- \$2 million for land acquisition and development at Emery Barnes Park.

City Council might wish to consider a different allocation of these funds. If so, staff propose that **RECOMMENDATION F.** be amended to delete the recommended allocation and to substitute instead an instruction that staff report back with an allocation which considers funding for childcare.

3. Residential Livability:

Question was raised about the air-conditioning which will be considered to help achieve noise mitigation. While acoustic measures will be important, there is worry about impact on sustainability.

The report addresses acoustics (on page 9) as follows:

- The surrounding precinct, which includes the nearby Granville Street entertainment district and the high volume of vehicle traffic on Smithe and Seymour Streets, is not conducive to livability, and will likely require that the project incorporate specific measures to ensure livability for its occupants.
- The applicant has stated that "acoustical measures will be taken to improve the livability for the residents, ... (including) improved ventilation systems so that residents can close their windows during the summer months." An acoustics consultant who assessed external noise impacts for the applicant advised that "careful acoustical measures are required to achieve acceptable noise levels." These include laminated glass, shielding through balconies in front, enclosed balconies, doubling interior wallboard, and additional exterior wallboard or concrete.
- It is expected that the residential towers will have high standards of noise mitigation, through some combination of measures, including an air conditioning or ventilation system which gives residents the option to keep their windows closed.
- It is noted that residential use is being successfully developed in many residential projects in proximity to the Granville Street entertainment district.

The applicant has subsequently advised that the development will have a "ventilated air" system rather than a "conditioned air" system. This system introduces fresh air into the suite and exhausts the stale air. A ventilated air system will also be more effectively provided than air conditioning, as a result of the slightly reduced floor-to-ceiling heights proposed in the revised plans, to achieve reduced tower heights.

4. Sustainability:

Question was raised about the weak listing of sustainability measures, and whether better information could be provided.

First, the report addresses this topic (on page 12) as follows:

- The City does not yet have comprehensive requirements in regulations or policy regarding sustainable or 'green building' development. An interim baseline green building strategy has recently been developed, but has not yet received Council approval. At this time, any proposal should, through best efforts, attempt to meet the most current version of the City's green building strategy for new developments at the time of rezoning and/or meet a minimum LEED Canada Certified standard (with full LEED registration and documentation).
- The applicant has proposed a preliminary sustainability strategy, initially comprised of the following elements:
 - use regional materials,
 - increase land use density,
 - develop in proximity to good transit links,
 - provide facilities for bicycle storage,
 - undertake site remediation, and
 - provide green roofscape.
- Staff support the applicant's preliminary sustainability strategy and will endeavour to assist in its evolution at the development application stage. The staff recommendations to City Council include the following:
 - (b) 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, or Development Permit Board, as the case may be, who shall have particular regard to, among other things, the following:
 - xx) a sustainable development strategy, including use of a preliminary LEED score card, to meet the City's most current green building strategy and, if possible, achieves LEED certification.

Staff wish to emphasize that the City neither rewards nor penalizes development which does not pursue and achieve LEED certification, except in rezonings for higher buildings (above 450 ft.) in the CBD where pursuit of LEED Silver certification is expected.

Nevertheless, and given the staff recommendation (A) (b) (xx), the applicant has very recently provided further details of the project's proposed sustainability initiatives. For clarification purposes, they have referenced the LEED program, although there is no commitment or intent to seek LEED certification. In advance of the development application requirement recommended by staff, a preliminary LEED scorecard has now been prepared which attains 27 points and which, if registered, documented and achieved, could obtain a LEED Certified (26-32 points) rating (see attachment).

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