



**CITY OF VANCOUVER
POLICY REPORT
URBAN STRUCTURE**

Date: February 14, 2006
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Meeting
Date: February 28, 2006

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: CD-1 Text Amendment: 201 Burrard Street (Height)

RECOMMENDATION

THAT the Director of Current Planning be instructed to make application to amend CD-1 By-law No. 7679 for 201 Burrard Street, generally in accordance with Appendix A, and that the application be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law for consideration at Public Hearing.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

- The site is zoned CD-1 By-law No. 7679 (# 363), enacted November 26, 1996 and last amended May 24, 2005
- Burrard Landing (201 Burrard Street) CD-1 Guidelines
- Vancouver Convention and Exhibition Centre (VCEC) CD-1 Guidelines - 100 Thurlow Street

PURPOSE

This report recommends an amendment to the CD-1 By-law No. 7679 (# 363) for Burrard Landing to correct an error recently uncovered during the processing of a development application for the site at 1011 West Cordova Street.

BACKGROUND

Development application (DE 40973) was submitted by James KM Cheng Architects Inc., on behalf of Westbank Projects Corporation, to develop a 44-storey mixed-use building at 1011 West Cordova Street in sub-area 2 of Burrard Landing. The tower will be next to the 41-storey Shaw Tower at 1067 West Cordova Street, also in sub-area 2, and across from the site of the new Convention and Exhibition Centre in sub-area 1. The building will include Hotel, General Office Live-Work and ground floor Retail uses, with 6 levels of below-grade parking, and total floor area of 75 000 m² (807,318 sq. ft.).

The application was unanimously supported by the Urban Design Panel (8-0), was recommended for approval by staff without substantive issues, and was approved by the Development Permit Board on January 30, 2006, subject to conditions including some further design development. One condition requires the reduction of total building height (including all appurtenances) to the maximum provided in the CD-1 By-law.

DISCUSSION

During review of the development application for this site, staff determined that the following building heights were proposed, on the basis of the height calculation method specified in the By-law:

Top of roof slab:	140.00 m (459.31 ft.)
Top of roof parapet:	40.23 m (460.06 ft.)
Top of trellis/sunshade:	41.34 m (463.72 ft.)

On this basis, it was determined that the total tower height, including all appurtenances such as trellis/sunshade, exceeded the By-law maximum of 139.7 m (458.33 ft.) by 1.64 m (5.39 ft.).

The applicant acknowledged that the trellis/sunshade appurtenances exceeded the maximum, and was prepared to remove them from the application if they could not be considered under CD-1 By-law provisions. However, the applicant questioned how the proposed 'top of roof parapet' exceeded the maximum by almost 0.60 m (2 ft.), because the tower height had not changed since the CD-1 By-law was amended at Public Hearing of January, 2005, and because the official building grades had not changed since earlier By-law amendments were approved at Public Hearing of April, 2001.

Staff have reviewed this matter and found that the error dates back to 2001, at a time when there was uncertainty about the extension of Canada Place viaduct and its elevation along the north property line of 1011 and 1067 West Cordova Street.

To deal with this uncertainty, throughout various view, shadow and urban design studies, the applicant consistently measured tower height above sea level (referred to as 'datum'). When it came time to establish a maximum tower height for the CD-1 By-law, the appropriate methodology was to subtract building grade elevation from that absolute tower height. Unfortunately, the applicant utilized an incorrect 'ground level' elevation which was about 0.60 m (2 ft.) higher than the official building grade, and City staff did not review the accuracy of that height calculation at that time.

As a consequence the CD-1 By-law limits the tower height to 0.60 m (2 ft.) less than the height shown in plans and drawings posted at Public Hearing. Because staff share some responsibility for this technical discrepancy, we recommend that the CD-1 By-law be amended so that the same building height can be achieved as was previously approved by Council. The amendment will not result in a taller building.

While completing this report, a clerical error in Table 2 Chart B of the CD-1 By-law was identified which would be corrected as detailed in Appendix A.

CONCLUSION

Staff recommend that the height regulation in the CD-1 By-law be amended to an additional on this site allow a tower height consistent with Council's previous approval.

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201 Burrard Street
DRAFT AMENDMENT TO CD-1 BY-LAW

A draft CD-1 By-law amendments will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting, to the satisfaction of the Director of Legal Services.

1. In Section 6.5, Table 2 Chart B for sub-area 3, for floor area associated with "Retail and Service, excluding Hotel" use, replace "N/A" with "600".
2. In Section 7 (Height), replace "139.7" by "140.3" in subsection 7.2(a) and replace "143.9" by "144.5" in section 7.2(b).

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