

LATE DISTRIBUTION FOR COUNCIL - JULY 18, 2006

P1



CITY OF VANCOUVER POLICY REPORT DEVELOPMENT AND BUILDING

Date: July 4, 2006
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VanRIMS No.: 11-3600-03
Meeting Date: July 18, 2006

TO: Vancouver City Council
FROM: Director of Current Planning
SUBJECT: CD-1 Text Amendment - 1128 West Hastings Street

RECOMMENDATION

- A. THAT the application by IBI/HB Architects, to amend CD-1 By-law No. 8439 (reference No. 409) for 1128 West Hastings Street (Strata Lots 1-466, DL 185, Strata Plan LMS 4107 and Strata Lots 1-39, DL 185, Strata Plan LMS 4114) to permit a small increase in floor space ratio, be referred to a Public Hearing, together with:
- (i) plans received June 30, 2006;
 - (ii) draft CD-1 By-law amendments, generally as contained in Appendix A; and
 - (iii) the recommendation of the Director of Current Planning to approve the application, subject to conditions contained in Appendix B.

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

- B. THAT, should the application be referred to a Public Hearing, the applicant shall submit confirmation, in the form of "letter A", that an agreement has been reached with the registered owner of a suitable donor site for the purchase of heritage bonus density as described in this report.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

Relevant Council Policies for this site include:

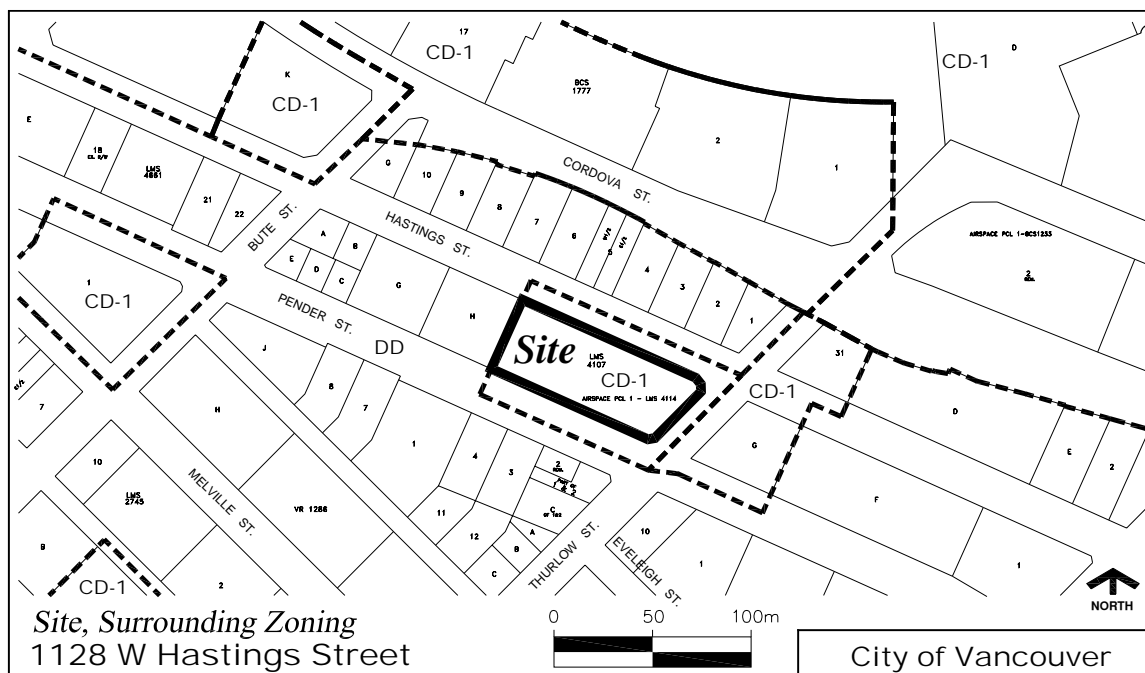
- Central Area Plan, adopted December 3, 1991;
- Downtown Design Guidelines, adopted September 30, 1975;
- DD Character Area Descriptions, adopted December 16, 1975;
- Transfer of Density Policy and Procedure, adopted January 25, 1983; and
- Financing Growth Policy (CAC), adopted January 20, 1999.

PURPOSE & SUMMARY

This report assesses an application to amend the CD-1 By-law for the Marriott Pinnacle Hotel site at 1128 West Hastings Street, to increase the maximum floor space ratio from 7.86 to 7.92, providing for increased floor area of 223 m² (2,400 sq. ft.). Undertaken wholly within existing floor presently exempt from floor space ratio calculation, no additional bulk on the building exterior is proposed.

Staff support the proposed amendment and recommend that the application be referred to a public hearing and approved, subject to conditions.

Figure 1. Site and Surrounding Zoning



DISCUSSION

Background: The existing 36-storey mixed-use hotel/residential building on this site was approved under the Downtown District zoning and utilized both a hotel bonus and heritage density transfer provisions available under that zoning. (Original DE 401550 and minor amendments DE 403325 & DE 404214.) The site was subsequently rezoned to CD-1 to further increase the floor space ratio (FSR) from 7.79 to 7.86. (See Additional Information in Appendix C.)

Proposal: The application proposes to create an additional meeting room (on Level 4) through the addition of a floor within a double-height meeting room (located on Level 3). Approximately 223 m² (2,400 sq. ft.) in size, the additional space is intended to be used for hotel conferences, meetings, and related functions.

The proposed addition would increase the FSR from 7.86 (325,526 sq. ft.) to 7.92 (328,026 sq. ft.). No increase in the external mass or bulk of the existing building is proposed, and therefore no significant changes to the approved and existing form of development are contemplated.

The Urban Design Panel was not asked to review this application as no exterior additions are proposed to the existing building.

Traffic and Parking: Because the proposed increase in FSR is less than one percent, the resulting floor area will not increase parking and loading requirements for the building. It is noted that the existing provision of parking and loading spaces exceeds the minimum requirements which apply.

Amenity Contribution: Through the Financing Growth Policy, the City anticipates the offer of an amenity contribution from the owner of a rezoning site. For a downtown rezoning, this contribution is negotiated rather than based on a flat rate, and it is generally evaluated by staff in light of the increase in land value expected to result from rezoning approval.

For this small rezoning, and given the state of the heritage density bank, staff have proposed that the amenity contribution be wholly in the form of heritage bonus density from a suitable donor site. The owner has offered a transfer of heritage bonus density with value of \$180,000. Staff in Real Estate Services have confirmed that this amount is appropriate.

Staff recommend that this offer be accepted (see provision (b) in Appendix B).

Given the financial challenges confronted in the current market by non-market societies (housing or cultural) undertaking heritage revitalization projects, the applicant is encouraged to secure heritage density from such a donor site.

Heritage Density Transfer: The proposed heritage density transfer raises a challenge with respect to the Transfer of Density Policy. This policy excludes as receiver sites for heritage bonus density any site which has already received a 15 percent hotel bonus and a 10 percent density increase through transfer of heritage bonus. That is the case on this site. However, staff believe that an exception is warranted.

The limitation which is set out in policy is intended to limit the opportunity for additional density above 25 percent because it can be expected that such a significant increase in density will have serious negative impact on the scale, height, and form of development of a building and also its parking and loading requirements. In the present case, however, the small density increase is occurring entirely within the existing building volume and thus the transfer has no impact on any of these variables. Staff thus recommend an exception to this policy provision.

Staff wish to note that with this application and report, staff propose an improvement to the procedure for the transfer of heritage bonus density in rezonings. It has been a requirement to date that arrangements be made to the satisfaction of the Director of Legal Services prior to Council enactment of a CD-1 By-law or By-law amendment, verifying that the registered owner has purchased heritage bonus density from a suitable heritage donor site. This requirement will remain unchanged.

However, to expedite the processing of rezoning applications subsequent to public hearing, staff propose for rezonings which involve heritage density transfer that the registered owner should have completed prior to hearing an agreement with the registered owner of a suitable donor site, committing to the purchase of heritage bonus density following approval of rezoning at public hearing. For this purpose, staff propose the same form of agreement which is already in use for initiating heritage density transfers in the development permit process and referred to as "Letter A". (See Recommendation B.)

Public Benefit: The proposed rezoning absorbs banked heritage density with no additional increase in building bulk or massing on the receiver site.

Applicant Comment: The applicant has been provided with a copy of this report and concurs with its contents.

CONCLUSION

Staff support the proposed amendment to this CD-1 By-law, to increase the maximum floor space ratio of the existing building on the site, without adding bulk or massing or increasing parking or loading requirements. Staff recommend that the application be referred to a Public Hearing and approved, subject to the proposed conditions of approval as presented in Appendix B.

* * * * *

1128 West Hastings Street
DRAFT AMENDMENTS TO CD-1 BY-LAW No. 8439 (#409)

Note: A draft by-law amendment will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Floor Space Ratio

In Section 3.1, replace '7.86' by '7.92'.

* * * * *

1128 West Hastings Street
PROPOSED CONDITIONS OF APPROVAL

Note: These are draft conditions which are subject to change and refinement prior to finalization of the agenda for the public hearing, to the satisfaction of the Director of Legal Services.

FORM OF DEVELOPMENT

- (a) THAT the proposed amendment to the form of development be approved by Council in principle, generally as prepared by Hancock Bruckner Eng + Wright Architects, and stamped "Received Planning Department, June 30, 2006", provided that the Director of Planning may allow minor alterations when approving the detailed scheme of development.

AGREEMENTS

- (b) THAT the registered owner's offer of a contribution be accepted and that, prior to enactment of the CD-1 By-law amendment, such offer be secured to the satisfaction of the Director of Legal Services through an agreement confirming that the registered owner has purchased heritage bonus density with value of \$180,000 from a suitable heritage donor site.

* * * * *

1128 West Hastings Street
ADDITIONAL INFORMATION

Site, Surrounding Zoning and Development: This 3 847.5 m² (41,416 sq. ft.) site is located between Hastings and Pender Streets, west of Thurlow Street, and is developed with a 36-storey mixed-use hotel, retail/service and residential building. The frontage is 95.93 m (314.7 ft.) along Hastings Street with a depth of 37.12 m (121.8 ft.).

Lands to the north, west and south are generally zoned DD and are developed with a mixture of office, hotel, service and retail uses. On the east side of Thurlow, there is a CD-1 site developed with an office building on the south side of Hastings Street and Portal Park on the north side of Hastings Street.



The existing development consists of a 36-storey hotel tower (446 rooms/suites) with residential units (67) on the upper floors, a four-storey podium with hotel functions, retail and amenity spaces and five levels of underground parking.

The floor space ratio of existing development is 7.86, with residential use limited to floor space ratio 3.0. Total floor area on the site is 325,530 sq. ft.

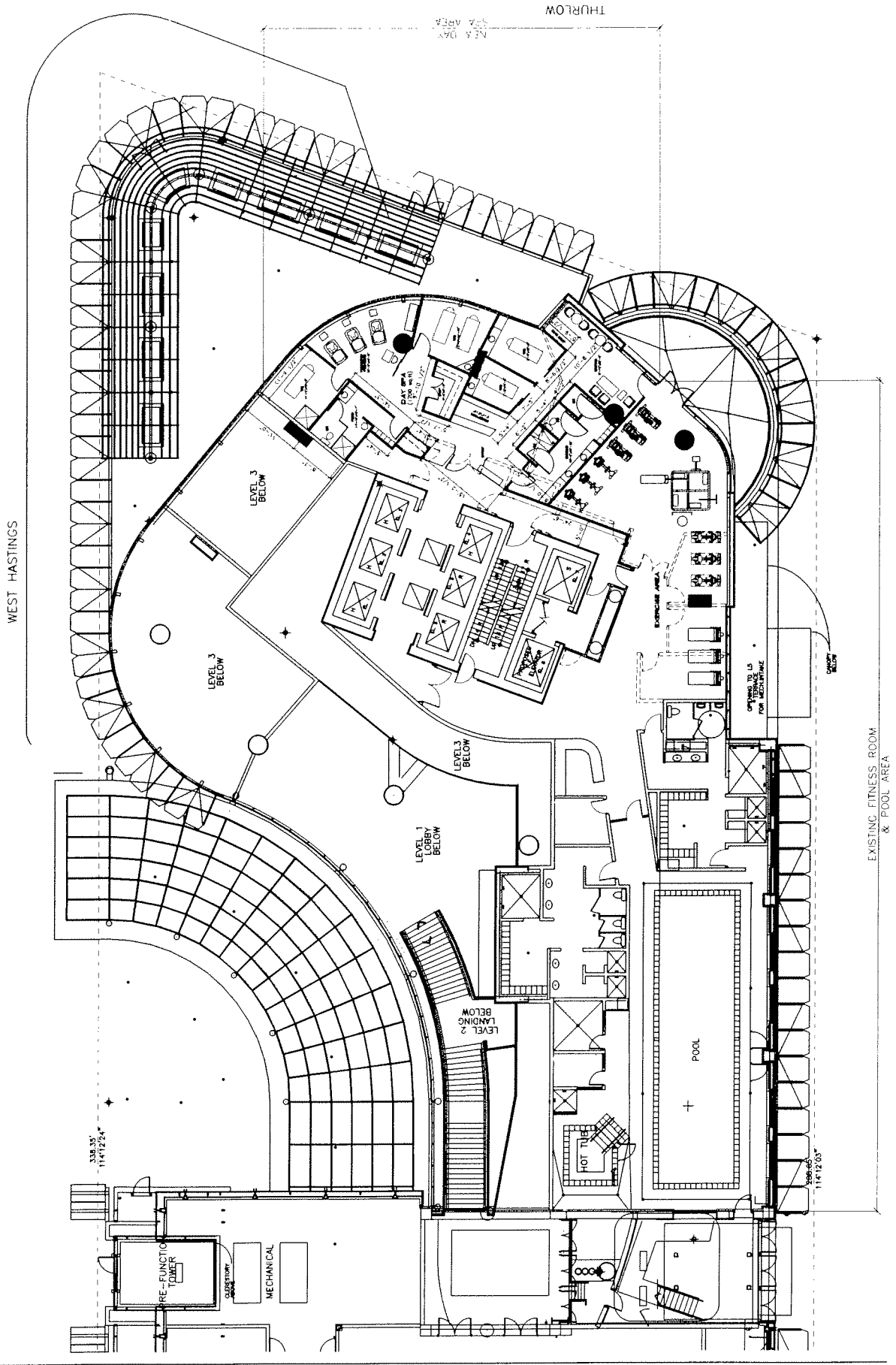
Development approval involved a relaxation of the building height from 300 feet to 372 feet. It also involved an increase in floor space ratio from 7.00 to 7.76, through a 15 % hotel bonus and a 10 % heritage transfer density (from old public library site at 750 Burrard Street).

The site has a covenant regarding a shared amenity space between hotel guests and residential).

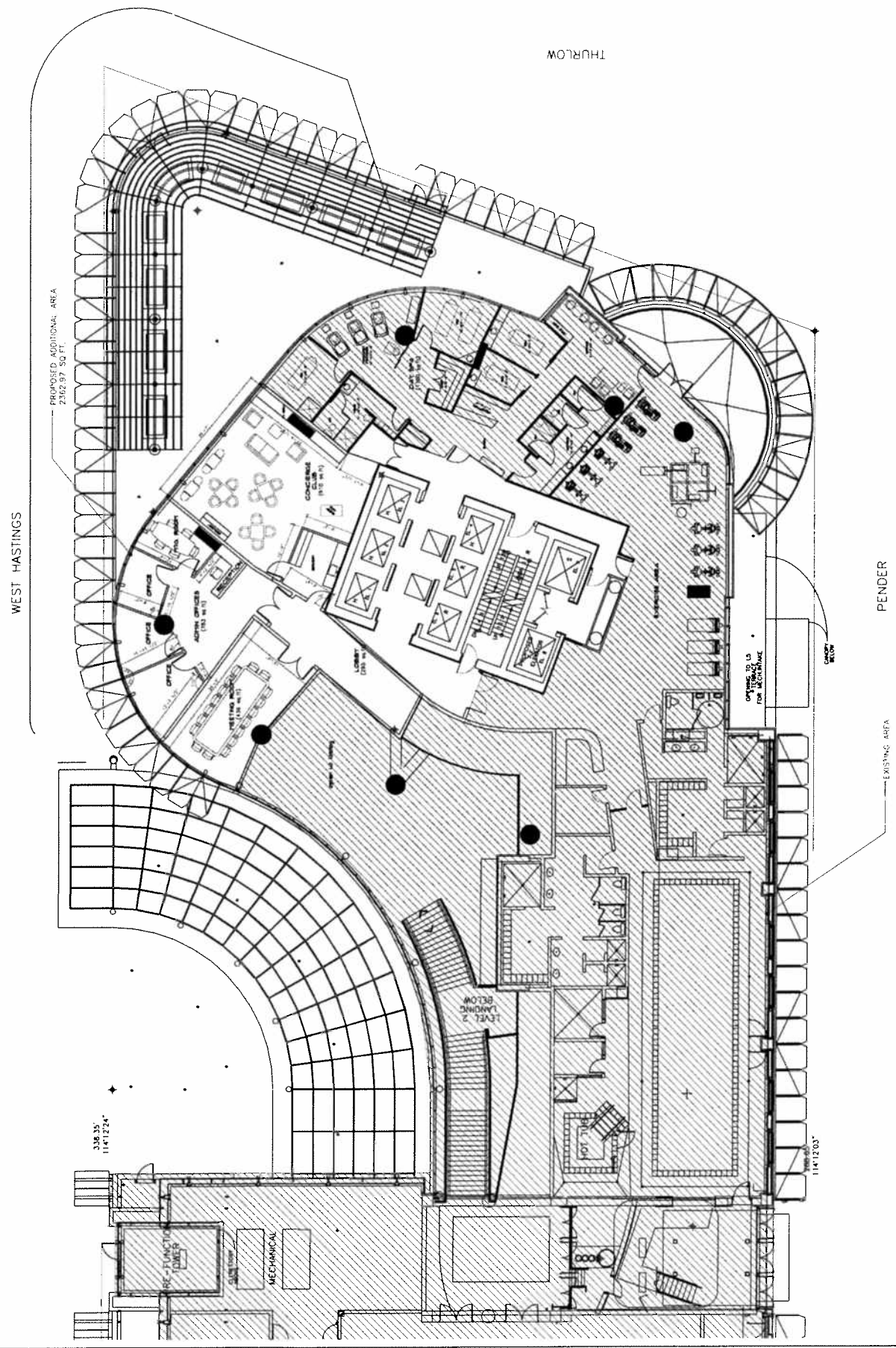
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APPENDIX D - Page 2 of 4
 Level 4
 Existing



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APPLICANT AND PROPERTY INFORMATION AND DEVELOPMENT STATISTICS

APPLICANT AND PROPERTY INFORMATION

Street Address	1128 West Hastings Street
Legal Description	Strata Lots 1-466, DL 185, Strata Plan LMS 4107 and Strata Lots 1-39, DL 185, Strata Plan LMS 4114
Applicant	IBI/HB Architects (Martin Brückner)
Architect	same
Property Owner	Pinnacle International Plaza Inc.
Developer	Pinnacle International Inc.

SITE STATISTICS

	GROSS	DEDICATIONS	NET
SITE AREA	3 847.5 m ²	N/A	3 847.5 m ²

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING AND DEVELOPMENT PERMITS	PROPOSED DEVELOPMENT
ZONING	CD-1	CD-1 (amended)
USES	Office & Retail Commercial, Hotel	No change
DWELLING UNITS	64	No change
MAXIMUM FLOOR SPACE RATIO	7.86	7.92 (with heritage density transfer)
MAXIMUM HEIGHT	113.39 m	No change
STOREYS	(36)	No change
PARKING & LOADING SPACES	Parking By-law	No change