



CITY OF VANCOUVER

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POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: January 31, 2008
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VanRIMS No.: 11-3600-20
Meeting Date: February 12, 2008

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Text Amendment: 826-848 West Hastings Street

RECOMMENDATION

- A. THAT the application by Walter Francl Architects, on behalf of Jameson House Ventures Ltd., to amend CD-1 By-law No. 9184 for 826-848 West Hastings Street (Parcel A, Block 21, DL 541, PLAN BCP19413; P.I.D. 026-434-555) to increase the maximum residential floor area by 809 m² to 19 437 m² be referred to a public hearing, together with:
- (i) draft CD-1 By-law amendment, generally as presented in Appendix A; and
 - (ii) the recommendation of the Director of Planning to approve the application, subject to approval of conditions;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law generally in accordance with Appendix A for consideration at Public Hearing;

- B. THAT, should the application be referred to a Public Hearing, the registered property owner 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; and
- C. THAT Recommendations A and B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

CD-1 By-law No. 9184 (443) for 826-848 West Hastings Street, enacted November 10, 2005, amended up to and including By-law No. 9311, dated June 13, 2006.

PURPOSE AND SUMMARY

This report recommends an amendment to CD-1 By-law No. 9184 (reference no. 443) for the site at 826-848 West Hastings Street to allow additional residential floor area of 809 m² (8,709 sq. ft.). This would enable one floor to be added to the approved 37-storey residential-commercial tower (Jameson House). Through a small reduction in floor-to-floor height, the additional floor would be inserted within the approved form of development and with no change in building height.

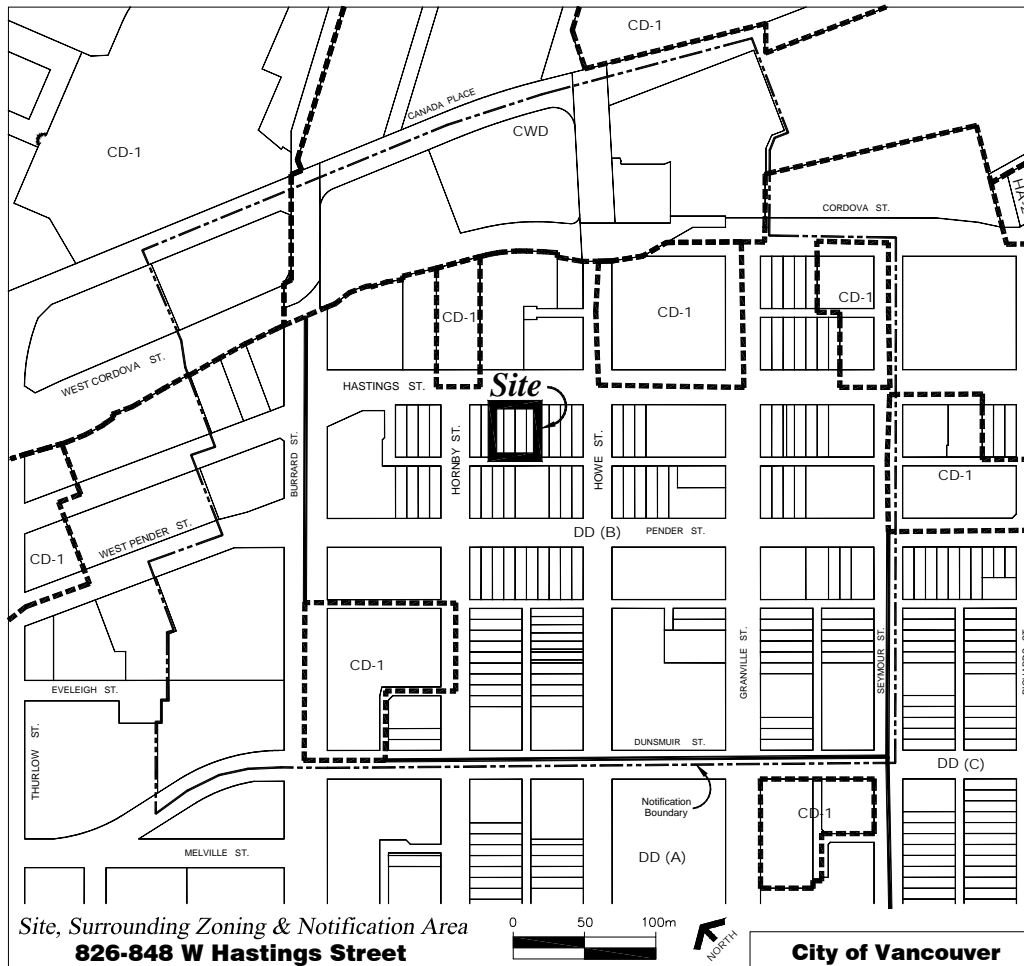
BACKGROUND

Rezoning of the site at 826-848 West Hastings Street from Downtown District (DD), sub-area B, to Comprehensive Development District (CD-1) was approved by City Council after public hearing of June 16, 2005. (See site on map diagram on the following page) Also approved for the site were two heritage revitalization agreements. These decisions allowed the following:

- residential use in a commercial district, but with 8 045 m² (86,598 sq. ft.) of commercial floor area provided so as to achieve commercial floor space ratio (FSR) of 7.0 as required by the "Downtown District Interim Policies for New Residential in Areas C and F; and for Conversion of Existing Office Space to Residential Use" (2004);
- increased the maximum floor space ratio (FSR) for all uses from 7.0 to about 23.0, by allowing 18 628.4 m² (200,517 sq. ft.) of residential floor area, representing an FSR of about 16.0; and
- increased the maximum building height from 91.4 m (300 ft.) to a total height of 118.5 m (389 ft.), including all rooftop appurtenances, mechanical room and decorative elements, being the height limit established by a view cone over the site.

The Council decisions also secured the restoration and retention of the “A” listed Ceperely-Rounsfell Building (former Mineral Museum) at 848 West Hastings Street, including its double-height interior and skylight, and restore and retention of the facade of the “B” listed Chamber of Mines building at 840 West Hastings Street with recollection of the building interior to a depth of approximately 26.2 m (86 ft.).

Figure 1. Site and Surrounding Zoning



Note: The site is now addressed as 830 West Hastings Street.

Development permit (DE409808) for the proposed development was issued on April 2, 2007. (See photo montage in Appendix C.) Excavation was recently begun and construction is anticipated to begin in April, 2008.

DISCUSSION

Density

Rezoning application has been submitted on behalf of the property owner and developer to increase the maximum residential floor area by 809 m² (8,709 sq. ft.). This would increase total residential floor area in the building from 18 628.4 m² (200,521 sq. ft.) to 19 437 m² (209,239 sq. ft.), an increase of 4.34 percent. The number of dwelling units would be

correspondingly increased by 6, from 131 to 137. (Note: A DE minor amendment is in process to change 7 large units into 14 smaller units. This would raise the total dwelling count to 144.)

The maximum FSR for residential use would be increased from 16.08 to 16.78, and the maximum FSR for all uses would increase from 23.03 to 23.73. The minimum FSR for commercial uses remains 6.95, to achieve the base commercial capacity of the site in this CBD sub-area "B".

The proposed additional floor area would be utilized within the approved form of development for the site. Building height will not be altered. Although the number of residential floors would be increased from 25 to 26, the additional floor would be inserted without altering the approved form of development and with no change in the maximum total height [118.5 m. (389 ft.)]. The change in residential floor to floor height would largely be absorbed by a floor assembly of reduced thickness.

Staff support this request on the basis that no negative consequences are anticipated in terms of visible land use and development impacts.

Off-Street Parking and Loading

The additional parking and loading spaces which would be required to serve the increased residential floor area can be achieved within the minimum and maximum requirements for this site. The issued development permit (DE409408) provides for 9.9 extra parking spaces over and above the minimum requirement (249 spaces proposed, 239 required), and this will be sufficient to provide the additional 7.45 spaces which will be required.

COMMUNITY AMENITY CONTRIBUTION

Financing Growth Policy anticipates the offer of a community amenity contribution from proponents for downtown rezonings, to mitigate the impacts of rezoning. For the rezoning approved in 2005, the property owner and developer, Jameson Development Corp., City Council accepted a CAC in the amount of \$14,034,000, which included:

- on-site heritage conservation with value of \$7.934 million;
- cash contribution of \$1.1 million for the pursuit of City cultural and social objectives, including public art budget of approximately \$187,000; and
- \$5.0 million heritage compensation transferred from the site at 51 East Pender Street (Wing Sang Building), a heritage "B" listed building on the Vancouver Heritage Register. This amount was subsequently reduced to \$4,850,000 to account for water system upgrading costs of \$150,000.

For the present rezoning, which would increase maximum residential floor area by 809 m² (8,709 sq. ft.), the property owner and developer offers a CAC with value of \$827,000 in the form of 1 068 m² (11,500 sq. ft.) of heritage bonus density to be transferred from the site at 51 East Pender Street (Wing Sang Building).

With advice from the Director of Real Estate Services, staff supports this offer and recommend it be accepted through Council approval at Public Hearing of the condition set out in Appendix B.

FINANCIAL IMPLICATIONS

Approval of this application will have no financial implications with respect to the City's operating expenditures, fees or staffing.

APPLICANT COMMENT

The applicant has seen a copy of this report and provides the following comments:

"We have read the report and are in agreement with its recommendations. We are happy to make the Community Amenity Contribution stated therein."

CONCLUSION

The proposed amendment to CD-1 By-law No. 9184 for 826-848 West Hastings Street will permit a small increase in floor area which will not affect the form of development which was shown and approved at the public hearing for the initial rezoning of this site. Staff recommends that the application be referred to Public Hearing and approved, subject to the proposed condition of approval presented in Appendix B.

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826-848 West Hastings Street
DRAFT AMENDMENTS TO CD-1 BY-LAW No. 9184 (#443)

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

Floor area and density

1. Amend Section 5.1 as follows:

The floor area must not exceed 8 045 m² in non-dwelling uses and ~~18 628.4 m²~~
19 437 m² in dwelling uses, except that approval by the Director of Planning of any dwelling use area requires the concurrent or prior approval of at least 8 045 m² of office, retail, or service uses.

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826-848 West Hastings Street
PROPOSED CONDITIONS OF APPROVAL

Note: A draft condition will be prepared prior to finalization of the agenda for the public hearing, to the satisfaction of the Director of Legal Services, and taking the following form:

AGREEMENTS

- (a) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, complete the following on terms and conditions satisfactory to the Director of Legal Services secure the purchase and transfer of 1 068 m² (11,500 sq. ft.) of heritage bonus density from the donor site at 51 East Pender Street (Wing Sang Building).

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City together with receipt(s) of heritage density purchase(s), including the amount, sale price, and total cost of the heritage density.

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