



CITY OF VANCOUVER

P4

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: September 2, 2008
Contact: Ingrid Hwang
Contact No.: 604.873.7756
RTS No.: 07618
VanRIMS No.: 08-2000-20
Meeting Date: September 16, 2008

TO: Vancouver City Council

FROM: Director of Current Planning

SUBJECT: CD-1 Text Amendment: 201 Burrard Street (1011 West Cordova Street)

RECOMMENDATION

- A. THAT the application by James KM Cheng Architects, to amend CD-1 By-law No. 7679 (reference No. 363) for 201 Burrard Street (PID 025-196-073, Lot 1, Plan LMP51876, NWD, of the public harbour of the Burrard Inlet) to permit an increase in floor area, be referred to a Public Hearing, together with:
- (i) plans received July 21, 2008;
 - (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 of the purchase of bonus density as described in this report.
- C. THAT Recommendations A to 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 and 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 Service RECOMMENDS approval of the foregoing.

COUNCIL POLICY

Relevant Council Policies for this site include:

- The site is zoned CD-1 By-law No. 7679 (reference no. 363), enacted November 26, 1996 and last amended June 13, 2006;
- Burrard Landing (201 Burrard Street) CD-1 Guidelines;
- 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 Fairmont Pacific Rim Hotel site at 201 Burrard Street, to increase the floor area from 75 000 m² (807,318 sq. ft.) to 75 832 m² (816,246 sq. ft.). No increase in the external mass or bulk of the approved form of development and development permit (DE 409730) is proposed. A bonus density transfer is proposed for achieving the requested density increase on this site.

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

BACKGROUND

The zoning which is in place for the subject site and the site next door (the 41-storey Shaw Tower at 1067 West Cordova Street) date back to City Council approval in 2001 of amendments to the Burrard Landing CD-1 (area north of West Cordova Street, between Burrard and Thurlow Streets) to adjust the boundaries of development parcels and alter the form of development on these parcels. Of the total permitted commercial floor area of 1,992,076 sq. ft. in four towers, 1,296,846 sq. ft. was consolidated in two towers across from what is now the site of the new Convention and Exhibition Centre in sub-area 1. 807,320 sq. ft. was approved on Parcel 2A (the subject site) where Hotel use was also

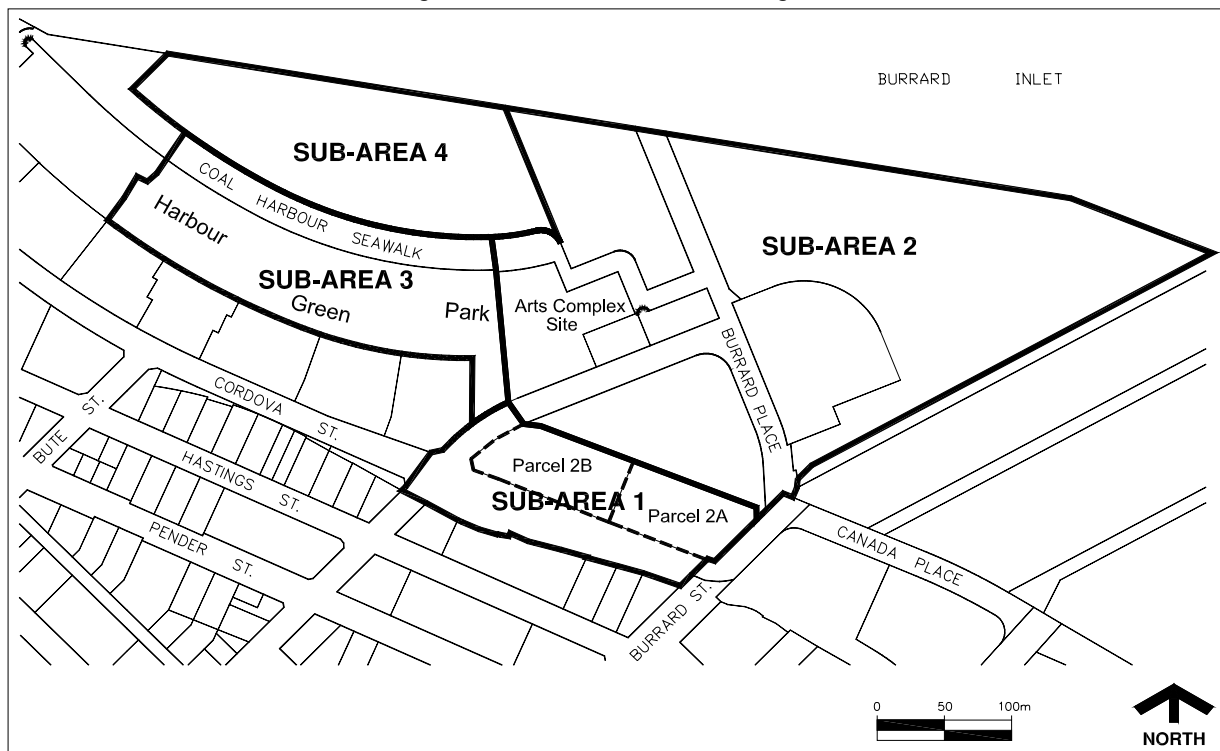
permitted as an alternative to Office use, and 489,511 sq. ft. on Parcel 2B (Shaw Tower) where General Office Live-Work use up to 231,432 sq. ft. was permitted as an alternative to Office use. Maximum building height on both sites was increased from 92 m (302 ft.) to 137 m (450 ft.).

In 2005, City Council approved further amendments to the CD-1 By-law to allow General Office Live-Work on Parcel 2A in addition to Hotel and Office uses now allowed, but limited to approximately 50 percent of the total floor area which is presently allowed, and to allow Retail and Service uses in the tower's lower two floors. Some amendments to height regulations (for an all-hotel development) and the form of development were also approved.

In November 2006, development permit (DE 409730) was issued to James KM Cheng Architects Inc., on behalf of Westbank Projects Corporation, to develop a 46-storey mixed-use building at 1011 West Cordova Street in sub-area 2 of Burrard Landing. 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.).

A separate policy report "CD-1 Text Amendment: 201 Burrard Street (1001 Canada Place)", dated September 2, 2008 is proposing amendments to the same CD-1 By-law No. 7679 (reference No. 363) for 201 Burrard Street. The report proposes amendments to extend the harbour headline by 50 m to accommodate the Vancouver Convention Centre Expansion Plan (VCCCEP) Masterplan water uses in sub-area 2 and will not affect the proposed floor area amendments as set out in this report.

Figure 1: Site and Surrounding Area



DISCUSSION

Density Increase: The application proposes to add 832 m² (8,928 sq. ft.) of floor area to accommodate a laundry, an expanded staff cafeteria and lockers for the hotel component in this building (under construction). This floor area replaces 8 parking spaces and would increase the total floor area of the 46-storey mixed-use building on Parcel 2A of Burrard Landing from 75 000 m² (807,318 sq. ft.) to 75 832 m² (816,246 sq. ft.). There would be no increase in the external mass or bulk of the approved form of development and development permit (DE 409730). A bonus density transfer is proposed for achieving the requested density increase on this site.

Traffic and Parking: The existing provision of parking spaces exceeds the minimum required. The reduction of parking spaces from 530 to 522 will still provide adequate parking for this site (513 parking spaces are required).

Bonus Density Transfer: The property owner and developer of the subject site has proposed a bonus density transfer with value of \$669,600 in the form of 957 m² (10,300 sq. ft.) to achieve the requested density increase on this site. Real Estate staff have reviewed the project pro forma and have concluded that the bonus density transfer amount is suitable. Staff support this proposal on the basis that the registered owner complete prior to public hearing an agreement with the registered owner of the suitable donor site, committing to the purchase of bonus density following approval of rezoning at public hearing in the form of a Letter A [see provision (a) in Appendix B].

Public Benefit: The proposed rezoning absorbs banked 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.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Staff support the proposed amendment to this CD-1 By-law, to increase the floor area without increasing the external mass or bulk of the approved form of development and development permit. 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.

* * * * *

201 Burrard Street
DRAFT AMENDMENTS TO CD-1 BY-LAW NO. 7679 (#363)

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, to the satisfaction of the Director of Legal Services.

1. In section 6.1, Table 1 Maximum Floor Area, for floor area associated with "Hotel, Office, General Office Live-Work, Retail and Service Uses" replace "75 000" with "75 832".
2. In section 6.5, Table 2 Chart A for sub-area 1, for floor area associated with "Hotel, Office, General Office Live-Work, Retail and Service Uses" replace "75 000" with "75 832".
3. In section 6.5, Table 2 Chart B for sub-area 1, for floor area associated with "Hotel, Office, General Office Live-Work, Retail and Service Uses" replace "75 000" with "75 832".

201 Burrard 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.

AGREEMENTS

- (a) THAT, prior to enactment, of the CD-1 By-law amendment, the registered owner shall at no cost to the City, secure the purchase and transfer of 957 m² (10,300 sq. ft.) of bonus density from a suitable donor site on terms and conditions satisfactory to the Director of Legal Services, in consultation with the Director of Real Estate Services.

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 bonus density purchase(s), including the amount, sale price, and total cost of the bonus density.

APPLICANT AND PROPERTY INFORMATION AND DEVELOPMENT STATISTICS

APPLICANT AND PROPERTY INFORMATION

Street Address	1011 West Cordova Street
Legal Description	PID 025-196-073, Lot 1, Plan LMP51876, NWD, of the public harbour of the Burrard Inlet
Applicant	James KM Cheng Architects
Architect	James KM Cheng Architects
Property Owner	Westbank Projects Corp.
Developer	Westbank Projects Corp.

SITE STATISTICS

	GROSS	DEDICATIONS	NET
SITE AREA	4 660 m ²	N/A	4 660 m ²

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING AND DEVELOPMENT PERMITS	PROPOSED DEVELOPMENT
ZONING	CD-1	CD-1 (amended)
USES	Hotel, Office, General Office Live-Work, Retail and Service Uses	No change
DWELLING UNITS	415 Hotel Units 175 General Office Live-Work Units	No change
MAX. FLOOR AREA	75 000 m ²	75 832 m ² (with density transfer)
MAXIMUM HEIGHT	140.3 m	No change
MAX. NO. OF STOREYS	46	No change
PARKING SPACES	Parking By-law	Parking By-law