



CITY OF VANCOUVER

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: July 21, 2009
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 Meeting Date: July 28, 2009

TO: Vancouver City Council

FROM: Director of Planning

SUBJECT: CD-1 Text Amendment - Great Northern Way Campus (1980 Foley Street)

RECOMMENDATION

THAT the application by Musson Cattell Mackey Partnership, to amend CD-1 #402 (By-law No. 8131) to permit the addition of General Office, Financial Institution, Health Care Office and Health Enhancement Centre as permitted uses in Sub-Area 1, be referred to a Public Hearing, together with:

- (i) the draft CD-1 By-law amendment, generally as presented in Appendix A; and
- (ii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

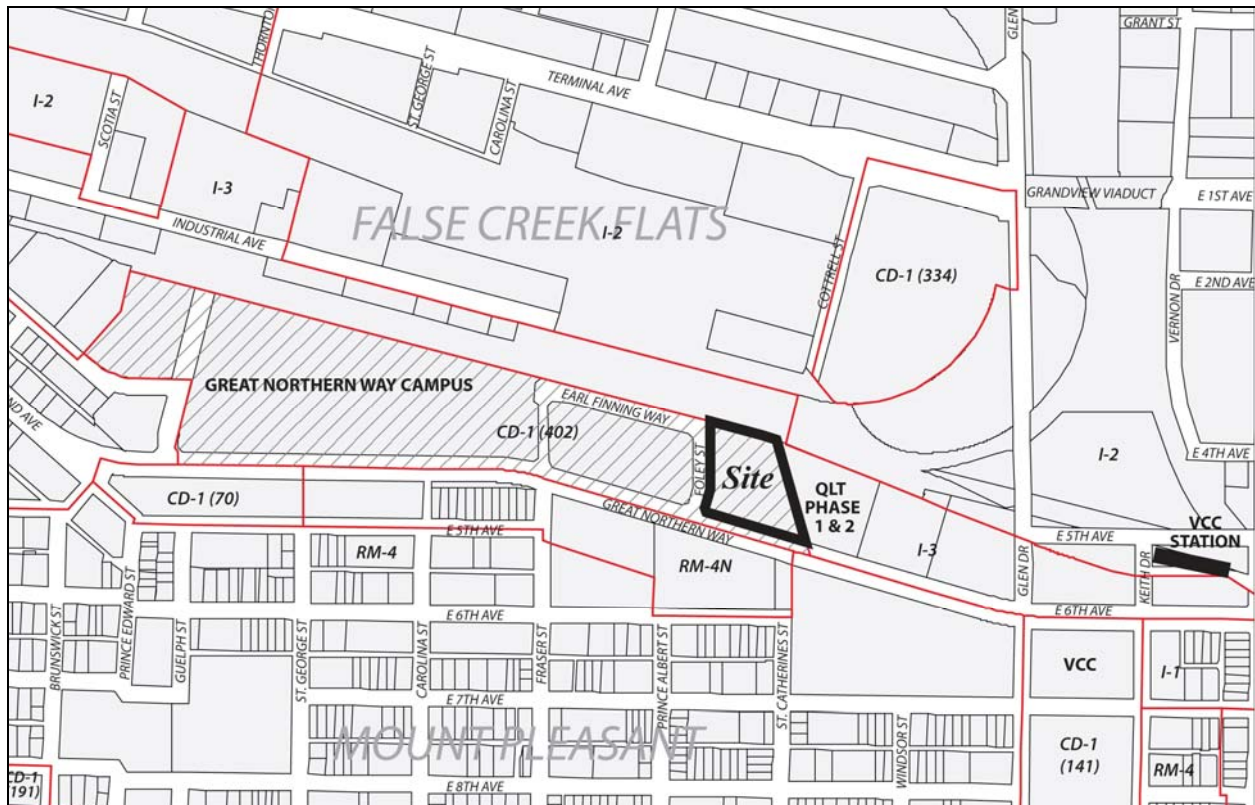
Relevant Council Policies for this site include:

- CD-1 #402 (By-law No. 8131) (1999, last amended 2008)
- Great Northern Technology Park CD-1 Guidelines (1999)
- False Creek Flats Rezoning Policy: Additional General Office Use in “High Technology” Districts (2009)
- Metro Core Jobs and Economy Land Use Plan: Issues and Directions Report (2007)
- EcoDensity Action Items A-1 and A-2 (2008)
- Financing Growth Policy (CAC) (1999, last amended 2006)

PURPOSE AND SUMMARY

This report assesses an application by Musson Cattell Mackey (MCM) Partnership to amend the CD-1 #402 for the Great Northern Way Campus to remove the limitation on the type of office use which can be permitted in Sub-Area 1, on the site addressed as 1980 Foley Street.

Figure 1 - Site and Surrounding Zoning



BACKGROUND

In November 1999, 10.7 ha (26.5 acres) of land along the north side of Great Northern Way, owned by Finning International Inc., was rezoned from I-3 Industrial to CD-1 to allow development of a master-planned, high-technology industrial park. The CD-1 By-law allowed for up to 321 282 m² of primarily high-tech industrial uses (information technology, laboratory, etc.), although other uses were also permitted, including up to 61 314 m² of office floor space.

In 2002, Finning implemented the first phase of a subdivision plan for their property which divided it into three separate ownerships. A large westerly parcel was transferred to a consortium of local higher education institutions (UBC, SFU, BCIT and ECUAD). Two easterly parcels were held by Finning for separate sale. An amendment to the CD-1 By-law was approved to create sub-areas so that the floor space permitted in the by-law would be allocated to the newly created legal parcels. The 1980 Foley Street property became "Sub-area 1" in the by-law. Sub-area 1 was initially allocated 66 505 m² of high-tech floor space and 3 009 m² of office floor space.

In 2003, the by-law was further amended to transfer the office floor space that had been allocated to Sub-area 1 to the other sub-areas to the west. About a third of the high-tech floor space allocated to Sub-area 1 was also transferred to the other sub-areas, leaving the maximum permitted floor space in Sub-area 1 at 48 158 m² (limited to high-tech uses). This amendment corresponded with the transfer in ownership of 1980 Foley Street from Finning to QLT Inc. MCM Partnership subsequently made a development application on behalf of QLT and received approval in 2004 to build Phases 3 and 4 of a planned expansion at 1980 Foley Street under the provisions of the CD-1 By-law which accommodate bio-medical industries. The property is immediately adjacent to QLT's Phase 1 and 2 buildings at 887 Great Northern Way.

QLT did not proceed with the planned expansion and has now sold the vacant site at 1980 Foley Street and the existing building at 887 Great Northern Way, immediately to the east, to Discovery Parks Trust. The subject of this report is an application to provide a further amendment to Sub-area 1 of the CD-1 By-law with respect to 1980 Foley Street. There is also an application from MCM Partnership to rezone the 887 Great Northern Way site from I-3 to CD-1. That application is the subject of another report.

DISCUSSION

The proposed amendment to CD-1 #402 is to expand the permitted uses in Sub-area 1 to include other types of office uses beyond high tech. In addition to the high-tech, light industrial and institutional uses currently permitted in Sub-area 1, the following uses would be added:

- General Office,
- Financial Institution,
- Health Care Office, and
- Health Enhancement Centre.

The Great Northern Way Campus, including the subject site, was identified for rezoning consideration in Council's policy for rezoning in False Creek Flats, adopted in April 2009. The current CD-1 zoning restricts office use to only information technology or to office uses which are solely accessory to a high-tech or light industrial use present on the site. While this zoning was workable for QLT's unrealized program of laboratories and research space, it is not workable in face of the low market demand for high-tech office space.

The site's new owner, Discovery Parks Trust, wishes to proceed with the buildings which have received development approval, but has been challenged to find tenants within the restricted category of "information technology" office use. The high-tech sector has not grown as quickly as was anticipated and, at the same time, the demand for general office uses in the area has increased.

For this reason, and in advance of the anticipated False Creek Flats Planning Program, Council adopted in April 2009 the new Rezoning Policy to allow general office uses, provided that the site is close to rapid transit. The policy also specifies that the restrictions on service-oriented office uses, such as banks and medical offices, be removed for the rezoned sites.

The balance of the lands in the Great Northern Way Campus CD-1 are generally controlled by the consortium of higher education institutions. The CD-1 By-law was amended in 2005 to include "School - University or College" as a permitted use in all sub-areas. This has allowed the institutions to make use of the former Finning buildings that remain at 525 Great Northern Way. A revised Master Plan for the campus redevelopment is expected to be submitted for the City's review at some point. It is not known at this time what changes may be sought. Nonetheless, given that 1980 Foley Street is a separate legal parcel at the easternmost end of the CD-1, its redevelopment with general office uses could proceed before that of the rest of the site. The applicants have stated that they intend to build the buildings that were approved for QLT, altering the floor spaces as need be for general office tenants, instead of bio-medical tenants.

Proximity to Transit – The rezoning policy calls for sites to be located in close proximity to transit. The subject site is located approximately 400 m west of the VCC/Clark Millennium Line SkyTrain station, and there is the potential for a new station to be located within the Great Northern Way Campus as part of the UBC Line Rapid Transit expansion project.

Use, Density and Form of Development – The uses proposed are in accordance with the new Rezoning Policy for the False Creek Flats. The density and form of development approved under the existing Development Permit comply with the CD-1 By-law and applicable Guidelines. No significant change to the form of development is anticipated, but minor changes will be considered within an application to change the use of portions of the project from bio-medical and laboratory uses to the uses proposed in the amendments to the CD-1 By-law.

Obligations under Registered Charges on Title – This proposed rezoning will have no affect on any of the existing charges on title which require the owner to fulfill obligations related to public art, public open space, site servicing, etc., which have been registered as part of the CD-1 zoning conditions.

Sustainability – For all rezonings for buildings that meet the minimum requirements to participate in the LEED™ New Construction (NC) program, Ecodensity Action Item A-1 requires that developments establish a design that would achieve a level of LEED™ Silver at a minimum, with specific targets, or an equivalent achievement in green design. The applicant has indicated that the project is committed to attaining LEED™ Gold certification, including optimized energy performance, water efficiency and storm water management. In addition, they have indicated that they have a goal of certifying the design as LEED™ Platinum under the LEED™ Canada "Core and Shell" rating system.

The Sub-Area 1 site is greater than 2.0 ac. in area and therefore staff have reviewed Action Item A-2 for “Greener Large Sites” in relation to this application. Staff note that in this instance the application seeks only to change the permitted type of office use in the building, in accordance with the new False Creek Flats Rezoning Policy, with no significant changes to the previously approved form of development. In these circumstances, the normal application of Action item A-2 is not recommended.

At the time that the Great Northern Way Campus was rezoned to CD-1 in 1999, there was no requirement for sustainability measures to be included. The Great Northern Way Campus has indicated that they intend to submit a new Master Plan for their sites, which would require rezoning. At that time, they will likely need to comply with Action Item A-2. In terms of the Sub-Area 1 site, staff recommend that it not be required to satisfy Action Item A-2 on its own, but that the owner use best efforts to ensure that the development could be connected to any future District Energy system, should one be developed on the Great Northern Way Campus.

Public Input – Public consultation was not carried out during preparation of the Rezoning Policy for High Tech sites in the False Creek Flats and it was noted that consultation with local residents would be carried out during any rezoning process. Notification of the surrounding property owners is underway and staff will report the results at, or prior to, the public hearing.

Community Amenity Contributions – The City’s Financing Growth Policy anticipates community amenity contributions from rezoning applicants to mitigate the impacts of rezoning. This contribution is generally evaluated by staff in relation to the increase in land value expected to result from rezoning approval. Discussions with the applicant are underway and will be reported to Council at, or prior to, the public hearing.

The city-wide Development Cost Levy (\$6.00/sq.ft.) will be payable at Building Permit issuance.

FINANCIAL IMPLICATIONS

Approval of the report recommendations will have no financial implications with respect to the City’s operating expenditures, fees or staffing.

CONCLUSION

Staff have reviewed the application to add General Office, Financial Institution, Health Care Office and Health Enhancement Centre use to Sub-area 1 of CD-1 #402 and have concluded that it is consistent with the directions of the Metro Core Jobs and Economy Land Use Plan and also with the recently adopted False Creek Flats Rezoning Policy. The Director of Planning recommends that the application be referred to a Public Hearing, together with draft CD-1 amendments, as generally outlined in Appendix A.

* * * * *

Great Northern Way Campus
DRAFT AMENDMENTS TO CD-1 BY-LAW NO. 8131 (#402)

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

- Amend Table 1 of Section 5 Floor Area and Density so that the overall maximum floor space for Sub-Area 1 of 48 158 m² may also include General Office, Financial Institution, Health Care Office or Health Enhancement Centre Uses.

PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Musson Cattell Mackey Partnership, and stamped "Received City Planning Department, June 1, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (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, who shall have particular regard to the following:

Sustainability:

- (i) identification on the building plans and elevations of sustainable design features in order to achieve LEED™ Gold certification, as described in the rezoning application; and
- (ii) design development to be ensure the development is compatible with a future district energy system.

Note to Applicant: The development at Great Northern Way is of particular interest due to its location in the False Creek Flats, which may host a district system in the future. An experienced consultant should be retained before making a development permit application.