



POLICY REPORT
DEVELOPMENT AND BUILDING

P2

Report Date: November 3, 2010
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VanRIMS No.: 08-2000-20
Meeting Date: November 16, 2010

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: Amendment to the Downtown Official Development Plan regarding
1277 Robson Street (Pacific Palisades)

RECOMMENDATION

THAT the application by W.T. Leung Architects Inc. on behalf of Austeville Properties Ltd. to amend the Downtown Official Development Plan Bylaw, to remove the density restrictions on non-residential uses in Area J, be referred to a Public Hearing, together with:

- (i) draft by-law amendments, generally as presented in Appendix A; and
- (ii) the recommendation of the Director of Planning to approve the application;

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

GENERAL MANAGER'S COMMENTS

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

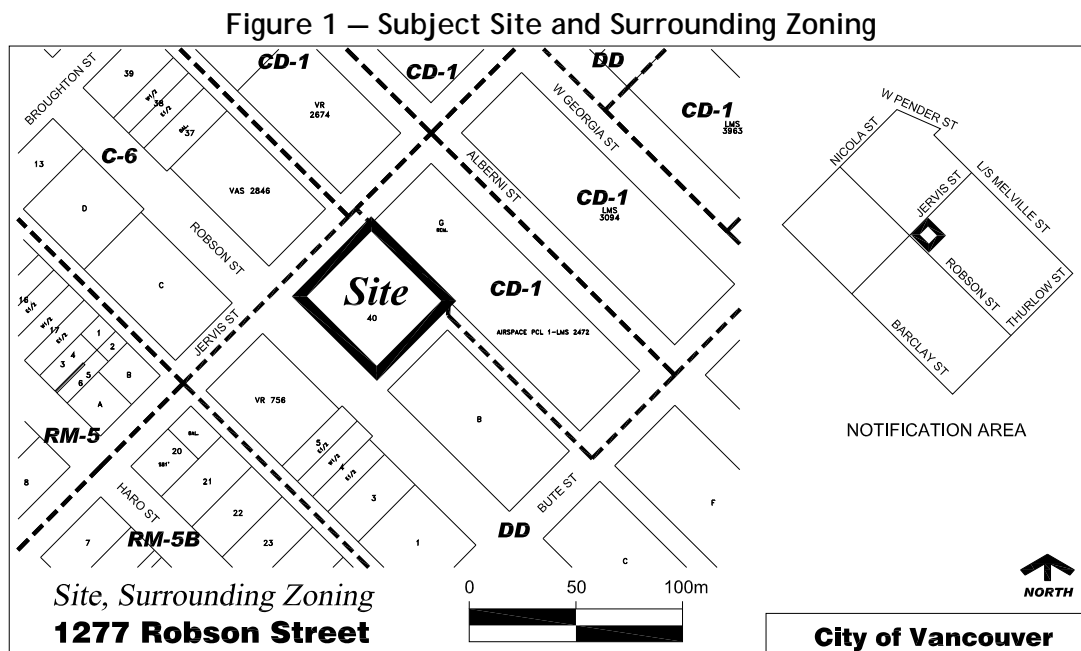
COUNCIL POLICY

Relevant Council Policies for this site include:

- Downtown Official Development Plan, adopted November 4, 1975, last amended November 17, 2009;
- DD (except Downtown South), C-5, C-6 and HA-2 Character Area Descriptions, adopted December 16, 1975, last amended December 4, 2003; and
- Downtown (except Downtown South) Design Guidelines, adopted September 30, 1975, last amended December 14, 1993.

PURPOSE AND SUMMARY

This report analyzes an application by W.T. Leung Architects Inc. to revise the provisions of the Downtown Official Development Plan (ODP) related to 1277 Robson Street, which is the property shown in Figure 1 below. Proposed is the elimination of the density restrictions on non-residential uses. This amendment would allow expansion of the floor area for retail and service uses located on the Robson Street frontage of the building on this site. Staff have reviewed the applicant's submission and recommend that the draft by-law amendments, proposed in Appendix A, be referred to a public hearing and, subject to the public hearing, be approved.



DISCUSSION

Site and Context – The subject site at 1277 Robson Street (Lot 40, Block 31, DL 185, Plan 12879; PID: 008-769-427), shown in Figure 1 above, has 168 feet of frontage on Robson Street and 157 feet on Jervis Street. The lane north of Robson is not continuous and turns south along the east side of the property. The existing building on the site is a 23-storey tower that was built for residential use and later converted to hotel as part of the recently closed Pacific Palisades Hotel. The building has a restaurant and retail space on the Robson Street frontage. Immediately to the north of the subject site, on a separate legal parcel, is a second 23-storey tower. This tower also formed part of the hotel and the two buildings, although separate structures, functioned together as one complex. The tower on the subject site is referred to as the “Robson” tower and the north tower, addressed as 750 Jervis Street, is referred to as the “Alberni” tower. This adjacent building and site are zoned CD-1 and are not subject to the proposed Downtown ODP amendment. The former hotel’s reception, lobby, meeting and dining rooms and accessory restaurant were located in the base of the Robson tower, and the hotel pool and fitness area were located in the Alberni tower.

Background — The Pacific Palisades towers were developed between 1966 and 1971 under C-3 zoning as part of a multiple-tower residential project that included the Robson tower, the Alberni tower and a third tower mid-block on Alberni Street that was demolished in 1994. Retail and service uses were provided in the Robson tower on the Robson Street frontage. The maximum permitted density at the time was 5.0 FSR.

In 1975, the Downtown ODP provided that the Pacific Palisades towers were in “Area E” with a maximum density of 3.0 FSR. In 1984, the Downtown ODP was amended to create a separate “Area J” for 1277 Robson Street and for all of the 1200 south block of Alberni Street. Area J included the three Pacific Palisades towers plus a 6-storey office building at Bute and Alberni streets. The purpose of the amendment was to establish regulations that allowed conversion to hotel use of the Robson tower and the Alberni tower, and for retention of the remaining residential, retail and office uses as they were. As a result, the density provisions for Area J are very specific about how 2.0 FSR of permitted non-residential use is distributed among retail, office and hotel uses. These specific provisions were created for application across the four buildings existing at the time, which were under a single ownership. The Robson tower included 3,837 sq. ft. of retail use with the balance in hotel uses, including a 3,400 sq. ft. restaurant which was considered accessory to the hotel, and a pedestrian entrance into the hotel lobby.

In 1993, the entire Alberni Street portion of Area J (not including the subject site) was rezoned to CD-1 (319) for a redevelopment that saw the office building and the remaining rental tower on Alberni Street replaced by two condominium towers. The Alberni tower was also part of the CD-1. The CD-1 By-law allows for this tower to remain as hotel or to be converted to residential use, and for it to conform with regard to density.

Concurrently with the enactment of CD-1(319), Area J in the Downtown ODP was reduced so that it now only applies to the subject site. However, the Downtown ODP was never amended to adjust the density provisions for the uses that remained in the Robson tower. As a result, the ODP restricts retail use to 0.045 FSR while 0.15 FSR is present, and it restricts hotel use to 1.60 FSR while 3.57 is present.

The Pacific Palisades Hotel continued to operate in the two buildings remaining from the original 1971 development until 2010. Residential use is permitted in both the ODP Area J and in CD-1 (319), so the City has recently granted approval for development applications to convert the hotel floor space in both towers back to residential. Under the development application for the Robson tower, the retail and restaurant space on the Robson frontage is to be retained, with the balance of the building converting to residential use. Floor area exclusions for residential use allow the converted building to adhere to the 3.0 FSR maximum density of Area J. The owner does not intend to strata-title the building, so the residential will be of rental tenure. In the Robson tower, 106 rental units will be provided.

Proposed Amendment — The applicant now intends to apply to expand the retail space on Robson Street into what was hotel space behind the existing retail and restaurant. In the current development application, these spaces which comprise the hotel’s former meeting and dining rooms are proposed for exclusion as residential amenity space. Instead of having residential amenity at this main-floor location, the applicant intends to convert about 3,700 sq. ft. on the second level of the Robson tower to amenity space, including a common laundry room. This second-level space, combined with 9,480 sq. ft. of fitness and laundry space in the Alberni tower, will provide adequate amenity space for use by the residents of

both towers. Staff conclude that the plan to expand the retail space in the Robson tower is supported.

In the amendment to the Downtown ODP, contained in Appendix A, it is proposed to keep the maximum density for Area J at 3.0 FSR, but to remove the 2.0 FSR cap on non-residential uses and eliminate the specific limits on office, retail and hotel uses. This would allow the existing retail and restaurant in the Robson tower to conform to the ODP, and it would provide flexibility for retail and service uses within the current building.

Since the expansion of retail use on the main floor of the Robson tower would be into excluded residential space, it will result in the overall density of the building exceeding 3.0 FSR. The density section of the Downtown ODP allows the Development Permit Board to consider up to 10% additional density through a transfer of floor space from the heritage bank, so up to 3.3 FSR can be achieved under the ODP. Staff note that a heritage transfer under a development permit application process would be an appropriate mechanism for the applicant to achieve the extra density needed to have viable retail spaces within the existing building. At the same time, the City would achieve a public benefit in the heritage transfer. Up to 7,924 sq. ft. of density could be considered for transfer by the Development Permit Board. The applicant has indicated that they intend to make such an application.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Staff have reviewed the application to amendment to the Downtown ODP to remove the density restrictions on non-residential uses in Area J and conclude that it has merit and is consistent with area policies to provide continuous ground-floor retail and service uses in this location. The Director of Planning recommends that the application be referred to a public hearing together with the draft by-law amendment contained in Appendix A and that, subject to the public hearing, be approved.

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1277 Robson Street (Pacific Palisades)
DRAFT AMENDMENTS TO THE
DOWNTOWN OFFICIAL DEVELOPMENT PLAN (Downtown ODP)
(BY-LAW NO. 4912)

[Deletions are shown in ~~strikeout~~.]

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

- Amend Section 3 Density, area J, as follows:

Section 3 - Density

1. J in the area denoted by the letter 'J', the maximum density shall be floor space ratio 3.00 ~~of which a maximum of 2.00 may be non-residential distributed as follows:~~
 - ~~maximum floor space ratio for office of 0.355;~~
 - ~~maximum floor space ratio for retail of 0.045; and~~
 - ~~maximum floor space ratio for hotel, including accessory uses customarily ancillary such as restaurant, of 1.60.~~