



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: May 14, 2015
Contact: Kevin McNaney
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VanRIMS No.: 08-2000-20
Meeting Date: May 26, 2015

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: CD-1 Text Amendment: 1229-1281 Hornby Street (Burrard Gateway)

RECOMMENDATION

- A. THAT the application by IBI/HB Architects, on behalf of Rattenbury Enterprises Ltd. and 0785687 B.C. Ltd., to amend the text of CD-1 (Comprehensive Development) District (588) By-law No. 11107 for 1229-1281 Hornby Street [*PID: 029-416-141, Lot G Block 100 District Lot 541 Group 1 New Westminster District Plan EPP44019*], to decrease the permitted floor area for sub-area B by 1,960.7 m² (21,076 sq. ft.) and to increase the permitted floor area for sub-area A by the same amount, allowing for revisions to the proposed tower floor plate, be referred to a Public Hearing, together with:
- (i) plans prepared by IBI/HB Architects, received February 25, 2015;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning and Development Services to approve;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

- B. THAT Recommendation A 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.

REPORT SUMMARY

This report assesses a rezoning application by IBI/HB Architects, on behalf of Rattenbury Enterprises Ltd. and 0785687 B.C. Ltd., to amend the text of CD-1 (Comprehensive Development) District (588) By-law No. 11107 for 1229-1281 Hornby Street. The CD-1 By-law was enacted on October 28, 2014 after approval of the rezoning by Council at Public Hearing on December 2013. The current By-law designates two sub-areas within the site (see Figure 1), for the purposes of allocating floor area and height. The proposed amendments, if approved would decrease the permitted floor area for sub-area B by 1,960.7 m² (21,076 sq. ft.) and increase the permitted floor area for sub-area A by the same amount. No increase to the overall density or height in CD-1 (588) is proposed. The proposed amendments, if approved, will allow for revisions to the proposed tower floor plate in sub-area A, in response to comments from the Urban Design Panel (UDP) provided during the original rezoning of the site.

Staff recommend that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

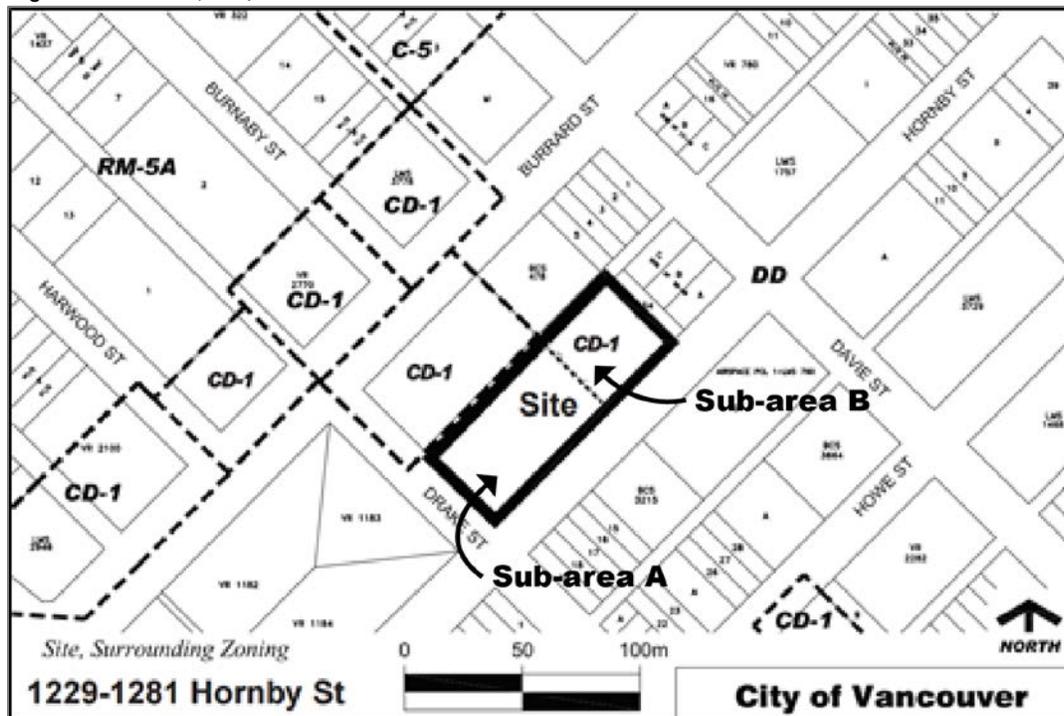
- CD-1 (588) By-law No. 11107, enacted October 28, 2014
- General Policy for Higher Buildings (1997, last amended 2014)

REPORT

Site and Context

The subject site is located at the northwest corner of Hornby and Drake streets (see Figure 1) and includes two sub-areas as defined in CD-1 (588). The approved form of development for sub-area A includes a mixed-use building, with commercial and residential uses and a maximum height of 167.6 m (550 ft.). For sub-area B, the approved form of development includes a second residential tower on a mixed-use podium, with a maximum height of 112.2 m (372 ft.). The CD-1 By-law was approved in principle after a public hearing on December 17, 2013, and was enacted on October 28, 2014.

Figure 1: CD-1 (588) Site and Sub-Areas



Strategic Analysis

Following the original rezoning of the site from DD (Downtown District) to CD-1, in response to comments from the Urban Design Panel (UDP) review in June 2013, the applicant team undertook design work to streamline the tower form proposed for the site. The proposed form of development for sub-area A of the site has been revised to simplify the floor plate (see Appendix B). Through these design changes, the applicant proposes to remove or reduce the notched elements that were proposed for the residential tower in the 2013 rezoning application, representing an average floor area increase of 29 m² (315 sq. ft.) for each floor. As usual, staff will come back to Council at a later date for approval of the final form of development.

The applicant has submitted a development permit application, DE418686, for 1289 Hornby Street (sub-area A) which reflects the revised design for the residential tower. As proposed in DE418686, these design changes would result in a total floor area of 46,125.8 m² (496,494 sq. ft.). This exceeds the maximum floor area permitted for sub-area A of the CD-1 By-law by 1,960.7 m² (21,076 sq. ft.).

Through this text amendment, the applicant proposes to decrease the maximum floor area for sub-area B of CD-1 (588) and to increase the maximum floor area for sub-area A by 1,960.7 m² (21,076 sq. ft.), to allow for revisions to the residential tower as proposed in DE418686. No increase is proposed to the overall density for CD-1 (588), or to the maximum height for the site's two sub-areas.

The development permit application for 1289 Hornby Street (sub-area A), DE418686, was reviewed by the Development Permit Board on April 20, 2015 and was approved, subject to Council consideration of the proposed CD-1 text amendment.

Public Input

A rezoning information sign was installed on February 27, 2015. Information about the application, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage. A total of 13,074 notifications were distributed within the neighbouring area on or about March 2, 2015. Following the notification, there were two responses to the rezoning application: one from neighbourhood resident requesting more clarification on the proposal, and one comment expressing concerns about the density proposed for the site, as well as potential impacts to traffic on the lane.

Comments on traffic and transportation were considered during staff review of the development permit application for 1289 Hornby Street (sub-area A), DE418686. Staff anticipate that future development of the site will generate trips at a low rate, given the proximity to the downtown core, shopping, restaurants, parks and community centres, all of which are within walking distance.

PUBLIC BENEFITS

Development Cost Levies (DCLs) – Development Cost Levies collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The site is in the Downtown South DCL District. The proposed commercial and residential uses, including the market rental housing, will be subject to a DCL rate of \$189.95/m² (\$17.65/sq. ft.). DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment which takes place on September 30th of each year.

As there is no increase to the maximum floor area over the whole site CD-1 site, no additional DCLs would be anticipated.

Public Art Program – The *Public Art Policy for Rezoning Development* requires that rezonings involving a floor area of 9,290.0 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. Following the initial rezoning from DD to CD-1, a public art contribution was required as a condition of enactment.

As this application proposes a change to the floor area within the site's two sub-areas, with no addition of the maximum floor area for the CD-1 site, no additional public art contribution is required.

Community Amenity Contribution (CAC) – Within the context of the City's *Financing Growth Policy*, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CACs typically include either the provision of on-site amenities or a cash contribution toward other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services. For this site, a CAC was achieved as part of the original rezoning from DD to CD-1, and included:

- 87 units of secured market rental housing;
- the purchase of heritage amenity with a value of \$6,872, 028;

- a cash contribution valued at \$15,815, 550, which was allocated towards local and city-wide needs as follows:
 - \$7 million towards the future Qmunity Centre;
 - \$4 million towards public realm improvements including the Comox-Helmcken Greenway and improved bicycle/pedestrian facilities over the Burrard Bridge and/or connections to improved bicycle/pedestrian facilities over the Granville Bridge;
 - \$2 million towards completion of cultural facilities that serve local and/or City-wide needs; and
 - \$2.8 million towards parks in Downtown South.

With no changes proposed to the approved height or overall density for the site, a further CAC would not be anticipated.

Implications/Related Issues/Risk (if applicable)

Financial

As noted the public benefits section above, there are no additional Community Amenity Contributions, Development Cost Levies or public art contributions associated with the proposed CD-1 text amendment.

CONCLUSION

Staff have reviewed the application to decrease the permitted floor area for sub-area B of CD-1 (588) for 1229-1281 Hornby Street by 1,960.7 m² (21,076 sq. ft.) and increase the permitted floor area for sub-area A by the same amount, to allow for revisions to the proposed tower floor plate. The General Manager of Planning and Development Services recommends that the application be referred to a public hearing, together with the draft by-law provisions generally as set out in Appendix A and, subject to the Public Hearing, that it be approved.

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1229-1281 Hornby Street
DRAFT AMENDMENTS TO CD-1 (588) BY-LAW NO. 11107

Note: An amending 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

- Replace sub-section 5.1 with the following:

"5.1 The floor area for all uses must not exceed the maximum floor area set out in the table below, noting that no portion of a tower may extend from one sub-area into another sub-area:

Sub-Area	Maximum Floor Area
A	46,125.8 m ²
B	21,304.5 m ²
Total	67,430.3 m ²

- In sub-section 5.2(c), strike "37,934.5 m²" and substitute "39,910.1 m²".
- In sub-section 5.2(d), strike "18,901.0 m²" and substitute "16,924.4 m²".

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1229-1281 Hornby Street
FORM OF DEVELOPMENT



Figure 1: Proposed Change in Form of Development – Typical Residential Podium Plan



Figure 2: Proposed Change in Form of Development – Typical Lower Tower and Upper Tower Floor Plans

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1229-1281 Hornby Street
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

Address	1229, 1243, 1251 and 1271 Hornby Street
Legal Descriptions	PID: 029-416-141, Lot G Block 100 District Lot 541 Group 1 New Westminster District Plan EPP44019
Developer	Reliance Properties
Architect	IBI/HB Architects
Property Owner	Rattenbury Enterprises Ltd. and 0785687 B.C. Ltd.

Development Statistics

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT
Zoning	CD-1 (588)	CD-1 (588)
Site Area	3,900 m ²	No change
Uses	Residential, Retail including Vehicle Dealer, Service including Motor Vehicle Repair, Office	No change
Floor Area	Sub-area A: 44,166.1 m ² Sub-area B: <u>23,264.2 m²</u> Total: 67,430.3 m ²	Sub-area A: 46,125.8 m ² Sub-area B: <u>21,304.5 m²</u> Total: 67,430.3 m ²
Maximum Residential Floor Area	Sub-area A: 37,934.5 m ² Sub-area B: <u>18,901.0 m²</u> Total: 56,835.5 m ²	Sub-area A: 39,910.1 m ² Sub-area B: <u>16,925.4 m²</u> Total: 56,835.5 m ²
Floor Space Ratio (FSR)	17.29 FSR	No change
Maximum Height	Sub-area A: 167.6 m (550 ft.) Sub-area B: 112.2 m (372 ft.)	No change
Parking, Loading and Bicycle Spaces	As per Parking By-law, except that: Class A loading is required at a rate of 0.01 spaces for each dwelling unit up to 300 dwelling units, and at a rate of 0.008 spaces for each unit in excess of 300.	No change

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