



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: June 9, 2017
Contact: Kent Munro
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RTS No.: 12100
VanRIMS No.: 08-2000-20
Meeting Date: June 27, 2017

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 Text Amendment: 2423 Cornwall Avenue

RECOMMENDATION

- A. THAT the application by IBI Architects Inc., on behalf of Point Grey Private Hospital Ltd., Inc. No. BC1090713 to amend CD-1 (657) By-law No.11741 for 2423 Cornwall Avenue [PID: 030-053-692; Lot 1, Block 181, District Lot 526 Group 1 New Westminster District Plan EPP59011] to increase the floor space ratio from 2.08 to 2.40 be referred to a public hearing, together with:
- (i) draft by-law amendments generally as presented in Appendix A;
 - (ii) revised building floor plans generally as presented in Appendix B; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability 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, 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 resolution 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 an application to amend the text in CD-1 (657) By-law for 2423 Cornwall Avenue. A rezoning application for this site was approved by Council on March 13, 2014 to permit expansion of the Community Care Facility known as Point Grey Private Hospital. The CD-1 (657) By-law was enacted on February 21, 2017 and it allows for a maximum floor space ratio of 2.08 FSR.

Subsequent to adoption of CD-1 (657), the landowner has been working on detailed architectural design and has been proceeding through the development permit process. Given Vancouver Coastal Health standards and requirements for seniors care facilities as well as some changes to the building program, some design modifications have become necessary and these have triggered the need to amend the adopted zoning by-law. Specifically, the proposed text amendment would increase the floor space to 2.40 FSR. This change arises from the addition of below-grade, basement and sub-basement ancillary uses associated with the care facility, above-grade additions related to structural changes and amenity areas, and a correction to the floor area calculations from the original rezoning submission drawings. The overall massing, form of development and land use of the building are essentially the same as the plans considered by Council when the 2014 zoning approval was granted. It is recommended, therefore, that the present text amendment application be referred to a public hearing with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve it, subject to the public hearing.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- CD-1 (657) By-law No. 11741, enacted on February 21, 2017

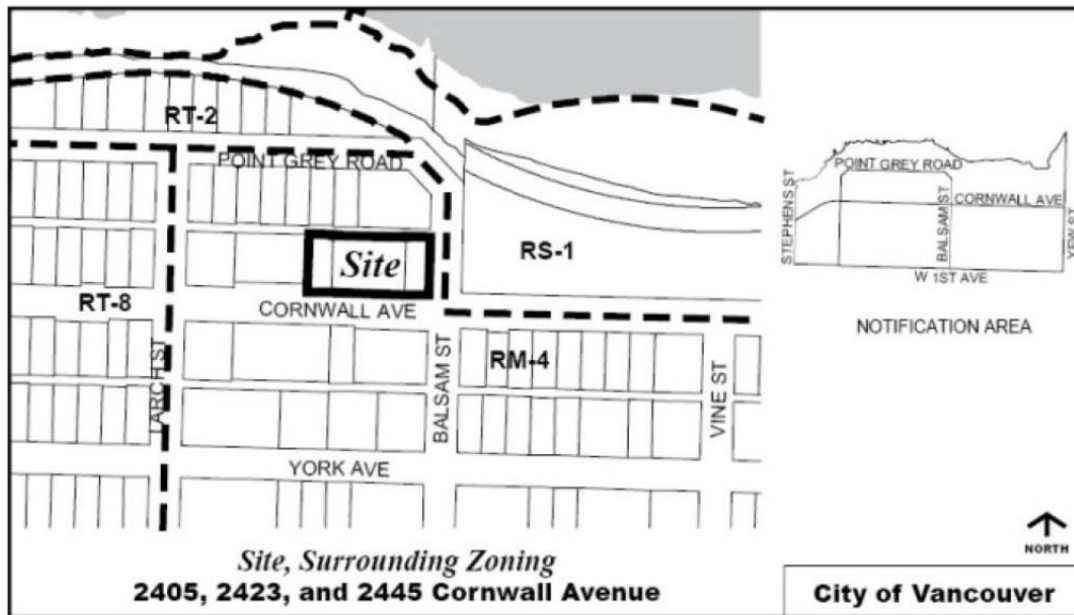
REPORT

Background/Context

The subject site is located at the northwest corner of Cornwall Avenue and Balsam Street (see Figure 1) and has an area of 2,785.2 m² (29,689 sq. ft.). On March 13, 2014, Council approved a CD-1 rezoning of the site that would facilitate the consolidation of three legal parcels to allow for the expansion and construction of a three-storey Community Care Facility known as Point Grey Private Hospital. The resulting CD-1 (657) By-law, enacted on February 21, 2017, allows for a maximum floor space ratio of 2.08 FSR. As the application proceeded to the development permit stage, the owner requested an amendment to their approved plans to address requirements from Vancouver Coastal Health (VCH) related to licensing of a private care facility. Additionally, review of the proposal by Development Services staff identified an error in the original submission drawings which did not include floor area calculated to the face of the exterior walls. To address these issues and to enable a development permit to be

issued, a text amendment to CD-1 (657) is sought. Specifically, the proposed text amendment would increase the maximum floor space ratio to 2.40 FSR.

Figure 1 - Site, Surrounding Zoning and Notification Area



Strategic Analysis

This application seeks to increase the allowable FSR from 2.08 FSR to 2.40 FSR resulting in an increase of 882 m² (9,500 sq. ft.) of buildable floor area. The majority of the proposed additional floor area is located in the basement and sub-basement levels with the remainder related to the expanded structural system and VCH Licensing requirements. Given that most of the additional floor area is below-grade, the resultant appearance of the building remains largely unchanged. The refined building design is wider by approximately two and half feet, otherwise the form and design is consistent with the 2014 Council approved plans (see Figure 2). A description of the proposed revisions is listed below:

- Addition to the sub-basement level to accommodate support services such as laundry, kitchen, storage and mechanical/electrical areas, some of which were located on the basement level above;
- Addition to the basement level to accommodate a new multi-purpose room, therapy and care support spaces, required by VCH guidelines for licensed care facilities;
- Additional area on all levels for the integration of structural, mechanical and electrical engineering systems, along with a one-foot wide gap between the existing building and the new additions to reduce construction impacts;
- Additional area on all levels to accommodate the full exterior wall depth, which was omitted from floor area calculations in the original rezoning submission, and;
- Additional area on the upper levels to accommodate VCH licensing requirements related to amenity areas.

To accommodate the increased building width and to limit the impact on adjacent neighbours, the building has been moved closer to the eastern property line, thereby limiting the change to the western side yard to a maximum of eight inches (see drawings in Appendix B). Staff have reviewed the changes and have determined that when compared with the original rezoning submission, widening the building by two and half feet will have an imperceptible impact on the surrounding neighbourhood. Staff support the application, subject to conditions contained in Appendix B.

Figure 2 - Comparison of sub-basement floor plans from the original rezoning submission and the proposed text amendment.

Original Rezoning Submission - Cornwall Elevation



Current Proposal - Cornwall Elevation



Public Input

A rezoning information sign was installed on the site on June 16, 2017. A total of approximately 1,775 notifications was distributed within the neighbouring area on or about June 9, 2017. Notification and application information, as well as an online comment form, were provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

Staff met with representatives from the local community on June 6, 2017 and provided information on the proposed changes to the building. With this explanation and discussion, no significant issues or concerns were raised. Given the City's policies to support the integration of community care facilities to support vulnerable seniors populations in all neighbourhoods across the city, staff have expedite this application so that a development permit for the project can be issued without delay. Staff will report back on any feedback received from the notification area in response to the proposed text amendment at the public hearing.

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 (social/non-profit) housing and various engineering infrastructure. Under the DCL By-law an institutional use such as a private care facility is subject to the City-wide DCL rate for institutions which, as of September 30, 2016, is \$59.74 per m² (\$5.55 per sq. ft.). Based on the proposed net increase in floor area of 882 m² (9,500 sq. ft.), a DCL of approximately \$52,725 is anticipated.

DCLs are payable at building permit issuance and their rates are subject to Council approval of an annual inflationary adjustment on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12 months from the date of DCL By-law rate amendment provided that it has been submitted prior to the adoption of such DCL By-law rate adjustment. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's DCL Bulletin for details on DCL rate protection.

Public Art Program – The *Public Art Policy for Rezoning Development* requires that rezonings involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. This site is subject to a rate of \$1.98 per sq. ft. for public art. The total building area is under the 100,000 sq. ft. threshold and therefore a public art contribution is not expected.

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 institutional uses, the City has a practice of securing a nominal CAC contribution towards the growth-related impacts resulting from additional development rights under a site-specific rezoning. In similar institutional rezonings, a \$3.00/sq. ft. target CAC has been applied on the net additional floor area resulting from the zoning change. The proposed additional floor area of 9,500 sq. ft. results in an additional CAC of in \$28,500 which the applicant has offered as a cash payment. Real Estate Services staff recommend that this offer be accepted.

A CAC was provided in conjunction with the original 2014 rezoning for the site and it was allocated towards local pedestrian improvements. As with the 2014 rezoning, staff recommend that the \$28,500 cash CAC associated with this text amendment be allocated towards pedestrian improvements to support universal access in the neighbourhood and nearby parks.

Implications/Related Issues/Risk (if applicable)

Financial

As noted in the section on Public Benefits, the site is within the City-wide DCL district and is anticipated to contribute \$52,725 in DCLs for the incremental floor area resulting from the proposed text amendment.

A cash CAC of \$28,500 has been offered and will be allocated towards pedestrian improvements to support universal access in the neighbourhood and nearby parks. Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget Processes.

CONCLUSION

Assessment of this text amendment application has concluded that the proposed increases in net FSR are supported, as there is no significant change from the previously approved form of development. This amendment will allow a building that achieves Vancouver Coastal Health licensing to proceed without delay and a development permit for the facility to be issued. It is recognized that the expansion of and upgrades to the Point Grey Private Hospital will provide a valuable service to residents in Vancouver in need of long-term care.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to public hearing together with draft CD-1 amendments as generally shown in Appendix A and that these be approved, subject to the public hearing.

* * * * *

2423 Cornwall Avenue (formerly 2405-2445 Cornwall Avenue)
DRAFT AMENDMENTS TO CD-1 (657) BY-LAW NO. 11741

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

1. Council amends section 3.2 under Floor Area and Density by substituting "2.08" with "2.40".

2423 Cornwall Avenue (formerly 2405-2445 Cornwall Avenue)
DRAFT 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.

CONDITIONS OF BY-LAW ENACTMENT

- (a) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and at the sole cost and expense of the owner/developer, make arrangements for the following:

Community Amenity Contribution

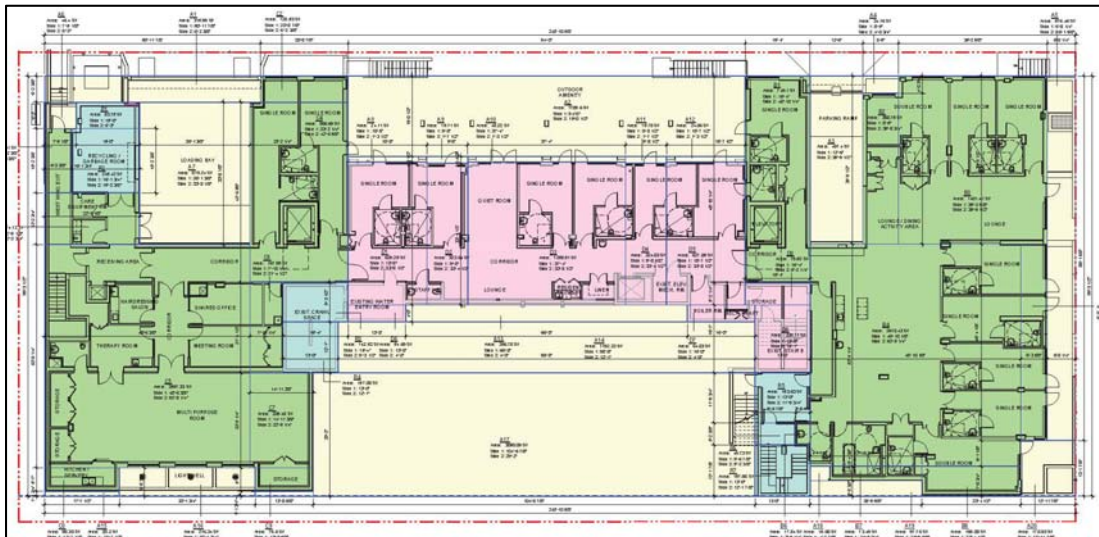
1. Pay to the City the Community Amenity Contribution of \$28,500 which the applicant has offered to the City. Payment is to be made prior to enactment of the amendment to the CD-1 By- Law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$28,500 is to be allocated towards local pedestrian improvements.

2423 Cornwall Avenue (formerly 2405-2445 Cornwall Avenue)
FORM OF DEVELOPMENT

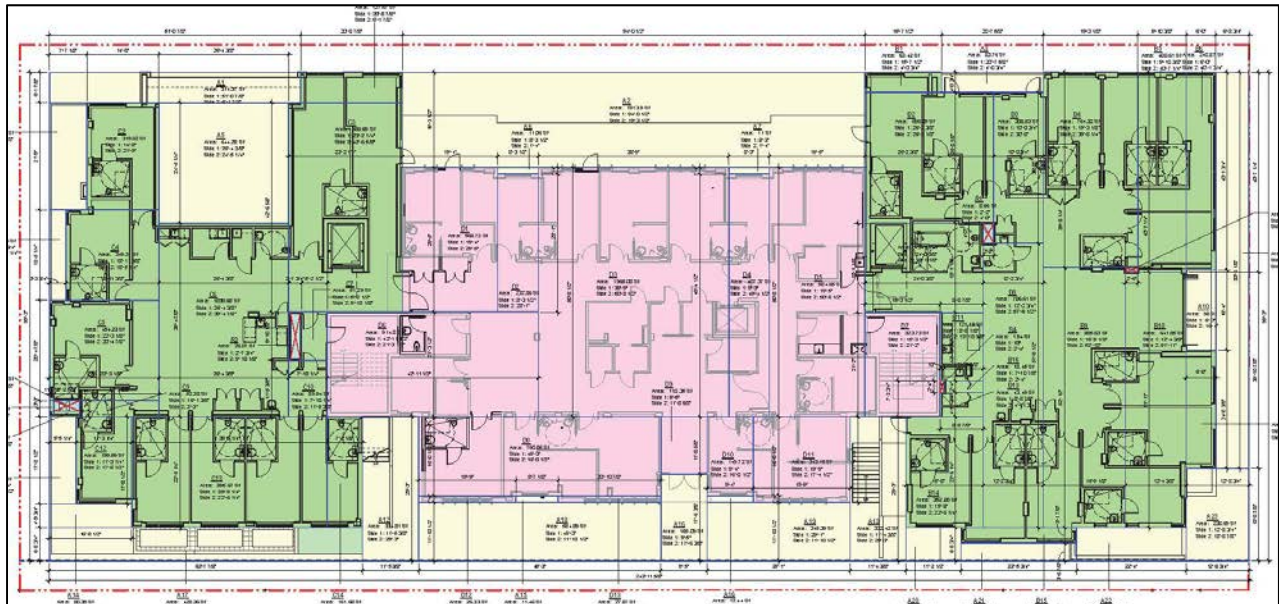
Sub- Basement



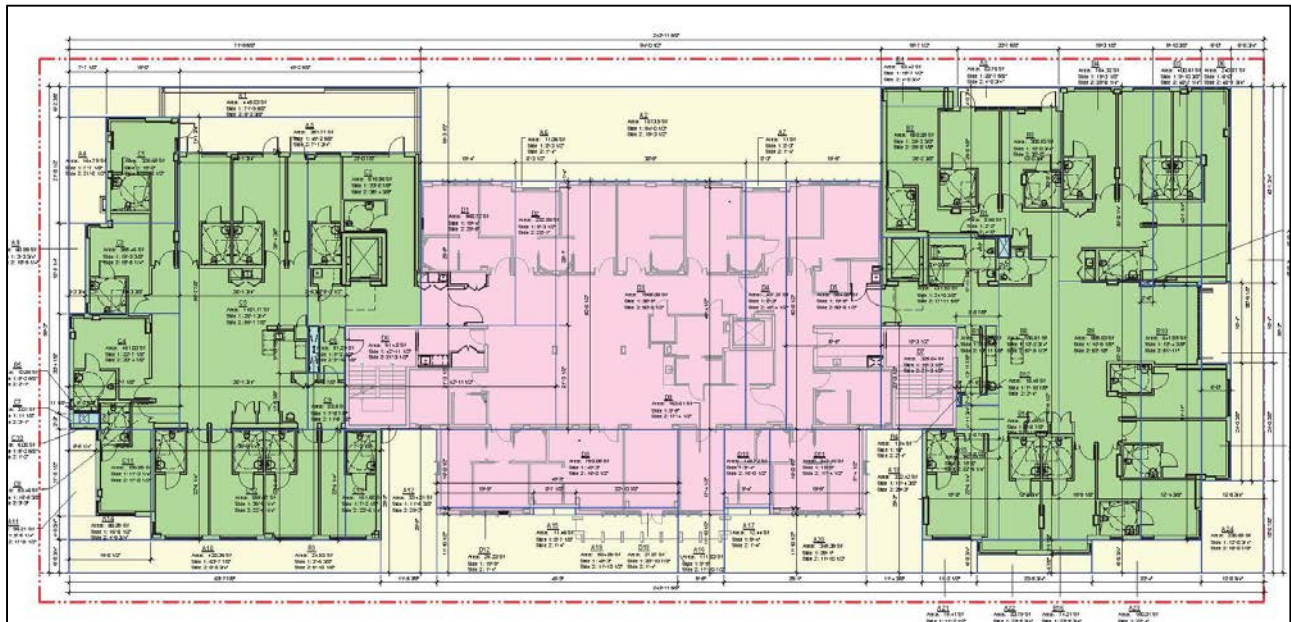
Basement



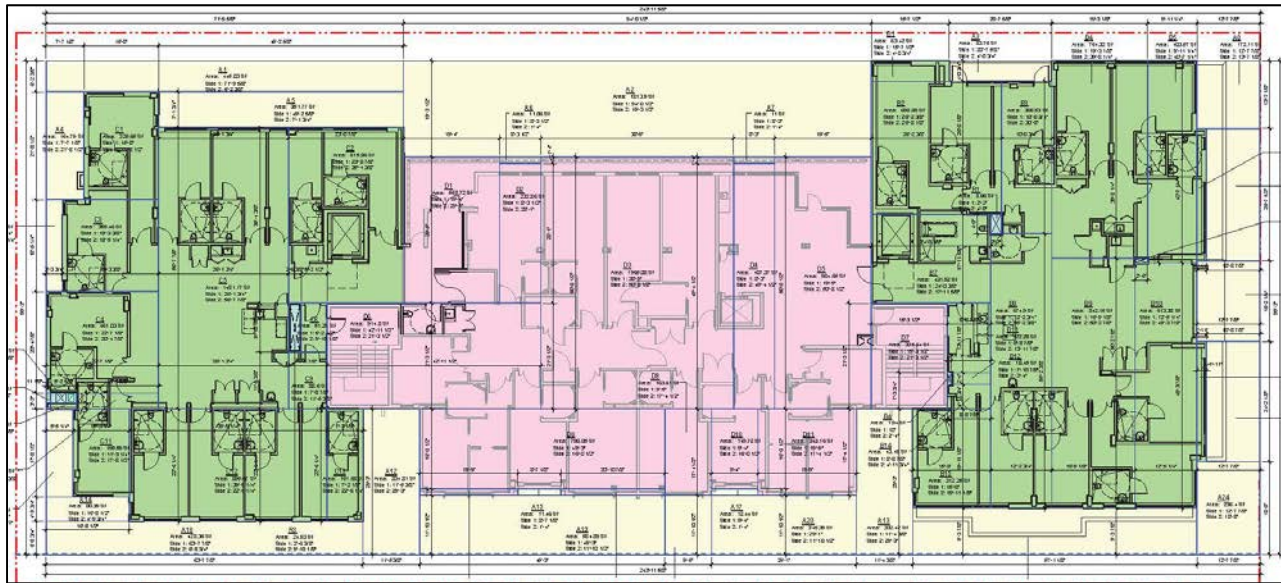
Main Floor



Second Floor



Third Floor



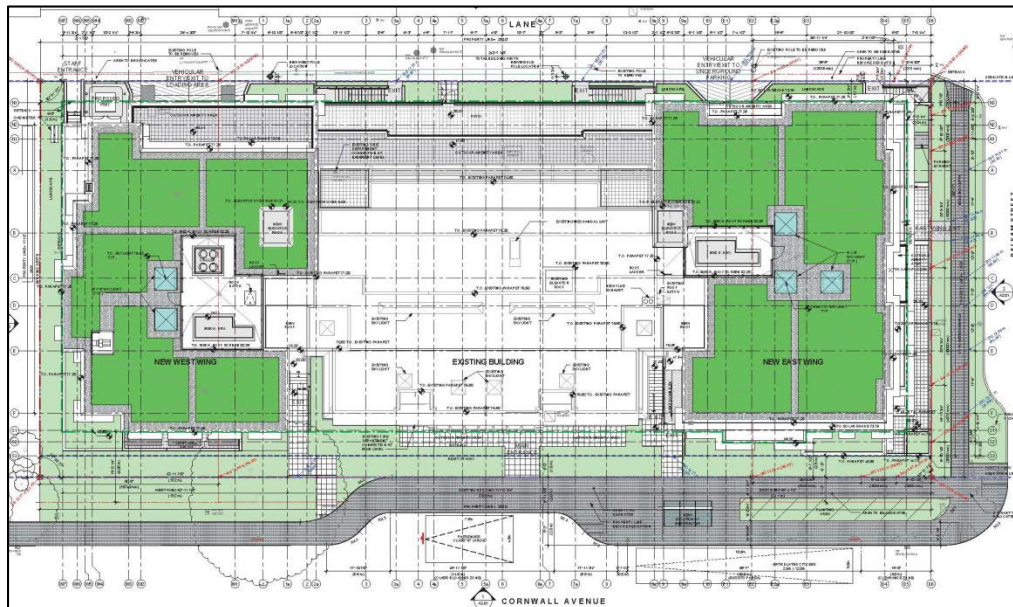
Perspective Looking From Balsam Street



Cornwall Avenue and Balsam Street Elevations



Site Plan



2423 Cornwall Avenue (formerly 2405-2445 Cornwall Avenue)
PUBLIC BENEFITS SUMMARY

Project Summary:

Text Amendment to increase the floor area of 3-storey Community Care Facility Class "B" building.

Public Benefit Summary:

The project would result in a CAC contribution to local pedestrian improvements and a DCL payment.

	Current Zoning	Proposed Zoning
Zoning District	CD-1	CD-1
FSR (site area =29,689 sq. ft.)	2.08 FSR	2.40 FSR
Buildable Floor Space (sq. ft.)	61,753 sq. ft.	71,253 sq. ft.
Land Use	Institutional Uses limited to Community Care Facility Class 'B'	Institutional Uses limited to Community Care Facility Class 'B'

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Require ^d *	DCL (City-wide) (\$5.55/sq. ft. (Institutions)) Public Art (effective September 30, 2016: \$1.98/sf) 20% Social Housing	N/A	52,725
Offered (Community Amenity Contributions)	Cultural Facilities Green Transportation/Public Realm Heritage (transfer of density receiver site) Affordable Housing Parks and Public Spaces Childcare Facilities/Social/Community Facilities Unallocated Other		\$28, 500
TOTAL VALUE OF PUBLIC BENEFITS		N/A	\$81,225

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-Wide DCL, revenues are allocated into the following public benefit categories: Engineering (22%); Replacement Housing (32%); Parks (41%); and Childcare (5%).

2423 Cornwall Avenue (formerly 2405-2445 Cornwall Avenue)
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	2423 Cornwall Avenue
Legal Description	PID: 030-053-692; Lot 1, Block 181, District Lot 526 Group 1 New Westminster District Plan EPP59011
Applicant/Architect	IBI Architects Inc.
Property Owner/Developer	Point Grey Private Hospital Ltd., Inc. No. BC1090713

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT
Zoning	CD-1 (657)	CD-1 (657)
FSR	2.08	2.40
Max. Height	12.9 m	No Change