



REFERRAL REPORT

Report Date: November 26, 2019
Contact: Karen Hoese
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VanRIMS No.: 08-2000-20
Meeting Date: December 10, 2019

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Text Amendment: 505 Smithe Street

RECOMMENDATION

- A. THAT the application by Sina Pharmacy and Health Centre, on behalf of Solterra Symphony Place Corp., to amend the text of CD-1 (Comprehensive Development) District (442) By-law No. 9173 for 505 Smithe Street (525 Smithe Street), [*PID 028-240-928, Air Space Parcel 1, Block 64, District Lot 541, Group 1, New Westminster District Air Space Plan BCP44927*] to increase the maximum permitted floor area by 50.2 sq. m to allow for the addition of mezzanines in a ground-floor retail unit, be referred to Public Hearing, together with:
- (i) plans prepared by Sina Pharmacy and Health Centre, received on August 2, 2019;
 - (ii) draft CD-1 By-law amendments, generally as presented in Appendix A; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval 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 CD-1 (442) By-law for 505 Smithe Street. This CD-1 was approved in 2005 for two towers at 898 Seymour Street and 887-897 Richards Street containing residential strata with retail at grade. The CD-1 (442) permits a maximum floor area of 36,230 sq. m (389,976.5 sq. ft.). This text amendment proposes an increase to the maximum floor area by 50.2 sq. m (540 sq. ft.) to allow the addition of a mezzanine within the retail unit currently occupied by a pharmacy. There are no changes proposed to the exterior form of development of the existing buildings. Staff recommend that the 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 (442) By-law No. 9173, (enacted November 1, 2005, amended up to and including By-law No. 9311, dated June 13, 2006)
- Rezoning Policy for the Central Business District and CBD Shoulder (2009)
- Metro Core Jobs and Economy Land Use Plan (2007)
- Community Amenity Contributions – Through Rezonings (2019)

REPORT

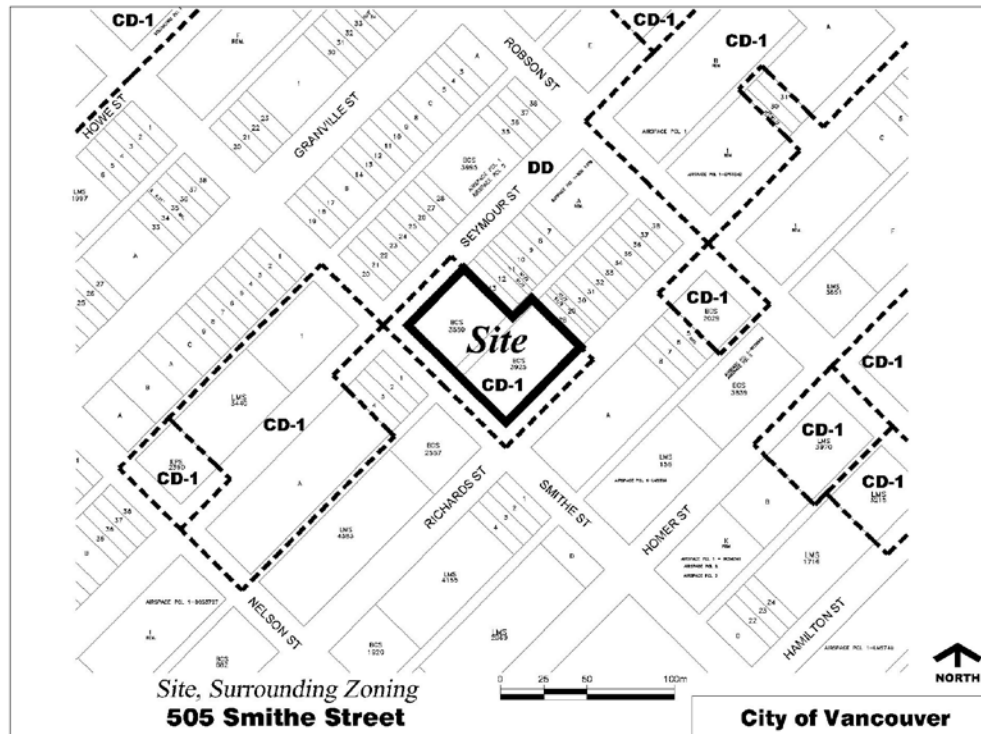
Background/Context

The CD-1 (442) site is currently developed with two residential mixed-use towers bisected by a lane (see Figure 1). Since 2014, Sina Pharmacy and Health Centre has leased the 1,471 sq. ft. retail space addressed as 505 Smithe Street from Solterra Symphony Place Corporation.

Sina Pharmacy and Health Centre is contained in the air space parcel at the ground floor of the 34-storey easterly tower at Smithe and Richards Streets. The building contains a mix of strata residential in the tower, five live-work townhouses, offices on the third and fourth floors, four levels of above-grade commercial parking and four levels of below-grade residential parking.

The properties that make up CD-1 (442) are located within the shoulder area of Vancouver's Central Business District. The CD-1 By-law was approved in 2005 under the *Downtown District Interim Policies for Residential Use in DD areas 'C' and 'F'*. The policy to support the rezoning was superseded in 2009 by the adoption of the *Rezoning Policy for the Central Business District and CBD Shoulder*.

Figure 1 – Site and surrounding area

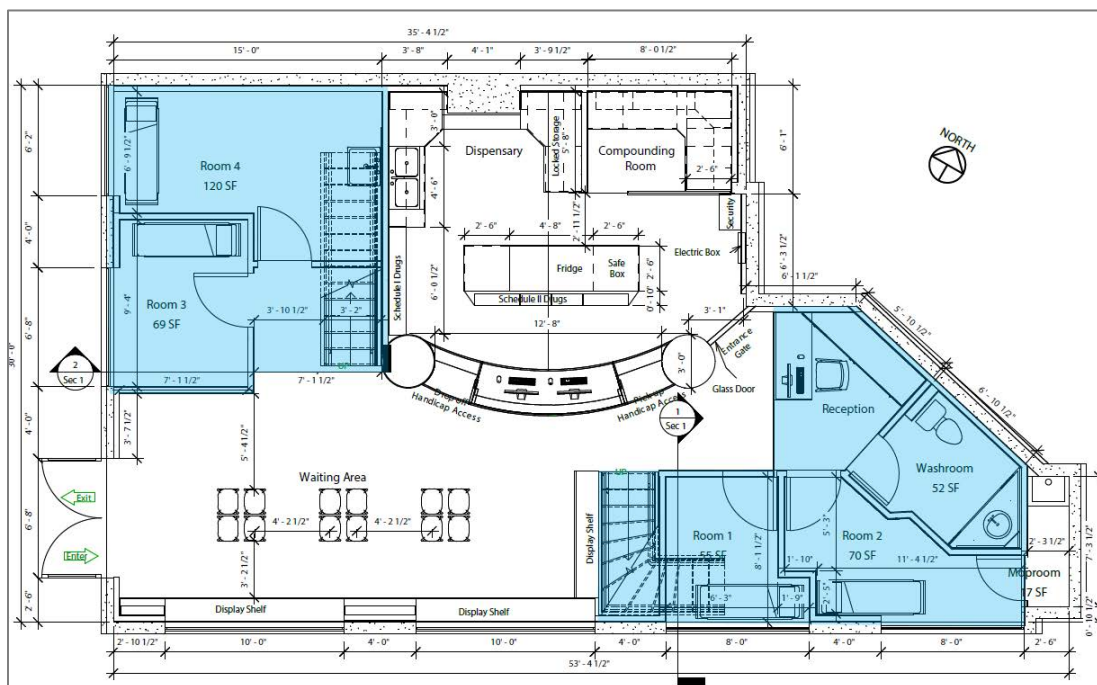


Strategic Analysis

1. Proposal

This rezoning application proposes to amend the CD-1 (442) By-law to increase the maximum allowable floor area by 50.2 sq. m, from 36,230 sq. m to 36,280.2 sq. m for the purposes of undertaking an addition to the existing retail unit at 505 Smithe Street. The proposal is to add two mezzanines with a total floor area of 50.2 sq. m (540 sq. ft.), as shown highlighted in blue in Figure 2. The added floor area will enable the existing health clinic to expand its consultation rooms. Additional medical staff will be hired thereby enhancing the clinic's delivery of health care and treatment services. All changes to the form of development are contained within the interior of Sina Pharmacy and Health Centre.

Staff support the proposal because it would increase job space and employment in the shoulder area of the Central Business District, which aligns with the *Metro Core Jobs and Economy Land Use Plan*.

Figure 2 – Plan showing proposed mezzanines (in blue) and ground-floor spaces below

2. Transportation and Parking

Parking and loading for the increase in floor area are to be in accordance with the Parking By-law. The majority of the site's existing parking spaces are for short-term and transient use, and includes additional parking to support the entertainment and commercial uses along Granville Street and the Orpheum Theatre. As the development was constructed with an adequate supply of commercial parking, no additional parking needs to be provided for the proposed addition of commercial floor area.

Public Input

A rezoning information site sign was installed on the property on August 25, 2019. Application information, as well as an online comment form was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezoning). Staff received no public comments.

PUBLIC BENEFITS

Development Cost Levies (DCL) – Development Cost Levies (DCLs) collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and engineering infrastructure. This site is subject to the City-wide DCL and the City-wide Utilities DCL, which as of September 30, 2019 have a combined total DCL rate of \$222.17 per sq. m (\$20.64 per sq. ft.) for commercial use. Based on the proposed net increase in floor area of 50.2 sq. m (540 sq. ft.) a DCL of approximately \$11,153 is anticipated.

DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. An application may qualify for 12 months of in-stream rate protection from DCL rate increases, provided that an application has been received prior to the rate adjustment. 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 9,290.0 sq. m (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. A public art contribution of \$370,342 was made at the time of the rezoning application in 2005 and a budget towards public art was delivered on site. Since the proposed increase in floor area is below the threshold of 9,290.0 sq. m (100,000 sq. ft.), no contribution to public art 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 commercial rezonings in Downtown Vancouver, the Downtown Commercial Linkage Target is applied at \$169.85 per sq. m (\$15.78 per sq. ft.) to the new floor area being added of 50.2 sq. m (540 sq. ft.), which equates to a Community Amenity Contribution of \$8,526. Staff recommend that the offering be accepted and that it be allocated to childcare and affordable housing in the Metro Core area.

FINANCIAL IMPLICATIONS

The site is subject to both the City-wide DCL and City-wide Utilities DCL. Based on rates in effect as of September 30, 2019, it is anticipated that the project will generate approximately \$11,153 in DCLs from the additional commercial floor area.

No additional public art contribution is applicable.

As a commercial linkage contribution, the applicant has offered a cash contribution of \$8,526 to be allocated towards childcare facilities and/or affordable housing in and around the Metro Core area.

CONCLUSION

Assessment of this text amendment application has concluded that the proposed increase in floor area of 50.2 sq. m (540 sq. ft.) is supported as it allows for an increase to job space within the Central Business District. The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to public hearing, together with the draft by-law provisions generally as set out in Appendix A, and that it be approved, subject to the public hearing.

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505 Smithe Street
PROPOSED BY-LAW PROVISIONS
to amend CD-1 (442) By-law No. 9173

Note: A By-law to amend CD-1 (442) By-law No. 9173 will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of By-law 9173.
2. In section 5.2, Council strikes out “36 230 m²” and substitutes “36 280.2 m²”.

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505 Smithe Street
CONDITIONS OF APPROVAL

Note: If the application is referred to a public hearing, these Conditions of Approval will be referenced in the Summary and Recommendations included in the hearing agenda package. Any changes to the conditions by staff prior to the hearing will be noted in the Summary and Recommendations. Any further changes to the conditions approved by Council will be contained in its decision. Please consult the hearing minutes.

CONDITIONS OF BY-LAW ENACTMENT

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 to the General Manager of Planning, Urban Design and Sustainability, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Commercial Linkage Contribution

Pay to the City a contribution of \$8,526 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City, and in a form and on terms and conditions satisfactory to the Director of Legal Services.

The \$8,526 is to be allocated toward childcare facilities and/or affordable housing in and around the Metro Core area.

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**505 Smithe Street
PUBLIC BENEFITS SUMMARY**

Project Summary:

Text amendment to increase the maximum floor area by 50.2 sq. m (540 sq. ft.).

Public Benefit Summary:

The project would add additional employment space in the Downtown CBD and would generate a DCL payment and CAC offering towards affordable housing, childcare, transportation, parks and utilities.

	Current Zoning	Proposed Zoning
Zoning District	CD-1 (442)	CD-1 (442)
FSR (site area = 42,000 sq. ft.)	9.29	9.30
Buildable Floor Space (sq. ft.)	389,976.5 sq. ft.	390,516.5 sq. ft.
Land Use	retail-service	No change

Public Benefit Statistics	Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
City-wide DCL ^{1,2}	\$0	\$8,289
City-wide Utilities DCL ¹	\$0	\$2,864
Downtown Commercial Linkage Target		\$8,526
TOTAL VALUE OF PUBLIC BENEFITS	\$0	\$19,679

¹ Based on rates in effect as at September 30, 2019; rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of in-stream rate protection; see the City's DCL Bulletin for details.

² City-Wide DCL revenues are allocated as follows: Replacement Housing (36%); Transportation (25%); Parks (18%); Childcare (13%); and Utilities (8%).

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505 Smithe Street
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	505/525 Smithe Street – Retail Air Space Parcel
Legal Description	PID 028-240-928, Air Space Parcel 1, Block 64, District Lot 541, Group 1, New Westminster District, Air Space Plan BCP44927
Applicant/Architect	Sina Pharmacy and Health Centre
Property Owner	Solterra Symphony Place Corp.

DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	CD-1 (442)	Amended CD-1 (442)
Site Area	42,000 sq. ft.	42,000 sq. ft.
Uses	Cultural and Recreational Uses Dwelling Uses General Office Live-Work Institutional Uses Parking Uses Retail Uses Service Uses Accessory use customary ancillary of any of the uses permitted by this section 3.2.	No change
Floor Space Ratio	9.29	9.30
Floor Area	36,230 sq. m (389,976.5 sq. ft.)	36,280.2 sq. m (390,516.5 sq. ft.)
Parking, Loading and Bicycle Spaces	As per Parking By-Law	No change

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