



## REFERRAL REPORT

Report Date: July 11, 2023  
Contact: Yardley McNeill  
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RTS No.: 15856  
VanRIMS No.: 08-2000-20  
Meeting Date: July 25, 2023

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: CD-1 (818) Text Amendment: 120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard (Formerly 720 Beatty Street and 701 Expo Boulevard)

### **RECOMMENDATION TO REFER**

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law(s), in accordance with the recommendations set out below, for consideration at the Public Hearing.

### **RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application by Creative Energy Vancouver Platforms Inc., the registered owner of the lands located at 120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard [*Lot 1 False Creek and Block 49 District Lot 541 Group 1 New Westminster District Plan EPP106901; PID 031-712-983*] to amend the text of CD-1 (Comprehensive Development) District (818) By-law No. 13399, to include Transportation and Storage uses, limited to Bulk Data Storage, and increase the permitted floor area to 59,233 sq. m for sub-area A and 3,961 sq. m for sub-area B, be approved in principle;

FURTHER THAT the draft by-law to amend CD-1(818) By-law No. 13399, prepared for the Public Hearing in accordance with Appendix A, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by HCMS Architecture + Design, received March

14, 2023, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B.

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, and 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 evaluates an application to amend CD-1 (Comprehensive Development) District (818) for 120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard (formerly 720 Beatty Street and 701 Expo Boulevard). The application would allow for the data storage use to be accommodated throughout the building. The additional floor area is to accommodate an expansion to the Community Energy Facility.

Staff have assessed the application and conclude that it meets the intent of the *Rezoning Policy for the Central Business District (CBD) and CBD Shoulder, Northeast False Creek Plan* and the *Metro Core Jobs and Economy Land Use Plan*. 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 in principle, subject to the Public Hearing, and conditions contained in Appendix B.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- Vancouver Plan (2022)
- CD-1 (Comprehensive Development) District (818) By-law No. 13399 (enacted June 21, 2022, amended October 25, 2022)
- Rezoning Policy for the Central Business District (CBD) and CBD Shoulder (2009)
- Northeast False Creek Plan (2018)
- Metro Core Jobs and Economy Land Use Plan (2007)
- Employment Lands and Economy Review: Phase 2 (2020)
- Downtown Official Development Plan (1975, last amended 2022)
- Community Amenity Contributions Policy for Rezoning (1999, last amended 2023)
- Vancouver Development Cost Levy By-law No. 9755

- Vancouver Utilities Development Cost Levy By-law No. 12183

## REPORT

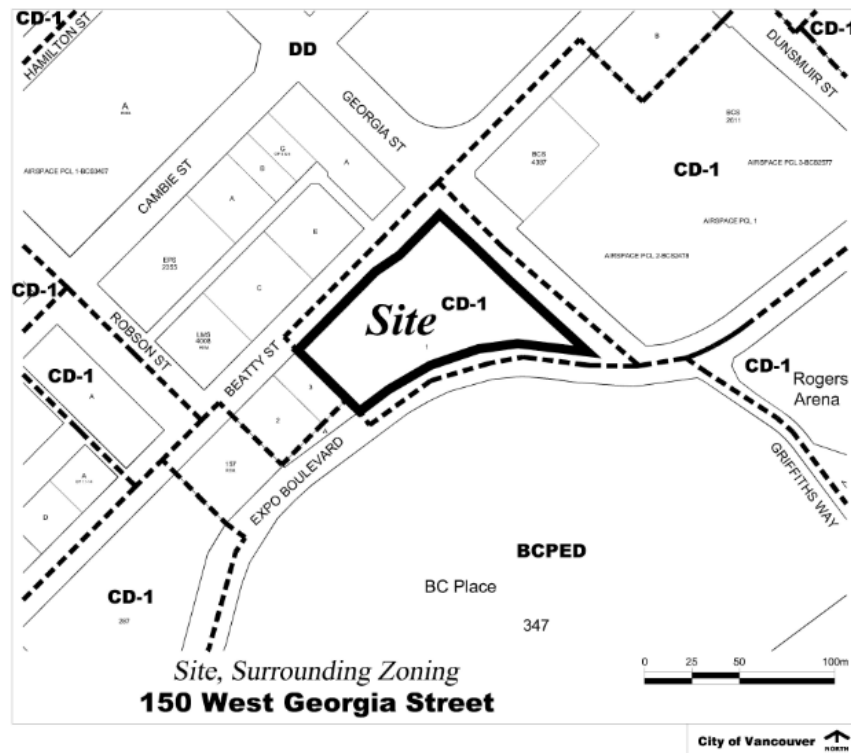
### Background/Context

#### 1. Site and Context

The subject site is located on the southeast corner of the intersection of West Georgia and Beatty Streets (see Figure 1). The site is currently under construction and occupied by a two-storey commercial and industrial building, constructed in 1950, in addition to a steam plant installed in the 1960s that provides heating to downtown buildings. When installed, the steam plant was the city's first private district energy heating company. The plant includes a centralized boiler that distributes steam energy to over 210 buildings in the downtown core. Now owned by Creative Energy Vancouver Platforms Inc., a private utility company, the steam plant currently has an underground pipe network that extends over 14 km.

The site area is 6,872 sq. m (73,970 sq. ft.), with a frontage on Beatty Street, West Georgia Street and Expo Boulevard. There is an 11 m (36 ft.) drop in grade from the top of the escarpment along Beatty Street down to Expo Boulevard.

Figure 1: Location Map – Site and Context



The site is located at the east end of downtown, just west of the Georgia Viaduct eastbound ramp. This location contains a mix of office, hotel and residential buildings, adjacent to the entertainment district, and anchored by the two stadiums.

## 2. Policy Context

**Vancouver Plan** – The *Vancouver Plan* was approved by Council on July 22, 2022 and is a land use strategy to guide long-term growth of the City over the next 30 years. The approved *Vancouver Plan* will serve as a framework with further implementation planning work to follow over the next two to four years.

**CD-1 (818) By-law No. 13399** – Enacted on June 21, 2022 and amended on October 25, 2022, this by-law allows for a 17-storey commercial building and includes provision allowing for the Community Energy Centre use. The amendment corrected an oversight in the calculation of the building height and was compliant with the *Rezoning Policy for the Central Business District (CBD) and CBD Shoulder, Northeast False Creek, Downtown Official Development Plan* and *Metro Core Jobs and Economy Land Use Plan*.

**Rezoning Policy for the Central Business District (CBD) and CBD Shoulder (the ‘CBD Rezoning Policy’)** – Based on directions set out in the *Metro Core Plan*, the *CBD Rezoning Policy* was approved to consider additional height and density for non-residential uses in the downtown area. The policy permits intensification of land uses to meet the demand for job space and improve the economic climate, while limiting new residential uses. The application is located in the CBD Shoulder Area (C3) of the *CBD Rezoning Policy*, this area allows for consideration of both residential and non-residential uses.

**Downtown Official Development Plan (the ‘DODP’)** – The *DODP* is the foundational development policy in the downtown core. The *CBD Rezoning Policy* allows for consideration of additional height and density for qualifying applications, building massing, pedestrian realm interface, public open space, solar access, and other urban development considerations are governed by the *DODP*.

**Metro Core Jobs and Economy Land Use Plan (the ‘Metro Core Plan’)** – The *Metro Core Plan* identified a shortfall of job space and put forth zoning amendments and policy changes to meet 30-year economic growth needs. The subject site is located in the CBD of the *Metro Core Plan* which sets out policy directions to increase opportunities for new hotels, office, restaurants, retail, cultural venues and other business support services.

### **Strategic Analysis**

#### **1. Proposal**

The application proposes to amend CD-1 (818) to add bulk data storage use as a permitted use and increase the permitted floor area from 58,793 sq. m (632,843 sq. ft.) to 59,233 sq. m (637,579 sq. ft.) for sub-area A and from 2,809 sq. m (30,236 sq. ft.) to 3,961 sq. m (42,636 sq. ft.) for sub-area B. No change to the approved form of the development is proposed in order to facilitate the amendment.

The additional floor area is proposed to be located below base surface, as defined in CD-1(818) By-law, in order to accommodate expansion of the Community Energy Centre use. The expansion is consistent with the intent of the existing CD-1 by-law.

## 2. Land Use

The proposed bulk data storage use is defined in the Zoning and Development By-law as “the use of a wholly enclosed building for the storage of information on operating data servers.” This use is typically located in industrial areas, however there are synergies between the energy produced from the equipment associated with a Bulk Data Storage use (i.e. computer servers) and the Community Energy Centre use, which makes this location appropriate for the proposed use.

The *CBD Rezoning Policy* allows for consideration of non-residential uses in the downtown core. The proposed uses meet the intent of the *CBD Rezoning Policy*.

## 3. Form of Development, Height and Density (refer to statistics in Appendix F)

**Form of Development and Height** – The proposed additional floor area is proposed to be entirely below base surface. There are no changes to the form of development and height anticipated in the 2022 rezoning and subsequent amendment.

**Density** – The enacted CD-1 (818) By-law contains two sub-areas regulating the height and densities across the site. The amendment would allow for 59,233 sq. m (637,579 sq. ft.) in sub-area A and 3,961 sq. m (42,636 sq. ft.) in sub-area B in order to facilitate the expansion of the Community Energy Centre use.

## 4. Parking and Transportation

The site is well served by transit and is located in the downtown within walking distance to shopping, entertainment and other amenities. The Stadium-Chinatown’ SkyTrain Station is located one block away with many frequent transit bus services within 400 m of the site.

Vehicle and bicycle parking is provided below base surface. 137 vehicle parking spaces, 353 bicycle spaces and 21 commercial loading spaces are proposed.

## 5. Public Input

**Public Notification** – A rezoning information sign was installed on the site on May 24, 2023. Approximately 3,638 notification postcards were distributed within the neighbouring area on or about May 15, 2023. Notification and application information, and an online comment form, was provided on the City’s Shape Your City Vancouver ([shapeyourcity.ca/](https://shapeyourcity.ca/)) platform. 344 people signed onto the webpage to view the proposal.

A virtual approach allowed people to access materials online and engage at different levels at a time and location of their choosing. Members of the public could submit comments.

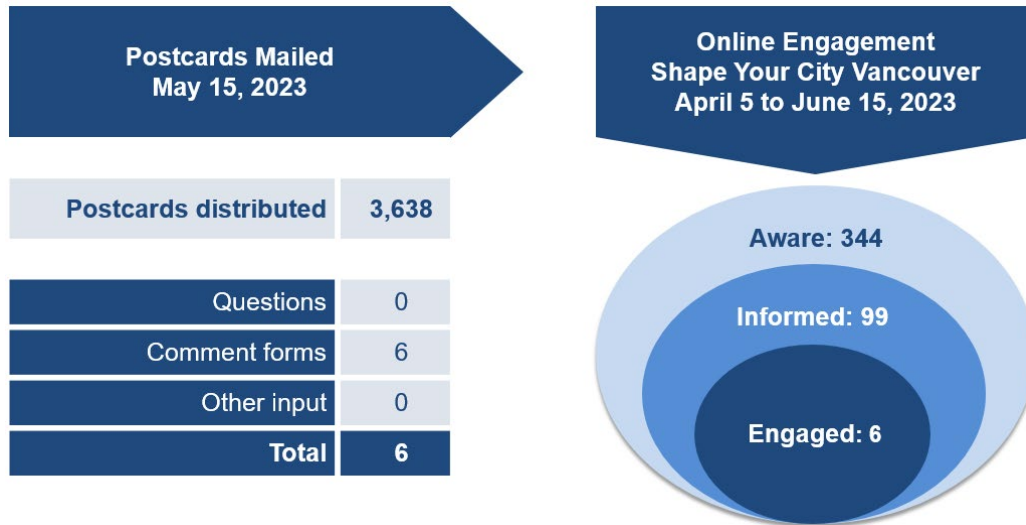
**Public Response and Comments** – Public input on the application was via comment forms, email and phone. A total of six submissions were received.

Below is a summary of feedback received from the public by topic.

Generally, comments of support fell within the following areas:

- **Environment:** The proposed development would help reduce greenhouse gas emissions.
- **Public Amenity:** The proposed development would provide a net benefit to the community.

**Figure 2: Overview of Notification and Engagement**



## 6. Public Benefits

**Community Amenity Contributions** – The application is subject to a CAC Target applicable to the Downtown area. The applicant has offered a cash CAC of \$295,425 based on the 1,592.0 sq. m (17,136 sq. ft.) increase in allowable floor area and the target rate applicable to this application.

The cash CAC from this application will be allocated towards childcare and/or affordable housing in and around the Metro Core. Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

**Development Cost Levies** – The sub-area A portion of the site is subject to the City-wide DCL and Utilities DCL. Sub-area B portion of the site is in the area of the FCN ODP, which is excluded from the DCL by-laws as all public benefits in this area are secured through the CD-1 rezoning process. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. The additional floor area in this application may qualify for the nominal rate under both DCL Bylaws (\$10 per building permit) as Community Energy Centre use.

**Public Art** – The additional public art budget associated with the 1,592.0 sq. m (17,136 sq. ft.) increase in allowable floor area is \$33,929. The final contribution will be calculated based on rates in effect and the floor area at the development permit stage. Applicants may elect to provide on-site artwork or cash-in-lieu (80% of the amount).

A summary of the public benefits for this application is provided in Appendix E.

## **FINANCIAL IMPLICATIONS**

As noted in the Public Benefits section, this project is expected to provide a cash CAC, DCLs and a Public Art contribution. See Appendix E for additional details.

## **CONCLUSION**

Staff have reviewed the application and concluded that proposed addition of bulk data storage, as a permitted use, the increased floor area will support businesses in the downtown area, and is consistent with the intent of the *Rezoning Policy for the Central Business District (CBD) and CBD Shoulder, Northeast False Creek Plan* and the *Metro Core Jobs and Economy Land Use Plan*.

The General Manager of Planning, Urban Design and Sustainability recommends that the application be referred to Public Hearing together with a draft CD-1 By-law as generally shown in Appendix A and with a recommendation that these be approved, subject to the Public Hearing, along with the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included as Appendix D.

\* \* \* \* \*

**120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard  
(formerly 720 Beatty Street and 701 Expo Boulevard)  
PROPOSED BY-LAW PROVISIONS TO AMEND CD-1 (818) BY-LAW NO. 13399**

Note: A By-law to amend CD-1 (818) No. 13399 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 No. 13399.
2. In section 5, Council:
  - (a) In subsection (g), strikes out “and”;
  - (b) renumbers subsection (h) as subsection (i); and
  - (c) adds a new subsection (h) as follows:

“(h) Transportation and Storage Uses, limited to Bulk Data Storage; and”.
3. In section 6.1, Council strikes out “58,793 m<sup>2</sup>” and substitutes “59,233 m<sup>2</sup>”
4. In section 6.2, Council strikes out “2,809 m<sup>2</sup>” and substitutes “3,961 m<sup>2</sup>”

\* \* \* \* \*



**120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard  
(formerly 720 Beatty Street and 701 Expo Boulevard)  
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 approved by Council will be contained in its decision. Applicants are advised to consult the hearing minutes for any changes or additions to these conditions.*

**PART 1: 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, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Arts, Culture and Community Services, as necessary, 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 cash Community Amenity Contribution of \$295,425 to be allocated towards childcare facilities and/or affordable housing in and around the Metro Core area, 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 on terms and conditions satisfactory to the Director of Legal Services.

**Public Art**

2. Execute a new Public Art Agreement (or an amendment to the existing Public Art Agreement CA9997572-80) satisfactory to the Director of Legal Services and the Director of Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to cover all requirements for the additional floor area and to provide for security in the form and amount satisfactory to the aforesaid official; and provide the Public Art Checklist with development details to the satisfaction of the Head of Public Art.

Note to Applicant: Please contact public art staff at [publicart@vancouver.ca](mailto:publicart@vancouver.ca) to discuss your application.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having

responsibility for each particular agreement, who may consult with other City officials and City Council.

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120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard  
(formerly 720 Beatty Street and 701 Expo Boulevard)  
TRACKED CHANGES VERSION OF DRAFT BY-LAW NO. 13399

THIS DOCUMENT IS BEING PROVIDED FOR INFORMATION ONLY AS A REFERENCE TOOL TO HIGHLIGHT THE AMENDMENT IN APPENDIX A BEING PROPOSED TO COUNCIL FOR APPROVAL. SHOULD THERE BE ANY DISCREPANCY BETWEEN THIS TRACKED CHANGES VERSION AND THE DRAFT AMENDING BY-LAW, THE DRAFT AMENDING BY-LAW PREVAILS.

5. Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 ( ) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Cultural and Recreational Uses;
  - (b) Community Energy Centre;
  - (c) Institutional Uses;
  - (d) Office Uses;
  - (e) Retail Uses;
  - (f) Service Uses;
  - (g) Urban Farm – Class B;
  - (h) Transportation and Storage Uses, limited to Bulk Data Storage; and
  - (i) Accessory Uses customarily ancillary to the above uses.
- 6.1 The maximum permitted floor area in sub-area A is ~~58,793m<sup>2</sup>~~ 59,233 m<sup>2</sup>
- 6.2 The maximum permitted floor area in sub-area B is ~~2,809 m<sup>2</sup>~~ 3,961 m<sup>2</sup>

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120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard  
(formerly 720 Beatty Street and 701 Expo Boulevard)  
PUBLIC CONSULTATION SUMMARY

1. List of Engagement Events, Notification, and Responses

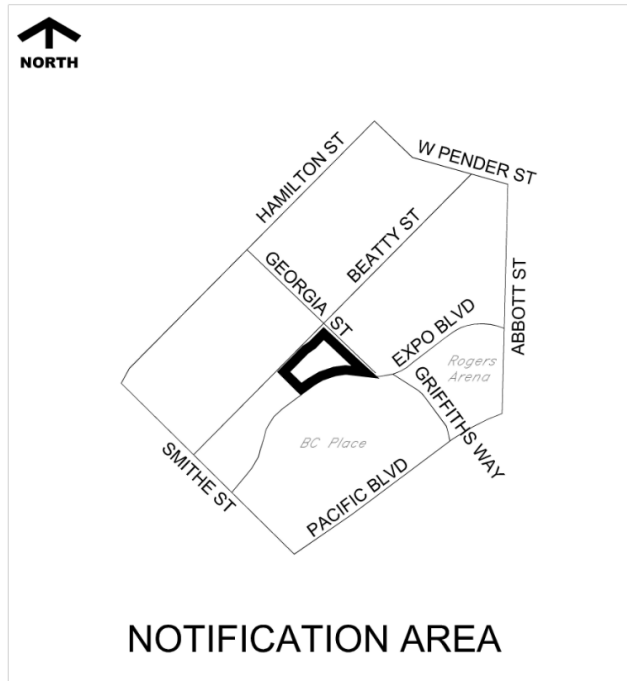
	Date	Results
<b>Public Notification</b>		
Postcard distribution – Notice of revised rezoning application	May 15, 2023	3,638 notices mailed
<b>Public Responses</b>		
Online comment forms <ul style="list-style-type: none"> <li>Shape Your City platform</li> </ul>	April, 2023 – June, 2023	6 submittals
Overall position <ul style="list-style-type: none"> <li>support</li> <li>opposed</li> <li>mixed</li> </ul>	April, 2023 – June, 2023	6 submittals <ul style="list-style-type: none"> <li>5 responses</li> <li>0 responses</li> <li>1 responses</li> </ul>
Other input	April, 2023 – June, 2023	no submittals
<b>Online Engagement – Shape Your City Vancouver</b>		
Total participants during online engagement period	April, 2023 – June, 2023	344 participants (aware)* <ul style="list-style-type: none"> <li>99 informed</li> <li>6 engaged</li> </ul>

Note: All reported numbers above are approximate.

\* The Shape Your City platform allows staff to capture more nuanced levels of engagement associated with the rezoning application, categorized as:

- **Aware:** Number of unique visitors to the application webpage that viewed only the main page.
- **Informed:** Visitors who viewed documents or the video/photo gallery associated with the application; *informed* participants are a subset of *aware* participants.
- **Engaged:** Visitors that submitted a comment form or asked a question; *engaged* participants are a subset of *informed* and *aware* participants.

## 2. Map of Notification Area



## 3. Analysis of All Comments Received

Below is a summary of feedback received from the public by topic.

Generally, comments of support fell within the following areas:

- **Environment:** The proposed development would help reduce greenhouse gas emissions.
- **Public Amenity:** The proposed development would provide a net benefit to the community.

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**120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard  
(formerly 720 Beatty Street and 701 Expo Boulevard)  
PUBLIC BENEFITS SUMMARY**

**Project Summary**

17-storey, commercial building containing 63,194 sq. m (680,215 sq. ft.) of commercial floor area. The amendment proposes an increase in 1,592 sq. m (17,136 sq. ft.) in floor area.

**Public Benefit Summary:**

This CD-1 text amendment would generate cash CAC to be allocated towards affordable housing and childcare in the metro core area. The additional floor area would also generate additional DCLs and a Public Art contribution.

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
Zoning District	CD-1 (818)	CD-1 (818)
Total Floor Area	61,602 sq. m (663,079 sq. ft.)	63,194 sq. m (680,215 sq. ft.)
Land Use	(a) Cultural and Recreational Uses; (b) Community Energy Centre; (c) Institutional Uses; (d) Office Uses; (e) Retail Uses; (f) Service Uses; (g) Urban Farm – Class B; and (h) Accessory Uses customarily ancillary to the above uses.	(a) Cultural and Recreational Uses; (b) Community Energy Centre; (c) Institutional Uses; (d) Office Uses; (e) Retail Uses; (f) Service Uses; (g) Urban Farm – Class B; (h) Transportation and Storage Uses, limited to Bulk Data Storage; and (i) Accessory Uses customarily ancillary to the above uses.

**Summary of Development Contributions Expected under Proposed Zoning**

City-wide DCL <sup>1</sup>	\$10
Utilities DCL <sup>1</sup>	\$10
Public Art <sup>2</sup>	\$33,929
Community Amenity Contribution – cash	\$295,425
<b>TOTAL</b>	<b>\$329,374</b>

<sup>1</sup> Based on by-laws in effect as of September 30, 2022. DCLs are payable at building permit issuance based on rates in effect at that time and the floor area proposed at the development permit stage. DCL by-laws are subject to future adjustment by Council including annual inflationary adjustments. A development may qualify for 12 months of in-stream rate protection. See the City's [DCL Bulletin](#) for details.

<sup>2</sup> Based on 2016 rates, subject to adjustments per the [Public Art Policy and Procedures for Rezoned Developments](#).

**120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard  
(formerly 720 Beatty Street and 701 Expo Boulevard)  
APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION**

**APPLICANT AND PROPERTY INFORMATION**

<b>Street Address</b>	120-150 West Georgia Street, 720-770 Beatty Street and 701 Expo Boulevard
<b>Property Identifier (PID) and Legal Description</b>	[Lot 1 False Creek and Block 49 District Lot 541 Group 1 New Westminster District Plan EPP106901; PID 031-712-983]
<b>Property Owner</b>	Creative Energy Vancouver Platforms Inc.
<b>Architect</b>	HCMS Architecture + Design

**SITE STATISTICS**

<b>Site Area</b>	6,872 sq. m (73,970 sq. ft.)
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**DEVELOPMENT STATISTICS**

	<b>Permitted Under Existing Zoning</b>	<b>Proposed</b>
Zoning	CD-1 (818)	CD-1 (818)
Land Use	(a) Cultural and Recreational Uses; (b) Community Energy Centre; (c) Institutional Uses; (d) Office Uses; (e) Retail Uses; (f) Service Uses; (g) Urban Farm – Class B; and (h) Accessory Uses customarily ancillary to the above uses.	(a) Cultural and Recreational Uses; (b) Community Energy Centre; (c) Institutional Uses; (d) Office Uses; (e) Retail Uses; (f) Service Uses; (g) Urban Farm – Class B; (h) Transportation and Storage Uses, limited to Bulk Data Storage; and (i) Accessory Uses customarily ancillary to the above uses.
Floor Area	Sub-area A: 58,793 sq. m Sub-area B: 2,809 sq. m	Sub-area A: 59,233 sq. m Sub-area B: 3,961 sq. m
Maximum Height	Sub-area A: 63.4 m Sub-area B: 28.7 m	No change
Parking and Bicycle Spaces	As per Parking By-law	Vehicle parking spaces: 137 Bicycle spaces: 353 Loading spaces: 21

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