



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060

planning@city.vancouver.bc.ca

CD-1 (278)

901 West Hastings Street

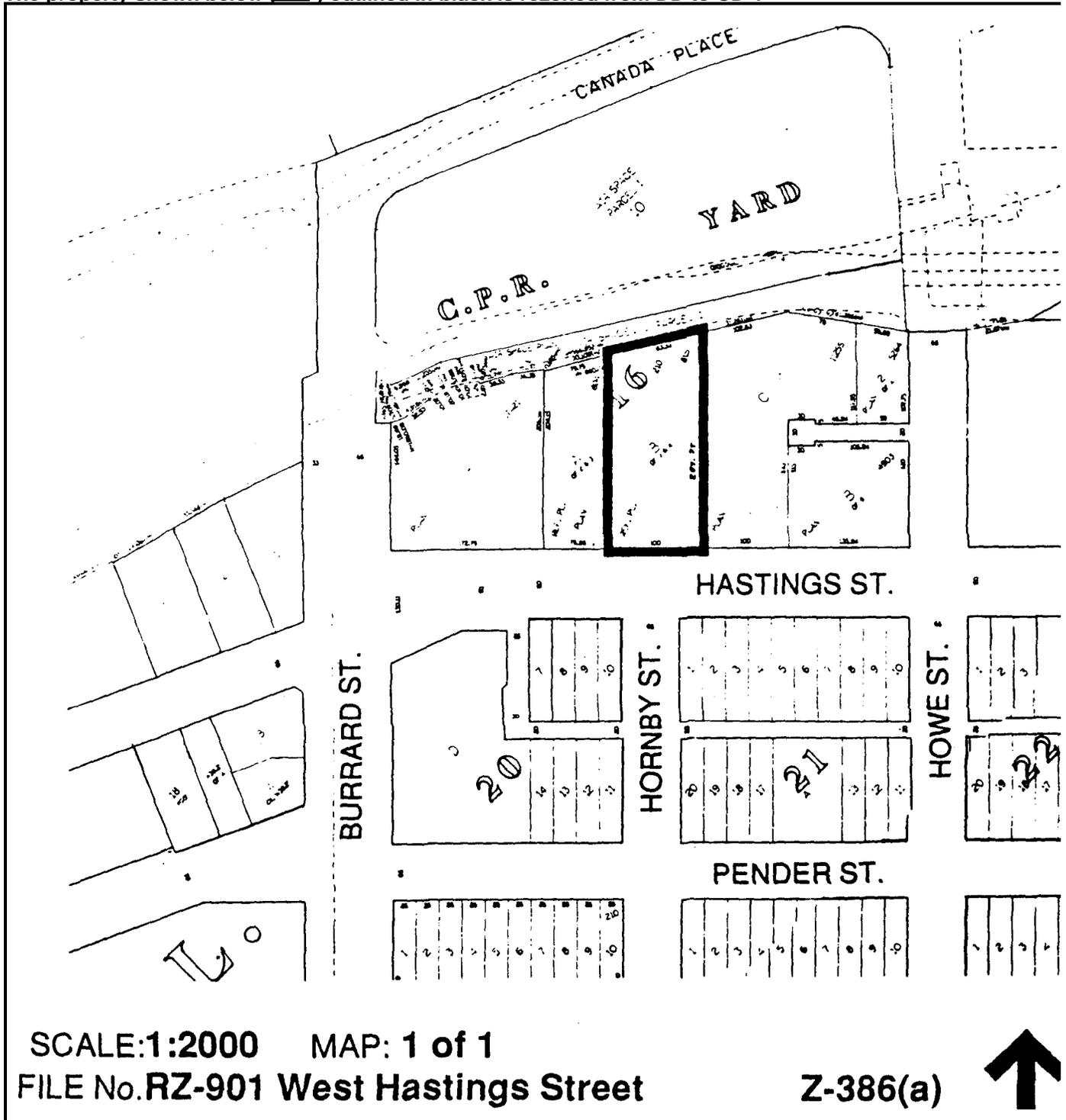
By-law No. 6885

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective September 24, 1991

- 1 *[Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*
- 2 The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, which area shall be more particularly described as CD-1(278), and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:
 - (a) public open space which may include through vehicular access;
 - (b) underground parking garage; and
 - (c) accessory uses customarily ancillary to the above uses.
- 3 **Off-Street Parking**
A minimum of 340 off-street parking spaces shall be provided in the underground parking garage for public parking purposes and shall be developed and maintained in accordance with the applicable provisions of the Parking By-law.
- 4 *[Section 4 is not reprinted here. It contains a standard clause including the Mayor and City Clerk’s signatures to pass the by-law and to certify the by-law number and date of enactment.]*

The property shown below () outlined in black is rezoned from DD to CD-1



CITY OF VANCOUVER
MEMORANDUM

Item 1
550 Burrard
901 W. Hastings

From: CITY CLERK

Date: December 20, 1990

To: City Manager
Director of Legal Services
Director of Planning
→ Associate Director, Zoning Division
City Engineer
Director of Social Planning

Refer File: P.H. #241

Subject: Public Hearing - December 13, 1990

RECEIVED	
PLANNING DEPARTMENT	
DEC 21 1990	
NUMBER	L 8390
REFERRED TO	FAS
CCPY TO	
ANSWER REQ'D	

I wish to advise you of the attached Minutes of the Special Council meeting (Public Hearing) of December 13, 1990, respecting various rezonings.

Please note any matters contained therein for your attention.

D. Back
DEPUTY CITY CLERK

JT:ci
Att.

SPECIAL COUNCIL MEETING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, December 13, 1990, at the West Point Grey Community Centre Gymnasium, 4397 West 2nd Avenue, at approximately 7:30 p.m., for the purpose of holding a Public Hearing to amend the Zoning & Development By-law.

PRESENT: Mayor Campbell
Aldermen Bellamy, Chan, Davies, Eriksen,
Owen, Price, Puil, Rankin,
Wilson and Yorke

CLERK TO THE COUNCIL: J. Thomas

COMMITTEE OF THE WHOLE

MOVED by Ald. Owen,
SECONDED by Ald. Bellamy,

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning & Development and Sign By-laws.

- CARRIED UNANIMOUSLY

Item Nos. 1 and 2, being related, were considered concurrently and are so recorded in these Minutes.

1. Rezoning: 550 Burrard Street
2. Rezoning: 901 West Hastings Street

The applications of Charles Bentall, Architects, were considered as follows:

1. REZONING: 550 BURRARD STREET (Lots 11 to 18 inclusive and Lots 24 to 29 inclusive, South One-Half and North One-Half of Lot 30, Lot 31, South One-Half and North One-half of Lot 32, Lots 33 and 34, Amended Lots 35 and 36 [Reference Plan 3254], all of Block 30, D.L. 541, Plan 210)

Present Zoning: DD Downtown District
Proposed Zoning: CD-1 Comprehensive Development District

- (1) If approved, the CD-1 by-law would permit the use and development of the site generally as follows:

- office uses;
- social service centre;
- child day care facility;
- cultural and recreational uses*;
- retail uses*;
- service uses*;
- underground parking garage for public parking purposes;
- accessory uses customarily ancillary to the above;
- maximum floor space ratio of 9.47, with a maximum of 5,000 m² (53,821 sq.ft.) of social and recreational amenities and facilities excluded from the floor space ratio provision; and
- maximum height of 134.72 m (442 ft.).

* The particular uses permitted are listed in the by-law.

Clause No. 1 cont'd

- (ii) Any consequential amendments, including amendments to Sign By-law, No. 6510.

The Director of Planning recommended approval, subject to the following conditions proposed for adoption by resolution of Council:

- (a) That the proposed form of development be approved in principle, generally as prepared by Charles Bentall Architects and stamped "Received City Planning Department - June 26, 1990," and revised July 17, 1990, provided that the Director of Planning may allow minor alterations to this form of development when approving a development application as outlined in resolution (b) below.
- (b) That, prior to approval by Council of the form of development, a development application be approved by the Director of Planning, having particular regard to the following:
 - (i) provision of a minimum 3.048 m (10 ft.) setback from Burrard Street;
 - (ii) further design development of the podium, low-rise pavilion and plaza to improve usability, the relationship to adjacent buildings and uses, and to create an appropriate urban response at this significant corner;
 - (iii) provision of child day care facilities and public art;
 - (iv) provision of a bicycle facility;
 - (v) provision of an adequate, conveniently located garbage storage area, including recycling and refuse containers; and
 - (vi) ensuring that the underground parking garage is adequately ventilated to prevent the build-up of noxious gases.
- (c) That, prior to enactment of the CD-1 by-law, the registered property owner shall, at no cost to the City:
 - (i) register a legal agreement, satisfactory to the City Engineer and the Director of Legal Services, to ensure that all works and services necessary and incidental to the servicing of 550 Burrard Street (Lots 11 to 18 and Lots 24 to 36, Block 30, D.L. 541, Plan 210) are constructed and installed by Bentall Development Inc. at its costs, to the satisfaction of the City Engineer, and to provide for the grant of all necessary street dedications and rights of way for these works and services, to the satisfaction of the City Engineer and the Director of Legal Services;
 - (ii) enter into a Section 215 covenant, in favour of the City, ensuring that the YWCA premises shall become a separate air space parcel, restricting the use of the air space parcel to recreational, cultural, educational, public service and charitable uses as the City shall approve, and prohibiting commercial uses;

Cont'd

Clause No. 1 cont'd

(iii) enter into an Option to Purchase, in favour of the City, ensuring that the City may purchase, for \$1.00, the air space parcel if it is not used for the permitted purposes in (c)(ii) above for 18 months or more;

(iv) enter into a Section 215 covenant ensuring that so long as 550 Burrard Street (Lots 11 to 18 and Lots 24 to 36, Block 30, D.L. 541, Plan 210) is comprised of more than one parcel, those parcels shall be a common development site and all buildings thereon (except the recreational facilities) shall be designed, built and operated as a single integrated development;

[NOTE: Conditions (c)(ii), (c)(iii) and (c)(iv) shall not apply to the closed lane and City-owned parcels. These obligations will automatically extend to the City land upon consolidation. Conditions (c)(ii) and (c)(iii) need only charge that part of 550 Burrard Street from which the YWCA air space parcel will come, and when created, only the air space parcel itself].

(v) execute a legal agreement, satisfactory to the Directors of Legal Services, Planning and Social Planning, to ensure adequate provision of child day care facilities; and

(vi) execute a legal agreement, satisfactory to the Directors of Legal Services, Social Planning, Planning and the City Engineer to ensure provision of public art.

(d) That, prior to enactment of the CD-1 by-law, the City Engineer shall make the necessary arrangements to close that portion of the lane which is to form part of the 550 Burrard Street site.

(e) That, following enactment of the CD-1 by-law, the registered property owner shall, at no cost to the City:

(i) enter into an agreement, satisfactory to the City Engineer and the Directors of Housing and Properties, and Legal Services, to complete the design and construction of approximately 400 parking spaces at 550 Burrard Street to replace the existing City parking structure. This agreement shall be in accordance with Council's decision of September 14, 1989; and

(ii) conclude the joint venture land transfers, long-term lease of the 550 Burrard Street City parking facility, and related agreements, to the satisfaction of the City Engineer and the Directors of Housing and Properties, and Legal Services, and in accordance with Council's decision of September 14, 1989, except that the Hornby Street-end site shall not be transferred to the City until after construction of the parking and surface open space by Bentall Development Inc.

Cont'd

Clause No. 1 cont'd

- (f) That, following enactment of the CD-1 by-law, the City Engineer, in consultation with the Director of Planning and the Director of Housing and Properties, shall report back on the details of the proposed underground link between the 550 Burrard Street site and the Park Place/Burrard Station tunnel, in accordance with Council's decision of June 27, 1989, and agreements satisfactory to the City Engineer and the Director of Legal Services be entered into with respect to its construction and use by the public.

2. REZONING: 901 WEST HASTINGS STREET (Lot B [Reference Plan 815] of 3 and 4, Block 16, D.L. 541, Plan 210).

Present Zoning: DD Downtown District
Proposed Zoning: CD-1 Comprehensive Development District

- (i) If approved, the CD-1 by-law would permit the use and development of the site generally as follows:
 - public open space;
 - underground parking garage for public parking purposes;
 - accessory uses customarily ancillary to the above.
- (ii) Any consequential amendments, including amendments to Sign By-law, No. 6510.

The Director of Planning recommended approval, subject to the following conditions proposed for adoption by resolution of Council:

- (a) That the proposed form of development be approved in principle, generally as prepared by Charles Bentall Architects and stamped "Received City Planning Department - June 26, 1990," and revised July 17, 1990, provided that the Director of Planning may allow minor alterations to this form of development when approving a detailed application as outlined in resolution (b) below.
- (b) That, prior to approval by Council of the form of development, a development application be approved by the Director of Planning, having particular regard to the following:
 - (i) Council's decision regarding the form of development for the Hornby Street-end open space;
 - (ii) further design development to improve pedestrian use and landscaping;
 - (iii) provision of public art.
- (c) That, prior to enactment of the CD-1 by-law, the registered property owner shall, at no cost to the City:
 - (i) register a legal agreement, satisfactory to the City Engineer and the Director of Legal Services, to ensure that all works and services necessary and incidental to the servicing of 901 West Hastings Street (Lot B [Reference Plan 815] of 3 and 4, Block 16, D.L. 541, Plan 210) are constructed and installed by Bentall Development Inc. at its costs, to the satisfaction of the City Engineer, and to provide for the grant of all necessary street dedications and rights of way for these works and services, to the satisfaction of the City Engineer and the Director of Legal Services;

Clause No. 2 cont'd

- (ii) execute a legal agreement, satisfactory to the Directors of Legal Services, Social Planning, Planning and the City Engineer to ensure provision of public art; and
- (iii) obtain and submit to the City a letter from the B.C. Ministry of Environment indicating that a soils analysis site characterization has been completed for 901 West Hastings Street (Lot B [Reference Plan 815] of 3 and 4, Block 16, D.L. 541, Plan 210) by a professional, recognized in this field, and either:
 - (a) has identified no unacceptable hazard for the proposed use of this site resulting from potential contamination of soil or building materials; or
 - (b) stating that a remediation program, concurred with by the B.C. Ministry of Environment as being adequate to eliminate such a hazard, has been completed as certified by such a professional.

The requirement to complete remediation prior to enactment contained in part (b) of this condition shall not apply if legal agreements are provided, to the satisfaction of the Director of Legal Services, to provide for a program of remediation approved by the B.C. Ministry of Environment during construction in a sequence of steps to be prescribed, monitored, and certified complete by such a professional.

- (d) That, prior to enactment of the CD-1, the City Engineer and the Director of Planning shall report back on the form of development for the Hornby Street-end open space, and present options for Council's consideration, with and without inclusion of a road.
- (e) That, following enactment of the CD-1 by-law, the registered property owner shall, at no cost to the City:
 - (i) enter into an agreement, satisfactory to the City Engineer, the Directors of Housing and Properties and Legal Services, to complete the design and construction of the underground parking structure and surface public open space at 901 West Hastings Street. This agreement shall be in accordance with Council's decision of September 14, 1989; and
 - (ii) conclude the joint venture land transfers, long-term lease of the 550 Burrard Street City parking facility, and related agreements, to the satisfaction of the City Engineer and the Directors of Housing and Properties and Legal Services, and in accordance with Council's decision of September 14, 1989, except that the Hornby Street-end site not be transferred to the City until after construction of the parking and surface open space by Bentall Development Inc.

Also submitted for information was a City Manager's memorandum dated December 7, 1990 (on file), forwarding a draft report reflecting current staff discussions and proposals with respect to provision of a day care centre, in accordance with the City's day care strategy.

Clause Nos. 1 and 2 cont'd

Mr. R. Jenkins, Planner, Central Area, reviewed the two applications referring to graphics. He noted the development is in an area of prestige landmark buildings and immediately adjacent to a density sub area which permits a 9 fsr and 450 feet height.

Reference was made to the following significant issues:

- the transfer of allowable density from the 901 West Hastings Street site at the north foot of Hornby Street, to the 550 Burrard Street site, of approximately 140,000 square feet;
- form of the tower - following discussions, the initial design has been revised, resulting in a sculpted form for the top floors which will not impact on view corridors;
- the replacement of the existing four-storey City parkade at 535 Hornby Street, with a new underground facility of 340 parking spaces at the foot of Hornby, to be constructed by Bentall and controlled by the City;
- a new three-storey YWCA complex will be constructed in a separate building facing Hornby Street to replace the existing Y facility;
- a pedestrian link will be provided under Dunsmuir Street to the Park Place/Burrard Street Rapid Transit Station.

Mr. Jenkins advised the applications are consistent with Council's transfer of density, day care and public art policies.

In response to questions from Council members, City Planning and Engineering staff further commented on:

Office space: No additional amount of office space will result from the transfer of density.

Day care centre: Bentall has indicated it is prepared to construct and equip the day care centre at its cost, subject to certain conditions, set out in a letter dated November 29, 1990 contained in the City Manager's information package. The question of funding the operating costs, estimated at \$72,000 per year, has not been resolved and there will be a subsequent report to Council in this regard. The City's day care strategy emphasizes the need to provide infant and toddler day care near place of work; however, the service cannot operate without an ongoing subsidy. It is proposed the day care centre be constructed on the roof of the new YWCA building and the YWCA has agreed to operate it.

Hornby Street-end Roadway: Five options have been reviewed with Planning and Engineering staff: 1) a pedestrian-only option connecting Hastings with the Cordova Viaduct which will include landscaping and public art; 2) four other options involve 2, 3 and 4 lane roadways. The City Engineer favours an option that will permit vehicular access. The Director of Planning would prefer a pedestrian only option. The issue will be reported to Council prior to enactment.

Cont'd

Clause Nos. 1 and 2 cont'd

Public Art: A proposed condition of the rezoning is the provision of public art. The developer will be responsible for a contribution of public art on the two sites at an approximate cost of \$552,000, based on an assessment of \$1.00 per square foot of revenue-producing space.

Bicycle facility: The project includes provision of a bicycle facility, details of which will be reported later by the City Engineer.

Mr. Al Poettcker, President, Bentall Development Inc., also representing Bentall Properties, addressed the issue of the day care centre subsidy and Bentall's ongoing discussions with the City's Social Planning Department in this regard. When the provision of day care was first introduced last summer, Bentall was assured subsidies and operation of the centre would not involve the developer, as had been the case for the Coal Harbour and False Creek North Shore projects. It was not until six weeks ago that Bentall became aware that Social Planning would be requesting subsidies directly from the developer. On November 26th, Bentall was informed a subsidy of some \$900,000 to \$1.2 million was to be recommended to Council. The developer has said from the outset, as a corporation, Bentall supports provision of day care in the City of Vancouver. In fact, together with the Bentall Foundation, Bentall is committed to redevelop the existing Grandview Terrace day care centre. The developer has asked Social Planning if it could make a cash contribution in lieu of Bentall V, to expand the Grandview facility to accommodate 100 children. That proposal has not been supported.

In any event, Mr. Poettcker stated, Bentall is on record as supporting the construction and equipping of the day care centre for Bentall Tower V and it is only the issue of the subsidy that remains a concern.

Mr. Poettcker suggested day care costs should not be tied to one building. A system of cross subsidization for all the day cares in the downtown would be more equitable, with the facilities for older children being required to cross subsidize with the more expensive to run infant and toddler centres. Tenants throughout the City, whose employees directly benefit, should be consulted on this.

Council was requested to give favourable consideration to the applications and direct civic staff to provide additional details on an appropriate day care subsidy program prior to enactment.

The Mayor called for speakers for or against the applications and one delegation addressed the Public Hearing:

Ms. Kathy Pomeroy, President of the Board, YWCA, expressed her organization's pleasure at being part of the proposed development and satisfaction with the Section 215 covenant. The participation agreement with Bentall would substantially meet the objectives set by the YWCA for its new downtown facility and the Board and membership endorsed the concept presented at the Public Hearing. The YWCA was agreeable to the construction of the day care centre on the roof of its building and was prepared to operate the centre on condition the Y will not be required to fund the operation.

Cont'd

Clause Nos. 1 and 2 cont'd

MOVED by Ald. Puil,

A. THAT applications #1 and #2 be approved, subject to the conditions proposed by the Director of Planning, as set out in this Minute of the Public Hearing, except that the Hornby Street-end open space remain primarily for park use, and the City Manager report back on the question of access;

FURTHER THAT the City Manager report back on operational funding for the day care facility following consultation with the developers and YWCA.

B. THAT the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

3. Rezoning: North Side 3700 Block Point Grey Road

At the outset, the Mayor advised the Public Hearing a very large number of delegations had registered to speak on this application, and Council members had agreed to sit until approximately 10:30 p.m. and then adjourn the Public Hearing to a date in January.

Thirty-six speakers then addressed the Public Hearing. At 10:30 p.m., the Mayor noted there were still 55 delegations to be heard and announced the Public Hearing would adjourn and reconvene on Tuesday, January 29, 1991, at 7:30 p.m., in the Council Chamber, City Hall.

* * * *

For clarity, the proceedings with respect to Application No. 3 will be reported in the Minutes of the adjourned Public Hearing on January 29th.

901 West Hastings Street

BY-LAW NO. 6885

A By-law to amend
By-law No. 3575, being the
Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled, enacts as follows:

1. The "Zoning District Plan" annexed to By-law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-386(a) and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.
2. The area shown included within the heavy black outline on Schedule "A" is rezoned to CD-1, which area shall be more particularly described as CD-1(278), and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:
 - (a) public open space which may include through vehicular access;
 - (b) underground parking garage; and
 - (c) accessory uses customarily ancillary to the above uses.
3. Off-Street Parking

A minimum of 340 off-street parking spaces shall be provided in the underground parking garage for public parking purposes and shall be developed and maintained in accordance with the applicable provisions of the Parking By-law.

4. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 24th day of
September, 1991.

(Signed) Gordon Campbell
Mayor

(Signed) Maria C. Kinsella
City Clerk

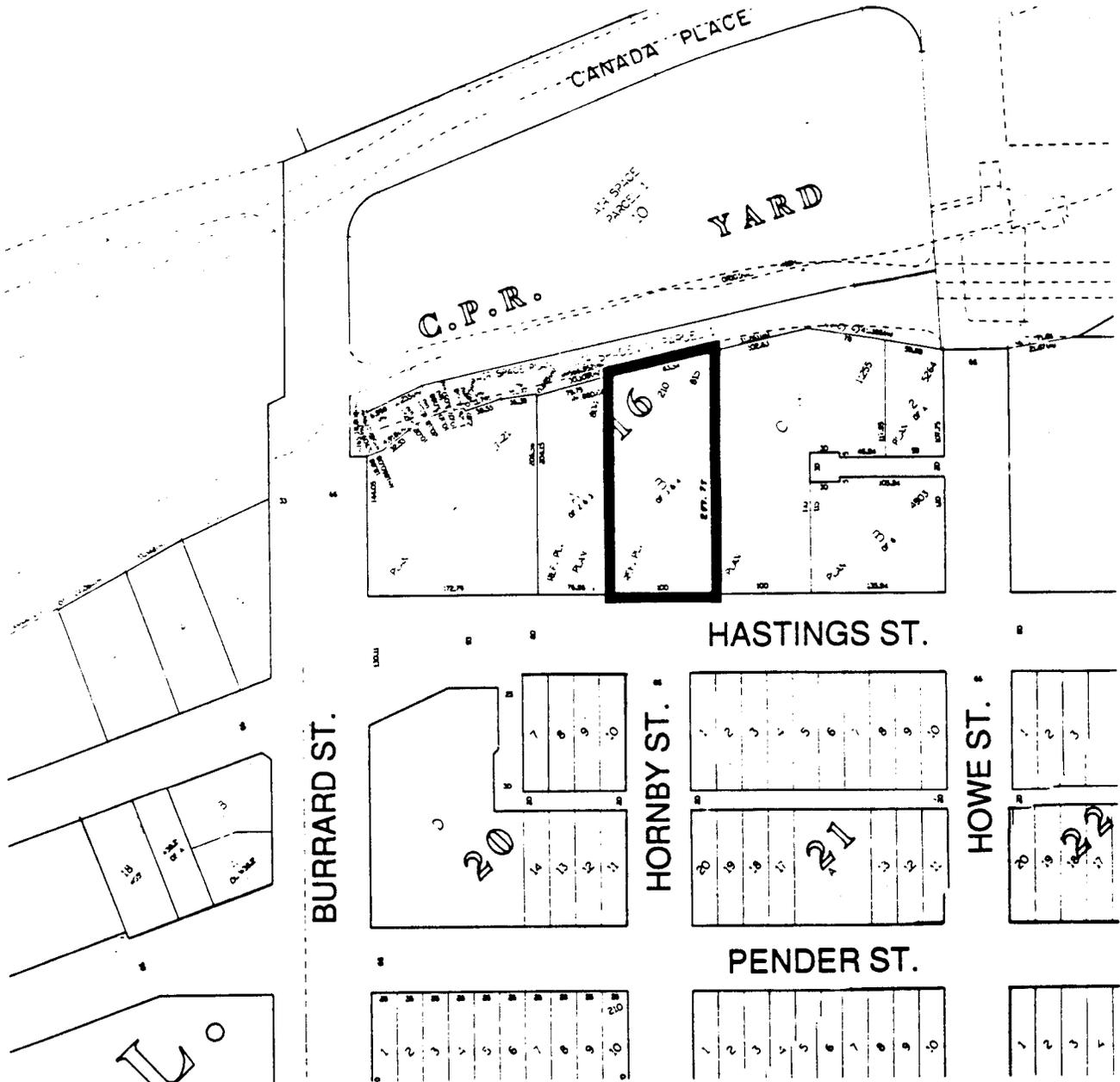
" I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 24th day of September 1991, and numbered 6885.

CITY CLERK "

BY-LAW No. 6885 BEING A BY-LAW TO AMEND BY-LAW No.3575
 BEING THE ZONING AND DEVELOPMENT BY-LAW

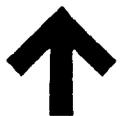
THE PROPERTY SHOWN BELOW () OUTLINED IN BLACK SCHEDULE A
 IS REZONED:

FROM DD **TO CD-1**



SCALE:1:2000 MAP: 1 of 1
 FILE No. RZ-901 West Hastings Street

Z-386(a)



BY-LAWS (CONT'D)

MOTIONS

A. CD-1 Form of Development
901 West Hastings Street

MOVED by Ald. Bellamy,
SECONDED by Ald. Owen,

THAT the approved form of development for the CD-1 zoned site known as 901 W. Hastings St. be generally as illustrated in DA 212589, prepared by Sharp and Diamond Landscape Architecture, and stamped "Received, Planning Department, June 26, 1991", and by P.B.K. Engineering Ltd., and stamped "Received, Planning Department, June 27, 1991", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY

BY-LAW NO. 6892

A By-law to amend the
Sign By-law,
being By-law No. 6510

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting
assembled, enacts as follows:

1. Schedule E to By-law No. 6510 is amended by adding thereto
the following:

"1041 S.W. Marine Dr.	CD-1 (276)	6876	B (C-2)
901 West Hastings St.	CD-1 (278)	6885	B (DD)
550 Burrard St.	CD-1 (279)	6884	B (DD) "

2. Schedule E is further amended by deleting therefrom the line
commencing with the words "1260 Nanaimo St."

3. This By-law comes into force and takes effect on the date of
its passing.

DONE AND PASSED in open Council this 8th day of
October , 1991.

(Signed) Gordon Campbell
Mayor

(Signed) Maria C. Kinsella
City Clerk

" I hereby certify that the foregoing is a correct copy of a By-law
passed by the Council of the City of Vancouver on the 8th day of
October 1991, and numbered 6892.

CITY CLERK "

CITY OF VANCOUVER
MEMORANDUM

From: CITY CLERK

Date: October 9, 1991

To: City Manager
Director of Planning
Associate Director, Land Use and Development

Refer File: 5305-1

RECEIVED	
PLANNING DEPARTMENT	
OCT 10 1991	
NUMBER	m 6904
REFERRED TO	FAS
COPY TO	
ANSWER REQ'D	

Subject: CD-1 Form of Development
901 West Hastings Street

I wish to advise you Vancouver City Council, at its meeting on October 1, 1991 when considering the above matter resolved as follows:

MOVED by Ald. Bellamy,
SECONDED by Ald. Owen

THAT the approved form of development for the CD-1 zoned site known as 901 W. Hastings St. be generally as illustrated in DA 212589, prepared by Sharp and Diamond Landscape Architecture, and stamped "Received, Planning Department, June 26, 1991", and by P.B.K. Engineering Ltd., and stamped "Received, Planning Department, June 27, 1991" provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

CITY CLERK



TT/cb