

## SUMMARY AND RECOMMENDATION

## 1. TEXT AMENDMENT: 1133 West Georgia Street

**Summary:** To amend the CD-1 (Comprehensive Development) By-law to increase the maximum density from 17.74 FSR (floor space ratio) and the maximum height from 600 ft. to 616 ft. for this mixed-use hotel, commercial and residential building.

**Applicant:** Dane Jansen, dysarchitecture.

**Recommended Approval:** By the Director of Planning, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application by Holborn Development (West Georgia) Ltd. to amend CD-1 #446 (By-law No. 9195) for 1133 West Georgia Street to increase the maximum allowable floor space ratio and building height, generally as presented in Appendix A, to the Policy Report, *"CD-1 Text Amendment - 1133 West Georgia Street"*, dated November 17, 2009, be approved, subject to the following conditions:

**PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT**

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Musson Cattell Mackey Partnership/dys architecture, Architects, and stamped "Received City Planning Department, September 1, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:
- (i) provision of one additional disability parking space;
  - (ii) provision of one additional Class A (taxi) passenger space, in accordance with the Parking By-law;

**Engineering**

- (iii) designate parking space #62 as a small car space, in order to provide the necessary room for a corner cut;
- (iv) modify and designate the parking space at gridline D6-D7 on parking levels P4 to P7 as a small car space;

Note to applicant: A standard-sized vehicle cannot park within the space without encroaching into the adjacent 12 ft. driving aisle.

- (v) re-orient the parking space at gridline C-3 on parking levels P4 to P8 to facilitate front-in entry into the parking space;
- (vi) delete parallel parking space 419 on level P8.

Note to applicant: Due to the curve in the drive aisle and limited stall length, access into the space is not possible.

#### PROPOSED CONDITIONS OF BY-LAW ENACTMENT

- (a) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City, complete the following on terms satisfactory to the Director of Legal Services:

##### Engineering

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for the following:

1. upgrading of the 200 mm sanitary sewer in the lane north of Georgia Street from Bute Street to the manhole east of Bute Street, to handle the additional loads on the sewer system from this proposal;
2. provision of adequate water service to meet the fire flow demands of the project; and

Note to Applicant: The rezoning application lacks the details necessary to determine if watermain upgrading is required. Please supply additional project details including the projected fire flow demands. Should upgrading be necessary, then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure the works.

3. provision of car-share agreement that provides for the following:
  - The provision, operation, and maintenance of car-share vehicles at a rate of 0.02 vehicles per dwelling unit.
  - If the calculation results in a fractional number, the nearest whole number above zero shall be taken. A fraction of one-half shall be rounded up to the next whole number.
  - Provision of shared vehicle parking spaces calculated in accordance with the by-law, with such parking spaces being in addition to the minimum parking spaces required by the by-law.
  - A professional car-sharing organization satisfactory to the Director of Planning and General Manager of Engineering Services must manage the carsharing vehicles.

- The shared vehicle parking spaces must be publicly accessible 24/7 to members of the car-sharing organization who do not reside in the development.
- The minimum residential parking can be further reduced up to 5 spaces in lieu of one car-share vehicle and parking space. A maximum of two carsharing vehicles per 100 units is to be available for this reduction in parking.

### Community Amenity Contribution

- (ii) complete the purchase and transfer of heritage density with a value of \$7.28 million, from a suitable donor site(s);

Note to applicant: "Letter B" in the City's standard format is to be completed by both the owner of the subject site, also referred to as the "receiver" site, and the owner of the "donor" site, and submitted to the City together with receipt(s) of heritage density purchase(s), including the amount, sale price and total cost of the heritage density.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

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 other City officials and City Council.

(RZ. 715/2009 - 1133 West Georgia Street)