



P1

POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: December 7, 2012
Contact: Kevin McNaney
Contact No.: 604.871.6851
RTS No.: 9597
VanRIMS No.: 08-2000-20
Meeting Date: December 11, 2012

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services

SUBJECT: Amendments to the False Creek North Official Development Plan
Concerning Area 5b East (68 Smithe Street)

RECOMMENDATION

THAT the application by One West Holdings Ltd. (Concord Pacific) to amend the False Creek North Official Development Plan, By-law No. 6650, to increase the number of residential units permitted in Area 5b East from 311 to 468, generally as presented in Appendix A, be referred to a Public Hearing together with draft by-law amendments;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the amending by-law, generally in accordance with Appendix A, for consideration at the Public Hearing.

REPORT SUMMARY

This report proposes amendments to the False Creek North Official Development Plan (FCN ODP) to increase the number of residential units for Area 5b East (68 Smithe Street, formerly 10 Terry Fox Way) to allow for smaller units to reflect current market conditions. The project will be reconfigured to accommodate the additional units. No increase to the residential floor area or height (as approved in the CD-1 By-law by Council in November 29, 2011) is being sought. The CD-1 By-law for this site limits residential floor area only (not the number of residential units), and does not need to be amended.

The application before Council is an administrative report to amend the number of residential units for Area 5b East in the False Creek North ODP. This type of administrative amendment has been done many times before for all landowners in False Creek North as each CD-1 rezoning that is considered requires a concurrent ODP amendment to reflect the new number of residential units in the area.

In addition to the changes related to unit count, housekeeping amendments to the FCN ODP are proposed to correct inadvertent errors and add clarifying notes.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Housing and Homelessness Strategy (2011)
Northeast False Creek: Directions for the Future (2009)
False Creek North Official Development Plan (1990)

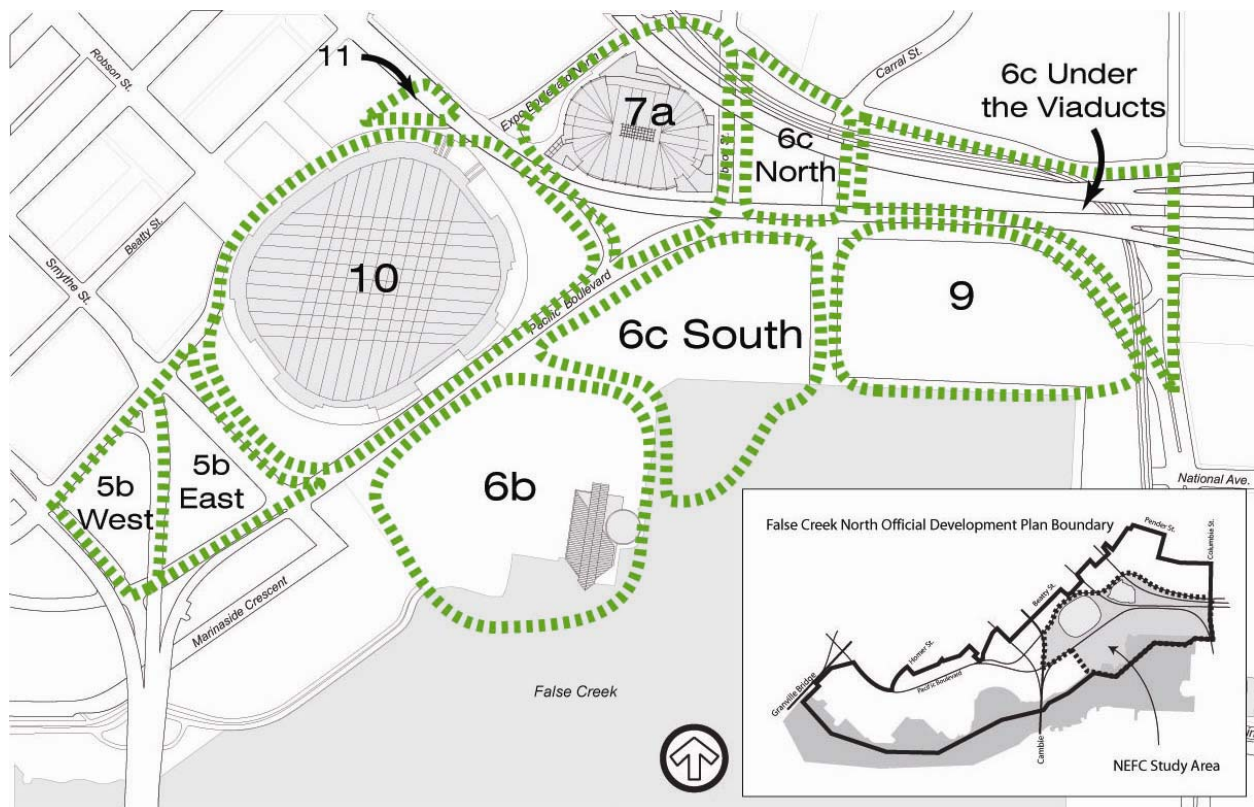
REPORT

Background/Context

The False Creek North Official Development Plan governs the development of land contained within the FCN ODP area. It sets out the pattern of land uses, densities, public amenities and infrastructure requirements in False Creek North.

In 2009, Council approved the “Northeast False Creek: Directions for the Future” policy report (NEFC Directions) to guide the development of the remaining parcels of land to be developed in the FCN ODP area. Council also approved a Public Benefits Proposal for NEFC with contributions from each site to be secured at the time of each rezoning application.

Figure 1: NEFC Study Area



To date, Council has considered four rezoning applications for sites in NEFC (Area 5b East, Area 5b West, Area 10 and Area 7a). The rezoning of Area 5b East (Concord Pacific) and Area 10 (BC Pavilion Corporation) have been enacted. The rezoning of Area 7a (Aquilini) has been approved in principle, but not yet enacted. The rezoning of 5b West (Concord Pacific) was referred back to staff for further work with Concord Pacific on the public benefits package and time frame for delivery of the Creekside Park extension.

While the proposed change is not related to Concord's Area 5b West rezoning application (the subject of a public hearing in spring 2011), it is important to note that staff are making significant progress in discussions with Concord on the matters raised since 2011. Specifically, staff has been in discussions with Concord regarding the key location of their lands with respect to the potential for improved planned land use changes. With Concord's participation, the City will be able to realize a larger waterfront park which will connect the east end of False Creek to Chinatown and the Downtown East Side. Concord is one of the three key landowners that can help unlock the potential. In order to advance the studies for the area's master plan, Concord has proposed significant funding assistance for the generation of 3D modeling and computer animation studies for future public review and input. In that context, staff has also been discussing the potential for early delivery of a portion of the Creekside park extension, particularly the area along the waterfront, in response to earlier Council direction. In addition, staff has been discussing the development potential of the Hastings Street properties offered by Concord as part of the CAC package for the Area 5b West rezoning application.

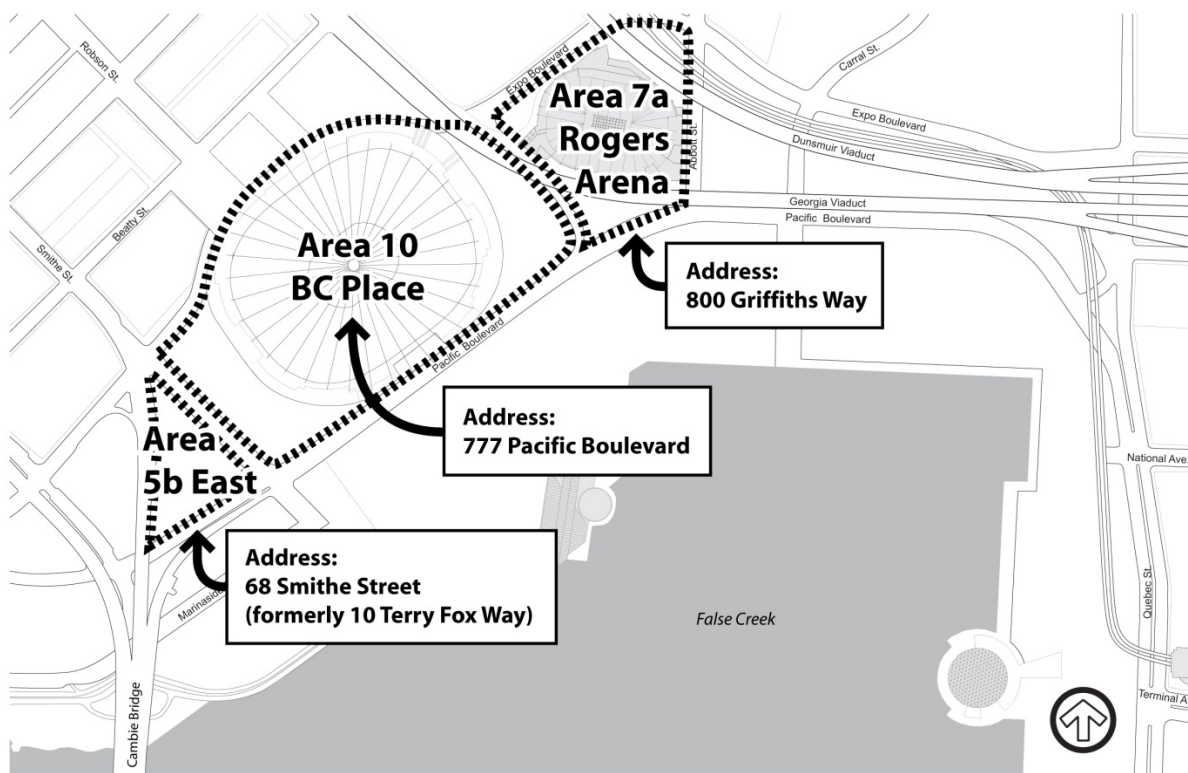
A rezoning application for Area 6b (Plaza of Nations, owned by Canadian Metropolitan Properties) was submitted in June 2012 and is in process. Concord Pacific has yet to apply for rezoning for Area 6c North and 6c South.

Beginning in 2010, at the instruction of Council, staff have been exploring the impacts and opportunities of removing some or all of the viaducts. An update on work completed to date and an emerging concept plan for the area was presented to Council in July 2012. Viaduct removal and changes to the at-grade road network would affect a number of sites in NEFC. It is anticipated that Council will consider a detailed report on the viaducts early in 2013.

Recent Decisions

The CD-1 By-law for 10 Terry Fox Way (now 68 Smithe Street) was enacted in November 29, 2011 for a mixed-use project including 4 235m² (45,000 sq. ft.) of job space and 28 169m² (303,209 sq. ft.) of residential floor area. As part of the rezoning Council approved the transfer of residential floor space from Area 10 to Area 5b East and increased the minimum amount of non-residential floor space to be provided on Area 10. This exchange accommodated the development aspirations of both Concord Pacific and BC Pavilion Corporation (PavCo) (owner of BC Place), allowed for the extension of Smithe Street between Expo Boulevard and Pacific Boulevard and maintained the City's policy goal to achieve job space in NEFC.

Figure 2: Sites



Concurrent with the rezoning, Council approved amendments to the FCN ODP to increase total unit count by 311 units and reduce the percentage of affordable housing units from 12.94% to 12.53%. A cash payment of \$6,000,000 was secured as the community amenity contribution (CAC) for the rezoning. The allocation of this CAC has yet to be determined. In the weeks prior to consideration of the rezoning application by Council, Concord requested a revision to increase the unit count. However, changes to the Policy Report could not be made in the time available. Concord was advised to pursue the changes in the future when the project design was further advanced.

In July 2012, Council approved in principle the Aquilini rezoning for a mixed-use project including secured market rental housing located at 800 Griffiths Way (Area 7a- Rogers Arena). The project aligns with Council's Housing and Homelessness Strategy and is an important contribution to affordability and choice for residents. The rezoning required concurrent amendments to the FCN ODP to allow for residential use on the site, increase total unit count by 614 and reduce the percentage of affordable housing from 12.53% to 11.81%.

Strategic Analysis

Concord Pacific has submitted a development permit application for Area 5b East (68 Smithe Street). As anticipated, the applicant is proposing to provide more and smaller units within the same approved residential floor area in response to market demand for more affordable units (see rationale included as Appendix B). The proposed unit mix with a focus on smaller units is suitable given the location between the Cambie Bridge and BC Place and staff is supportive of the requested amendments.

The proposed increase of 157 units in this project will increase the total unit count in the ODP area from 10,768 to 10,925 and since the number of affordable units remains the same, the net percentage of affordable housing units will be reduced. However, more small units will provide improved affordability within the ownership sector of the housing continuum.

Current:		Proposed:	
Affordable Units	$\frac{1272}{10,768} = 11.81\%$	Affordable Units	$\frac{1272}{10,925} = 11.64\%$
Total Units	10,768	Total Units	10,925

The FCN ODP is specific in its description of “affordable housing” (in practice only government or non-profit agencies can own/operate). The City remains focussed on working creatively with the developers/land owners in NEFC to provide additional affordable housing units as part of community amenity contributions to be secured through future rezoning applications on remaining larger sites in Northeast False Creek.

In addition to the changes related to unit count, housekeeping amendments are proposed to correct inadvertent errors in the by-law and direct users to the most accurate source for view protection information. The housekeeping amendments proposed include:

- Figure 4 - change to floor area for 5b East to reflect residential floor area only (numbers referenced now include all floor area in the project);
- Figure 5 - change to correct metric conversion error for 5b West Office;
- Figure 10a - addition of note on figure to direct readers to the City’s View Protection Guidelines as the most up to date and accurate source for view protection information; and
- Figure 12b - update to reflect previous Council decisions on affordable housing sites.

The proposed amendments to the FCN ODP are described in detail in Appendix A.

Implications/Related Issues/Risk (if applicable)

Financial

This amendment does not involve an increase in developable floor area. Since the amendment does not result in a change in land lift, a Community Amenity Contribution is not being sought beyond what was negotiated as part of the original rezoning in 2011 (\$6 million cash contribution).

The Public Art Levy remains unchanged (at approximately \$585,000) as it is based on developable floor area.

Development on this site in False Creek North is exempt from paying development Cost Levies (DCLs).

The public benefits proposal approved as part of the “NEFC: Directions for the Future” policy report in 2009 will be updated with the next major rezoning in Northeast False Creek (either Area 6b or Area 6c).

CONCLUSION

Concord's proposal to provide more and smaller units as part of the development of the project located at 10 Terry Fox way and the necessary FCN ODP amendments required to implement the change are supportable. The additional housekeeping amendments are proposed to correct and clarify the by-law.

* * * * *

DRAFT AMENDMENTS TO THE FALSE CREEK NORTH OFFICIAL DEVELOPMENT PLAN
(BYLAW No. 6650)

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

[Deletions are ~~struck through and underlined~~. Additions are in **bold and underlined.**]

- Amend Section 3.3 as follows:

3.3.1 Residential

It is intended that False Creek North be developed as a predominantly residential area to achieve regional and City objectives and recognize the special amenity of the area as a place to live. Several residential areas, as illustrated in Figure 4, shall be developed. In addition to dwelling uses, other complementary uses are also permitted to provide for the needs of residents.

Up to a maximum of ~~10,768~~ **10,925** dwelling units, having a total floor area up to a maximum of 983,737 square metres are permitted. The maximum number of dwelling units and floor areas which may be permitted within each area shall be as illustrated in Figure 4.

Both the unit counts and floor areas permitted above are subject to satisfactory resolution of:

- (a) livability for various household types; and
- (b) compatibility with adjacent development

as determined prior to the enactment of each sub-area zoning.

The maximum number of dwelling units and maximum floor area which may be permitted within each area may be increased by up to 10 ~~percent~~ %, provided that the total number of units and floor area are not increased, and subject to satisfactory resolution of (a) and (b), above.

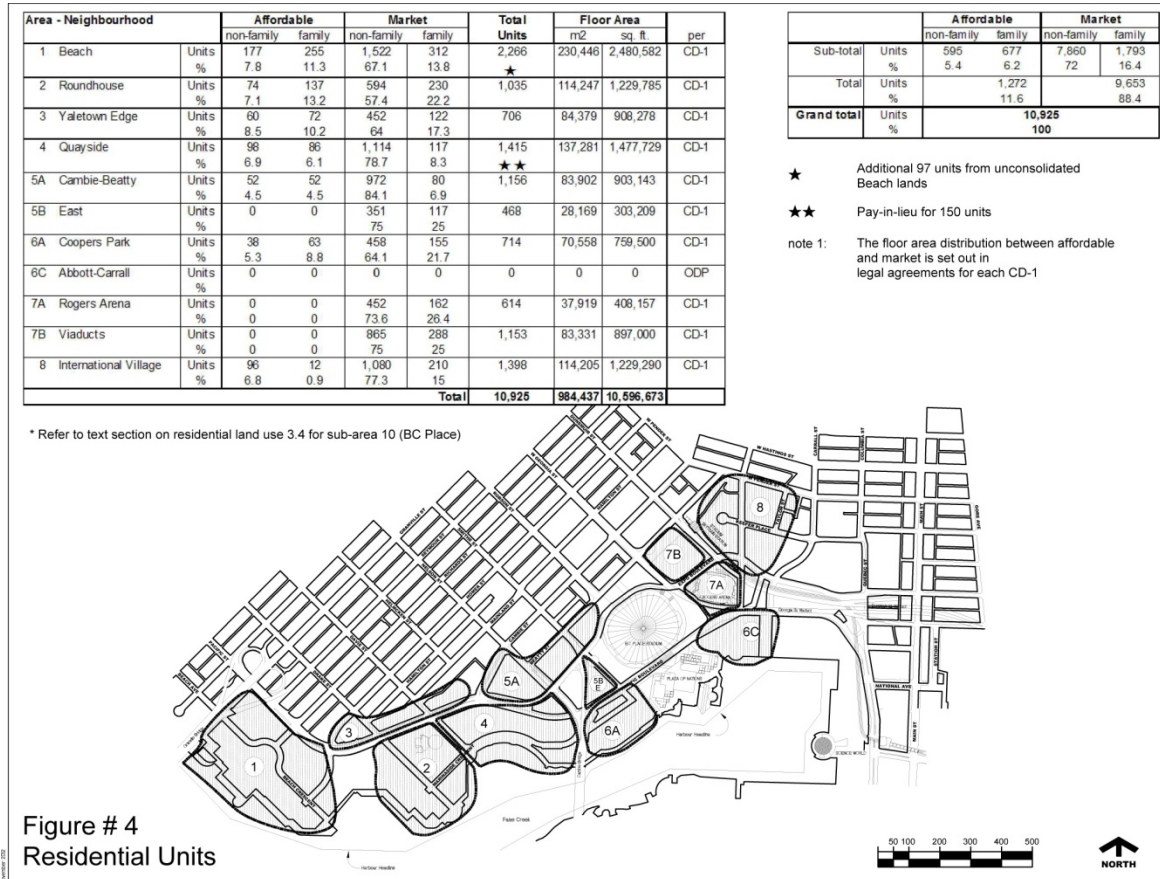
Twenty-five ~~percent~~ % of the total number of dwelling units shall be suitable for families with small children, as defined in Guidelines for High Density Housing for Families with Children adopted by City Council May 30, 1989.

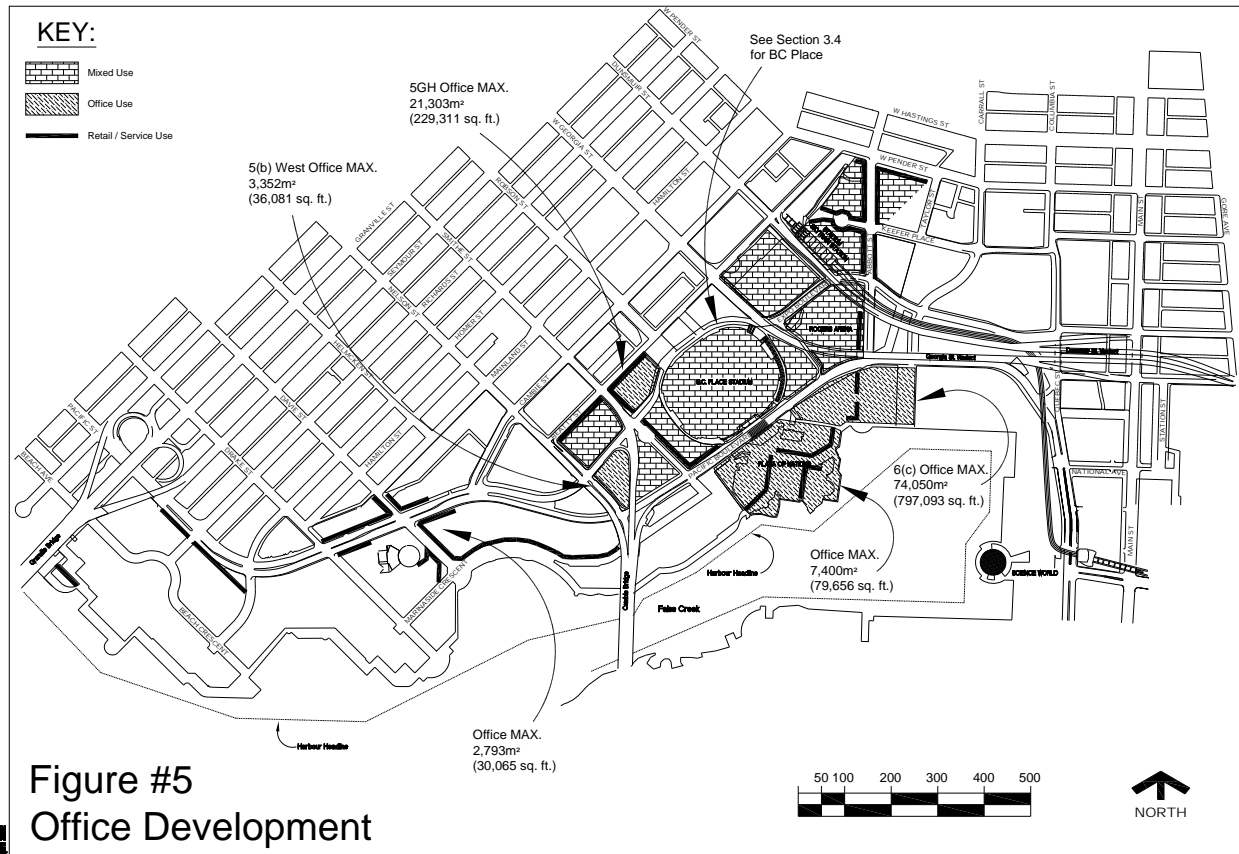
~~11.81%~~ **11.64%** of the total number of dwelling units shall be designated for affordable housing, with priority on housing for core-need households, with fifty percent of the affordable units to be suitable for households with children. The affordable units shall be integrated into each residential area, except that Council may permit alternate arrangements to provide some affordable units off-site. Council may also permit affordable housing programs or initiatives to include subsidized and market rental units or subsidized and market co-operative units.

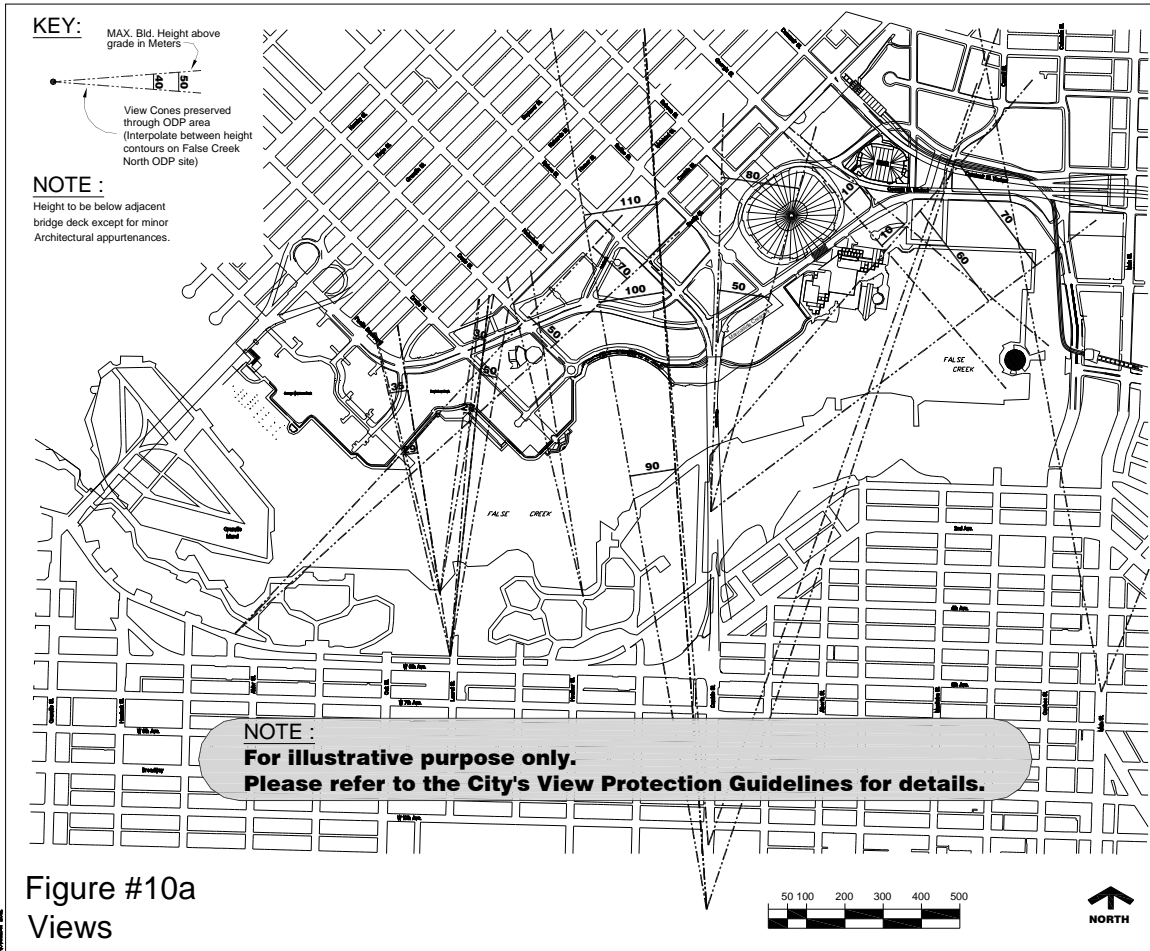
The mix of dwelling unit types within each sub-area shall be generally as illustrated in Figure 4 with flexibility to vary from this mix by 5 ~~percent~~ %, subject to the

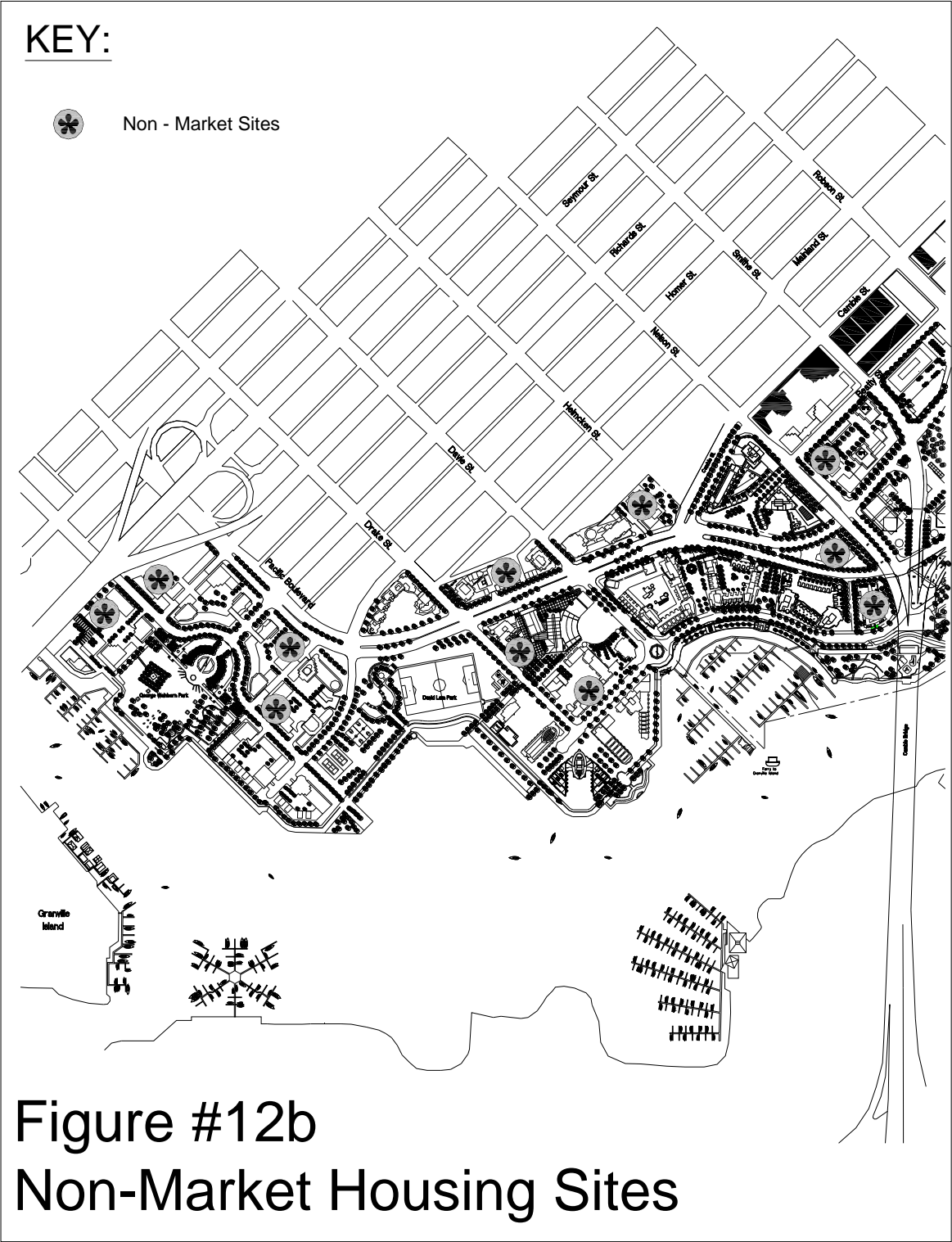
approval of Council, when considering a sub-area zoning, provided that the overall mix of dwelling units remains the same.

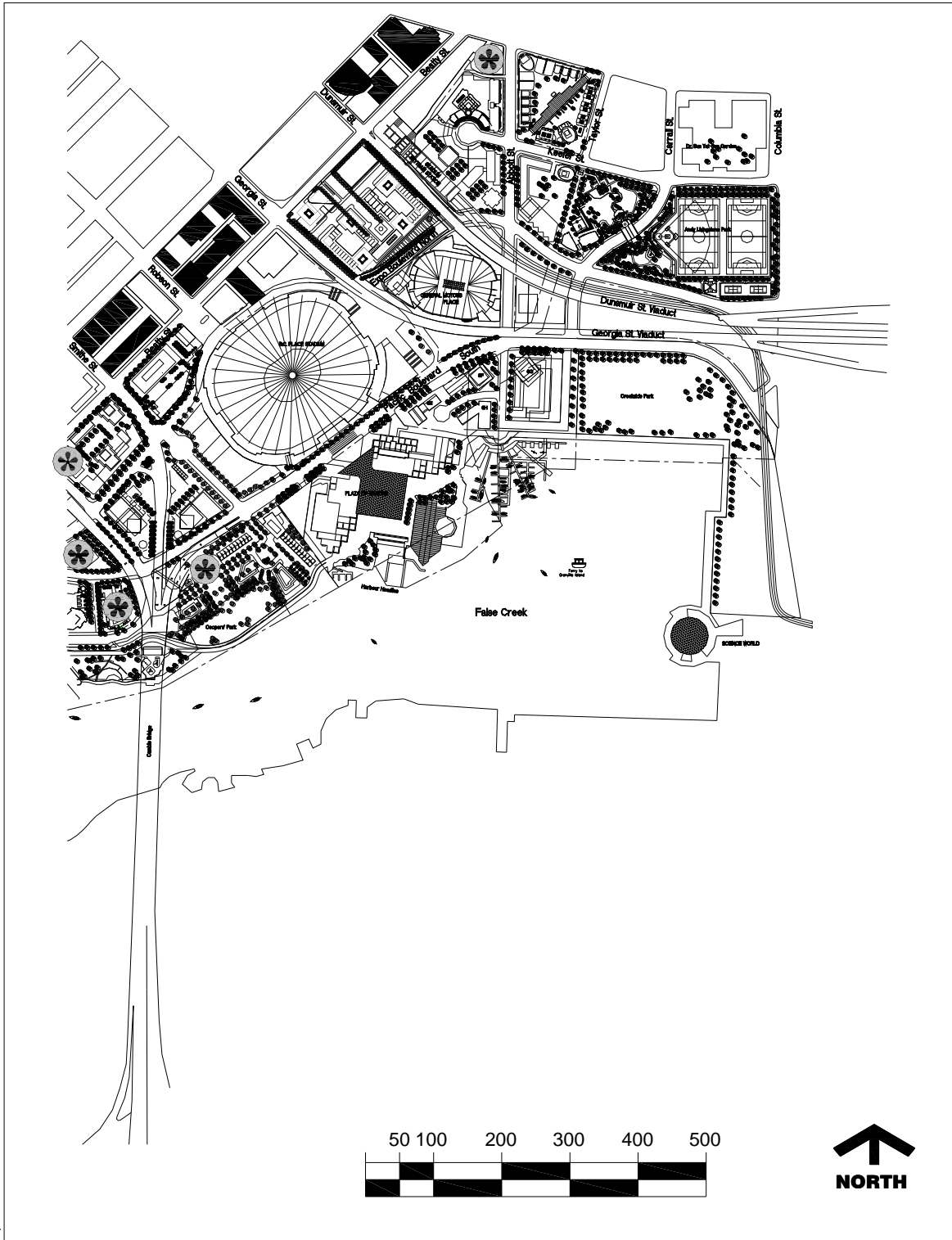
- Substitute Figures 4, 5, 10a and 12b in Section 7 with the amended figures.











September 2008

10 Terry Fox Way
Concord Area 5B East
Rationale for ODP Amendment

The proposal is to increase the maximum residential market units allowed on 5B East from 311 to 468 units without increasing the residential floor area approved through the CD-1 zoning for the site.

False Creek North is primarily a residential precinct with associated supportive retail and commercial activities. FCN has many public amenities including parks and open space, seawall walkways, marinas, daycares and school sites, public art and many transportation options. These public amenities are very supportive for families. As noted in the NEFC Directions for the Future Report (November 2009) the areas in NEFC located north of Pacific Boulevard in close proximity to event venues and exposed to noise and event-related traffic are not particularly well-suited for families with children while the sites south of Pacific Boulevard would be more suitable.

Area 5B East is located north of Pacific Boulevard bounded by the Cambie Bridge access ramps to the west and an approved casino and hotel on the BC Place Stadium site to the east. 5B East is a very sustainable residential site with easy access to the public amenities located south of Pacific Boulevard. It is well situated adjacent to the downtown core and the entertainment area and is readily accessible by walking, cycling and transit. Given the site's setting we see it as being in a very active area both during the daytime and into the evening. We want to offer affordable homes that will appeal to first time buyers, many of whom will be young adults who will enjoy all the activity generated by the sports and entertainment and retail that will offered in the area.

When the Policy Report for the CD-1 rezoning of Area 5B East was issued Concord advised the City that the 311 residential units was insufficient for the reasons mentioned above. We were advised that while there was no issue with the increase there were schedule issues and that this change would be better dealt with as a minor amendment after the rezoning enactment.

This project provides for 25% family units in line with the FCN ODP requirements. In developing the final plans for the site and factoring the contextual impacts and market demand we are proposing to increase the residential units from 311 to 468. This will ensure that we will be able to provide the affordability that we believe is suitable for this site.