

SUMMARY AND RECOMMENDATION

5. **REZONING:** 1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B)

Summary: To rezone 1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B) from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the phased development of five residential buildings with a total floor area of 58,020 m² (624,525 sq. ft.), including a 9,748 m² (104,925 sq. ft.) social housing building. The proposed buildings range in height from 12 to 18 storeys. An amendment to the Southeast False Creek Official Development Plan is proposed, to increase the maximum building height to 53.35 m (175 ft.).

Applicant: Rafii Architects Inc. on behalf of Concert Real Estate Corporation (Concert Properties) and the City of Vancouver

Referral: This item was referred to Public Hearing at the Regular Council Meeting of May 13, 2014.

Recommended Approval: By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application, by Rafii Architects Inc. on behalf of Concert Real Estate Corporation (Concert Properties) and the City of Vancouver, to rezone:
- 1551 Quebec Street [*PID: 008-765-634; Lot 5, Except Part in Reference Plan 17723 Now Road, Block E, District Lots 200A and 2037, Plan 12958*];
 - 1600 Ontario Street [*PID: 026-497-654; Lot 307, Except: Part on Plan BCP20721 False Creek Plan BCP20720*]; and
 - 95/99 East 1st Avenue [*PID: 008-765-146; Lot 1, Block E, District Lot 200A, Plan 12958*];

from M-2 (Industrial) District to CD-1 (Comprehensive Development) District to allow 58,020 m² (624,525 sq. ft.) of residential development in five buildings including a 9,748 m² (104,925 sq. ft.) social housing building, generally as presented in Appendix A of the Policy Report dated April 24, 2014, entitled "CD-1 Rezoning: 1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Rafii Architects Inc., and stamped "Received City Planning Department, August 1, 2013" provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Further design development to the proposed buildings during the Development Permit application phase, to be in conformance with proposed design features stated in the application drawings and the Sites 3A/3B Design Guidelines. Further, that where a conflict in design direction between these two documents are found, that the direction listed in Sites 3A/3B Design Guidelines will supersede and be applicable. In particular, the following revisions to the design application drawings are noted in the 3A/3B Design Guidelines:
2. Design development to the orientation of the public plaza located at northwest corner of Quebec and 1st Avenue off Building 1 ("Artefact Plaza"), so that the main orientation is in an East-West direction with its main frontage off 1st Avenue, in order to maximize afternoon sun access, a street interface with calmer vehicular traffic patterns, and to provide further clearance from the future streetcar route.
3. Design development to incorporate all vehicular access ramps into underground parking garages be architecturally integrated with a building, thereby reducing their visual impact as experience from the public realm.
4. Design development to relocate all proposed stair accesses to underground parking garages onto private areas, in order to maximize the amount of useable space on public areas.

Note to Applicant: The two most notable proposed stair accesses, located in Railspur plaza and off 1st Avenue near Building 1, should be relocated to within a building or on a semi-public courtyard area.

5. Design development to the proposed building setbacks from property lines to conform with setbacks listed in the 3A/3B Design guidelines, in order to support sufficient area for private patios, private porches, private overhead balconies, public sidewalks, enhanced landscape treatments and other urban design considerations. That the proposed semi-private courtyards of Buildings 2 and 5 be redesigned to be fully accessible by the public, and visibly welcoming from the public sidewalk.
6. That the public plaza located at the western end of Railspur Mews be provided with a minimum area of 1300 sq.ft.

Note to Applicant: The minimum area calculation does not include the portion of Railspur Mews that will be subject to a Surface Right-of-Way agreement.

Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold, including a minimum of 63 points in the LEED® rating system, and, specifically, a minimum of 6 points under Optimize Energy Performance.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project are also required under the policy.

8. Install thermal energy sub-meters (for space heating and hot water) for all units in the project.

Neighbourhood Energy Utility

9. The heating and domestic hot water system within each building comprising the development shall be designed to be compatible with a hot-water distribution neighbourhood energy system in order to immediately connect to the SEFC NEU. Design provisions related to NEU compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Energy Utility System By-law (9552)* and *NEU Developer Document (2013)* for specific design requirements, which include provisions related to the location of the mechanical room(s), centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with Staff to ensure adequate provisions for NEU compatibility are provided for in the mechanical design.

10. Provision of a dedicated room in a location suitable for connecting to the NEU distribution piping for each Energy Transfer Station that is required for servicing the development as to the satisfaction of the General Manager of Engineering Services.
11. Detailed design of the HVAC and mechanical heating system for each building, including any provisions for waste heat recovery and reuse, must be reviewed and approved by the General Manager of Engineering Services.

Engineering

12. Provision of improved plans showing dimensions for all cross-sections for Quebec Street, 1st Avenue, Switchmen Street, and the new north-south lane to confirm the proposed roadway design is consistent with the approved geometric drawings;

13. Provision of Class A bicycle parking on the P1 parking level with easy access from the parkade ramp and close to the elevators;
14. Provision of Class B bicycle parking to be located close to the doors, undercover, and clearly visible from inside the building and from the street;
15. Provision of automatic bike door openers;
16. Provision of relocated parkade access to Building 2 to the new north-south lane or other suitable location to the satisfaction of the General Manager of Engineering Services;

Note to Applicant: The parkade access shown is too close to the traffic circle and intersection.

17. Provision of a section drawing showing elevations, vertical clearance, and security gates for the main ramps and through the loading bays;

Note to applicant: 2.3m (7.5') of vertical clearance is required for the disability stall access and 3.8m (12.5') of vertical clearance is required for Loading access and should be noted on plans.

18. Provision of an improved plan showing the design elevations on both sides of the ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls;

19. Provision of 2.9m of stall width for all car share stalls;

Note to Applicant: This is a requirement in the new car share agreement.

20. Provision of Class B loading spaces to meet the City's Parking and Loading Bylaw;

Note to applicant: Engineering does not support a widened crossing or the loading spaces shown on Switchmen. Consider designing the parking ramp to provide loading access on-site. Refer to the Parking and Loading Design Guidelines at the following link for design information: (<http://former.vancouver.ca/engsvcs/parking/admin/developers.htm>)

21. Provision of a 9'x9' corner cut to improve the two-way flow and visibility on the main ramp serving Area 2.

Note to applicant: Corner cuts are required at the top and bottom of ramps to provide adequate radii for continuous two-way traffic flow where 200 or more vehicles are being served.

Social Infrastructure

22. Design development to include 2 units on the ground floor of Building One designed to be suitable as licensed family childcare with associated drop off/lay by spaces.

CONDITIONS OF BY-LAW ENACTMENT

- (c) 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 and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, and the Approving Officer, as necessary, and at the sole cost and expense of the owner, make arrangements for the following:

Engineering

1. In order to create four development parcels:
 - (a) Conveyance of portion of City-owned Lot 307;
 - (b) Subdivision of Lots 1 and 5 and the conveyed portion of Lot 307 to result in:
 - (i) the dedication of a 20 m wide production of Switchmen Street for road purposes;
 - (ii) the dedication of the south 5 m of the site for road purposes;
 - (iii) the dedication of the east 2.7 m of the site for road purposes;
 - (iv) the dedication of a truncation in the southeast corner of the site measured from the intersection of the easterly and southerly dedications a distance of 19.36 m in a northerly direction and 10.72 m in a westerly direction, for road purposes;
 - (v) the creation of a lot for the northerly park area of approximately 0.18 Hectares, to be conveyed to the City. Note: the Approving Officer may require the park lot to be consolidated with the City park portion of Lot 307;
 - (vi) the creation of a separate conventional (2D) lot for the Social Housing site (Area 1);
 - (vii) the creation of a three separate lots for the balance of the site (Area 2, Area 3 and Area 4).
 - (c) Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for Statutory Rights of Way (which may be volumetric) for public access purposes and use over:
 - (i) the 12 m wide "Laneway" running between 1st Avenue and the portion of Switchmen Street to be dedicated, for use as if City street with or without vehicles, to be maintained by the owner;
 - (ii) the 6.7 m wide thoroughfare tentatively named "Railspur Mews" running from Quebec Street to the Laneway, for

- use as a public walkway including bicycles, to be maintained and managed by the owner;
- (iii) the 6 m wide internal walkway running westerly from the Laneway to "East Park", for use as a public walkway including bicycles, to be maintained and managed by the owner.

Note to Applicant: A subdivision application will be required to complete the above noted dedications and three development parcels.

Note to Applicant: The conveyance of the portion of City-owned Lot 307 and the registration of the subdivision will be completed following rezoning enactment.

- (d) Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for an easement, in favour of the Social Housing lot (Area 1) and Building 2 (Area 2), over the length of the N/S laneway on Area 3 lot for parkade driveway access;
 - (e) Arrangements are to be made to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for an easement, in favour of Buildings 3 and 4 (Area 3) over Area 2 for access through the shared parkade;
2. Make arrangements to the satisfaction of the GMES and the DLS for release of Indemnity Agreement 472514M (support agreement) prior to building occupancy;

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

3. Make arrangements for release of BC Transit Statutory Right of Way K63660 (as shown on Reference Plan 16356). Arrangements are to be secured prior to zoning enactment.
4. Make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for a Statutory Right of Way for utility purposes (in favour of the City) with a width of up to 7m over the City park portion of Lot 307 adjacent to Area 3.

Note to Applicant: Statutory Right of Way is intended for municipal water, sanitary, storm or district energy mains to service the site and may be waived by the General Manager of Engineering Services if new mains are not needed in this location.

5. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called "the services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and

rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.

- (a) Provision of a geometric design and road works for the newly created Switchmen Street and the new laneway, to the satisfaction of the General Manager of Engineering Services. The applicant is to fund 100% of all construction costs, including, without limitation, pavement, grading, curbs, gutters, sidewalks, boulevards, street trees, landscaping, line painting, signage, lighting, cycling infrastructure, and utility adjustments;
- (b) Reconstruction of westerly of Quebec Street between Central Avenue and East 1st Avenue including but not necessarily limited to sidewalk, separated cycling facility, boulevards, street trees, transit infrastructure, street and pedestrian-scale lighting, street furniture, utility adjustments, curb and gutter, in accordance with the City's approved geometric design. The applicant is to fund 100% of all construction costs;

Note to Applicant: Any municipal infrastructure that is relocated due to the construction must meet current City standards.

- (c) Provision of a traffic signal on Quebec Street at Central Street to allow for better connectivity along the Central Valley Greenway. The applicant is to fund 100% of the total cost;
- (d) Provision of 25% of the cost toward a new traffic signal on Quebec Street at East 1st Avenue;
- (e) Reconstruction of the northerly portion of East 1st Avenue between Quebec Street and westerly limit of the development frontage including but not necessarily limited to sidewalk, separated cycling facility, boulevards, street trees, transit infrastructure, street and pedestrian-scale lighting, street furniture, utility adjustments, and curb and gutter, in accordance with the City's approved geometric design. The applicant is to fund 100% of all construction costs;

Note to Applicant: Access onto 1st Avenue to be restricted to right-in / right-out only.

- (f) Provision of adequate sewer service connections for the site. The applicant is to provide further details on the project to determine the size of service connections. Areas 1, 2 and 3 are to be serviced off East 1st Avenue. Area 4 is to be serviced off Quebec Street.
- (g) Provision of \$365,000 toward the construction of sewer upgrades in the area generally bounded by East 1st Avenue, Terminal Avenue, Quebec Street and Western Street. The sewer upgrade will provide adequate capacity for Areas 1, 2 and 3 to be serviced off East 1st Avenue.

- (h) Provision of adequate water services to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicant's mechanical consultant to determine if water system upgrading is required. 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 payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required;

Note to Applicant: Preliminary review shows a need to extend a new City water main between Quebec Street and Athlete's Way. The new 300mm main is to be located within Switchmen Street and a new Statutory Right of Way through the park. The applicant is responsible for 100% of the cost.

- 6. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.
- 7. Arrangements shall be made, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for the provision of space at the north or south edge of the rezoning site to accommodate a Public Bike Share (PBS) Station;
 - (a) Size: At a minimum a 40 dock station should be accommodated. The station can be configured to have a foot print of 34m x 4m or 17.5m x 7.5m. The maneuvering space required for the station may be shared with pedestrian space;
 - (b) Location: The station must be clearly visible to the public with 24/7 public access. The preferred location is adjacent to a bike route for easy access. A statutory right-of-way will be required to accommodate the PBS Station if located on private property;
 - (c) Surface treatment: A continuous hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval;
 - (d) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions)

along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided;

- (e) Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. The station should receive 5 hours of direct sunlight a day;
- (f) Power: An electrical service is required to the station and provision of electrical power.

- 8. Provision of a signed confirmation letter from a car sharing company for the proposed car share vehicles and spaces that are above and beyond the required number of car share vehicles and spaces for SEFC;

Note to Applicant: From the Transportation Study and the Green Mobility and Clean Vehicle Strategy, the rezoning application is proposing up to 10 car share vehicles and spaces. Without this letter, car share cannot be included as part of the Green Mobility Strategy. If a reduced number of car share vehicles are provided, other Green Mobility measures may be required. Examples of other acceptable measures include construction of bike lanes beyond the site's frontage and funding for the initial annual membership fee for Public Bike Share program for each resident on site.

- 9. Update the Green Mobility Strategy submitted with the Quebec & 1st Master Plan Transportation Assessment dated July 31, 2013, and make arrangements to the satisfaction of the General Manager Engineering Services for the provision of items identified in the accepted strategy;
- 10. Provision of a Rainwater Management Plan that utilizes sustainable strategies to allow for infiltration, retention, treatment and utilization of rainwater where applicable and appropriate on site;

Note to Applicant: The Plan should demonstrate that the volume of post-development runoff does not exceed that of the former use of the site, and that it is treated for 90% TSS removal before discharging into the City stormwater infrastructure.

- 11. Provision of a Solid Waste Diversion Strategy that addresses waste diversion in all solid-waste generating activities within the complex.

Note to Applicant: The Strategy must identify/provide space, infrastructure and an operational approach to divert organics and recyclables from the waste stream, and minimize the vehicle trips required for collection, to the satisfaction of the General Manager of Engineering Services

Flood Plain Covenant

- 12. Execute a Flood Plain Covenant to the satisfaction of the Director of Legal Services and the Chief Building Official.

Social Infrastructure

13. Make arrangements for the design, construction, finishing and delivery to the City of a social housing building consisting of not more nor less than 113,000 gross square feet and associated parking, to the satisfaction of the Chief Housing Officer and the Director of Legal Services.

Note to Applicant: The applicant shall not apply and the City will not be required to issue an occupancy permit for buildings 3, 4 or 5 before the social housing building substantial completion date.

Community Amenity Contribution (CAC)

14. Pay to the City the Community Amenity Contribution of \$10,033,346 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, and is allocated to the construction of social housing on site.

Public Art

15. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager.

Note to Applicant: Please call Bryan Newson, program manager, 604 871 6002, to discuss your application.

Soils Agreement

16. If applicable:
 - (a) Submit a site profile to the the Environmental Contamination Team.
 - (b) As required by the Manager of the Environmental Contamination Team and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter.
 - (c) If required by the Manager of the Environmental Contamination Team and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of the Environmental Contamination Team, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until a Certificate of

Compliance(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Park

17. If applicable, register a no build covenant over a portion of East Park immediately adjacent to Buildings 3, 4 and 5 to address spatial separation requirements.

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 sites 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-laws.

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.

- B. THAT the application to amend Areas 3A and 3B in the Southeast False Creek Official Development Plan (By-law No. 9073) to increase various floor area provisions by 10,765 m² and to increase the maximum permitted building height from 38.10 m to 53.35 m as set out in Appendix C of the Policy Report dated April 24, 2014, entitled "CD-1 Rezoning: 1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B)", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the General Manager of Development Services be instructed to bring forward for approval the CD-1 Design Guidelines, generally as presented in Appendix F of the Policy Report dated April 24, 2014, entitled "CD-1 Rezoning: 1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue (Southeast False Creek Areas 3A and 3B)".
- D. THAT Recommendations A, B and C 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; 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 bylaw 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.

[RZ -1551 Quebec Street, 1600 Ontario Street and 95/99 East 1st Avenue
(Southeast False Creek Areas 3A and 3B)]