



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: January 9, 2017
Contact: Kent Munro
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RTS No.: 11836
VanRIMS No.: 08-2000-20
Meeting Date: February 7, 2017

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: CD-1 Rezoning: 371 West 2nd Avenue

RECOMMENDATION

A. THAT the application by DYS Architecture, on behalf of Aurmon False Creek Development Ltd., to rezone 371 West 2nd Avenue [*Lot D, Block 3, District Lot 302, Plan LMP3168; PID: 017-680-026*] from M-2 (Industrial) District to CD-1 (Comprehensive Development) District, to allow for a 12-storey residential building and a six-storey residential podium, containing 133 strata-titled housing units, with a total height of 37.54 m (123 ft.) and density of 4.07 FSR, be referred to a public hearing, together with:

- (i) plans prepared by DYS Architecture, received December 23, 2015;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at the public hearing.

B. THAT, if the application is referred to a public hearing, consequential amendments to Sections 4.2 in the Southeast False Creek Official Development Plan (By-law No. 9073) to increase maximum permitted floor area for residential uses in Area 1B from 83,848 m² to 85,106 m², as set-out as set out in Appendix C, also be referred to the same public hearing and be approved, subject to the public hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix C for consideration at the public hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix D;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of the enactment of the CD-1 By-law.

- D. THAT Recommendations A through 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 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 rezone the site located at 371 West 2nd Avenue from M-2 (Industrial) District to CD-1 (Comprehensive Development) District to permit development of a 12-storey residential building and a six-storey residential podium, containing 133 strata-titled housing units. This proposal is in keeping with the Southeast False Creek Official Development Plan (ODP) and the Southeast False Creek Design Guidelines for Additional Penthouse Storeys.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- Southeast False Creek Official Development Plan (2007);
- Southeast False Creek Design Guidelines for Additional Penthouse Storeys (2010);
- Southeast False Creek Public Realm Plan (2006);
- Southeast False Creek Green Building Strategy (2004, last amended 2008);
- High-Density Housing for Families with Children Guidelines (1992);
- Green Buildings Policy for Rezoning (2010, last amended 2014);
- Urban Agriculture Design Guidelines for the Private Realm (2009);
- Community Amenity Contributions - Through Rezonings (1999, last amended 2016);
- Energy Utility System By-law (2007);

- Neighbourhood Energy Connectivity Standards Design Guidelines (2014);
- Flood Plain Standards and Requirements (2015); and
- M-2 District Schedule.

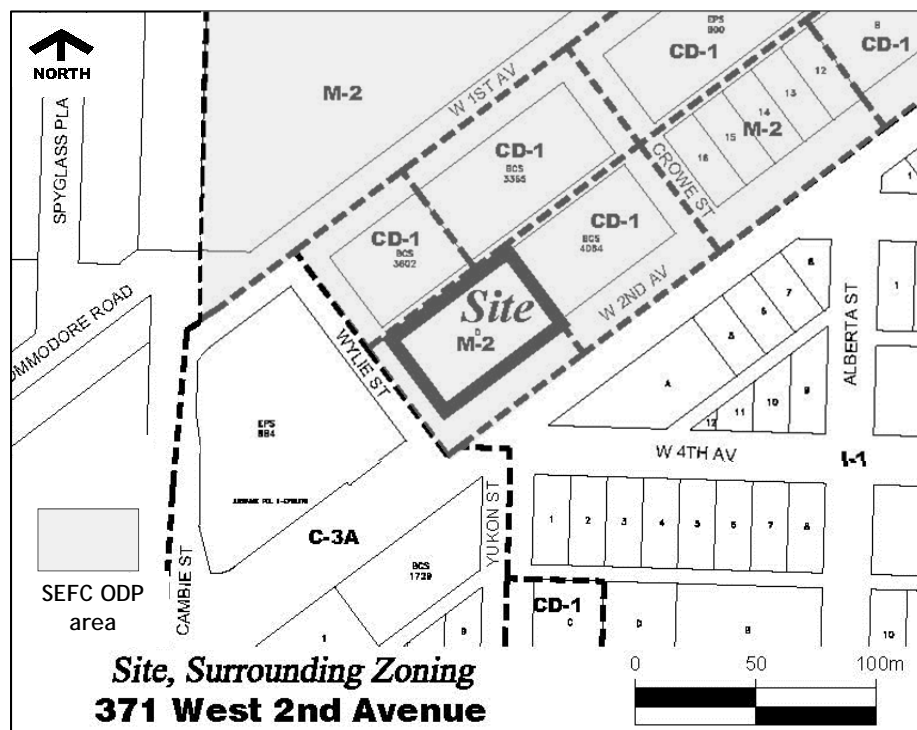
REPORT

Background/Context

1. Site and Context

The site has an area of 2,244.5 m² (24,160 sq. ft.) and is located at the northeast corner of West 2nd Avenue and Wylie Street (see Figure 1) in the “Works Yard” neighbourhood (Area 1B) of Southeast False Creek Official Development Plan (SEFC ODP). The site has frontage of 60.4 m (198.0 ft.) on West 2nd Avenue and 37.2 m (122.0 ft.) on Wylie Street.

Figure 1 - Site, surrounding zoning, and SEFC ODP boundary



The site is currently zoned M-2 and is a vacant lot with temporary community garden plots. The surrounding context includes a mix of residential and commercial buildings ranging in height from two to 10 storeys. The area south and west is zoned C-3A and I-1 and the area to the north and east is within the boundaries of the Southeast False Creek Official Development Plan. There are two heritage buildings, category B on the Vancouver Heritage Register, adjacent to the site: a six-storey and 10-storey mixed-use building on the west side of Wylie Street and a four-storey residential building directly across the lane. East of the site is a 10-storey residential building with a five-storey podium (Pinnacle Living), recently approved

through a rezoning process. Two-storey and three-storey commercial/industrial buildings are located south of the site and a nine-storey mixed-use building (Montreux) is located to the southwest.

The site is well served by transit. West 2nd Avenue and Cambie Street are bus routes and the Olympic Village Skytrain Station is approximately 250 m southwest. There are also several bike routes nearby including Yukon Street, West 1st Avenue and the False Creek Seawall.

2. Policy Context

Southeast False Creek Official Development Plan — Rezoning in Southeast False Creek are guided by the area's Official Development Plan which was approved in 2007. For this site (located in Area 1B), the Official Development Plan envisions the potential for residential uses, with retail, service, office and light industrial uses optional at grade-level. The base FSR in the ODP is 3.5 and building height is limited to 38.1 m (125 ft.). The optimal height map identifies the site as a nine-storey building next to a five-storey podium.

Further conditions in the Official Development Plan require 25 per cent of the residential units in Area 1B to be suitable for families. The Official Development Plan includes a north-south route east of the site to connect with walkways leading to the waterfront, parks, and commercial areas.

Southeast False Creek Design Guidelines for Additional Penthouse Storeys — The Southeast False Creek Design Guidelines for Additional Penthouse Storeys, adopted in 2010, permits consideration of additional height of up to 6.25 m (plus commensurate density) subject to meeting several performance-based design criteria. Height increases up to two additional storeys for the tower and a one storey height increase for the podium will be considered.

Southeast False Creek Public Realm Plan — This plan is a conceptual design framework that guides the detailed design of the public realm in Southeast False Creek. The plan designates the lane behind the proposed development as a Neighbourhood Mews/Lane/Alley, with a Park Street/Greenway on the western edge.

The lanes in Southeast False Creek are intended to accommodate both service vehicles and local resident traffic as well as pedestrian uses, while the lanes south of West 1st Avenue are to have a mixed-use character. The lanes are also potential locations for green courtyards which could provide for a variety of uses such as outdoor areas for restaurants, residential yards and landscaped areas for relaxation and play.

Strategic Analysis

1. Proposal

The application proposes to construct a 12-storey residential tower and a six-storey residential podium containing 133 dwelling units and 172 parking spaces on three levels of underground parking. The proposal incorporates two additional penthouse floors on the tower and one additional penthouse floor for the podium as permitted under the Southeast False Creek Design Guidelines for Additional Penthouse Storeys. The proposed 12-storey building, with the additional penthouse floors, is 37.5 m (123.2 ft.) in height and within the maximum

permitted height of 38.1 m (125 ft.) for this area, in accordance with the Southeast False Creek Official Development Plan.

The Southeast False Creek Official Development Plan prescribed a maximum residential floor area for each sub-area at the time of its adoption. The Southeast False Creek Design Guidelines for Additional Penthouse Storeys, permit additional density beyond the 3.5 FSR base density for the area. Staff have provided Recommendation B, to amend Section 4.2 of the Southeast False Creek Official Development Plan (see Appendix C, Table 1), to reflect a greater amount of residential floor area, due to additional penthouse floors proposed at this location. It is anticipated that all remaining undeveloped sites within Southeast False Creek, which pursue additional development under the Southeast False Creek Design Guidelines for Additional Penthouse Storeys, would proceed through a similar process to amend the SEFC ODP as those sites are rezoned.

Figure 2 - Illustrative view of the proposal looking north



2. Housing

The proposal, if approved, will deliver 133 market housing units in the form of studio, one-, two-, and three-bedroom units. Thirty-five per cent of the units will be family units (two- or three-bedroom units). The Southeast False Creek Official Development Plan requires that 25 per cent of the residential units in area 1B be suitable for families with small children, in accordance with the High-Density Housing for Families with Children Guidelines adopted by Council on March 24, 1992. On July 13, 2016, Council updated its family housing policy to require a minimum of 35 per cent of all units to be two bedrooms or more for residential

strata housing projects, including a minimum 25 per cent two-bedroom and a minimum 10 per cent three-bedroom units in each project. However, the new family housing policy does not apply to Council-approved official development plans that have their own family unit targets such as the Southeast False Creek Official Development Plan. Despite being exempt, it is notable that this application exceeds the Southeast False Creek Official Development Plan family unit requirement. This application proposes six studios, 81 one-bedroom units, 34 two-bedroom units, and 12 three-bedroom units.

Staff have reviewed the proposed indoor and outdoor amenity space and conclude that they are suitable for families with children in accordance with the High-Density Housing for Families with Children Guidelines.

3. Form of Development, Land Use and Density

The Southeast False Creek Official Development Plan reinforces the idea of an overall ‘basin’ section to False Creek, with lower buildings near the waterfront stepping up to higher buildings between 1st and 2nd Avenues. The urban design pattern in Southeast False Creek is high density in mid-rise buildings, with towers located at the corners of the block and podiums spanning the mid-block. Supportable density on any particular site is determined through a site-specific urban design analysis and public realm performance review.

The subject site is located in the “Works Yard” neighbourhood of Southeast False Creek (see Figure 2). This former industrial area is transitioning to a high density residential neighbourhood. Southeast False Creek Official Development Plan and public realm objectives for this site include the following:

- Transition buildings heights up from False Creek to a high point along 2nd Avenue, with a maximum height for this area of 38.1 m (125 ft.);
- Consideration of two additional storeys up to 6.25 m (21 ft.) in height as partial penthouse floors and 1 additional floor at the podium level, provided the additional storeys comply with the objectives of the “Southeast False Creek Design Guidelines for Additional Penthouse Storeys”;

The application proposes a residential building comprised of a podium element along West 2nd Avenue that is six-storeys in height, and a tower element at the corner that extends to 12-storeys in height. The top two floors are set back from the sides to suggest a penthouse form. Landscaped outdoor amenity areas are proposed at the lane and on the roof of the podium. The ground floor includes five townhouses facing onto 2nd Avenue. The townhouses are expected to contribute to the activation of West 1st Avenue by providing entryways along this street.

The application departs from typical forms in this neighbourhood in setting the podium element back from 2nd Avenue by 3.65 m (12 ft.) in order to provide a buffer space in front of the new residences, including a row of trees. As this also has the effect of enlarging the open space experienced by pedestrians along this busy arterial roadway, staff support this change. The application also departs from the recommendation for a pedestrian passage to connect the lane and street at the mid-block. In this instance staff accept the alternate form proposed which instead contributes to pedestrian quality through the increased setback, and

because there is not a clear desire line (such as a mid-block crossing of 2nd Avenue) at the east property line.

Figure 10 of the Southeast False Creek Official Development Plan indicates an optimum height of nine-storeys for this site, without the penthouse levels, which staff have typically considered as being comparable to nine levels at 10 feet each, or 90 ft. in height. The application proposes a shoulder height of 30.6 m (100.5 ft.), similar to the intended scale. Staff accept the additional shoulder height in this instance, which is sought to respond to increased flood plain requirements and to allow the townhouse entries to be elevated above 2nd Avenue.

The application includes two penthouse floors on top of the 10-storey portion, along with an increase in additional floor area which may be proposed under the Southeast False Creek Design Guidelines for Additional Penthouse Storeys. While staff are supportive of the additional penthouse storeys, design development is necessary to ensure that those floors are adequately set back from the lower tower floors to avoid creating additional shadowing onto neighbouring private green spaces, as well as better meeting other goals in the Penthouse Guidelines. These reductions would affect approximately 100 m² of floor area at the penthouse levels (see condition of approval in Appendix B, (b)(1)). Staff are therefore recommending a maximum floor area of 9,134 m² (98,315 sq. ft.) for the site (see Appendix A).

The Urban Design Panel reviewed and supported this application on April 20, 2016 (see Appendix C). Staff have concluded that, based on the proposed built form and massing, the overall proposal is generally consistent with the objectives of the Southeast False Creek Official Development Plan. Staff support the proposed form of development, subject to the conditions of approval noted in Appendix B.

4. Transportation and Parking

Vehicle and bicycle parking are proposed within three levels of underground parking, accessed from the rear lane via a shared driveway with the adjacent development (1887 Crowe Street). The application proposes 172 parking spaces and 134 bicycle storage spaces, however, the Parking By-law limits the development to no more than 114 parking spaces and requires at least 166 bicycle spaces. All parking, bicycle parking and loading spaces are to be provided in compliance with the Parking By-law.

Engineering Services has reviewed the rezoning application and have no objections to the proposed rezoning provided that the applicant satisfies the rezoning conditions included in Appendix B.

5. Environmental Sustainability

The rezoning application is subject to the Southeast False Creek Green Building Strategy and the Green Building Policy for Rezoning. The *Green Buildings Policy for Rezoning* (amended by Council on November 29, 2016) requires that residential rezoning applications satisfy either the near zero emission buildings or low emissions green buildings conditions within the policy. These new requirements will be mandatory for all rezoning applications received on or after May 1, 2017. Applications received prior to May 1, 2017 may choose to meet this updated version of the policy or the preceding version.

This application has opted to satisfy the preceding version of the *Green Buildings Policy for Rezonings*, which require rezoning applications achieve a minimum of LEED® Gold rating, with targeted points for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project. The applicant submitted a preliminary LEED® scorecard, which generally conforms to the *Green Buildings Policy for Rezonings*, indicating that the project could attain the required LEED® points and, therefore, would be eligible for LEED® Gold rating.

Neighbourhood Energy - In support of the environmental sustainability goals set out in the Southeast False Creek Official Development Plan, Council's Energy Utility System By-law (No. 9552) requires all new developments within the designated service area to connect to the Southeast False Creek Neighbourhood Energy Utility. A low carbon neighbourhood energy approach for space heat and domestic hot water enables significant greenhouse gas reductions for the neighbourhood. Conditions of rezoning have been incorporated in Appendix B that provide for Neighbourhood Energy System (NES) compatibility and connection to the Southeast False Creek Neighbourhood Energy Utility.

6. Public Input

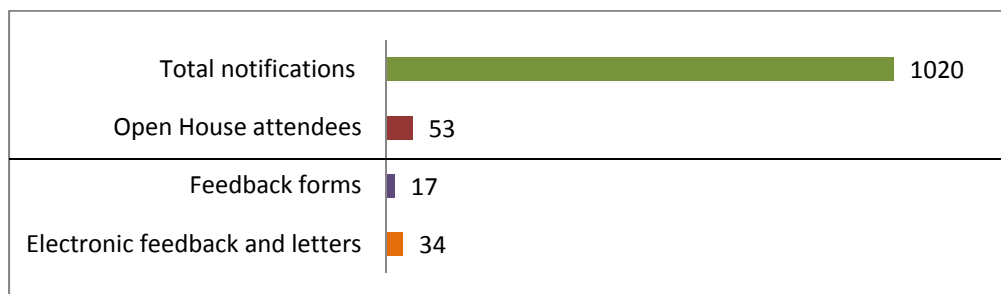
Public Notification - A rezoning information sign was installed on the site on February 23, 2016. A community Open House was held on April 6, 2016. A total of 1,020 notifications were distributed within the neighbouring area on or about March 29, 2016. Notification and application information, as well as an online comment form, was provided on the City of Vancouver Rezoning Centre webpage (vancouver.ca/rezapps).

April 6, 2016 Community Open House - A community Open House was held from 5-8 pm on April 6, 2016, at Creekside Community Centre. Staff, the applicant team, and a total of approximately 53 people attended the Open House.

Public Response - Public responses to this proposal have been submitted to the City as follows:

- In response to the April 6, 2016 open house, a total of 17 comment sheets were received from the public.
- A total of 34 letters, e-mails, online comment forms, and other feedback were received from the public.

Figure 3 - Public notification and responses



Comments in support for the application included:

- Form of development is contextually-appropriate for the Southeast False Creek neighbourhood.

Comments or concerns about the application, included:

- Height, massing, and density of the building and shadow impacts;
- Setbacks and loss of privacy and views;
- Lack of urban design response to adjacent heritage buildings; and
- Increased neighbourhood traffic and parking congestion, and anticipated conflicts from shared parking ramp with adjacent development.

Several concerns regarding the relationship of the new tower to the residential heritage building at 388 West 1st Avenue were received. On January 13, City staff met with the building's strata council to discuss the proposed rezoning conditions for the application and to provide clarity on relevant City policies including the Southeast False Creek Official Development Plan and the Southeast False Creek Design Guidelines for Additional Penthouse Storeys policy. Staff have provided some additional drawings and shadow studies related to concerns raised at the meeting. The strata council also left staff with several questions, which will be addressed at the public hearing.

Since this application was submitted, neighbourhood feedback has assisted the applicant team in refining the design and achieving a better proposal. Staff are satisfied the application is in line with City policies and that the form of development proposed demonstrates an appropriate contextual fit with the adjacent neighbourhood, subject to the conditions contained in Appendix B, and recommend approval of the rezoning.

A more detailed summary of public comments on this application is provided in Appendix F.

Height, Massing, Density and Shadow Impacts

Staff have recommended a number of changes to the original design, to be addressed at the development permit stage, that should help ameliorate the effects of the proposal. These include design development to reduce shadowing from the penthouse level, mitigate overlook on to nearby residences and removal of high level rooftop structures to reduce private view obstructions for residences to the south. These and other design recommendations are noted in Appendix B.

Setbacks

The applicant has provided a reference design that will set portions of the north side of the tower further back from the lane by approximately 4.7 m (15.4 ft.) and 4.2 m (13.8 ft.), with a minimum clearance from the lane to all portions of the tower of 2.8 m (9.3 ft.) (See Appendix E). Staff feel this range of setbacks improves on other Southeast False Creek projects while still achieving the development potential area intended in the Official Development Plan.

Urban Design

Staff acknowledge the local desire to have this building appear more like nearby heritage buildings, but note the Southeast False Creek Official Development Plan calls for the preservation of buildings with heritage significance, as opposed to replicating these buildings in new development. Exterior character is expected to be addressed in more detail at the development permit stage.

Traffic and Parking

The site will be required to provide parking in accordance with the Parking By-law and is not anticipated to have a significant impact on traffic or parking in the area. To facilitate two-way flow on the shared parking ramp, Appendix B includes a condition to provide a corner cut at the bottom of the main ramp.

PUBLIC BENEFITS

In response to City policies concerning changes in land use and density, this application, if approved, can be expected to realize the following public benefits.

Public Benefits - Required by By-law or Policy

Development Cost Levies (DCLs) – Development Cost Levies (DCLs) collected from developments help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing); and various engineering infrastructures. This site is subject to both the Citywide DCL and the layered Southeast False Creek DCL. The Citywide DCL is currently \$149.73 per m² (\$13.91 per sq. ft.). The Southeast False Creek DCL is currently \$206.21 per m² (\$19.16 per sq. ft.).

It is estimated that the 9,134 m² (98,315 sq. ft.) of floor space proposed is subject to both DCLs. If this application is approved, approximately \$1,367,562 for the Citywide DCL and \$1,883,715 for the Southeast False Creek DCL, or a total of \$3,251,277 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12 months from the date of the DCL By-law rate amendment, provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments. If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's [DCL Bulletin](#) for details on DCL rate protection.

Public Art – The *Public Art Policy for Rezoned Developments* requires that rezonings involving a floor area of 9,290 m² (100,000 sq. ft.) or greater allocate a portion of their construction budgets to public art as a condition of rezoning. As the proposed floor area is below the minimum threshold, no public art contribution will arise from this application.

Public Benefits - Offered by the Applicant

Community Amenity Contribution (CAC) – Within the context of the City's *Financing Growth Policy*, an offer of a Community Amenity Contribution to address the impacts of rezoning can be anticipated from the owner of a rezoning site. CACs typically include either the provision of on-site amenities or a cash contribution toward other public benefits and they take into consideration community needs, area deficiencies and the impact of the proposed development on City services.

For the Southeast False Creek area, the *Community Amenity Contributions - Through Rezonings* policy applies a fixed rate CAC target of \$14.32 per sq. ft. to be allocated towards affordable housing. Based on the proposed floor area of 98,315 sq. ft., this application will generate a fixed rate CAC of \$1,407,871.

The CAC calculation for additional floor area requested through the *Southeast False Creek Design Guidelines for Additional Penthouse Storeys* is negotiated. Based on a penthouse floor area of 1,263 m² (13,595 sq. ft.) a CAC of \$4,044,512 has been offered. Real Estate Services has reviewed the development analysis for this rezoning application and have concluded that the CAC offered by the property owner for the penthouse floor area is appropriate, and recommend that the offer be accepted.

Including the fixed rate CAC and negotiated CAC, the total CAC for this application, if approved, is \$5,452,383.

CACs are payable prior to rezoning enactment. As well, fixed rate CAC targets are subject to an annual inflationary adjustment which takes place on September 30 of each year. In order to ensure fairness to rezoning applications that have been submitted prior to the adoption of new fixed-rate CAC targets, in-stream rezoning applications are exempt from CAC target increases provided that a rezoning application has been submitted to the City and a rezoning application fee has been paid.

See Appendix H for a summary of all of the public benefits for this application.

FINANCIAL IMPLICATIONS

As noted in the section on public benefits, the applicant has offered a total cash CAC of \$5,452,383. According to the Southeast False Creek Public Benefits Strategy, this CAC will be allocated to affordable housing in and round the SEFC area. Approval and timing of specific projects will be brought forward as part of the Capital Plan and Budget process.

The Citywide DCL and the Southeast False Creek Layered DCL apply to this site. If the project is approved, a combined DCL of approximately \$3,251,277 is anticipated.

As noted under the section on Public Benefits, there are no public art contributions associated with this rezoning.

CONCLUSION

The staff assessment of this rezoning application has concluded that the proposed form of development is an appropriate urban design response to the site and its context. This application, along with the recommended conditions of approval, is consistent with the Southeast False Creek Official Development Plan and the Southeast False Creek Design Guidelines for Additional Penthouse Storeys, with regard to land use, height, density and form.

The General Manager of Planning, Urban Design and Sustainability recommends that the rezoning application be referred to a Public Hearing, together with the draft amending By-law generally as set out in Appendix A. Further, it is recommended that, subject to the Public Hearing, the application including the form of development, as shown in the plans in Appendix G, be approved in principle, subject to the applicant fulfilling the conditions of approval in Appendix B.

* * * * *

371 West 2nd Avenue
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-() attached as Schedule A to this By-law and incorporates Schedule A into Schedule D to By-law No. 3575.

[Note: Schedule A, not attached to this appendix, is a map that amends the City of Vancouver zoning map. Should the rezoning application be referred to public hearing, Schedule A will be included with the draft by-law that is prepared for posting.]

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 ().
- 2.2 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 the 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) Dwelling Uses, limited to Multiple Dwelling and Dwelling Units in conjunction with any use listed in this section 2.2;
 - (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Community Care Facility - Class B;
 - (c) Cultural and Recreational Uses, limited to Arts and Culture Indoor Event, and Fitness Centre;
 - (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Ice Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing, Printing or Publishing, Software Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;

- (e) Office Uses;
- (f) Retail Uses, limited to Furniture or Appliance Store, Public Bike Share, and Retail Store;
- (g) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography; Laboratory, Photofinishing or Photography Studio, and Print Shop, Repair Shop - Class B, Restaurant - Class 1, School - Arts or Self-Improvement, and School - Business; and
- (h) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of use

- 3.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.
- 3.2 The design and layout of at least 25% of the dwelling units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.

Floor area and density

- 4.1 The total floor area for all uses combined must not exceed 9,134 m².
- 4.2 Computation of floor area must include:
 - (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas, and included in the measurements for each floor at which they are located; and
 - (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above, or in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height, except for additional amounts that

represent undeveloped floor areas beneath roof elements, which the Director of Planning considers to be for decorative purposes, and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

4.3 Computation of floor area must exclude:

- (a) open residential balconies or sundecks, entry alcoves and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the Director of Planning may also permit the exclusion of such floors or portions of floors that are located above base surface in a flood plain area; and the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage area above base surface for that unit; and
- (f) amenity areas, including day care facilities, recreation facilities, and meeting rooms, except that the exclusion must not exceed 1 000 m².

4.4 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the total residential floor area provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;

- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
 - (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
 - (d) features generally on the westerly facades of buildings to reduce solar gain, which may be in the form of french balconies and horizontal extensions; and
 - (e) tool sheds, trellises and other garden structures, which support the use of intensive green roofs and urban agriculture, and, despite section 4.2(b), those portions of stairways and elevator enclosures which are at the roof level providing access to the garden areas.
- 4.5 The use of floor area excluded under section 4.3 or 4.4 must not include any use other than that which justified the exclusion.

Building height

5. The building height, measured from base surface to the top of the parapet must not exceed 37.54 m.

Horizontal angle of daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.
- 6.4 If:
- (a) the Director of Planning or Development Permit Board, first considers all the applicable policies and guidelines adopted by Council; and

- (b) the minimum distance of unobstructed view is not less than 3.7 m; the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

6.5 An obstruction referred to in section 6.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 ().

6.6 A habitable room referred to in section 6.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Parking, loading, and bicycle spaces

- 7. Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law.

Acoustics

- 8. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

* * * * *

371 West 2nd Avenue

DRAFT CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for Public Hearing.

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DYS Architecture and stamped "Received Planning & Development Services (Rezoning Centre), December 23, 2015", provided that the General Manager of Planning, Urban Design and Sustainability 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, Urban Design and Sustainability, who shall have particular regard to the following:

Urban Design

- 1. Design development to the penthouse levels to avoid shadows from these floors affecting the rooftop space of the neighbours to the northwest.

Note to Applicant: In particular, avoid shadowing planted areas on the rooftop at 10:00 am at the equinoxes. This adjustment should also apply to penthouse level on the podium. Reduction of the tower penthouse area by approximately 100 sq. m is expected, resulting in a penthouse floor area of approximately 933 sq. m.

- 2. Provision of increased setbacks from the north property line to the tower of at least 4.65 m at the northwest and 4.2 m at the northeast, with a minimum clearance from the lane to all portions of the tower at 2.8 m.

Note to Applicant: Intent is to moderate the visual scale of the building as seen from the pedestrian lane; to improve daylight and sunlight for residences to the north; and to open up views along Wylie Street of the heritage Best Building to the northwest.

- 3. Design development to the tower penthouse to simplify and consolidate the various massing elements.

Note to Applicant: Massing should be arranged so the penthouse has a secondary expression in relation to the tower.

4. Removal of high level rooftop structures contributing to view obstruction.

Note to Applicant: This condition applies to trellises, overhead beams and the like.

5. Design development to the service and loading area to improve its relation to the lane and nearby residential properties.

Note to Applicant: This can be accomplished by treatment of the exterior walls, relocation of above-grade service rooms away from this area, and other revisions. Consideration should be given to the provision of an indoor amenity room in this area to serve the north courtyard; to using the open space to the northeast of the site for service purposes as it adjacent to an existing ramp; and to the use of material reflecting nearby heritage buildings on Wylie Street.

6. Design development to the main floor amenity room to improve its usefulness to all residents, including families and children.

Note to Applicant: This can be accomplished by relocating some or all of the area to the north courtyard to provide a room directly adjacent to, and with good sightlines to, common outdoor space suitable for children's play.

7. Refinement of the residential interface at grade along West 2nd Avenue.

Note to Applicant: Building on the improved setback dimension, continue to develop this edge in detail to balance a buffer for residents from the roadway with enlivenment of the public sidewalk. Enlarged section cuts should show trees with substantial soil volumes, planters, walls, gates and guards.

8. Design development to the north lane edge to provide a visually open, green and planted interface at the pedestrian level.

Lane edge should reflect SEFC themes more notably, allow sightlines into the courtyard, and avoid prominent vehicle-oriented fixtures such as bollards.

9. Design development to mitigate privacy and overlook toward nearby residential units.

Note to Applicant: This can be accomplished by further development of landscape drawings, enlarged sections, and other drawings that illustrate the specific built features proposed to balance the amenity of future and existing residents.

10. Design development to meet the High-Density Housing for Families with Children Guidelines.

11. Provision of high quality and durable exterior finishes.

Note to Applicant: Intent is to maintain the proposed architectural quality including the use and extent of brick. Material choices including visible areas such as soffits should reflect a residential character and avoid an institutional character.

12. Consideration of a strategy to create a bird friendly design.

Note to Applicant: Refer to the Bird Friendly Design Guidelines for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

13. The proposed unit mix, including six studio units (4%), 81 one-bedroom units (61%), 34 two-bedroom units (26%), and 12 three-bedroom units (9%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% of the dwelling units designed to be suitable for families with children.

Crime Prevention through Environmental Design (CPTED)

14. Design development to respond to CPTED principles, having particular regards for:
- (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

15. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the Green Buildings Policy for Rezoning, including a minimum of 63 points in the LEED® rating system, including at least 22% reduction in energy cost as compared to ASHRAE 90.1 2010, one water efficiency point, and one stormwater point.

Note to Applicant: Provide a LEED® checklist confirming the above; 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. Insulation or thermal breaks

should be provided at extensions of the concrete slab, given the extent and number of extrusions.

Landscape Design

16. Design development to the courtyard to achieve a sunnier common space.

Note to Applicant: Currently the courtyard as proposed would be in shade for most of the day. Design options should explore strategies which increase access to sun.

17. Design development to West 2nd Avenue interface to increase landscape buffering, better define the private/public transition, as well as enhance presentation to the street.

Note to Applicant: This can be achieved by the addition of more substantial planting in layers, oriented to the street. Any proposed fencing should be pulled further inside the private property, allowing a low layer of planting in front of it, oriented to the street. A section should be included, showing the public to private transition.

18. Design development to expand programming to enable increased common use of rooftop terrace for more diverse activities.

Note to Applicant: This can be achieved by reducing the private terrace area, while increasing the common area.

19. Design development to the Wylie Street interface to achieve increased buffer and enhance presentation to the street.

Note to Applicant: A raised grade or berm, combined with more substantial planting buffer could achieve this. Also, additional planting should soften the proposed bike pad location.

20. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be sloped or altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be to BCSLA standards or better.

21. Provision of common planted areas over parking structure to be flush with the grade, rather than in discontinuous planter boxes.

Note to Applicant: This will require a reduced parkade ceiling height, or deeper excavation, to allow for parkade height.

22. Provision requirements at the time of Development Permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
- (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future. Trees on structures should confirm a minimum depth of 3'.
- (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: : The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) New proposed street trees should be noted "Final species, quantity and spacing to the approval of General Manager of Engineering Services and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

Engineering

23. Provision and maintenance of off-street parking spaces, loading spaces, and bicycle parking spaces, in accordance with the Parking By-law.
24. Provision of the full 19 m x 4 m Public Bike Share (PBS) pad is required. Please update the site and landscape plans to reflect these dimensions.
25. Delete proposed trees and grass within the proposed PBS footprint. Placing temporary and easily removable objects such as planters or benches on the PBS pad in the interim until the PBS station is installed is acceptable.
26. Clarify garbage pick-up operations and confirm clear access from the garbage room to the lane for all bin sizes and that grades are compatible with the City building grades.
27. Connect the storm connection to the storm main on West 2nd Avenue and connect the sanitary main to the combined main on West 2nd Avenue, connecting from the eastern half of 371 West 2nd Avenue.
28. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.
 - (i) Provision of design elevations on both sides of the parking ramp at all breakpoints, through the loading bay, throughout the parking layout and at all entrances.
 - (ii) Provision of an improved plan showing the connection from the existing main ramp to P1 parking level, the security gate on the main ramp and confirm that 2.3 m vertical clearance is provided on the main ramp to the parking layout.
 - (iii) Provide a 9 ft. x 9 ft. corner cut at the bottom of the main ramp to provide two-way flow and visibility.
 - (iv) Provision of a security gate for the parking layout to be shown on plans.
 - (v) Provision of minimum vertical clearance for security gates and loading bays.

Note: 3.5 m of vertical clearance is required for one Class B loading space and maneuvering. Minimum vertical clearance is not provided for the one Class B loading space shown on Section A, drawing A4.01.
 - (vi) Provision of a 4.6 m load throat for the Class B loading space to be shown on plans.
 - (vii) Provide a 0.3 m setback from the drive aisle for all of the columns on all parking levels P1, P2 and P3.

- (viii) Provision of additional parking stall width for the parking stalls adjacent to walls as per the Parking By-law. Some examples of spaces are 45, 33, 25 and 14 on drawing A2.02.

Note to Applicant: similar located stalls on the other parking levels may also require the additional stall width.

- (ix) Label all the visitor parking spaces on the plans.
- (x) Stall number 43 is labelled twice on drawing number A2.02.
- (xi) Provide automatic door openers on the doors providing access to the bicycle room(s).
- (xii) Provision of an improved plan showing the access route from the Class A bicycle spaces to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

Street Horticulture

- 29. All plant material within the same continuous planting area which is located on street right-of-way within 10 m, measured from the corner, of an intersection, pedestrian crossing, entrance to a driveway or other conflict areas where sightlines need to be maintained for safety reasons, shall not exceed a mature height of 0.6 m, measured from the sidewalk.
- 30. All plant material within the street right-of-way which are located outside of the areas described in the bullet above shall not exceed 1 m in height, measured from the sidewalk. Exceptions will be approved on a case-by-case basis by the City of Vancouver's Street Activities Branch.
- 31. Plants shall be planted in such a way as to not encroach on the sidewalk, street, lane, and/or bike lane.
- 32. To allow for easy access to vehicles through the boulevard, the location of planting areas along Wylie Street should take into consideration parking spacing and access requirements.

Neighbourhood Energy Utility

- 33. The proposed plan for site heating and cooling, developed in consultation with the City, shall be provided prior to the issuance of development permit, to the satisfaction of the General Manager of Engineering Services.
- 34. The building(s) heating and domestic hot water system shall be designed to be compatible with the SEFC NEU system to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy

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 *SEFC NEU Building Connection Guideline (2016)* 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. As a pre-condition to building permit, a declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required.

35. The building mechanical system must utilize the energy transfer station for all of its space heating and domestic hot water requirements, and the building mechanical system must not incorporate any additional heat production equipment including, but not limited to, boilers, water source heat pumps, air source heat pumps, furnaces, hot water heaters, geo-exchange systems, electric baseboards, or heat producing fire places except that:
- (i) A building may incorporate a solar system to generate heat energy;
 - (ii) A building may incorporate hybrid heat pumps for space cooling, provided the compressor cannot operate in heating mode;
 - (iii) A building may incorporate heat recovery ventilation (air to air heat exchangers) and waste heat recovery from refrigeration or active cooling systems for the purposes of supplementing the heat energy provided:
 - (a) The systems used for heat recovery from refrigeration or active cooling do not provide any supplemental heating when there is no active cooling service required;
 - (b) The approach to heat recovery is consistent with this Schedule (i.e. hydronic systems with centralized mechanical equipment); and
 - (c) Waste heat recovery systems do not cross property lines.

Exceptions for on-site heat production may be approved by the General Manager of Engineering Services, provided the total heat production produced by all exceptions does not exceed 1% of the total annual thermal energy needs of the building.

36. Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

37. Provision of a dedicated room in a location suitable for connecting to the SEFC 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.

Note to Applicant: The SEFC NEU has pre-serviced this site off of Wylie Street. The NEU room is to be in close alignment with the preservice location.

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, Urban Design and Sustainability, the General Manager of Engineering Services and the General Manager of Community Services (or successors in function), as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Dedication of the south 5 feet of the site for road purposes. A subdivision is required to effect the dedication. A subdivision plan and application to the Subdivision and Strata Group is required.
2. Provision of a surface statutory right of way for landscaping and lane lighting purposes over the north 1.5 metres of the site.
3. Provision for a Right of Way and space to accommodate a Public Bike Share (PBS) Station.
 - (i) Size: At a minimum a 19 m x 4 m sized station must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.
 - (ii) Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing easy access to the street.
 - (iii) Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
 - (iv) Grades: The surface must be leveled with a maximum cross slope of 3 per cent and have a consistent grade (i.e. no grade transitions) along

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

- (v) Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
 - (vi) Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.
4. Provision, operation, and maintenance of shared vehicles and the provision and maintenance of parking spaces for use exclusively by such shared vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law, at the rate in the table below:

Dwelling Units	Shared Vehicle	Shared Vehicle Parking Space	Future Converted Shared Vehicle Parking Space
1 - 49	None	None	1
50 - 149	1	1	1
150 - 249	2	2	2
250 - 349	2	2	3
Each additional 100 units or portion thereof	+0	+0	+1

and under the conditions outlined below:

- (i) a professional shared vehicle organization, satisfactory to the Director of Planning and General Manager of Engineering Services, is to manage the shared vehicles;
- (ii) the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
- (iii) the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces;
- (iv) provision of a letter from a car share organization indicating their desire to provide such vehicles at building occupancy.

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.

(i) Provision of new curb alignment and pavement on West 2nd Avenue adjacent the site including relocation and adjustment of all impacted utilities both above and below grade should it be necessary.

(ii) Provision of an extended corner bulge on Wylie Street at the intersection of West 2nd Avenue to accommodate an asphalt bicycle curb ramp.

Note to Applicant: A geometric design will be provided by the City.

(i) Provision of a separate asphalt bicycle curb ramp on Wylie Street.

Note to Applicant: The curb ramp is intended to facilitate access to and from the PBS station located at the corner.

(ii) Provision of South East False Creek (SEFC) street improvements consistent with the SEFC Public Realm Plan and Public Realm Enrichment Guide is not limited to but shall include the following;

(a) Provision of CIP broom finish concrete with saw cut joints in the back boulevard between the sidewalk and concrete PBS station pad for the full length of the pad.

(b) Provision of CIP concrete sidewalks with saw cut joints on both Wylie Street and West 2nd Avenue consistent with the SEFC public realm plan.

(c) Provision of improved street lighting adjacent to the site on Wylie Street and West 2nd Avenue consistent with the SEFC public realm plan.

Note to Applicant: new lighting including fixtures, poles and bases are required.

(d) Provision of lane lighting to be shown within the 1.5 m right of way adjacent the north property line of the site. Provision of a draft lane lighting plan is required and clear indication of the location of any lane lamp standards and the ability of the site (parking structure) to accommodate the pole bases is required.

- (e) Upgrading of the existing street lighting fixtures using LED technology at the intersection of West 2nd Avenue and Wylie Street. Upgrading of the lighting at the 4 corners is required.
 - (f) Provision of lane improvements consistent with the SEFC public realm plan including, granite setts adjacent the lane edge, lane paving and standard concrete lane crossing on the east side of Wylie Street at the lane north of West 2nd Avenue should the existing lane entry not meet current standards.
 - (g) Restoration of lane improvements/speciality material required as a result of pole removal in the lane north of West 2nd Avenue from Wylie to Crowe.
 - (h) Provision of street trees adjacent to the site where space permits.
- (iii) Provision of adequate water service 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 per cent of any water system upgrading that may be required.
6. Provision of all existing and new 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. Consultation with BC Hydro and Telus and all other effected utilities is required by the applicant to identify the extent of existing overhead utilities that can be undergrounded or eliminated. The extent of undergrounding that can be achieved is to be clearly identified on the development permit drawings and the applicant is to be responsible for the restoration of the public realm after pole removal.

Neighbourhood Energy Utility

7. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connecting to and securing adequate space for the SEFC NEU, which may include but are not limited to the following:
 - (i) Provision of a Statutory Right of Way to the City granting the operator of the SEFC NEU access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy Utility connection and operation, on such terms and conditions as may be reasonably required by the operator.

Environmental Contamination

8. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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; and
 - (iii) If required by the Manager of Environmental Services 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 Environmental Services, the General Manager of Engineering Services 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 separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Note to Applicant: 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 registered charges pursuant to 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 are 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, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

* * * * *

371 West 2nd Avenue
(Southeast False Creek Area 1B)

DRAFT AMENDMENTS TO SOUTHEAST FALSE CREEK OFFICIAL DEVELOPMENT PLAN
(BY-LAW NO. 9073)

Note: A By-law 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 the Southeast False Creek Official Development Plan By-law No. 9073.
2. In section 4.2, Council strikes out Table 1 and substitutes:

"Table 1

Maximum permitted floor area

Area	Maximum permitted floor area for residential uses	Maximum permitted floor area for non- residential uses other than cultural, recreational and institutional	Maximum permitted floor area for all uses
Area 1A	84,595 m ²	350 m ²	84,945 m ²
Area 2A	114,655 m ²	10,212 m ²	124,867 m ²
Area 3A and 3B	58,020 m ²	0 m ²	58,020 m ²
Area 1B	85,106 m ²	0 m ²	85,106 m ²
Area 2B	143,912 m ²	6,922 m ²	150,834 m ²
Area 3C	145,618 m ²	17,822 m ²	163,440 m ²
Total maximum permitted floor area for all areas	631,906 m ²	35,606 m ²	667,212 m ²

"

NOISE CONTROL BY-LAW NO. 6555

Amend Schedule B (Intermediate Zone) by adding the following:

"[CD-1 (#)] [By-law #] 371 West 2nd Avenue"

* * * * *

371 West 2nd Avenue
URBAN DESIGN ANALYSIS

URBAN DESIGN PANEL

The Urban Design Plan reviewed the application on April 20, 2016 and supported it.

EVALUATION: SUPPORT (8-0)

Introduction: Rachel Harrison, Rezoning Planner, introduced the application as a site on the northeast corner of West 2nd Avenue and Wylie Street at the western edge of the South-East False Creek Official Development Plan (SEFC ODP) area. The area on the other side of Wylie and West 2nd Avenue is outside the ODP area. This area is zoned C-3A.

To the west are mixed-use buildings on 2nd Avenue. These include a four-storey heritage building ("Maynard's") and a nine-storey mixed-use building ("Montreux"). There is also a nine-storey residential building at 1st Avenue and Wylie Street. The sites within this block are all zoned CD-1.

To the north is a four-storey residential heritage building ("the Exchange") and a new six-storey addition next to it. The "Exchange" building sits right on its rear property line. To the northeast is a 13-storey residential building, to the east is a 10-storey residential building ("Pinnacle") with a six-storey podium, and to the south are two to three-storey commercial and industrial buildings.

This rezoning is coming in under the Southeast False Creek Official Development Plan, which was approved by Council in 2005, and the Southeast False Creek Design Guidelines for Additional Penthouse Storeys, which was later approved in 2010.

The SEFC ODP sets a maximum density at 3.5 FSR not including the penthouse floors. The applicant is coming in at 3.49 FSR. The SEFC ODP also identifies this site as having optional retail, service, office or light industrial uses at grade. The applicant has chosen residential uses on the ground floor.

The SEFC ODP restricts height with both a maximum height and an optimal height. The ODP sets the maximum height at 38.1 metres or 125 ft. for this area. There is also an Optimal Height Map which identifies a nine-storey tower next to a five-storey podium on this site.

The proposal is 10 ft. below the maximum height and one storey above the Optimal Height for the tower piece. The distinction between maximum and optimal height is that maximum is absolute height limit whereas optimum is a guide. This provides variation in building heights to achieve the urban design principles in the ODP. The intended pattern in SEFC is for high density in mid-rise buildings, with towers located at the corners and podiums spanning mid-block. This means that there is not always 80 ft. tower separation between buildings, and parts of SEFC have a tighter lane and street network.

There is also a separate Penthouse policy that allows for consideration of two additional penthouse storeys on a tower, and one penthouse storey on a podium.

The proposal is to rezone the site to allow for a 12-storey residential building and a six-storey residential podium with a total height of 40 m. (130 ft.) to the top of parapet. Not including the penthouse floors, this proposal has a height of 35 m. (115 ft.) and a base density of 3.49 FSR. The total density is 4.11 FSR. The proposal is for 132 strata housing units, of which 37% of the units will be two or three-bedroom units.

Sailen Black, Development Planner, continued by mentioning that the Site has 198 ft. of frontage and a lot depth of 122 ft. There is a 5 ft. dedication along W 2nd Avenue for road widening.

The application is below the maximum vertical height, and one storey above the optimum storey height of nine storeys at the 'shoulder' of the tower. The penthouse design must earn its density by meeting the performance criteria set out in the policy, such as showing how negative impacts like shadowing have been minimized.

Unlike the sites to the north, 2nd Avenue presents a heavily arterial interface with a complex traffic situation as angled streets intersect. The application includes a better than expected setback from 2nd Avenue to ease up the tough residential interface. The proposed tower form is somewhat broader in its proportions than some SEFC examples.

Advice from the Panel on this application was sought on the following:

1. Whether the Panel supports the proposed built form at each of the four sides, including height, setback and open space, as creating a well-resolved design with the:
 - a) Heritage Best Building and its new open space to the north;
 - b) Residential podium to the east, including the step back from 2nd Avenue;
 - c) Wylie Street interface, including the amenity room at grade; and
 - d) Relationship with West 2nd Avenue, at grade and within the wider context?
2. Does the Panel support the proposed form of development including the:
 - a) Height (12 storey tower at 36.1 m; 6 storey podium at 20.1 m),
 - b) Setbacks (2.6 m south, 3.1 m west, 2.1 m north before dedication),
 - c) Density of 4.1 FSR and area of 99,006 sq. ft., and
 - d) Penthouse levels?

Applicant's Introductory Comments: The applicant team introduced the project and noted that the decision to go residential was made due to the lack of retail continuity. While some retail does exist in the area, residential units are a much better fit overall. A 12 ft. setback and planting provides relief for this.

The line of the podium is being adhered to as the podium is critical to creating a continuous street wall.

There are a significant amount of shading devices, including very pronounced glass and framing. The windows have also been used to create verticality with dark glass. This verticality comes up into the penthouse level.

There is a seating area at the back, and the intention is to evolve it and make it much lushier during the development application process. A theme of lushness and blue elements exists throughout the site to reference the surrounding area.

Up in the amenity courtyard there is a kid's play area. This area is sheltered from the elements and includes seating for parents. There is a smaller amenity further up, with room for urban agriculture and a reasonable sized gathering. This provides a second layer and upper level of amenity.

The applicant team then took questions from the panel.

Panel's Consensus on Key Aspects Needing Improvement:

- There are concerns about the vertical expression as too many 'moves' are being done
- There is some concern about the relationship with the Best building; especially in light of the loading and garbage location
- Design development is needed to strengthen the corner and tie the spaces together better; consider creating commercial in this area
- The courtyard needs to be better; there needs to be a shade program strategy
- There needs to be more sensitivity to the lane
The units off 2nd Avenue should be more livable, and the landscaping should have more integrity
- There is an opportunity to strengthen the podium
- There is uncertainty about the penthouse and whether it belongs

Related Commentary: The Panel was divided on whether the massing, height and density worked. While some members thought that the overall massing and density was a good fit for the site, others thought that the amount of density being proposed creates massing issues.

The build form is a bit more awkward than elegant. There are too many moves in this building with the materials, glass, projections and other statements. These statements are not being expressed meaningfully, and provide more interpretation than expression. Additionally, on the rear side there are north-facing two-bedroom units which jut into the courtyard and add shade to the area.

While the penthouses do add to the overall building, they seem to be blocking the views from across the street and are not selling themselves. The building would be fine if they were removed and the overall height was a bit lower. The trellis on the roof of the podium is also not helpful, and adds too much to the height in this area.

The panel was split on the relationship to the Best Building, with some members thinking that it was fine, while others thought that it was awkward and insensitive. It was agreed that the loading and garbage access do not work with the paving and bollard expression in the lane, and that they are not neighbourly. Overall the space and materials at the lane are a problem and should be handled differently. There is a lack of consideration in its current form.

Retaining the townhouse form on such a mean street will be a struggle as it will create barrier and activation challenges. To make a viable space, there will need to be barriers to make them look livable.

There is a bit of concern with the visual appearance of the residential podium to the east. This is a big façade, which is nicely broken up, but the upper framing only sticks out a meter. Pushing it out another half meter would do much to enhance the definition on this side. Putting more glass elements at grade near the amenity would also add continuity and visual appeal.

There needs to be very strong definition between the units and the street at grade along west 2nd Avenue. Currently 2nd Avenue has a lot of commercial space with limited residential use. The setback is good as there is a lot of traffic in this area; however, consider adding a bit more acoustic privacy to block the sound coming off of 2nd Avenue.

The amenity space at the north seems a bit cut-off from the rest of the building. The location of it on the corner is fine, but the open space on the north could be a bit more accessible. As well, the upper amenity could have more space.

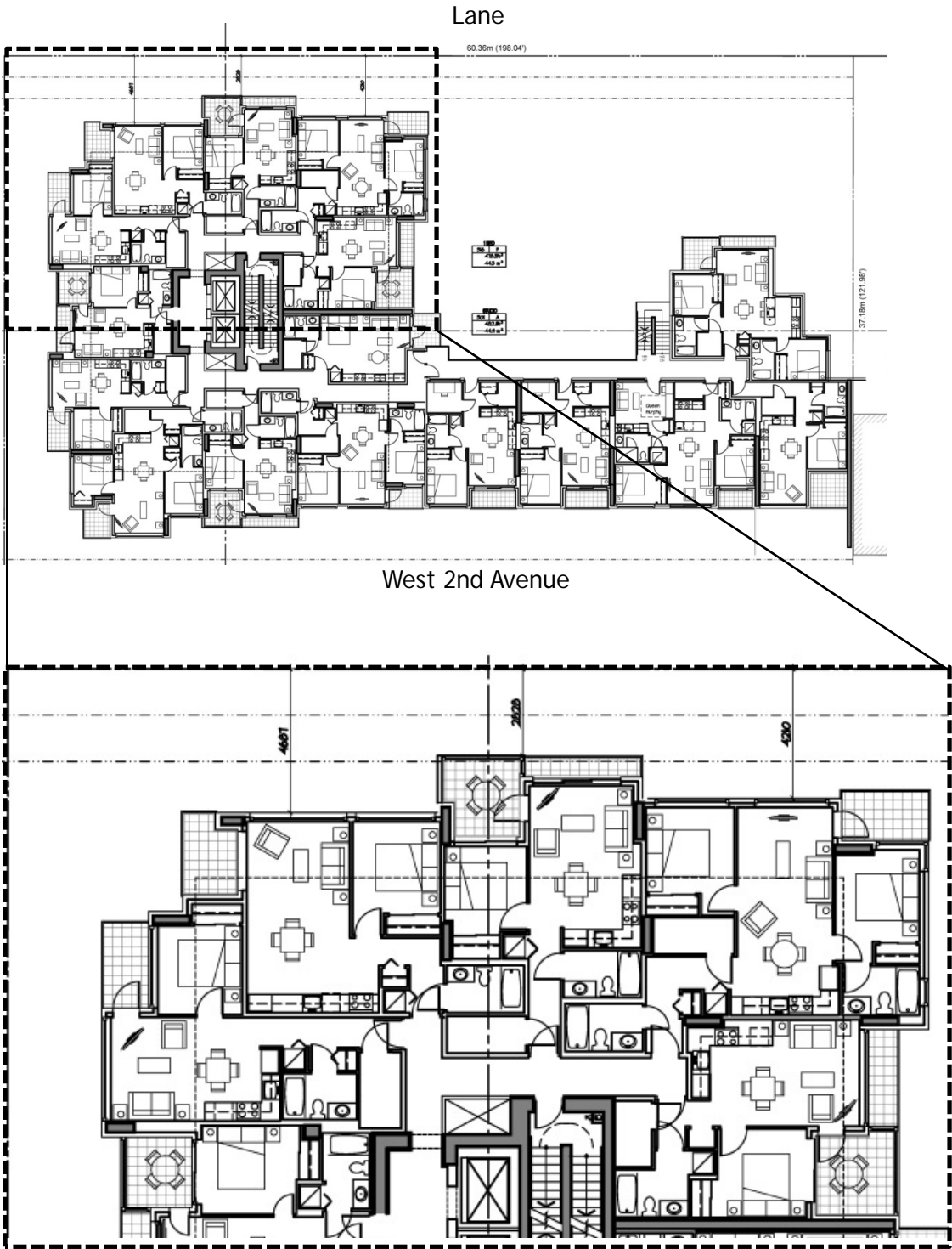
The corner with the bike share would be a great location for a coffee shop, and could act as the entrance to the false creek area. This corner also seems to be very weak and needs to be stronger.

The landscaping in the setbacks off 2nd Avenue needs to be carefully considered as it will be the only landscaping of its kind in this area. Consideration should be given to providing more screening in general throughout the site, and the grade may need to be raised in order to raise the planters off Wylie Street and keep people out of the planting. The Panel also highly recommends courtyard options which would support an intelligent shady program. Currently the courtyard is in the shade at all times of the day.

Applicant's Response: The applicant team thanked the panel for their comments, and will be coming back with an evolved application for the development permit. This means that the landscape will be better, as will the area off of 2nd Avenue. They will also address the comments about the corner with the applicant.

There was a lot of commentary which can be taken forward. It has been a challenge to sort out the density on the site throughout the project, and City staff have been very helpful in coming up with solutions.

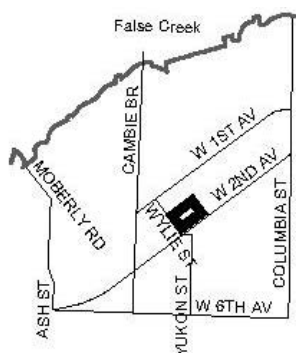
RECOMMENDED FORM OF DEVELOPMENT CONDITIONS (SEE APPENDIX B (b) 2)



371 West 2nd Avenue
PUBLIC CONSULTATION SUMMARY

Public Response and Comments – Staff received 51 written responses including open house comment sheets, online feedback forms and email correspondence.

Open House Notification Distribution Area:



Below is a summary of all feedback received from the public by topic, and ordered by frequency:

Height and Shadow Impacts

Many residents at 'Exchange' (the residential building immediately to the north of the proposal) are concerned about negative shadowing impacts on their building, both for the common rooftop space, and for the units that face south towards the lane. This concern is particularly heightened because 'Exchange' has no rear setbacks from the lane.

Loss of Privacy and Private View Impacts

In addition, several residents of the south-facing units in 'Exchange' have concerns about a lack of privacy that may be caused by this proposal, and feel that a greater setback is needed between this proposal and the lane. (Again, this is heightened because 'Exchange' has no rear setbacks from the lane.) They also have concerns about the potential negative impacts to their private views when this development is completed (due to the loss of the existing community garden on the site, and the orientation of rear steel doors of the proposal's garbage storage room). Many respondents noted that these concerns could be mitigated if the proposal was set back further from the lane.

Urban Design and Public View Obstruction

Several respondents felt that the proposed building's design is not sensitive to the adjacent heritage buildings. Many suggestions were received stating that the urban design/building materials should better reflect the neighbouring heritage buildings (such as 'Exchange', 'Maynards'). There were also concerns noted that this development will block public views of the historic building 'Exchange' from West 2nd Avenue.

Density

There were many general concerns around massing, height, and density. Several respondents felt that the proposed building is too big, too tall, and too bulky for the site. Many felt that the tower should be lower in height, and that the podium should be the same height as the adjacent podium to the east ('Pinnacle Living'). Some have also suggested that the tower should be re-oriented on the site to reduce impacts on neighbouring buildings.

Traffic and Parking

Many respondents shared concerns about the potential for increased traffic that may be created by this development, impacting the lane, neighbouring side streets (Wylie, Crowe), and increased congestion on West 2nd Avenue.

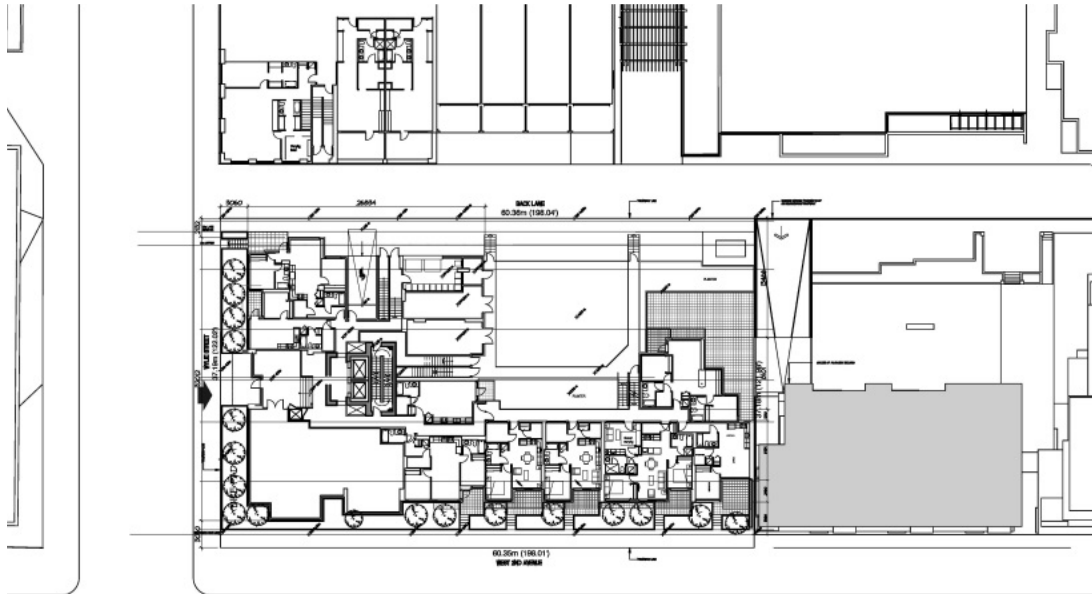
In addition, residents of 'Pinnacle Living' were not in support of sharing the parking ramp between the two buildings, due to concerns about ramp congestion and safety of vehicle movement. Residents of 'Pinnacle Living' were not aware that there is a pre-existing agreement for the sharing of their building's parking ramp with future development on the site of the proposal.

Miscellaneous Comments

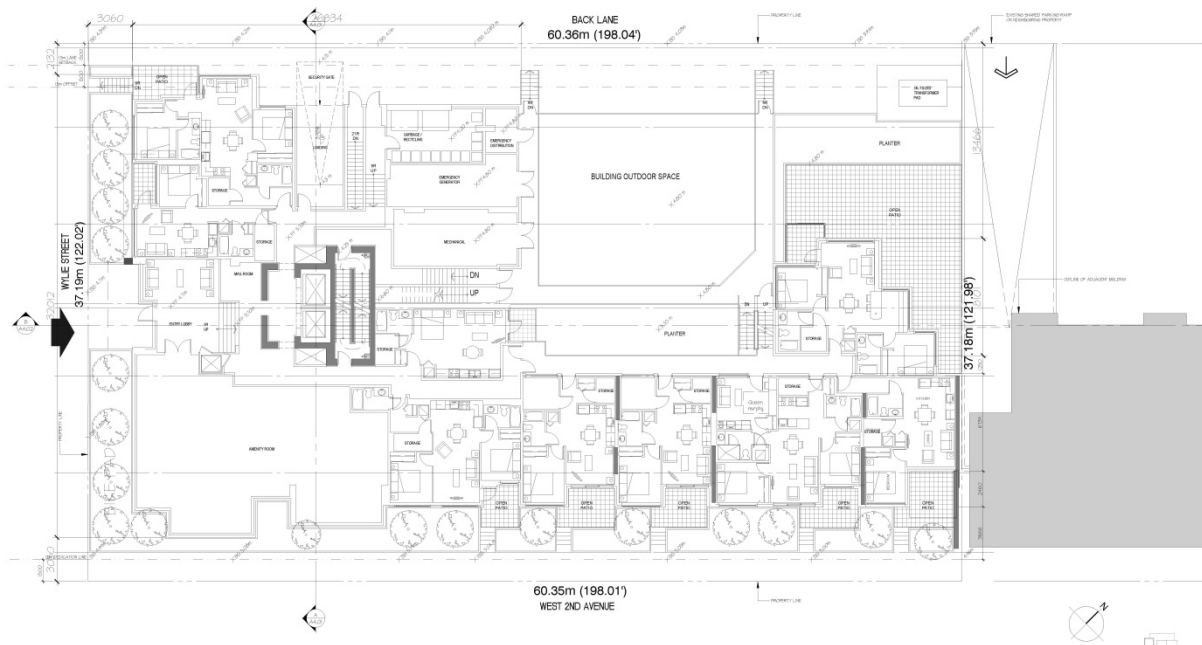
Some have suggested that ground-level commercial/retail units would be a more desirable use on West 2nd Avenue, instead of residential.

371 West 2nd Avenue
Architectural Drawings

Site Plan



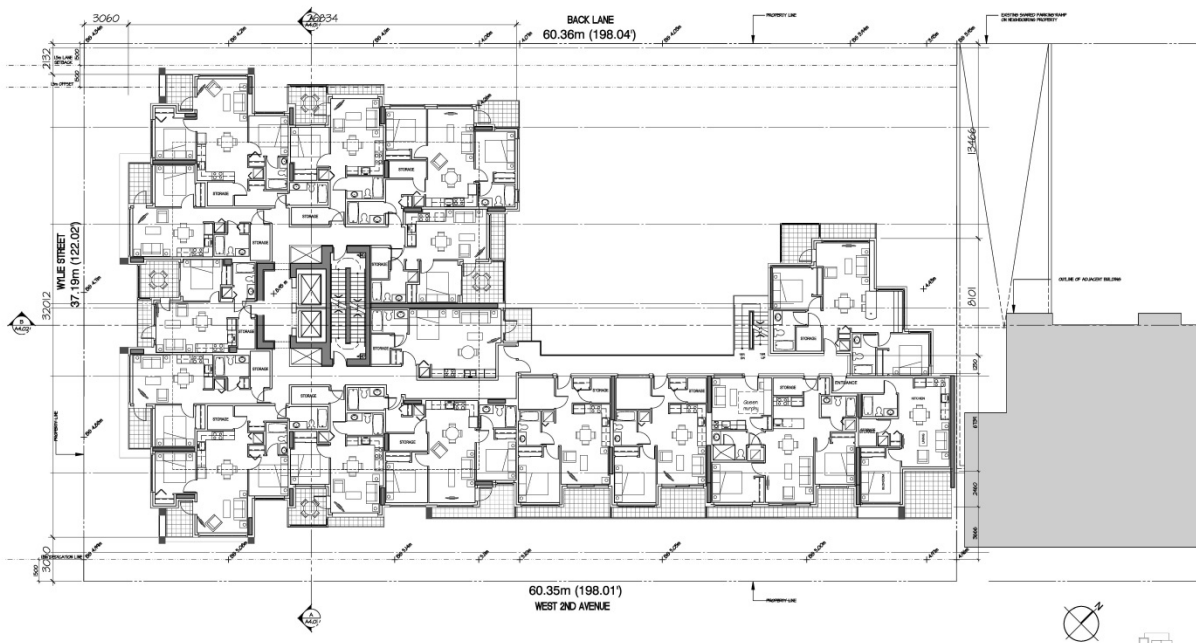
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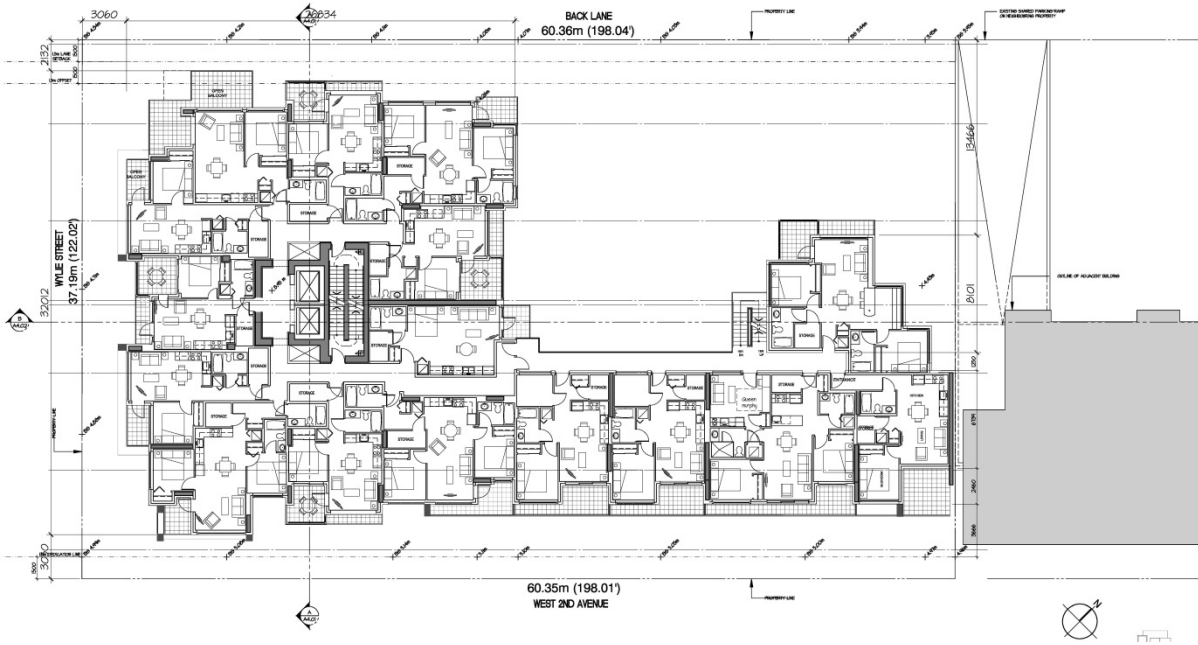
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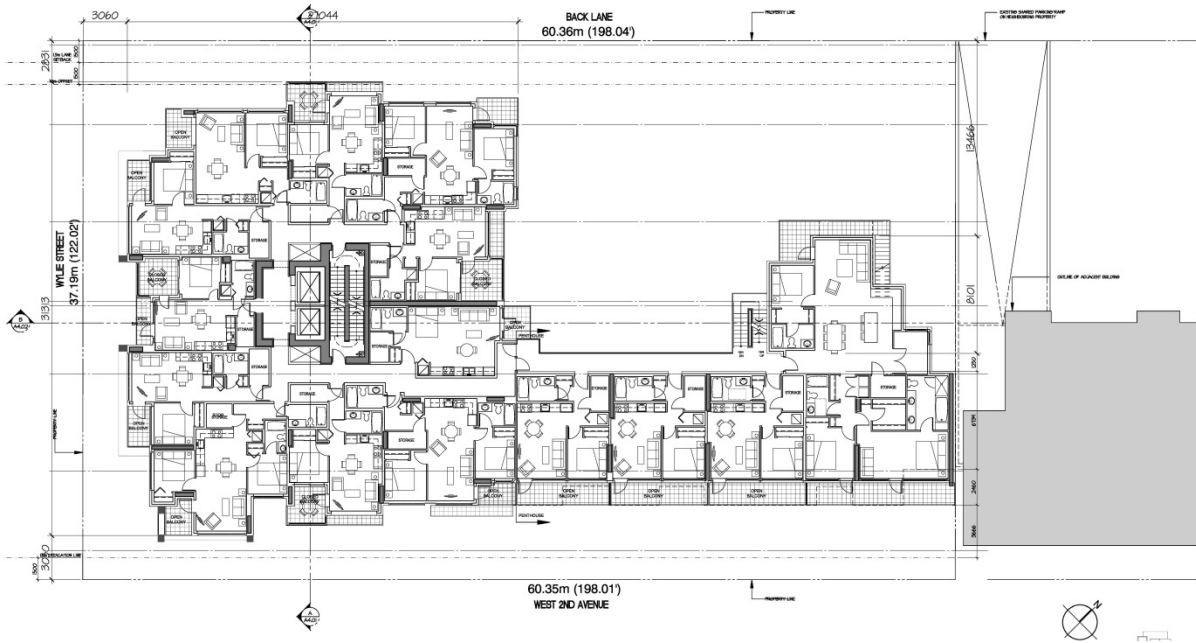
Levels 3 and 4



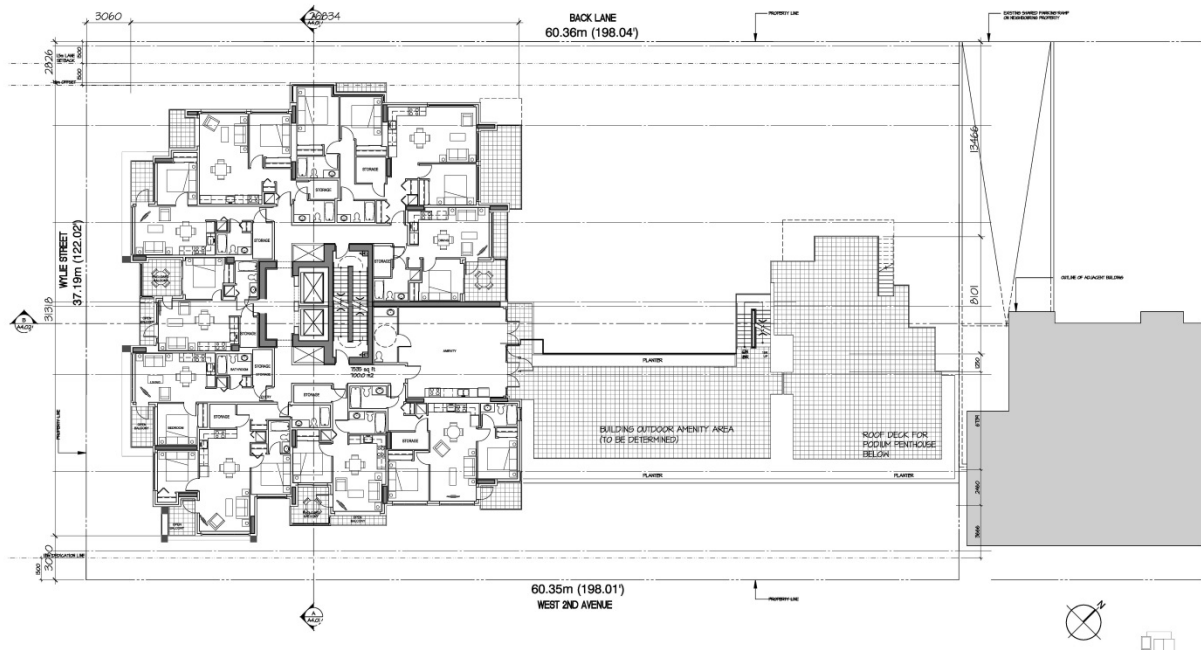
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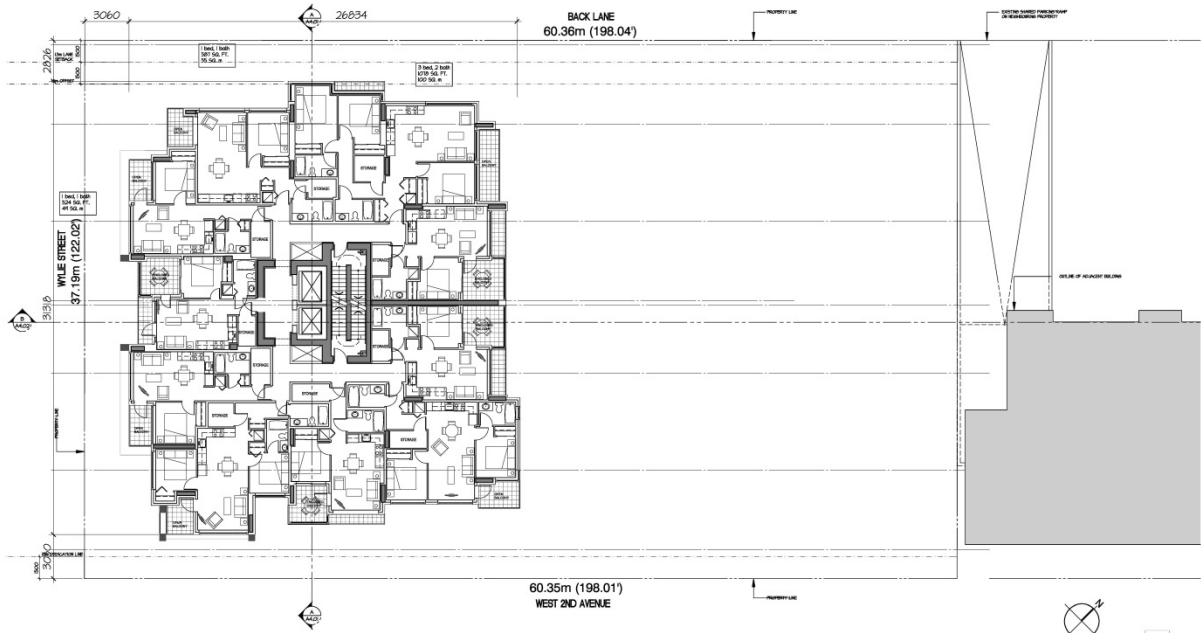
Levels 6



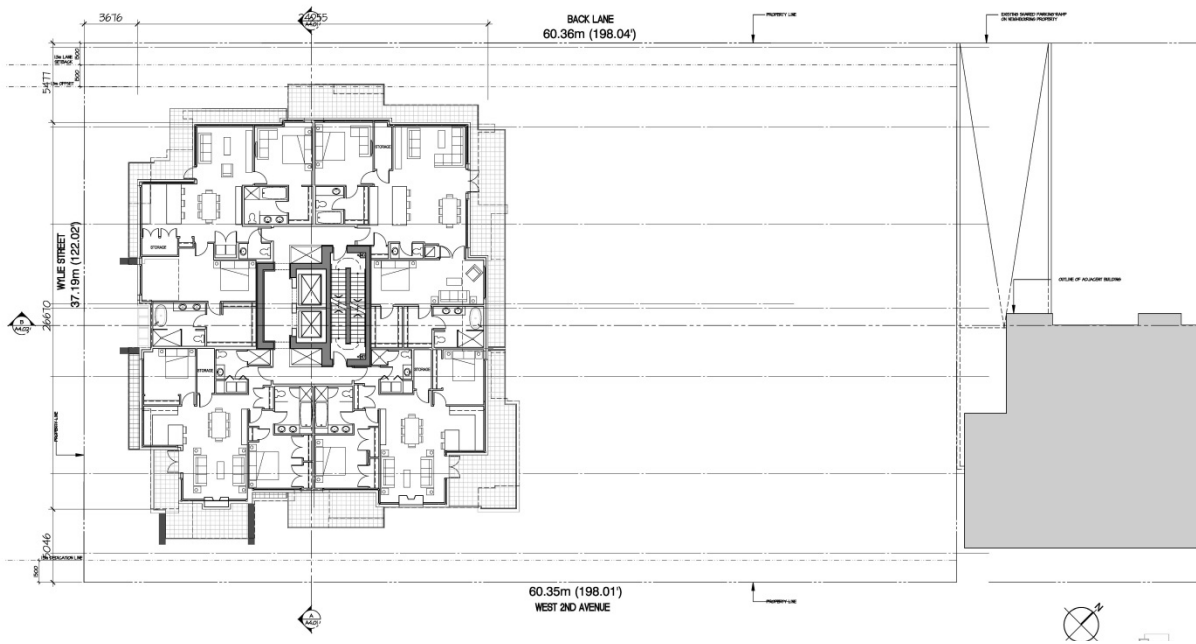
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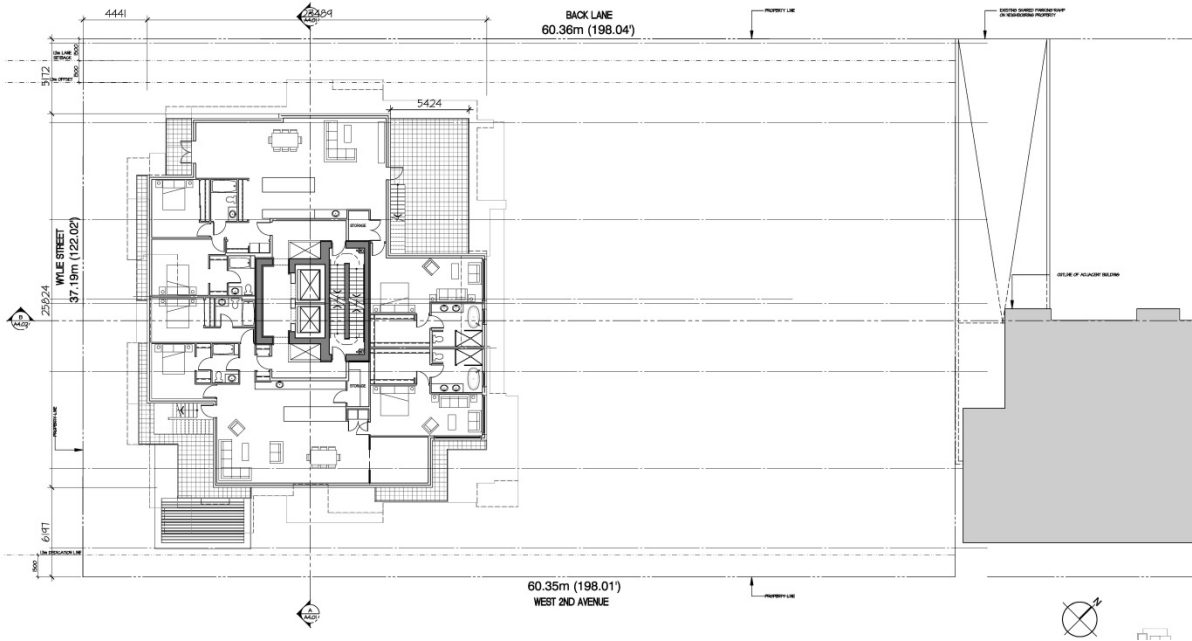
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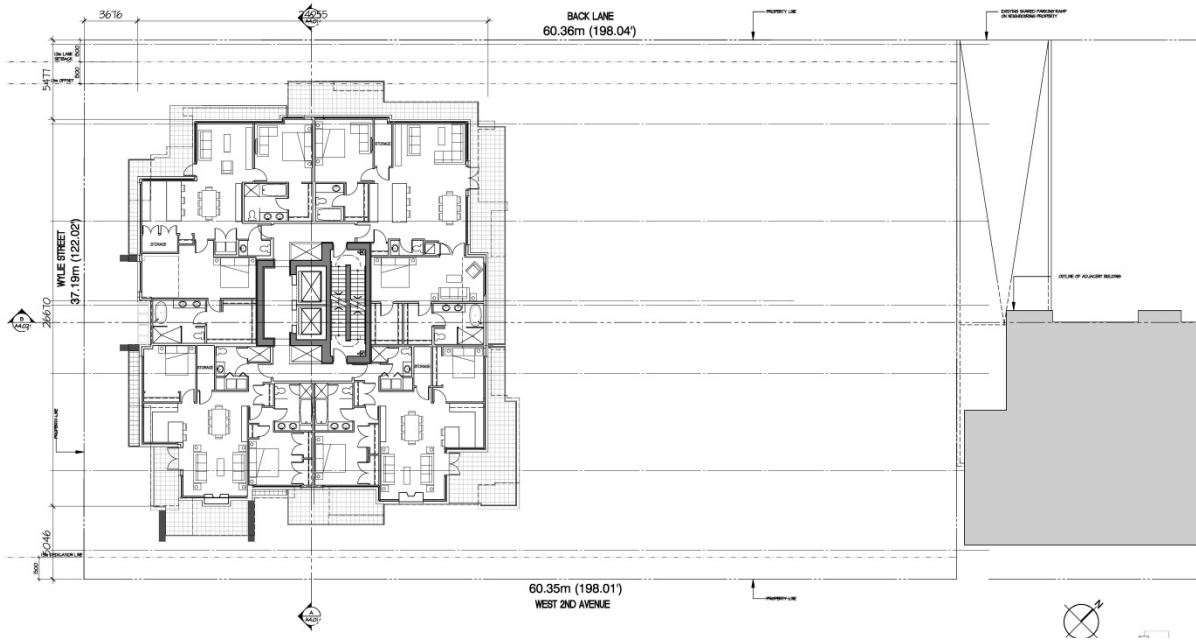
Level 11



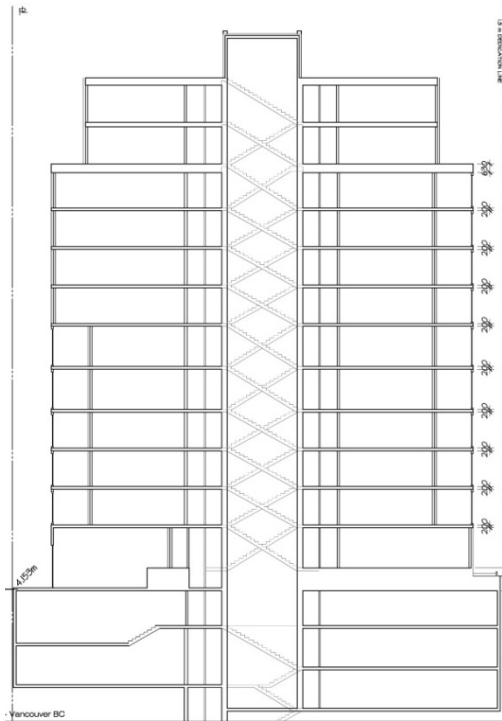
Level 12



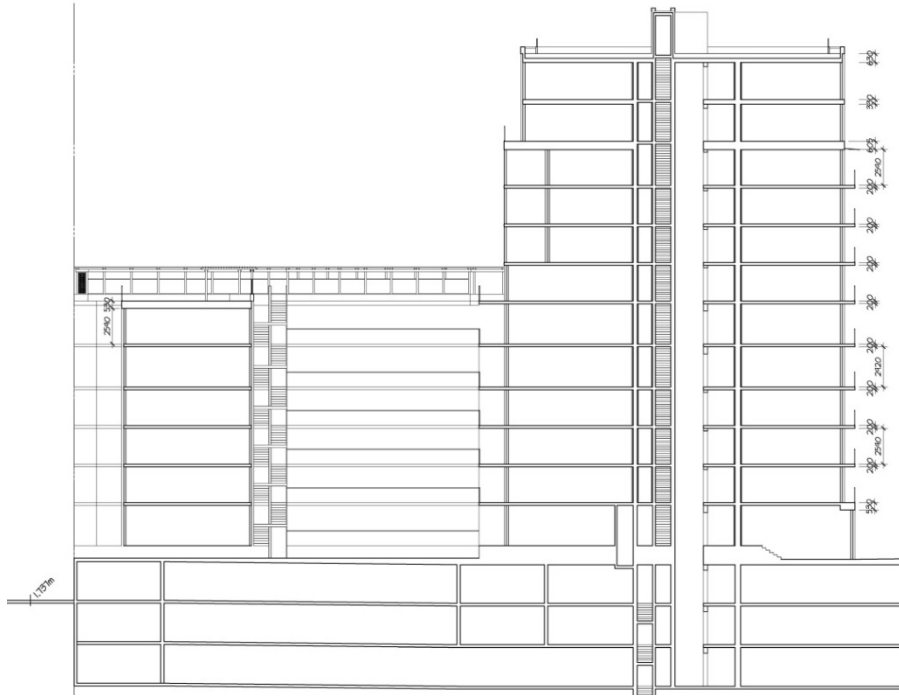
Roof Level



Transverse Section



Longitudanal Section



Corner of Wylie Street / West 2nd Avenue looking northeast



West 2nd Avenue looking east



371 West 2nd Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

A 12-storey residential building with a six-storey podium with 133 strata units.

Public Benefit Summary:

Contributions to DCLs and a CAC, as per the Southeast False Creek Public Benefit Strategy. The CAC is allocated to affordable housing, as per the strategy.

	Current Zoning	Proposed Zoning
Zoning District	M-2	CD-1
FSR (site area = 2,244.5 m ²)	5.0	4.07
Floor Area (m ²)	11,223	9,134
Land Use	Industrial	Residential

Public Benefit Statistics		Value if built under Current Zonina (\$)	Value if built under Proposed Zonina (\$)
Required*	DCL (City-wide & SEFC Layered DCL)	\$1,021,633	\$3,251,277
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (transfer of density receiver site)		
	Affordable Housing	\$1,729,899	\$5,452,383
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
Other			
TOTAL VALUE OF PUBLIC BENEFITS		\$2,751,532	\$8,703,660

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-Wide DCL, revenues are allocated into the following public benefit categories: Engineering (22%); Replacement Housing (32%); Parks (41%); and Childcare (5%).

371 W 2nd Avenue
APPLICANT AND PROPERTY INFORMATION

Property Information

Address	Property Identifier (PID)	Legal Description
371 West 2 nd Avenue	017-680-026	Lot D, Block 3, District Lot 302, New Westminster District, Plan LMP3168

Applicant Information

Applicant/Architect	DYS Architecture
Developer/Property Owner	Aurmon False Creek Development

Development Statistics

	Permitted Under Existing Zoning	Proposed
Zoning	M-2	CD-1
Site Area	60.35 m x 37.2 m (2,244.5 m ²)	60.35 m x 37.2 m (2,244.5 m ²)
Land Use	Industrial	Residential
Maximum FSR	5.00	4.07
Maximum Height	30.5 m	37.54 m
Floor Area	11,223 m ² (120,803 sq. ft.)	Total: 9,134 m ² (98,315 sq. ft.) Base: 7,871 m ² (84,722 sq. ft.) Penthouse: 1,263 m ² (13,595 sq. ft.) Balconies: 754.6 m ² (8,122 sq. ft.), which includes 23 m ² or 0.2% overage
Parking, Loading and Bicycle Spaces	As per Parking By-law	As per Parking By-law