

Refers Item 2.  
Public Hearing of February 27, 2007

MEMORANDUM

February 15, 2007

TO: Mayor Sullivan and Councillors

CC: J. Rogers, City Manager  
S. Baxter, City Clerk  
F. Connell, Director of Legal Services  
J. Forbes-Roberts, General Manager, Community Services  
C. Gray, Director of Housing Centre  
B. Toderian, Director of Planning  
R. Jenkins, Assistant Director, Current Planning

FROM: P. Mondor, Senior Rezoning Planner, Rezoning Centre, Current Planning

SUBJECT: CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue

INFORMATION

The draft CD-1 By-law which has been prepared by staff differs from the draft CD-1 By-law provisions presented in Appendix A of the report **CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue** (report dated January 16, 2007), in two matters: family housing requirement and horizontal angle of daylight regulation.

1. Family Housing

The South East False Creek Official Development Plan states a requirement for the provision of family housing that 25% of the residential units in the private lands are to be suitable for families with small children:

4.3.1 Residential Uses

Development is to be predominantly residential with a diverse housing mix and a focus on families with children, and:

- (i) with respect to families, ... 25% of the residential units in sub-areas 1B, 2B, and 3C are to 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;

Staff recommend for this development that the 25% minimum requirement which has been approved by City Council in the CD-1 rezonings of SEFC ODP private lands to date be reduced to 20%.

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The retention and conservation of the heritage building which occupies half the site confronts numerous challenges, including constraints imposed by the existing pattern of structural columns. The disposition of the units within the existing building must be arranged within the constraint of those columns and has resulted in most units being 'loft style' units that are approximately 14'-8" wide and up to 40' deep and which have one 'open style' bedroom.

Most of the units in the new structure are also proposed by the applicant to be of the same style. The heritage building and the new building are directly attached to one another, have a single main entrance, and form parts of a single project. The applicant advises that the relatively small project cannot be successfully marketed as half a loft project and half a conventional-style project. For these reasons, all the units, old and new, have similar characteristics such as inboard open area bedrooms and large open area great rooms.

Having said this, it will be possible to locate 2-bedroom units, which qualify as family housing, in the northwest and southwest corners of the heritage buildings. Also, 2-bedroom units in the new structure can be located on the upper floors where the depth of the building is reduced. At the lower levels where the new building is deeper to match the existing building, the units are quite deep and thus incorporate the 'loft style' studio suites.

The applicant anticipates that about 22% of the units in total will have a more conventional layout and contain two bedrooms. Staff also wish to note that as this site is one of only two in the private lands of the SEFC ODP area which has a heritage resource and the only one which is likely to be converted to residential use, the 25% family housing objective for the private lands will come very close to being met in spite of the exception proposed here.

## **2. Horizontal Angle of Daylight**

The Horizontal Angle of Daylight requirement is a standard provision in most zoning district schedules and many CD-1 By-laws which seeks to ensure that habitable rooms (not including bathroom and kitchen) have at least one window on an exterior wall and that that window be located to provide an unobstructed view for a minimum distance of 24.0 m (80 ft.) and with an angle of 50 degrees (or two angles with sum of 70 degrees).

The bigger 2-bedroom units which have conventional layouts with bedrooms on the outside wall can meet this requirement, but the narrow, deep 'loft style' units cannot. The 'open style' bedroom arrangement of these units has the bedroom inboard by approximately 6.1-7.6 m (20-25 ft.) with glazing to the remainder of the unit such that the bedroom 'borrows' light from the front of the unit. Compliance with HAD would cause unnecessary hardship to provide more standard type units and staff support deletion of this requirement to support the heritage character of both the existing and new buildings.

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Phil Mondor, Senior Rezoning Planner

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