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P5



CITY OF VANCOUVER

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: May 8, 2007
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VanRIMS No.: 11-3600-10
Meeting Date: May 15, 2007

TO: Vancouver City Council

FROM: Director of Planning

SUBJECT: CD-1 Rezoning of 125 West 1st Avenue (Lot 317) by Plan and Text
Amendments to Olympic Village CD-1 By-law No. 9454 (#454)

RECOMMENDATION

- A. THAT the application, by Gomberoff Bell Lyon Architects Group Inc. on behalf of Millennium Southeast False Creek Properties Ltd. and the City of Vancouver, to rezone 125 West 1st Avenue (PID 026-723-930, Lot 317, False Creek, New Westminster District, Plan BCP24394) ("Lot 317") from M-2 (Industrial) to CD-1 (Comprehensive Development District) by amending CD-1 By-law No. 9454 (#454) to include Lot 317, be referred to a Public Hearing, together with;
- (i) plans prepared by Gomberoff Bell Lyon Architects Group Inc. received April 19, 2007 represented in Appendix E;
 - (ii) draft CD-1 By-law amendments, generally as presented in Appendix A;
 - (iii) the recommendation of the Director of Planning to approve the application, subject to approval of conditions contained in Appendix B;
 - (iv) draft consequential amendments to the Southeast False Creek Official Development Plan ("SEFC ODP") generally as presented in Appendix C;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A and the necessary amendments to the SEFC ODP By-law generally in accordance with Appendix C for consideration at the Public Hearing.

- B. THAT Recommendation A 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.

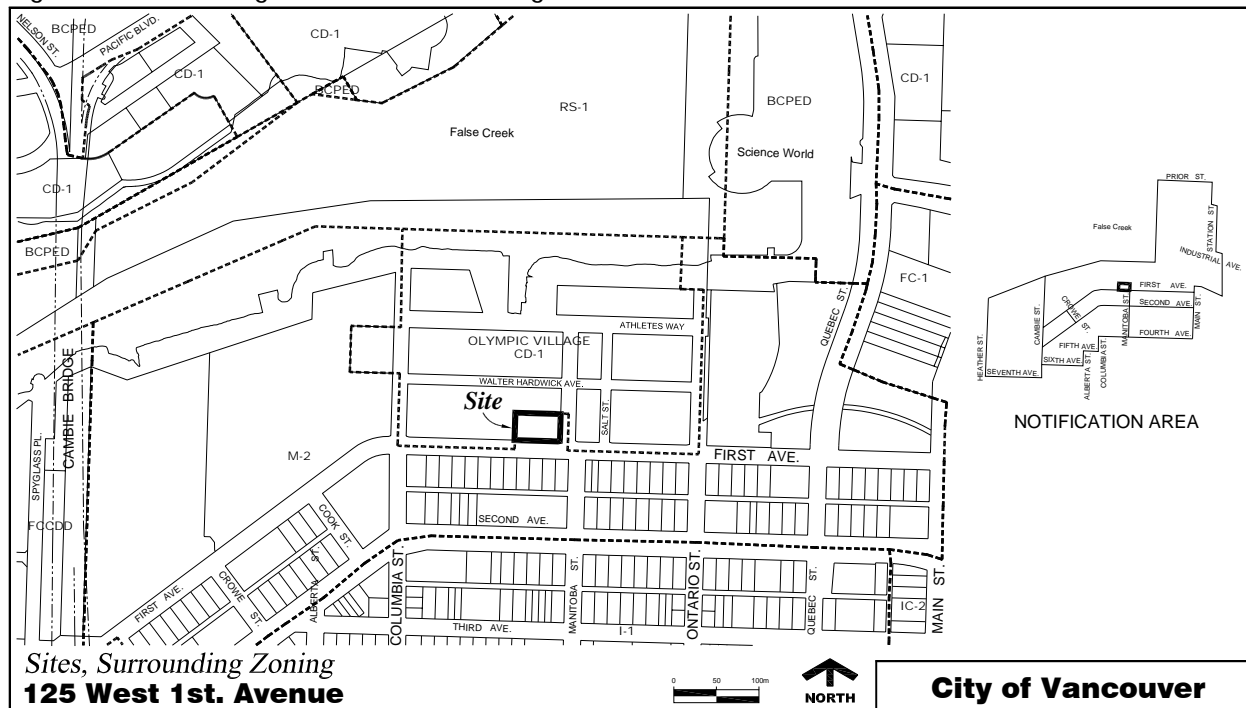
GENERAL MANAGER'S COMMENTS

The General Manager of Community Services **RECOMMENDS** approval of A and B.

COUNCIL POLICY

- CD-1 By-law No. 9454 (#454) for the Olympic Village site, enacted April 17, 2007 (the "Olympic Village CD-1 By-law").
- Southeast False Creek Official Development Plan ("SEFC ODP"), enacted July 19, 2005, amended March 21, 2006 and April 17, 2007.

Figure 1 – Rezoning site and surrounding context



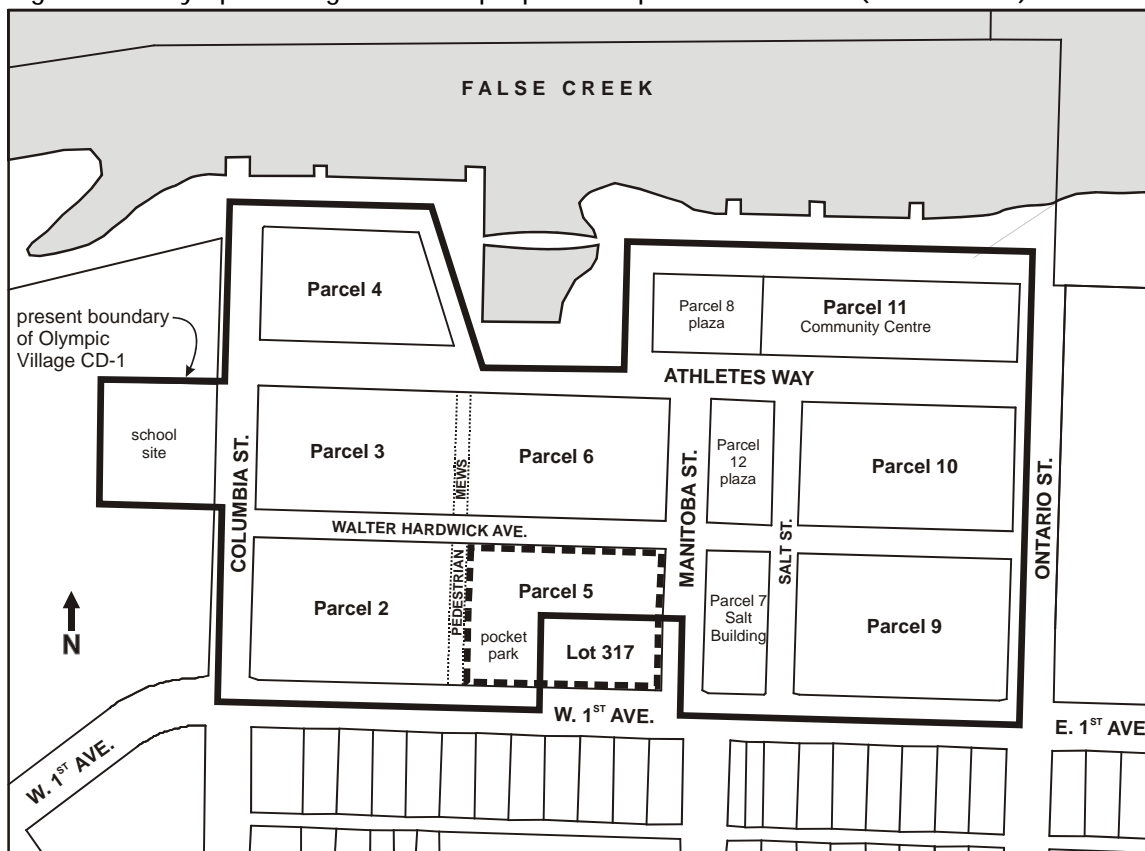
PURPOSE AND SUMMARY

This report assesses an application to rezone 125 West 1st Avenue (Lot 317) from M-2 (Industrial) to CD-1 (Comprehensive Development District). Proposed for the site is a residential/commercial development to be developed on Lot 317 and the adjoining Parcel 5 of the Olympic Village (see Figure 2). Staff support the rezoning and recommend that the existing Olympic Village CD-1 By-law be amended to include Lot 317. The Director of Planning recommends the rezoning application be referred to public hearing together with the draft amendments to the Olympic Village CD-1 By-law, generally as shown in Appendix A, and the recommendation of the Director of Planning that the application be approved, subject to conditions in Appendix B.

BACKGROUND

Lot 317 is the last piece of industrial-zoned land in Area 2A of SEFC (the Olympic Village site). Lot 317 was not part of the October 2006 rezoning of the Olympic Village because, at the time, it was not owned by either the City or the developer, Millennium Southeast False Creek Properties Ltd. Since then, Millennium and the City have arranged to acquire the property. They propose to consolidate Lot 317 with Lot 316 (PID 026-723-859, Lot 316, False Creek, New Westminster District, Plan BCP24394) ("Lot 316") of the Olympic Village to allow a consolidated development on an expanded Parcel 5 ("Expanded Parcel 5") that would be part of the Olympic Village (see Figure 2).

Figure 2 – Olympic Village site and proposed Expanded Parcel 5 (dashed line)



DISCUSSION

Addition of Lot 317 to the Olympic Village

Lot 317 is 1 648 m² (17,738 sq. ft.) in area and located at the corner of 1st Avenue and Manitoba Street. Although it is within Area 2A of the SEFC ODP, this property was not included in the Olympic Village CD-1 By-law and is still designated M-2 (Industrial). The City will acquire Lot 317 prior to the public hearing for the rezoning of Lot 317 and will make arrangements with Millennium to include Lot 317 in the Olympic Village Ground Lease, including the Development Agreement that covers the other Olympic Village parcels. VANOC supports the inclusion of this additional site in the Olympic Village.

Parcel 5 is the L-shaped portion between 1st Avenue and Walter Hardwick Avenue, and between Manitoba Street and a pedestrian mews (see Figure 2). It is to include a pocket park, affordable housing and a small amount of retail use at the corner of Manitoba and Walter Hardwick.

GBL Architects, on behalf of Millennium and the City of Vancouver, have applied to rezone Lot 317. Once Lot 317 is rezoned, it will be consolidated with Lot 316. Consolidation results in a rectangular assembly comparable to the other parcels in the Olympic Village. A better form of development can be achieved than if Lot 317 and Lot 316 were developed separately. It allows the market and affordable housing components to be arranged more efficiently, and it facilitates underground vehicular access from Walter Hardwick Avenue to the south portion of the site.

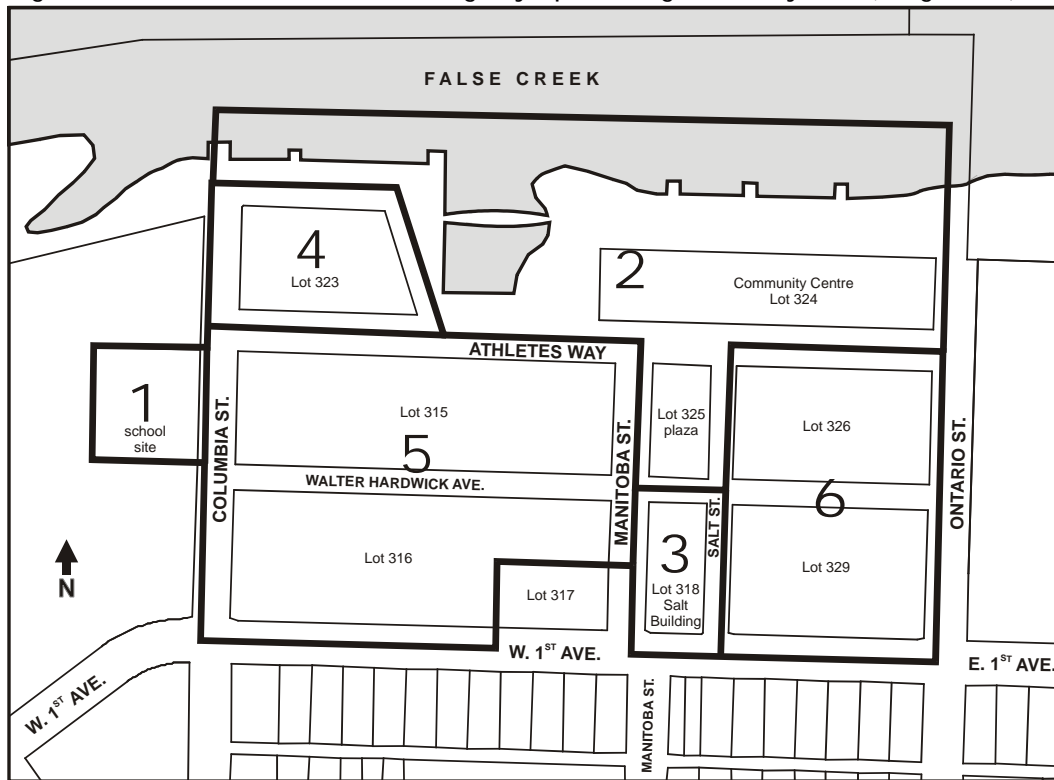
Land Use

Since the proposal is to expand the boundary of the Olympic Village CD-1 By-law to encompass Lot 317, the land uses of that existing by-law would apply to the expanded site. Specifically, sub-area 5 described in the Olympic Village CD-1 By-law would be expanded to include Lot 317 (see Figure 3).

Of the residential uses proposed for the Olympic Village, there are 99 units of affordable housing and 58 of market housing that are proposed for the Expanded Parcel 5. Retail uses are proposed for the grade-level frontage along Manitoba Street, as required by the SEFC ODP. The park use remains as originally proposed – in the southwest corner of Expanded Parcel 5.

A minor amendment to section 3.2(b) of the Olympic Village CD-1 By-law is also included in Appendix A. This is to clarify that the By-law supports both all-residential and mixed-use building types. The current By-law language has created some uncertainty at the development permit stage in approving mixed-use buildings.

Figure 3 – Sub-areas of the existing Olympic Village CD-1 By-law (Diagram 1)



Floor Area and Density

The proposal is to amend the Olympic Village CD-1 By-law to increase the floor area maximums for residential and retail uses to accommodate the inclusion of Lot 317. The amended Olympic Village CD-1 By-law will include floor area for market housing and for retail use, as was anticipated in the SEFC ODP for Lot 317. There is also some additional residential floor area being added for affordable housing, so that the desired unit mix can be achieved (see Affordable Housing, below). The following table summarizes the amendments.

Table 1 – Floor area allocated to Parcel 5 and proposed for Expanded Parcel 5

| | residual floor area in existing CD-1* (allocated to Parcel 5) | + additional floor area (to be added to Olympic Village CD-1 By-law) | = amended CD-1 (totals for Expanded Parcel 5) |
|--------------------------|---|--|---|
| Residential | | | |
| Affordable | 7 776 m ² (83,699 sq. ft.) | 1 363 m ² (14,675 sq. ft.) | 9 139 m ² (98,374 sq. ft.) |
| Market | None approved for Parcel 5 | 3 681 m ² (39,618 sq. ft.) | 3 681 m ² (39,618 sq. ft.) |
| Total Residential | 7 776 m² (83,699 sq. ft.) | 5 044 m² (54,293 sq. ft.) | 12 820 m² (137,992 sq. ft.) |
| Retail | 221 m² (2,383 sq. ft.) | 538 m² (5,792 sq. ft.) | 759 m² (8,175 sq. ft.) |

* Development permit applications have been approved for all of the parcels Millennium is developing except Parcel 5. The floor area remaining in the Olympic Village CD-1 By-law for development on Parcel 5 is shown here, after subtracting that which has been approved for the other parcels.

The proposed amendments to the “Density” section of the CD-1 By-law are shown in Appendix A. They reflect the overall maximums for the revised CD-1 area which increase by the “additional floor area” amounts shown above.

A consequential change to the SEFC ODP is also required, as set out in Appendix C. The ODP overall maximum floor area for Area 2A increases by 2 289 m² (24,639 sq. ft.) to 124 867 m² (1,344,410 sq. ft.). This increase is for the following:

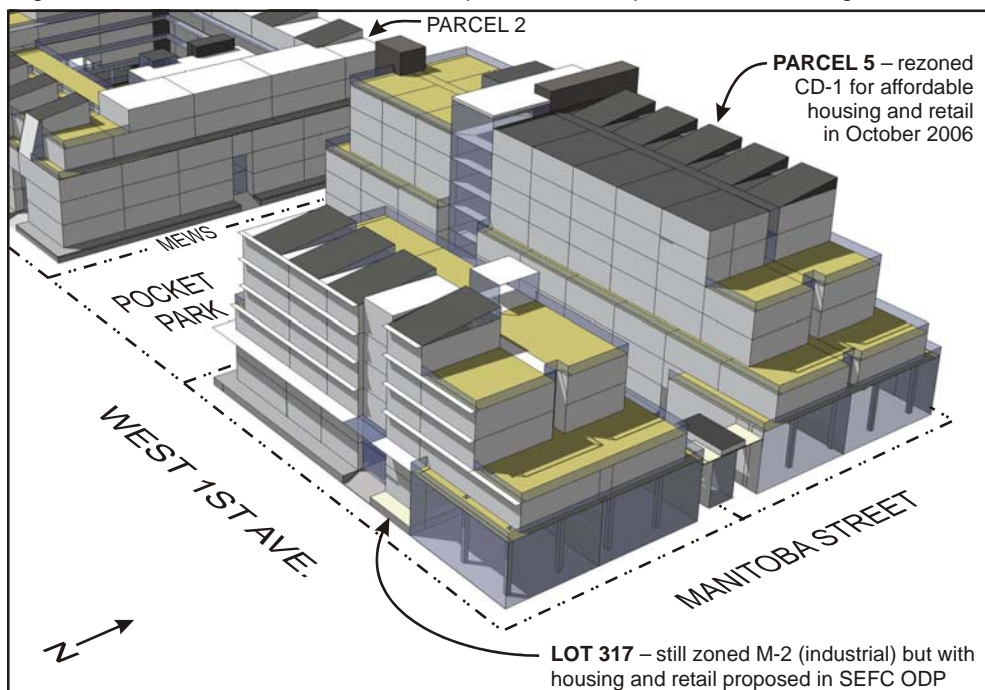
- 1 363 m² (14,675 sq. ft.) more is for the extra affordable housing,
- 746 m² (8,224 sq. ft.) more is for market housing – a greater amount of floor area fits in the form of development than had been previously estimated, and
- 180 m² (1,938 sq. ft.) more is for commercial space which also fits in the form of development and now creates an unbroken retail frontage along Manitoba Street.

Summaries of the Olympic Village development statistics and of the SEFC ODP floor area amendments are in Appendix D.

Form of Development

The form of development approved in principle for Parcel 5 in October 2006 included a 7-storey affordable housing building along Walter Hardwick Avenue, with a retail store at grade level on Manitoba Street and the pocket park in the southwest corner next to a pedestrian mews.

Figure 4 – Previous form of development for separate sites (August 2006)



The rezoning submission of August 2006 also showed a building on Lot 317 to illustrate how the entire block might be fully developed (without consolidation). A 6-storey, mixed-use market building was illustrated at that time. (See Figure 4.)

For an Expanded Parcel 5, the building forms have been reconfigured into more of a north-south orientation (see Figure 5). The affordable housing building is now L-shaped and effectively frames the pocket park. The market building extends along the Manitoba frontage, as originally planned in the SEFC ODP. This revised form of development offers a number of advantages:

- more housing units have better access to sunlight (there are fewer units facing north),
- the affordable housing family units surround the pocket park,
- sunlight access onto Walter Hardwick Avenue is slightly improved, and
- access to underground parking on Lot 317 (required from Walter Hardwick Avenue) no longer has to cross over another legal parcel (Lot 316).

Figure 5 – Form of development proposed for Expanded Parcel 5 (April 2007)
(Also see the Form of Development drawings in Appendix E.)



Staff have reviewed the proposed form of development and feel that it successfully resolves the addition of more affordable housing density (in the L-shaped configuration), and it provides a better resolution for the market housing and retail density than the previous scheme. The programming and design of the pocket park will specifically meet the needs of

the families living around it. The design of the pocket park features an industrial artefact salvaged from the area – the gantry crane from the former Canron Building.

The proposed form of development is scheduled to be reviewed by the Urban Design Panel on May 23. The Panel's advice will be reported to Council by staff at the public hearing.

Building Height

Overall building height has increased to 8 storeys for both buildings, with the lower portion of the affordable building being 5 storeys. For the affordable housing, the additional height is needed to fit in the required unit mix which includes 42 family units of 2, 3 and 4 bedrooms. For the market housing, the additional height allows the building to be narrower creating a wider courtyard between the two buildings, providing more sunlight for the units, for the courtyard and for Walter Hardwick Avenue. The additional height does not create any shadow impact on the public plaza north of the Salt Building.

The dimensional height of 8 storeys is 28.0 m (92.0 ft.), which is below the maximum height of 40.5 m (133 ft.) indicated in the SEFC ODP and permitted in sub-area 5 of the Olympic Village CD-1 By-law. The amendment proposed in Appendix A is to expand the boundary of sub-area 5 to encompass Lot 317, thereby taking on the height limit applicable to sub-area 5.

A minor amendment to section 7.2 of the Olympic Village CD-1 By-law is also included in Appendix A. The amendment increases the permitted height in sub-area 2 from 15.0 m to 17.6 m. This amendment is needed to accommodate the community centre building on Parcel 11. The design submitted by Walter Frankl Architects for this building featured a sloping parapet wall on its roof that extended above the 15.0 m height limit at the eastern end of the building. The By-law excludes parapet walls from the height limit, so staff were prepared to recommend approval of the design. However, the architects revised the interior of the building to increase the ceiling height of the top floor by introducing a sloping roof slab consistent with the height of the parapet wall. The roof slab now also extends above the height limit, although the overall height expressed in the building elevations is identical to the original submission. There is no new view impact to this height change other than that anticipated with the parapet wall. Staff recommend this amendment be included with the proposed amendments to the Olympic Village CD-1 By-law, as it will facilitate completion of the approval process for the community centre. A consequential change to the SEFC ODP is also included in Appendix C.

Affordable Housing

Proposed for Expanded Parcel 5 is the third of three affordable housing buildings to be built in the Olympic Village. The three buildings provide the minimum 250 units of affordable housing that the Olympic Village is required to have. At least 50% of these must be family units. The table below summarizes where the units are being provided.

Table 2 – Affordable Housing in the Olympic Village: current statistics

| Parcel | floor area | # of Units | # of Family Units |
|----------------------|---|------------|-------------------|
| Parcel 2 | 8 106 m ² (87,257 sq. ft.) | 84 | 78 |
| Parcel 5 (+ Lot 317) | 9 139 m ² (98,374 sq. ft.) | 99 | 42 |
| Parcel 9 | 3 906 m ² (42,042 sq. ft.) | 67 | 6 |
| Total | 21 151 m² (227,675 sq. ft.) | 250 | 126 |

In the Olympic Village rezoning, 19 788 m² (213,000 sq. ft.) of residential floor area was set aside to provide the 250 units. After working with BC Housing during the development application stage, it became apparent that more floor area was needed to meet the unit size requirements, particularly for the family housing component. As a result, staff recommend that an additional 1 363 m² (14,675 sq. ft.) of residential floor area be added to the Olympic Village CD-1 By-law for affordable housing so that all three buildings can achieve the unit count and mix shown in the table above. The floor area amendments to the Olympic Village CD-1 By-law and to the SEFC ODP are set out in Appendix A and Appendix C, and discussed above under “Floor Area and Density”. The conditions in Appendix B require that the existing affordable housing agreement, applicable to the Olympic Village, be revised to encompass the expanded site and the amended floor area. No modest market housing is proposed for Expanded Parcel 5, however modest market housing is being provided elsewhere in the Olympic Village as per Council’s direction.

Parking, Loading and Bicycles

The parking, loading and bicycle provisions of the Olympic Village CD-1 would apply to Expanded Parcel 5. Compliance with those provisions is being assessed by staff as part of the development permit review.

Rezoning Conditions

With development application approvals in place for all of the other parcels in the Olympic Village which Millennium is developing, the rezoning of Lot 317 needs to move forward quickly to make sure that construction on Expanded Parcel 5 does not fall too far behind the rest. Staff have therefore taken the unique step of receiving both the rezoning application and the development permit application at the same time. What this means for the rezoning is that form of development conditions, which would typically form part of the rezoning conditions, will instead form part of the development permit conditions. That development permit review will occur in the time period leading up to the public hearing and staff will bring forward conditions by way of a memorandum for Council’s consideration at the public hearing.

Many of the rezoning conditions approved for the Olympic Village in October 2006 are relevant to this rezoning application, so the rezoning conditions for Lot 317 can be expected to be very similar. Conditions related to design development, landscape design, urban agriculture, environmental sustainability, universal access, social planning, and engineering will be included as development permit conditions for Expanded Parcel 5. The development on Expanded Parcel 5 can therefore be expected to achieve the same level of environmental and social sustainability as was envisioned for Parcel 5 and for the other Olympic Village parcels, including achieving LEED™ Gold on both of the proposed buildings.

Appendix B includes rezoning conditions related to legal agreements. For the rezoning of Lot 317, this largely means revising those agreements which were applicable to the Olympic Village site for enactment of the Olympic Village CD-1 By-law, to extend them to the new boundaries of the Olympic Village site. Among these are agreements concerning housing, soils, public art, and co-op cars.

Public Consultation

A rezoning notification letter was mailed to surrounding property owners on May 4, 2007 and an information sign was placed on Lot 317 at that time. Public open houses, at which the model for the proposed development on Expanded Parcel 5 was displayed, were held on Thursday, April 12, 2007 and Saturday, April 14, 2007. The open houses focused on a number of planning items related to SEFC. On a comment form, one question about the Expanded Parcel 5 development was asked. Of the 22 respondents, 10 were supportive of the proposal, 10 were neutral and 2 were not supportive. Commentary was mixed with many underlining the importance of incorporating affordable housing into SEFC developments.

Public Benefits

The form of development approved in principle for the Olympic Village site in October 2006 was used to arrive at the public benefits for the Olympic Village rezoning. It included affordable housing, for which Development Cost Levies (DCLs) are not applicable and for which a Community Amenity Contribution (CAC) is not anticipated. It also included market residential and commercial uses for which DCLs are paid and CACs are anticipated. The arrangement for this floor area is that the SEFC area-specific DCL is to be paid by the Property Endowment Fund (PEF) and the City-wide DCL by the developer. In lieu of CACs, the PEF makes direct payments for various public amenities under the SEFC Financial Plan and Strategy.

Lot 317 was not part of the public benefit arrangements made for the Olympic Village CD-1 rezoning in October 2006. Instead, it is subject to the DCL and CAC policies applicable to the Private Lands in SEFC as outlined in the SEFC Financial Plan and Strategy, where the developer is responsible for paying the CAC and the SEFC area-specific DCL, as well as the City-wide DCL.

To reconcile the public benefits for Expanded Parcel 5, staff recommend that all of the floor area being added for market housing be subject to the DCL and CAC rates and policies applicable to the Private Lands development. No market housing had been allocated for Parcel 5, so the market housing floor area in the current application is otherwise what would have been on Lot 317, had that property proceeded for development separately.

For commercial use, floor area is also being added to the CD-1 By-law to cover the total amount of commercial proposed for the Expanded Parcel 5 development. That portion of commercial floor area added to the CD-1 By-law should likewise be subject to the Private Lands policies, as it too was not present in the Olympic Village CD-1 By-law.

Affordable housing is also proposed to have additional floor area than was approved in the existing CD-1, however it is exempt from DCLs, and CACs are not anticipated.

In summary, the public benefits anticipated as a result of this rezoning include:

- for 3 681 m² (39,618 sq. ft.) of new market housing floor area – \$455,607 is offered by the developer as a CAC (at \$11.50 per sq. ft.) and about \$812,169 in DCLs would be collected from the developer (at \$20.50 per sq. ft. in total for City-wide and SEFC area-specific DCLs); and
- for 538 m² (5,792 sq. ft.) of additional commercial floor area – \$66,608 is offered by the developer as a CAC and about \$118,736 in DCLs would be collected from the developer.

Payment of the total CAC offering of \$522,215 would be secured by a rezoning condition (see Appendix B).

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Staff assessment of this application concludes that the use, density and form of development of Expanded Parcel 5, as a result of rezoning Lot 317 and including it in the Olympic Village site, are generally supportable. The Director of Planning recommends that the rezoning application be referred to a public hearing, together with draft plan and text amendments to the Olympic Village CD-1 By-law, generally as shown in Appendix A, and a recommendation of the Director of Planning that they be approved, subject to the conditions of approval listed in Appendix B, including approval in principle of the form of development as shown in plans included in this report as Appendix E. The Director of Planning also recommends that consequential amendments to the SEFC ODP, generally as outlined in Appendix C, be referred to the same public hearing.

* * * * *

DRAFT AMENDMENTS TO CD-1 BY-LAW NO. 9454 (#454)

- Amend section 3.2(b) as follows:
 - (b) Dwelling Uses, limited to Multiple Dwelling, ~~and~~ Seniors Supportive or Assisted Housing, and Dwelling Units in conjunction with any use listed in this section 3.2.

- Amend **Diagram 1** of section 5, "Sub-areas", to include 125 West 1st Avenue (Lot 317) within sub-area 5.

- Amend sections 6.1, 6.2 and 6.5 as follows:
 - 6. **Density**
 - 6.1 The combined total floor area in dwelling use and live-work use is not to exceed ~~109 611 m²~~ 114 655 m².
 - 6.2 The combined total floor area in retail, service and office uses is not to exceed ~~9 674 m²~~ 10 212 m².
 - 6.5 In sub-areas 4, 5 and 6 combined, the total floor area in retail, service and office uses is not to exceed ~~5 912 m²~~ 6 450 m².

- Amend section 7.2 as follows:
 - 7.2 In sub-area 2, the building height, measured above the base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed ~~15 m~~ 17.6 m.

- Amend **Schedule A** to include 125 West 1st Avenue (Lot 317) within the CD-1 site boundary.

- Substitute all references to "51, 85, 199 and 215 West 1st Avenue, 1599 and 1651 Ontario Street, 1598 and 1650 Columbia Street" with "Olympic Village".

* * * * *

125 West 1st Avenue (Lot 317)

PROPOSED CONDITIONS OF APPROVAL

Note: These are draft conditions which are subject to change and refinement by staff prior to the finalization of the agenda for the public hearing to the satisfaction of the Director of Legal Services.

FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Gomberoff Bell Lyon Architects Group Inc. and stamped "Received Planning Department, April 19, 2007", provided that the Director of Planning or the Development Permit Board, as the case may be, 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 final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, or Development Permit Board, who shall consider relevant conditions approved on October 17, 2006 in the CD-1 By-law rezoning of the Olympic Village site and any other conditions approved by Council at the Public Hearing.

AGREEMENTS

- (c) THAT, prior to enactment of the by-law to amend the CD-1 By-law, the registered owners shall, at no cost to the City make arrangements for the following, on terms and conditions satisfactory to the Director of Legal Services:

ENGINEERING

- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, in consultation with the Director of Planning, for:
 - a. the provision, operation, and maintenance of co-operative vehicles and the provision and maintenance of parking spaces for use exclusively by such co-operative vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law and;
 - b. designation of visitor or surplus parking spaces which are publicly accessible for future use by co-operative vehicles, with such spaces not to be in addition to required parking for residents or visitors;

all as outlined in the table below:

| Dwelling Units | Co-operative Vehicle | Co-operative Vehicle Parking Space | Future Converted Co-operative 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 |

- (ii) consolidation of Lot 317 with Lot 316. Consolidation prior to issuance of Development Permit is required.
- (iii) release of any redundant charges on title of Lot 317.
- (iv) provision of a 1.0 m by 1.0 m corner cut at the southeast corner of Lot 317 is required. (A surface right of way is required).

SOILS

- (v) do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion;
- (vi) execute a Section 219 Covenant, as required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, covenanting that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning, until Certificates of Compliance have been provided to the City by the Ministry of Environment;

HOUSING

- (vii) execute revised agreements, satisfactory to the City Manager and the Director of Legal Services, ensuring development of a total of at least 21 151 m² (227,673 sq. ft.) of floor area on Parcels 2, 5, 9 and Lot 317 for Affordable Housing as defined in the South East False Creek Official Development Plan, such proposed floor space to be sufficient to accommodate a minimum of 250 Affordable Housing units of which 50% of all Affordable Housing units must be designed for families with children.

PUBLIC ART

- (viii) execute a revised agreement, satisfactory to the Directors of Legal Services and the Office of Cultural Affairs, for the provision of public art in accordance with the City's Public Art Policy and the SEFC Public Art Plan, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials.

COMMUNITY AMENITY CONTRIBUTION

- (ix) the agreed Community Amenity Contribution in the amount of \$522,215 is to be paid to the City, on terms and conditions acceptable to the Director of Legal Services.

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

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

* * * *

DRAFT AMENDMENTS
TO THE
SOUTHEAST FALSE CREEK (SEFC) OFFICIAL DEVELOPMENT PLAN (ODP) BY-LAW

Amend sub-sections 4.2, 4.3.1(a), and 4.3.1(c)(i) as follows:

4.2 Density

The basic floor area allowance for all uses developed after February 1, 2005, except cultural, recreational and institutional uses, is not to exceed ~~574 903 m²~~ 577 192 m².

4.3.1 Residential uses

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

(a) the basic residential floor area allowance for all areas is not to exceed ~~552 161 m²~~ 554 270 m²;

(c) in areas 1A, 2A, and 3A combined:

(i) the basic residential floor area allowance is not to exceed ~~213 911 m²~~ 216 020 m²

Amendments to Figures:

Amend Figure 4 to increase the floor area amounts for Area 2A as shown:

Total Floor Area: ~~122 578 m²~~ 124 867 m²

Residential Area: ~~112 546 m²~~ 114 655 m²

Amend Figure 9 to change the height referenced in Area 2A as "4 storeys (15 m)" to "4 storeys (17.6 m)".

* * * * *

ADDITIONAL INFORMATION

Summary of Olympic Village Development Statistics

| SQUARE FEET | | FLOOR AREA (sq. ft.) | | | | | Commercial sub-areas 4, 5 and 6 |
|-------------|--|--|---------------|----------------|------------------|---------------|---------------------------------------|
| | | as calculated according to the CD-1 By-law | | | | | |
| | | Residential | | | | total resid. | |
| market | modest | affordable | | | | | |
| A. | existing CD-1 By-law (approved Oct. 2006) | 877,082 | 89,800 | 213,000 | 1,179,882 | 63,638 | |
| | approved developments | permit number | | | | | |
| | Parcel 2 | DE410840 | 135,808 | 0 | 87,257 | 223,065 | 0 |
| | Parcel 3 | DE410877 | 147,279 | 35,968 | 0 | 183,247 | 0 |
| | Parcel 4 | DE411068 | 152,968 | 0 | 0 | 152,968 | 0 |
| | Parcel 6 | DE410879 | 112,386 | 16,320 | 0 | 128,706 | 13,791 |
| | Parcel 9 | DE410876 | 125,661 | 37,512 | 42,042 | 205,215 | 25,920 |
| | Parcel 10 | DE410878 | 202,982 | 0 | 0 | 202,982 | 21,544 |
| B. | DE approved floor area (total of above) | 877,084 | 89,800 | 129,299 | 1,096,183 | 61,255 | |
| C. | residual in CD-1 for Parcel 5 (A - B) | 0 | 0 | 83,699 | 83,699 | 2,383 | |
| D. | proposed for Expanded Parcel 5 | 39,618 | 0 | 98,374 | 137,992 | 8,175 | |
| E. | to be added to CD-1 By-law (D - C) | 39,618 | 0 | 14,675 | 54,293 | 5,792 | |
| F. | amended CD-1 By-law (A + E) | 916,700 | 89,800 | 227,675 | 1,234,175 | 69,430 | |

| SQUARE METRES | | FLOOR AREA (sq. ft.) | | | | | Commercial sub-areas 4, 5 and 6 |
|---------------|--|--|--------------|---------------|----------------|--------------|---------------------------------------|
| | | as calculated according to the CD-1 By-law | | | | | |
| | | Residential | | | | total resid. | |
| market | modest | affordable | | | | | |
| A. | existing CD-1 By-law (approved Oct. 2006) | 81,481 | 8,342 | 19,788 | 109,611 | 5,912 | |
| | approved developments | permit number | | | | | |
| | Parcel 2 | DE410840 | 12,617 | 0 | 8,106 | 20,723 | 0 |
| | Parcel 3 | DE410877 | 13,682 | 3,341 | 0 | 17,024 | 0 |
| | Parcel 4 | DE411068 | 14,211 | 0 | 0 | 14,211 | 0 |
| | Parcel 6 | DE410879 | 10,441 | 1,516 | 0 | 11,957 | 1,281 |
| | Parcel 9 | DE410876 | 11,674 | 3,485 | 3,906 | 19,064 | 2,408 |
| | Parcel 10 | DE410878 | 18,857 | 0 | 0 | 18,857 | 2,001 |
| B. | DE approved floor area (total of above) | 81,481 | 8,342 | 12,012 | 101,835 | 5,691 | |
| C. | residual in CD-1 for Parcel 5 (A - B) | 0 | 0 | 7,776 | 7,776 | 221 | |
| D. | proposed for Expanded Parcel 5 | 3,681 | 0 | 9,139 | 12,819 | 759 | |
| E. | to be added to CD-1 By-law (D - C) | 3,681 | 0 | 1,363 | 5,044 | 538 | |
| F. | amended CD-1 By-law (A + E) | 85,161 | 8,342 | 21,151 | 114,655 | 6,450 | |

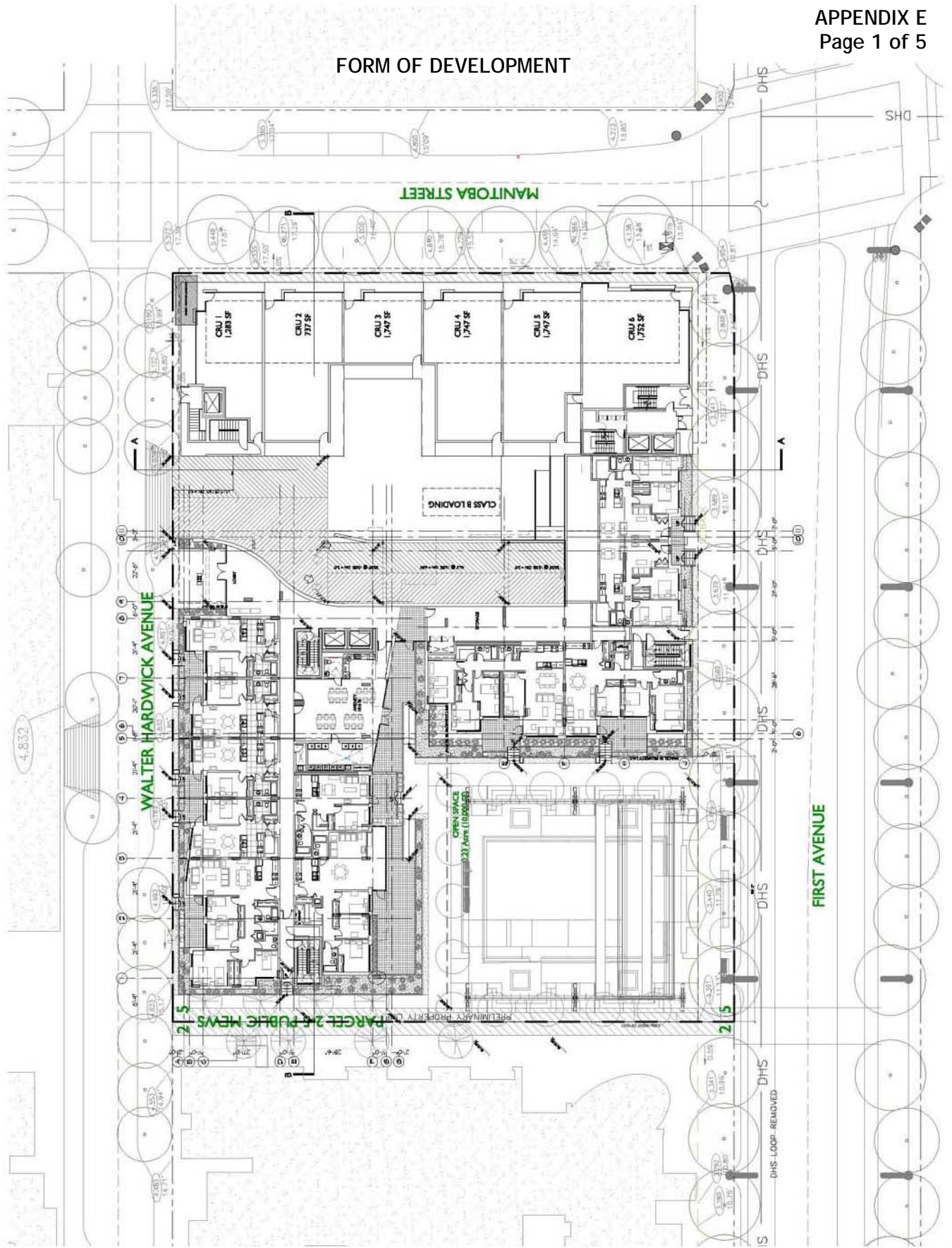
Southeast False Creek Official Development Plan (SEFC ODP)

Summary of Amendments to Floor Area Amounts
in metres square

| | Residential | Commercial (all sub-areas) | both uses | |
|--|----------------|-------------------------------|----------------|--|
| 1. existing CD-1 (Area 2A without Lot 317) | 109,611 | 9,674 | 119,285 | |
| 2. Lot 317 (Maywood Property) allocation | 2,935 | 358 | 3,293 | |
| 3. existing ODP - Area 2A (1 + 2) | 112,546 | 10,032 | 122,578 | Current amounts in Figure 4 of the ODP. |
| 4. amended CD-1 - now all of Area 2A including Expanded Parcel 5 floor area | 114,655 | 10,212 | 124,867 | Amended amounts for Figure 4 of the ODP and for sections 6.1 and 6.2 of the CD-1 By-law. |
| affordable housing | 1,363 | | 1,363 | |
| market housing and commercial | 746 | 180 | 926 | |
| 5. change (increase) 4 - 3 | 2,109 | 180 | 2,289 | |
| 6. existing ODP - Areas 1A, 2A and 3A | 213,911 | | | Current figures in sections 4.2 and 4.3 of the ODP. |
| 7. existing ODP - all areas | 552,161 | | 574,903 | |
| 8. amended ODP - Areas 1A, 2A and 3A (5 + 6) | 216,020 | | | Amended figures for sections 4.2 and 4.3 of the ODP. |
| 9. amended ODP - all areas (5 + 7) | 554,270 | | 577,192 | |

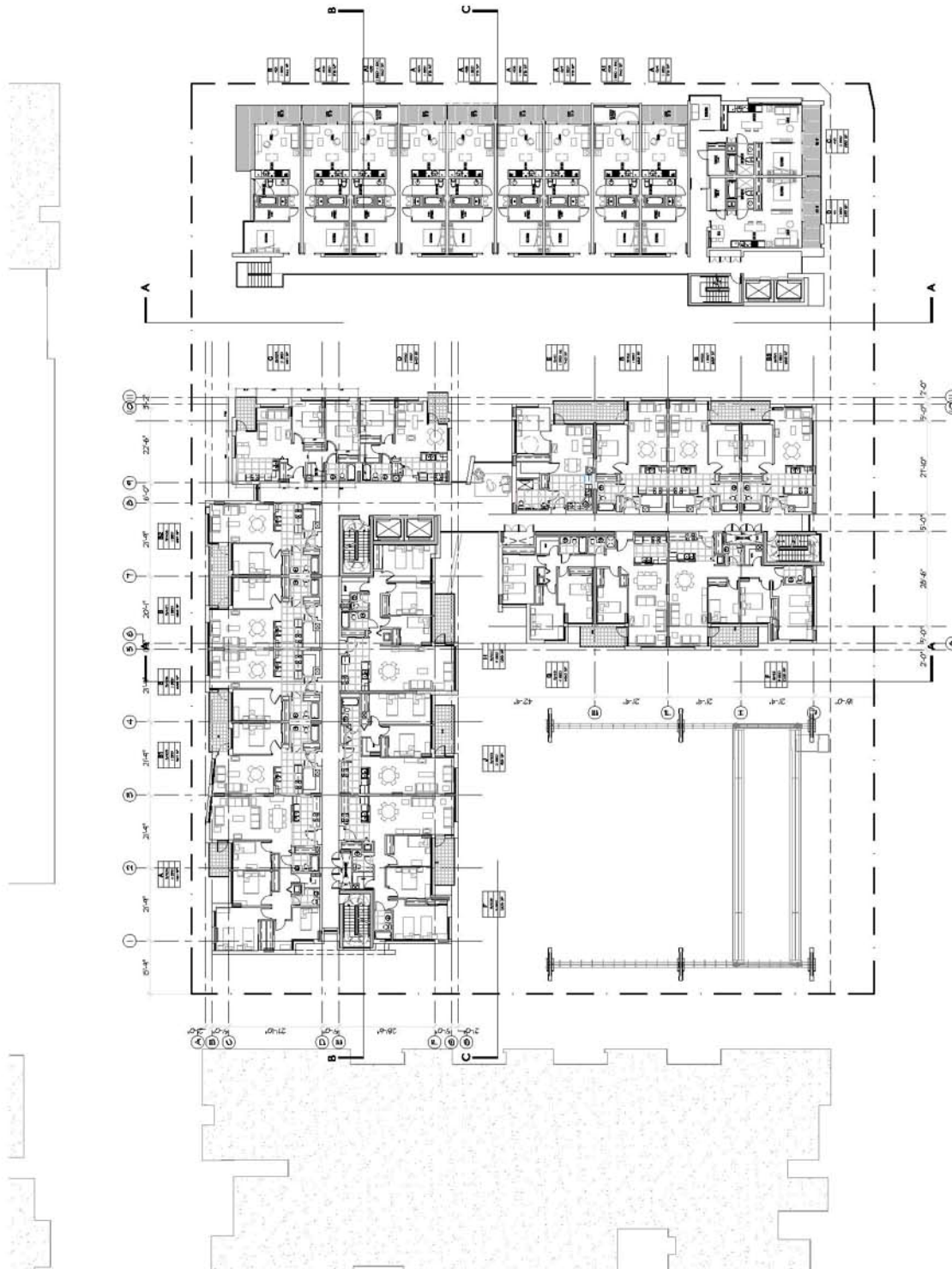
* The allocation for Lot 317 shown in the Sept. 14, 2006 staff report for the Olympic Village rezoning was incorrect. The ODP form of development allows for more density than was indicated at the time.

FORM OF DEVELOPMENT



DATE: 01 APR 2009
 SCALE: AS SHOWN
 PROJECT NUMBER: 0577
 SHEET NUMBER: 5 | A-2.03

PROJECT: MILLENNIUM WATER
 SFC SUBDIVISION 2A
 SHEET TITLE: GROUND FLOOR PLAN
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1/8" = 1'-0"
 PROJECT NUMBER: 0577
 SHEET NUMBER: 5 | A-2.03



DATE _____
ISSUE _____
REVISION FOR _____

KEY PLAN

PROJECT
MILLENNIUM WATER

SEFC SUBDIVISION 2A

SHEET TITLE
4TH FLOOR PLAN

DRAWN BY _____ CHECKED BY _____
PROJECT NUMBER 0577 SCALE 1/4" = 1'-0"
SHEET NUMBER

5 A-2.06



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PLOTTED:

ALL ENCLOSED BALCONIES SHALL BE DESIGNED AND CONSTRUCTED TO MEET ALL APPLICABLE CODES AND REGULATIONS.

ISSUE
REVISION FOR REVISION

DATE
03 APR 2009

PRELIMINARY
NOT FOR CONSTRUCTION

KEY PLAN

PROJECT
MILLENNIUM WATER
SFC SUBDIVISION 2A

SHEET TITLE
MARKET EAST & WEST ELEVATIONS

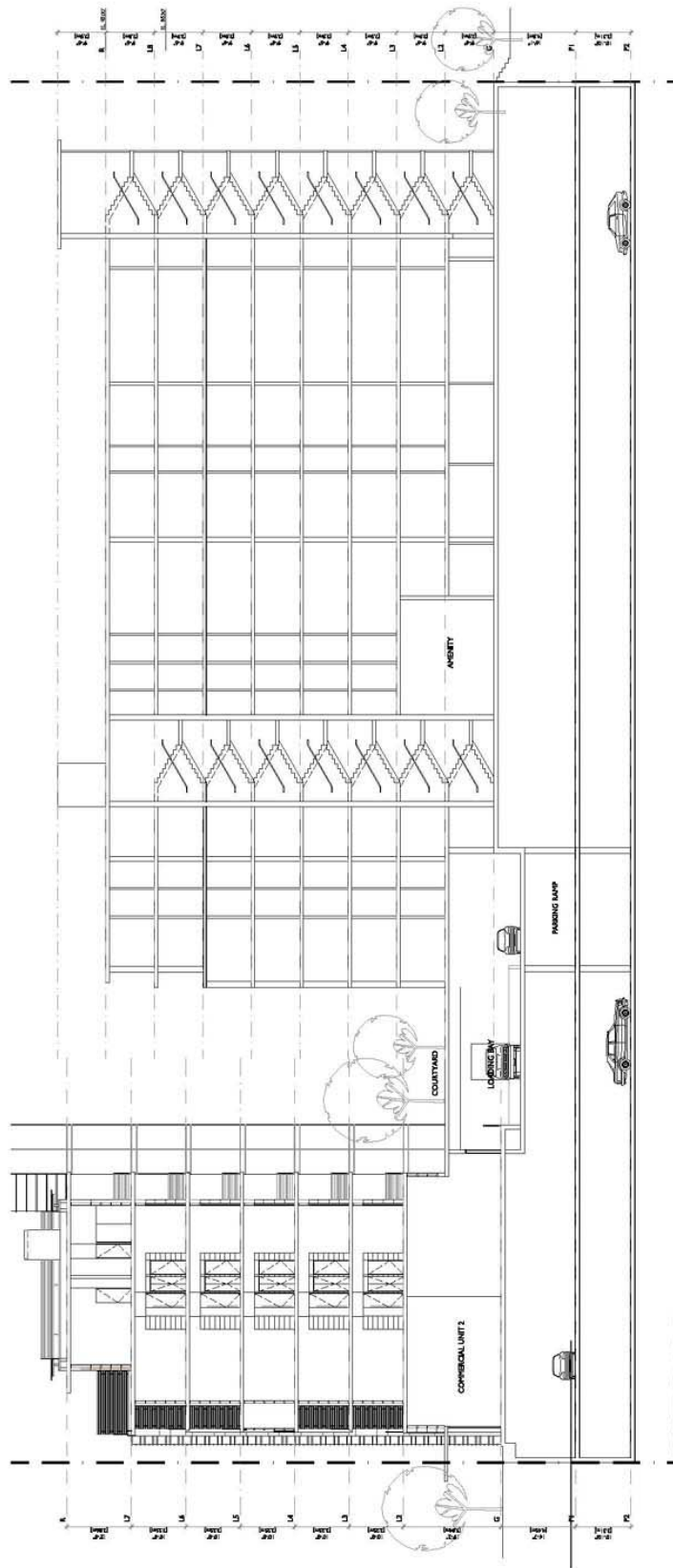
DRAWN BY
CHECKED BY

PROJECT NUMBER
0579

SCALE
3/32" = 1'-0"

FACEL
SHEET NUMBER

5 A-3.02



SECTION B-B



ALL ENCLOSED WALLS SHALL BE DESIGNED AND
 CONSTRUCTED IN ACCORDANCE WITH THE
 CONSTRUCTION SPECIFICATIONS FOR STRUCTURAL
 STEEL

DATE: 04.14.2009
 ISSUE: REVISION FOR REVISION

PRELIMINARY
 NOT FOR CONSTRUCTION

KEY PLAN

PROJECT: **MILLENNIUM WATER**
 SEC SUBDIVISION 2A

SHEET TITLE: **SECTIONS**

DRAWN BY: _____ CHECKED BY: _____
 PROJECT NUMBER: 0579 SCALE: 3/8" = 1'-0"
 PARCEL: _____ SHEET NUMBER: _____

5 | A-4.01

APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

Applicant and Property Information

| | |
|-------------------|--|
| Street Address | 125 West 1st Avenue |
| Legal Description | PID 026-723-930 Lot 317 False Creek New Westminster District Plan BCP24394 |
| Applicant | Gomberoff Bell Lyon Architects Group Inc. |
| Architects | Gomberoff Bell Lyon Architects Group Inc. |
| Developer | Millennium Southeast False Creek Properties Ltd. |
| Property Owner | City of Vancouver (acquisition pending) |

Site Statistics

| | GROSS | DEDICATIONS | NET |
|-------------------------------|--|-------------|--|
| Site Area (Lot 317) | 1 648 m ² (17,738 sq. ft.) | 0 | 1 648 m ² (17,738 sq. ft.) |
| Site Area (Expanded Parcel 5) | 3 453 m ² (55,191 sq. ft.) | 0 | 3 453 m ² (55,191 sq. ft.) |

Development Statistics

| | Existing Zoning | Proposed Development | Recommended |
|---|--|---|-------------|
| Zoning | M-2 | Comprehensive Development District (CD-1) | as proposed |
| Uses | Manufacturing, Retail, Service, Transportation, & Storage, Utility, & Communication, Wholesale | Dwelling, Retail, Service, Office, Cultural, Recreational and Institutional Uses | as proposed |
| Max. Floor Area (for consolidated site) | n/a | Dwelling Use: 12 819 m ² (137,992 sq. ft.); Retail, Service, Office Uses: 759 m ² (8,175 sq. ft.); Park or Playground | as proposed |
| Maximum Building Height | 30.5 m (100 ft.) in M-2 40.5 m (132.9 ft.) in SEFC ODP | 28.0 m (92.0 ft.) | as proposed |
| Parking, Loading, and Bicycle Spaces | as per Parking By-law | As per SEFC Green Building Strategy Parking Standards | as proposed |